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**Friday, September 5, 1958**

# **LOK SABHA DEBATES**

**(Fifth Session)**



***(Vol. XIX contains Nos. 11-20)***

**LOK SABHA SECRETARIAT  
NEW DELHI**

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## LOK SABHA DEBATES

4849

### LOK SABHA

Friday, 5th September, 1958

*The Lok Sabha met at Eleven of the Clock.*

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

**Government of India Tourist Office, Paris**

\*947. **Shri Abdul Salam:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a huge building for Tourist Office in Paris was taken on lease at high costs and is lying almost empty.

(b) if so, the reasons therefor, and

(c) the action taken in the matter?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) No, Sir. The Government of India have taken only a small portion of a hotel in Paris, for their Tourist Office. The area of the rented space is 3161 sq ft. The lease is for 15 years. Considering the central location of the premises and the prevailing rent values for such accommodation, the rent of Rs. 2,835 per month being paid for it, is not regarded as high. A major portion of the premises acquired is fully in use and the surplus space, in excess of the requirements of the Tourist Office, is proposed to be utilised by the Information Wing of the Indian Embassy.

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

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**Shri Abdul Salam:** Is it a fact that a huge amount was paid as *pugree*—as gratis—for getting the building; if so, may I know how much was paid?

**Shri Raj Bahadur:** A sum of Rs. 2,57,640 equal to 19 million francs was paid in a lump sum as 'key money' which happens to be a legal transaction, a recognised transaction in France.

सरदार वृन्ध सिंह : फ्रांस में पगड़ी  
लेना दुस्त है ।

श्री राज बहादुर जी हा, पगड़ी की  
इज्जत है वहां ।

**Shri V. C. Shukla:** What is the estimated number of tourists that come from France to India? Has there been any increase in the number of tourists that come from France to India after this tourist office has been opened there?

**Shri Raj Bahadur:** The proposal to open this office was conceived in 1955 and we opened it in early 1956. Since then I think there has been a regular increase. The number of tourists' arrival from Paris to India was 882 in 1955. In 1956 the number went up to 1726. In 1957 the number was 1955 and 1958 figures are not available.

**Shri Tangamani:** The hon. Minister said that Rs. 2,57,640 has been paid as 'key money'. May I know whether that amount will be adjusted towards the rental of Rs. 2,835 per month?

**Shri Raj Bahadur:** No, Sir: 'key money' is 'key money'.

**Mr. Speaker:** I am afraid that will be copied here also.

### Scientific Research on Arid Lands

\*948. **Shri Subodh Hansda:** Will the Minister of Food and Agriculture be pleased to state:

(a) the steps taken to carry on scientific research on Arid lands;

(b) the number of such Research Stations established in India; and

(c) whether any foreign assistance has been asked for to carry on the research work?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** (a) and (b). A Desert Afforestation and Soil Conservation Research Station was set up at Jodhpur in 1952. This provides *inter alia* for applied research work on a number of problems of arid lands.

(c) Yes, Sir. Under the UNESCO's major project on arid land research programme, technical assistance in the form of experts, fellowships and equipments will be available for further expanding the programme of the research station at Jodhpur so as to cover all problems relating to arid lands.

**Shri Subodh Hansda:** May I know the total amount spent since the inception of this scheme?

**Shri M. V. Krishnappa:** For this scientific research on arid lands we have not spent much, but it has been calculated that nearly Rs 15 lakhs will have to be spent in the remaining part of the Second Plan.

**Shri Subodh Hansda:** May I know whether any other research station would be established in any other part of the country?

**Shri M. V. Krishnappa:** First we will set up the research station in Jodhpur. It is only after that the question about starting other stations will be considered.

**Shri Ranga:** Are our scientists who are working at this research station in touch with similar work that is being carried on in the U.S.S.R., specially Central Asia?

**Shri M. V. Krishnappa:** No, Sir, under UNESCO we got two experts from Australia; we will follow the Australian pattern in this.

**Dr. Ram Subhag Singh:** May I know whether the knowledge gained there is utilised somewhere or not?

**Shri M. V. Krishnappa:** It is too early to say that. The station will be set up very early. In September-October we are expecting two experts, and under their advice this station will be set up.

**Shri Goray:** May I know what is the rainfall per year in these areas?

**Shri M. V. Krishnappa:** It ranges from 4 inches to 25 inches.

**Shri Harish Chandra Mathur:** This work in Jodhpur has been going on for quite a considerable time. It is another thing that you are setting up a new wing. May I know what has been done during the last two years?

**Shri M. V. Krishnappa:** The work going on in Jodhpur is in regard to the afforestation scheme and not about the arid research scheme.

### Zoo in Delhi

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\*949. { **Shri Ram Krishan:**  
**Shri D. C. Sharma:**  
**Sardar Iqbal Singh:**  
**Shri S. M. Banerjee:**  
**Shri Tangamani:**

Will the Minister of Food and Agriculture be pleased to state the progress made so far towards the construction of a zoological garden in Delhi?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** A statement is laid on the Table of the Lok Sabha [See Appendix IV, annexure No. 39].

**Shri Ram Krishan:** May I know the total amount spent so far on this construction work?

**Shri M. V. Krishnappa:** The Delhi zoo ultimately will cost about Rs 1,20,00,000 and it is said that it

would take about five years to complete the whole thing. Up till now we have spent about Rs. 30 lakhs, and from the beginning of next April we want to open the zoo for the public.

**Shri Ram Krishan:** May I know whether the entire work will be completed during the remaining period of the Second Five Year Plan?

**Shri M. V. Krishnappa:** It will take five years from today to complete the whole thing, but we expect that from next April the zoo will be ready for the visitors.

**Shri D. C. Sharma:** May I know if any Indians are being sent abroad for training in the art of looking after the zoo properly?

**Shri M. V. Krishnappa:** We got some experts from Germany and an expert in botanical garden from Japan, and we have trained our men from those experts whom we got from Germany and Japan.

**Shri Tangamani:** May I know whether the development of these 37 acres adjoining the Purana Quila for the Botanical Gardens forms part of the core of the Plan?

**Shri M. V. Krishnappa:** This is part of the zoo—the Botanical Gardens to the extent of 37 acres. In this Botanical Garden a portion to the extent of 11 acres will be for a landscape garden of the Japanese type.

**Mr. Speaker:** The hon Member wants to know whether this is a part of the core of the Plan.

**Shri M. V. Krishnappa:** It is a part of the Plan.

**Mr. Speaker:** The core has yet to develop in a tree.

**Shri S. M. Banerjee:** We have presented many baby elephants to other countries. May I know whether we have got some animals from any of those countries?

**Shri M. V. Krishnappa:** Yes; we have already got a number of animals. There are nearly 400 animals, and

some of them were presented to the Prime Minister and also our President. For the information of the hon. Members I would like to say that there is already an elephant which will not only dance, but dance to the tune of music.

**Shri Goray:** That is not from any foreign country; that is from here.

**Shrimati Renn Chakravartty:** We have one of the finest zoological gardens in Calcutta, which has been there for very many years. May I know what was the exact necessity for us to send abroad our people to be trained under experts?

**Shri M. V. Krishnappa:** We got the experts from Germany and Japan; we did not send any Indian expert to be trained from outside. We have very many zoos in India, out of which Calcutta is also one. But this will be the biggest in Asia, and we want to see that all that deserves a place in a zoo will be in that zoo.

### Gandak Project

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**Shri Ram Krishan:**  
**Shri Rajendra Singh:**  
**Sardar Iqbal Singh:**  
**Shri Bibhuti Mishra:**  
**Dr. Ram Subhag Singh:**  
 \*950. **Shri Shivananjappa:**  
**Shri Radha Raman:**  
**Shri Bishwanath Roy:**  
**Pandit D. N. Tiwary:**  
**Shri Hem Barua:**  
**Shri Jhulan Sinha:**

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 1162 dated the 11th March, 1958, and state the further progress made regarding Gandak Project?

**The Deputy Minister of Irrigation and Power (Shri Hatthi):** The Central Water and Power Commission have examined the Project Report and sent their preliminary technical comments to the Government of Bihar. The negotiations with the Government of Nepal are still going on.

**Shri Ram Krishan:** May I know whether any decision has been taken about the selection of the site?

**Shri Hathl:** Yes; the decision about the barrage has already been taken. It would be across the Gandak river at about a thousand feet below the existing canal.

**Shri Shree Narayan Das:** May I know if the Government of Nepal have asked for a provision in the agreement for a larger number of miles of canals in their territory and if so, the expenditure likely to be increased by this?

**Shri Hathl:** The negotiations are going on between the Government of Nepal and the Government of India. About the technical aspects and the benefits which India would derive, certain points have cropped up, but it would not be desirable at this stage to tell all that has transpired or is transpiring between the two Governments. We are in the stage of negotiation.

**Dr. Ram Subhag Singh:** May I know whether this Gandak project work will start during the Second Plan?

**Shri Hathl:** The intention is to start it in the Second Five Year Plan. A provision of Rs. 5 crores has also been made for that project.

**Shri Hem Barua:** May I know if it is a fact that a group of Nepalese engineers has left for the barrage site according to the decisions arrived at the conference held towards the end of July between the representatives of the two Governments—Nepal Government and Government of India—and if so, have they submitted any report on the basis of which the agreement is to be signed?

**Shri Hathl:** A team of engineers from India did go to Nepal to discuss certain technical matters. The report and the discussions that took place were submitted to the Ministry. The Nepal Government are also thinking of sending a commission to the site. We are awaiting that now.

**Shri Radha Raman:** May I know whether it is a fact that the agreement which is to be concluded is being delayed on account of the King going on foreign tour?

**An Hon. Member:** He has returned.

**Shri Radha Raman:** May I know whether that agreement is now being expedited?

**Shri Hathl:** As I said, we are in the stage of negotiation. We on our part are trying to expedite the conclusion of the agreement as soon as possible.

#### Policy of Decentralization of Railway Board

\*951. **Shri Harish Chandra Mathur:** Will the Minister of Railways be pleased to state:

(a) whether Railway Board have taken any further steps during the year to give effect to its policy of decentralisation at all levels; and

(b) what is the nature of the steps taken?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) It is presumed that the Hon'ble Member is referring to delegation of powers.

Increased powers were delegated to General Managers in 1954 and again in 1957. The scope for further delegation is thus limited, but further powers are delegated to General Managers whenever it is found necessary to do so.

(b) During 1958, railway administrations were granted additional powers in some cases, particularly in respect of purchase of stores up to Rs. 25,000 in each case without going through Director General, Supply & Disposals. (The previous limit was Rs. 10,000 in each case).

**Shri Harish Chandra Mathur:** May I draw the hon. Deputy Minister's attention to my question. I asked about decentralisation at all levels and not only at the General Manager's level, because the work is executed by the subordinates to the General

**Manager.** May I know whether there is any decentralisation which has taken place at all levels, below the General Manager's level?

**Shri S. V. Ramaswamy:** We are not quite clear about the meaning of the word the hon. Member is using. I take it that it is delegation of powers. If that is so, enhanced powers have been delegated to the General Managers, Heads of Departments, etc. If the hon. Member is interested in it, I shall read that portion.

**Mr. Speaker:** Delegation has taken place at lower levels also.

**Shri Harish Chandra Mathur:** May I know whether this question was discussed at the last General Managers' meeting with particular reference to disciplinary action and if so, what was the general view of the decision taken?

**Shri S. V. Ramaswamy:** We do not propose to disclose it at this stage.

**Shri Damani:** May I know whether the question of holding meetings of the Railway Board at zonal headquarters has been considered?

**Mr. Speaker:** How does it arise out of this question?

**Shri Tangamani:** May I know whether any powers have been delegated to the Divisional Superintendents and if so, up to what amount can they spend without any sanction previously from the General Manager?

**Shri S. V. Ramaswamy:** Yes. General Managers have recently been authorised to delegate powers of local purchase and stores which are normally to be exercised only by Controller of Stores to Divisional Superintendents also, subject to the limits given below: (a) Purchase of non-stock items up to Rs. 100 per item, but not exceeding Rs. 1,000 in the aggregate per month. (b) In the case of emergency, purchase of stock items up to Rs. 100 per item, but not exceeding Rs. 1,000 in the aggregate per month in consultation with the concerned accounts officer.

**Shri Kaaliwal:** May I know what particular powers were delegated to the Deputy General Managers in 1957-58?

**Shri S. V. Ramaswamy:** It is a matter of internal adjustment; I would require notice of that question.

**Mr. Speaker:** Am I to understand that Mr. Damani's question is whether the meetings of the Board will be held at various zonal headquarters?

**Shri Damani:** Yes. If the meeting is held at the zonal headquarters, they can study the problems of that area carefully.

**Shri S. V. Ramaswamy:** The meeting of General Managers is held so far only in Delhi. They have not been held at the headquarters of the various zones.

**Mr. Speaker:** He wants to know whether the meetings of the Railway Board will be held at the various zonal headquarters, so that they may understand the problems there.

**Shri Harish Chandra Mathur:** The hon. Deputy Minister has said that he is not in a position to disclose at this stage the question of delegation of power discussed at the General Managers' meeting. May I know if he considers it to be not in the public interest?

**Shri S. V. Ramaswamy:** If the hon. Member renews his question at a later stage, I shall answer it.

**Mr. Speaker:** What is the good of going into these matters? He has said that at this stage it is not desirable to disclose those things.

**Shri Ranga:** The hon. Deputy Minister said that at present these meetings are not being held in the zonal headquarters. Is the advisability of holding these meetings in the zonal headquarters likely to be considered?

**Shri S. V. Ramaswamy:** The question is not under active consideration now.

### Remodelling of New Delhi Station

\*952. **Shri D. C. Sharma:** Will the Minister of Railways be pleased to state:

(a) the amount spent up-to-date on the remodelling of New Delhi Station; and

(b) whether the entire project of remodelling of this station has been completed?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) The expenditure booked so far on the remodelling of the New Delhi Station and the Yard is Rs. 28.67 lakhs.

(b) No, Sir. The final phase of the work is expected to be completed by about December, 1958.

**Shri D. C. Sharma:** May I know how far this remodelling of the railway station will reduce congestion in goods and passenger traffic?

**Shri S. V. Ramaswamy:** I think passenger amenities have increased considerably and the congestion in New Delhi station has been relieved to a considerable extent. So far as the goods traffic is concerned, the yard programme is in three phases. Phases 1 and 2 have been completed. Phase 3 is yet to be completed and if that is also completed, the goods traffic will be handled with better facility.

**Shri Shree Narayan Das:** The hon. Minister has said that the remodelling has not yet been completed. May I know what will be the total expenditure involved if it is to be completed?

**Shri S. V. Ramaswamy:** With regard to yard remodelling, it is in three phases. Phases 1 and 2 have been completed. Phase 3 consists of provision of platform....

**Mr. Speaker:** He wants to know only the money required.

**Shri S. V. Ramaswamy:** So far as the new station building is concerned, it has been completed at an estimated cost of Rs. 19.95 lakhs. The up-to-date booked expenditure is Rs. 20.54 lakhs.

So far as the yard is concerned, the estimated cost is Rs. 10.69 lakhs. We have spent so far Rs. 8.13 lakhs.

**Mr. Speaker:** The hon. Deputy Minister was only asked what more money has to be spent to make it complete. These details make us dizzy. Rs. 4 lakhs, Rs. 5 lakhs, etc.—who knows all these details? Next question.

### Central Council of Ayurvedic Research

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\*953. { **Shri Kodliyan:**  
**Shri Padam Dev:**

Will the Minister of Health be pleased to state:

(a) whether Government have taken any final decision with regard to the proposal for establishing a Central Council of Ayurvedic Research;

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

(c) the views expressed by various State Governments on the proposal?

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

(b) and (c). Almost all the State Governments were in favour of the proposal but subsequently the Central Council of Health decided that the development of the indigenous systems of medicine should be left to the individual State Governments. Therefore the establishment of such a Council was not considered necessary for the present.

**Shri Kodliyan:** The Central Council of Health during the recent meeting held in January this year recommended to the Central Government that research in the indigenous systems of medicine should be encouraged by the Centre. May I know what steps have been taken so far to implement this recommendation?

**Shri Karmarkar:** The aid that the Central Government gives is towards upgrading Ayurvedic institutions and

research in Ayurveda. For research work in the indigenous systems and aid for Ayurveda the expenditure was as follows:

1954-55	..	Rs. 12,82,000 in round numbers
1956-57	..	Rs. 10,20,000
1957-58	..	Rs. 16,23,000

and this was given by way of aid.

**श्री पद्म बेब :** क्या मैं जान सकता हूँ कि जबकि श्री कलाप्रो के समर्थन के लिए सेंट्रल गवर्नमेंट में इस प्रकार की योजनाएँ चल रही हैं—तैसे मगीन और दूसरी कलाएँ हैं—तो क्या मनुष्य के जीवन से सम्बन्धित प्राचीन आयुर्वेदिक तरीका-ए-इलाज के लिये सेंट्रल अपना फंड इतना ही समझता है कि वह स्टेट गवर्नमेंट्स को कुछ पैसा दे दे और डिस्पेंसरीया बढ़ा दी जायें, लेकिन क्या मिस्टम को दुरुस्त करने के लिये और उम के सम्बन्ध में जानकारी प्राप्त करने के लिये कोई योजना सरकार के विचारधीन नहीं है ?

**श्री करमरकर :** जैसा मैंने अंग्रेजी में बताया है, खास तौर से दो रीतियों से मेटर में इस मिस्टम को मर्यापना दी जाती है—एक तो मर्यापन के लिये और दूसरे आयुर्वेदिक क्षेत्र में विद्यमान संस्थाओं की ताकत बढ़ाने के लिये । मैं ने अभी अर्ज किया है कि हम ने कितना पैसा दिया है और मेकड फाइव थीअर प्लान में एक करोड़ की योजना है ।

**Mr. Speaker:** In the case of students of arts, scholarships etc. are given. Likewise, so far as ayurvedic doctors are concerned, why don't you give some such encouragement?

**Shri Karmarkar:** We have a post-graduate training centre in Jamnagar, where we are taking ayurvedic graduates. We are giving them stipends and meeting their expenditure.

**Dr. Ram Subhag Singh:** May I know whether any members of the Central Health Council are directly associated with any indigenous system?

**Shri Karmarkar:** The members of the Central Health Council, are the Ministers in the various States. \*

**Mr. Speaker:** Are there people practising Ayurvedic system?

**Shri Karmarkar:** Well, they are all Ministers. I cannot say whether any of them are ayurvedic doctors.

**Mr. Speaker:** Apart from the Minister?

**Shri Karmarkar:** That is the misunderstanding. My hon. friend seems to think that the Central Health Council is something different. It consists of only Ministers of the States. Whenever they come here, they also bring with them their experts, whether in the allopathic system or ayurvedic system.

**Shri S. M. Banerjee:** The hon. Minister has stated that preference is being given to the ayurvedic graduates. Recently, in the Lucknow University when they wanted ayurvedic graduates they wanted people with MBBS qualifications.

**Mr. Speaker:** The hon. Member may convey it to the Minister.

**Shri S. M. Banerjee:** How is it being encouraged, that is what I want to know. Proper encouragement is not being given to students.

**Mr. Speaker:** The hon. Minister at the Centre is anxious that the ayurvedic doctors should be encouraged. If there is any individual case in which, according to the hon. Member, this system is not being encouraged, he may bring that case to the notice of the Minister.

**Dr. Sushila Nayar:** In the final decision of the Central Council of Research for Ayurved, is there any proposal for having ayurvedic research in the Indian Council of Medical Research?

**Shri Karmarkar:** Under the auspices of the Indian Council of Medical Research also some research is going on. But there is no idea of having large-scale ayurvedic research under the Indian Council of Medical Research.



**Dr. Sushila Nayar:** May I know who carries out this research in the Indian Council of Medical Research? Are ayurvedic experts associated with this research or is this research being carried on by ordinary doctors of modern medicine entirely?

**Shri Karmarkar:** So far as the Indian Council of Medical Research is concerned, as I said, they are aiding some schemes of drug research as such, including indigenous drugs. The subject of ayurveda as such is not being tackled by the Indian Council of Medical Research but by the Government of India. As I indicated earlier, we give aid to research institutions, like the one in Jamnagar. We also give aid for the purpose of upgrading the ayurvedic institutions.

**Mr. Speaker:** She wants to know whether Ayurvedic drugs are also taken for research and whether the research is done by Ayurvedic doctors.

**Shri Karmarkar:** In the Jamnagar Institute research is being done by ayurvedic doctors. Of course, doctors of modern medicine are also there to compare the results. Otherwise, the research proper is being conducted by ayurvedic pandits.

**श्री पद्म देव :** अध्यक्ष जी, मेरे प्रश्न का उत्तर नहीं मिला है। प्रश्न यह है कि क्या आयुर्वेद के समर्थन का कार्य डाक्टरों के ऊपर निर्भर है, जो कि इस को एक बिल्कुल रद्दी और नाकाबिल विश्वास समझते हैं या इस के लिये आयुर्वेद जानने वाले लोगों की ओर से जांच हो रही है।

**श्री कर्मरकर :** जो संशोधन हो रहा है, वह आयुर्वेद के पंडितों के जरिये हो रहा है। जो कार्य जामनगर में चल रहा है, वह खास तौर से आयुर्वेदिक पंडित करते हैं और कम्पैरेटिव रिजल्ट्स देखने के लिए वहां माइन मेडिसीन के डाक्टर भी हैं।

### Electrification Schemes on South Eastern Railway

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\*954. { **Shri V. C. Shukla:**  
**Sardar Iqbal Singh:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the railway electrification programme for the South-Eastern Railway's coal and iron region has been adversely affected due to lack of power;

(b) whether it is a fact that the above programme was drawn up on the understanding that power would be available from the West Bengal Government's power station at Durgapur and the Rihand project in Uttar Pradesh; and

(c) if so, what are the reasons for the non-availability of power from these sources?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) No.

(b) Yes.

(c) Power would not be available from the West Bengal Government's power station at Durgapur due to various commitments for Power supply already entered into by West Bengal Government. However, as already stated in reply to part (a) of the question, Electrification programme for the South-Eastern Railway's Coal and Iron region will not be affected as adequate Power for this region will be made available by D.V.C., Hirakud and Rihand projects.

**Shri V. C. Shukla:** I did not ask about the South Eastern Railway. My question relates to the electrification programme in the south-eastern coal and steel region, which includes the Eastern Railways also. May I know whether it is a fact that when the outlay on this electrification was devised it was agreed that the transformers costing about Rs. 11 crores will be supplied by the manufacturers and now they have told us that the railways themselves will have to provide these transformers at their own cost.

**Shri S. V. Ramaswamy:** With regard to these transformers I have no particulars. I shall submit for the consideration of the House that there are four schemes on Eastern Railways and three schemes on South Eastern Railways and out of this four in all have been taken up for work. These lines are: Durgapur-Mughal Sarai including Pradhankanta Pattardih, Asansol-Tatanagar-Rourkela, Kharagpur-Tatanagar and one other line which I shall presently mention. The total requirements for these is about 177 megawatts. For these four schemes only 112 megawatts are required. With regard to transformers I am not in a position to answer the question.

**Shri V. C. Shukla:** I wanted to know specifically about the transformers, whether the manufacturers of the electrical equipment are going to give the transformers or the railways themselves have to purchase them and whether they were included in the original estimate.

**Shri S. V. Ramaswamy:** I require notice.

**Shri Panigrahi:** May I know the total amount of electricity required for this electrification programme and the sources from which this electricity is supposed to be made available?

**Mr. Speaker:** The hon. Minister says that he wants notice.

**Shri S. V. Ramaswamy:** The hon. Member is asking another question.

**Mr. Speaker:** He wants to know the total amount of electricity that is required.

**Shri S. V. Ramaswamy:** 177 megawatts are required. 112 megawatts are required immediately for the projects undertaken in the Second Five Year Plan and they have been promised to be made available.

**Shri Panigrahi:** What about the electrification programme?

**Mr. Speaker:** How much of electricity will be available from Hirakud?

**Shri S. V. Ramaswamy:** 25 megawatts will be supplied from Hirakud.

**Shri V. C. Shukla:** The previous electrification programme was to cover 800 miles. Later on it was extended to 1,434 miles. May I know if all these 1,434 miles are going to be electrified? If not, does the Government realise that coal and steel production in these regions which require greater increase will suffer and production targets will not be achieved if this area is not electrified?

**Shri S. V. Ramaswamy:** Several questions have been telescoped into one and it is difficult.....

**Mr. Speaker:** The hon. Minister may answer one or may answer none at all. I have no objection.

**Shri V. C. Shukla:** But, Sir,.....

**Mr. Speaker:** I am not going to allow. This is a suggestion. The hon. Minister is charitable in saying that. On the other hand it is not a question. He only wants to know why do they reduce it, there is so much need for electricity and so on. Hon. Member may send a note to the hon. Minister.

#### Construction of Second Shipyard

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\*955. { **Shri Supakar:**  
**Shri Kunhan:**  
**Shri Raghunath Singh:**

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

(a) the nature and the amount of aid offered by Japan for the construction of India's second shipyard; and

(b) the production capacity to be achieved with the aid?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) and (b). There has been no offer of aid as such from Japan for the construction of the second shipyard. However, a communication was received from the

Shipbuilders' Association of Japan in April, 1958 that they were prepared to send a technical team to India to study local conditions and other details and to explore ways and means of possible collaboration in this venture.

**Shri Supakar:** May I know if the Japanese Government or this concern are not prepared to give any loan or monetary help to India for the development of this shipyard?

**Shri Raj Bahadur:** It was the Ship Builders' Association of Japan which came forward with this particular offer. The terms for consideration were participation on the basis of 45:55 or even up to the extent of 49:51, manufacture of small passenger ships, other coastal crafts and other harbour crafts. The proposal for consideration was that out of Rs. 2 crores, they may be able to contribute up to the extent of Rs. 1 crore even.

**श्री रघुनाथ सिंह :** मैं जानना चाहता हूँ कि जापान के झलावा और भी किसी में शिपयार्ड के वास्ते आपकी बातचीत हुई है ?

**श्री राज बहादुर :** माननीय सदस्य का विदित है कि अभी जो यू० के० मिशन की रिपोर्ट है वह विचारार्थी है। उस पर कोई निर्णय होना के बाद हम सम्बन्ध में आगे कार्रवाई की जायेगी।

**Shri C. D. Pande:** If the offer from Japan is accepted, will it preclude tenders being placed elsewhere?

**Shri Raj Bahadur:** I do not think so, because as soon as a decision is taken in regard to the location of the second shipyard, the first question that will arise is how to process that particular project. This offer is independent of that.

**Shri Radhelal Vyas:** May I know whether the Government of India have prepared any blueprint for the building of the second shipyard which may be placed before the Japanese concern?

**Shri Raj Bahadur:** In fact, the essence of the offer was that the Japanese Association wanted to send a team of four experts to examine the location and other details of the shipyard that they proposed to establish. We requested them to hold over this particular offer until we have taken a decision on the report of the U.K. mission for the location of the second shipyard.

**Shri Radhelal Vyas:** My question was whether the Government of India have prepared any blueprint which may be placed before this team of experts?

**Shri Raj Bahadur:** The Government of India have not yet prepared a blueprint as such.

**Shri Supakar:** The report of the British expert mission is now under the examination of the Government of India. May I know if the Japanese concern are prepared to give this help wherever we propose to locate this shipyard or since they propose to develop their own business on the east coast of India, they have indicated any preference while offering this aid?

**Shri Raj Bahadur:** The question of preference and the extent of the collaboration that they will go into will be decided only after we have considered their offer, the offer has come here and negotiations have only advanced a bit. At this stage it is too premature for anybody to say how far they will be able to go.

**Shri Panigrahi:** May I know whether the experts have made any estimate of the expenditure if the yard is located in the area near to iron and coal areas and in the area distant from that place?

**Shri Raj Bahadur:** If the hon. Member refers to the U.K. Mission and their report, they have given some figures which they have based upon their calculations in regard to the anticipated expenditure for the establishment of the shipyard at

the five places to which they gave preference in their consideration.

**Shri Damani:** May I know whether any estimate has been prepared of the total cost of this shipyard, the total requirement of foreign exchange and the offers received from foreign countries for collaboration or assistance in this connection?

**Shri Raj Bahadur:** If the hon. Member refers to the estimate of the establishment of the shipyard, I have already replied to that question that the U.K. Mission report already contains this. If he means the target of production, we propose to start from 60,000 tons and it may be extended to one lakh tons.

### Farmers' Forum

\*956. **Shri Panigrahi:** Will the Minister of Food and Agriculture be pleased to state whether Block Development officers in States have been permitted to enrol members for Farmers' Forum?

**The Deputy Minister of Agriculture (Shri M. V. Krishnappa):** No such instructions have been issued.

**Shri Panigrahi:** May I know the number of farmers who have been sent through the Farmers' Forums to different countries in delegations?

**Shri M. V. Krishnappa:** No farmer representing the Farmers' Forum as such has been sent. It might happen that while selecting farmers to be sent to foreign countries, some might be members of the Farmers' Forum.

**Shri Panigrahi:** May I know whether the Government of India has sponsored any such non-official body known as the Farmers' Forum and are inviting farmers from different parts of India to occasional conferences?

**Shri M. V. Krishnappa:** Government has no such scheme.

**Shri Hem Barua:** May I know if it is a fact that often white-collared gentlemen and nylon-clad gentlemen, who have nothing to do with

agriculture, are associated with this Farmers' Forum?

**Mr. Speaker:** Why does the hon. Member think that agriculturists should not wear this? We are all progressing after the cinema has come into vogue.

**Shri Ansar Harvani:** Has the Government of India given any financial aid to the Farmers' Forum?

**Shri M. V. Krishnappa:** In the two years 1956-57 and 1957-58 we have given them some aid.

**Pandit D. N. Tiwary:** On what basis are the delegates to the Farmers' Forum selected?

**Shri M. V. Krishnappa:** He must ask the Farmers' Forum. It is a non-official, non-governmental body.

**Shri Panigrahi:** How are they selected?

**Mr. Speaker:** The hon. Minister has asked you to ask the Forum.

कृषि प्रशिक्षणियों का अन्तर्राष्ट्रीय सम्मेलन

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\*६५७. { श्री सुबोध हंसदा :  
श्री विभूति मिश्र :  
सरदार इकबाल सिंह :

क्या खाद्य तथा कृषि मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या यह सच है कि अगस्त-सितम्बर, १९५८ में मैसूर में कृषि प्रशिक्षणियों का अन्तर्राष्ट्रीय सम्मेलन हुआ था; और

(ख) यदि हा, तो उपरोक्त सम्मेलन के लिये प्रतिनिधि किस आधार पर चुने गये थे ?

कृषि उपमंत्री (श्री मो० वें० कृष्णप्पा)

(क) जी हा ।

(ख) कृषि प्रशिक्षणियों की भारतीय सोसाइटी ने, अन्तर्राष्ट्रीय निकाय का एक

भाग होने के कारण, कृषि अर्थशास्त्र में अध्ययन और अनुसन्धान करने वाले विषयविद्यालयों, सरकारी विभागों और अनुसन्धान शालाओं से प्रार्थना की जो कि वे इस सम्मेलन में निमन्त्रण देने के लिये कृषि अर्थशास्त्रियों के नामों का सुझाव दें।

**Shri Subodh Hansda:** What is the benefit that has accrued from this conference?

**Shri M. V. Krishnappa:** It is a conference of international agricultural economists and professors who are very learned men in their field and the very meeting of such great professors on Indian soil—for the first time they have met in Mysore in India—we feel, when they put their heads and pool their resources together, will be very much beneficial.

**Shri Shree Narayan Das:** May I know whether there is any national conference of this nature associated with this international conference and, if so, what is that body?

**Shri M. V. Krishnappa:** There is a Society of Indian Agricultural Economics. The Government of India and the Society of Indian Agricultural Economics acted as hosts to this conference.

**Shri Tangamani:** How many Indian agricultural economists were invited to this conference as delegates or as observers?

**Shri M. V. Krishnappa:** About 63 of them had been invited and more than 50 had taken part in the conference.

दिल्ली में भूमि की चकबन्दी

\*६५६. श्री नवल प्रभाकर: क्या साक्ष्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली के कितने गांवों में भूमि की चकबन्दी हो चुकी है; और

(ख) बाकी गांवों में चकबन्दी का काम कब तक पूरा हो जाने की आशा है ?

कृषि उपबंधी (श्री मों० प्र० कुम्हार) :  
(क) २१०.

(ख) बाकी गांवों में भगले विल बर्ष के शुरू में भूमि की चकबन्दी का काम आरम्भ करने की उम्मीद है और उसके बाद लगभग दो वर्षों में यह पूरा होगा।

श्री नवल प्रभाकर: क्या मैं जान सकता हूँ कि जब यह चकबन्दी का काम शुरू किया गया था तो क्या उसके लिये कोई नियम बनाये गये थे ?

साक्ष्य तथा कृषि मंत्री (श्री प्र० प्र० जैन): चकबन्दी के लिये पहले से नियम बने हैं।

श्री नवल प्रभाकर: क्या मैं जान सकता हूँ कि जब नियम बना लिये गये थे और उनमें बीच में रास्ता छोड़ने की बात थी, तो दिल्ली में चकबन्दी करते वक्त जो बहुत से गांवों में रास्ते नहीं छोड़े गये हैं, इसका क्या कारण है ?

श्री प्र० प्र० जैन: यह मैं नहीं कह सकता कि रास्ते नहीं छोड़े गये। जरूर छोड़े गये होंगे। लेकिन यह इतनी तफसील की बात है कि मेरे लिये इसका जवाब देना असम्भव है।

श्री स० म० बनर्जी: जिस तरह से यह चकबन्दी का कार्य किया जा रहा है उसके खिलाफ काफी आवाज सिर्फ दिल्ली में नहीं उठ रही है, पंजाब और उत्तर प्रदेश में भी है। तो क्या प्रांतीय सरकारों ने प्राप के पास इस बारे में कुछ लिखा है और क्या वह प्राप के जेबे में है ?

श्री प्र० प्र० जैन: चकबन्दी का काम पूरा राज्य सरकार के हाथ में है। हम ने तो खामी उन से इस बात की तिकाग्रिह की है कि चकबन्दी जल्दी से जल्दी करें, किस तपस से करें, क्या उस के नियम हों, किस के जरिये से करें, यह बिल्कुल उन के दायर में है, इस के बारे में हम कोई दखल नहीं देते।

श्री भक्त प्रबोधकर : क्या मैं जान सकता हूँ कि जी चकबन्दी के अधिकारी हैं वे हर साल बचल दिये जाते हैं ?

श्री प्र० प्र० जैन : इन बातों का जवाब मैं कैसे दे सकता हूँ ?

श्री बास्मोकी : क्या माननीय मंत्री जी की जानकारी में यह बात है कि जैसे प्रौर देशों में चकबन्दी चलती है उस में उत्तर प्रदेश में हरिजनों के रहने की जगह छोड़ी जाती है । लेकिन दिल्ली में जब कि चकबन्दी चल रही है तब उन की रिहायशी जगहों को हानि पहुँचने की सम्भावना हो गई है, प्रौर उन के लिये जगह नहीं छोड़ी जा रही है, प्रौर क्या मंत्री महोदय इस के लिये कुछ करना चाहते हैं ?

Mr. Speaker: He does not know. That is the very question that was put. So far as the details are concerned, he does not know. The hon. Member will put a separate question.

Shri P. S. Danita: For Delhi he should know.

Mr. Speaker: Every detail he may not know. A separate question may be put down.

#### Fruit and Vegetable Development Board.

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\*961 { Shri Bhakt Darshan:  
Shri Naval Prabhakar:  
Sardar Iqbal Singh:

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 349 on the 23rd November, 1956 and state the progress so far made by the Fruit and Vegetable Development Board which was set up under the Indian Council of Agricultural Research?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): A Fruit and Vegetable Development Committee was constituted in December, 1956, in order to deal with matters of

general policy in respect of research development, marketing and preservation of fruits, vegetables and flowers. Two meetings of this Committee have so far been held, the first in March, 1957 and the second in December, 1957. The status of this Committee has now been raised to that of a Board and it has been redesignated as 'Horticulture Development Board'.

Shri Jagdish Awasthi: The original question was put in Hindi. He should reply in Hindi.

Mr. Speaker: He wants the Hindi answer.

श्री प्र० प्र० जैन : फल, सब्जी, और फूलों के अनुसन्धान, विकास, पणन और परिरक्षण सम्बन्धी सामान्य नीति के मामलों पर कार्य करने के लिये दिसम्बर १९५६ में एक फल और सब्जी विकास समिति बनाई गई थी । इस समिति की अभी तक दो बैठके हुई हैं. पहली मार्च, १९५७ में और दूसरी दिसम्बर, १९५७ में । अब इस समिति का पद एक बोर्ड का कर दिया गया है और इसका नाम "उद्यान विकास बोर्ड" कर दिया गया है ।

श्री भक्त दर्शन : श्रीमन्, मैं जानना चाहता हूँ कि जो पहले वह समिति थी और अब उसे बोर्ड बना दिया गया है, उस ने क्या मारे देश में फल और तरकारीयों के विकास के लिये कोई ठोस योजना बनाई है, और अगर बनाई है तो उस की रूप रेखा क्या है ?

श्री ० मो० ब० कृष्णाया : उस के उद्देश्य मैं टेबल पर रखता हूँ ।

श्री भक्त दर्शन : मैं यह जानना चाहता हूँ कि इस बोर्ड के पास कोई धनराशि रखी गयी है ताकि वह सीधे या राज्य सरकार की सहायता से इस काम को आगे बढ़ाये । और यदि रखी गयी है तो इस काम के लिये कितनी रकम है ?

श्री प्र० प्र० जैन : यह बोर्ड इंडियन काउंसिल आफ एग्रीकल्चरल रिसर्च के नीचे

बना है। उस का काम है अनुसंधान करना, तजुर्बा करना और इस को फैलाने का काम कम्यूनिटी डेवेलपमेंट और राज्य सरकारों के एग्जीक्यूटिव डिपार्टमेंट का है।

**श्री भक्त दर्शन :** क्या पंच वर्षीय योजना या किसी और शाखा के अन्तर्गत कोई रकम निश्चित की गई है ताकि फल और तरकारियों के विकास के लिये राज्य सरकारों को कोई अनुदान दिये जायें, या केन्द्रीय सरकार भी इस के बारे में कोई कार्रवाई कर रही है ?

**श्री० प्र० जैन :** इन चीजों को फैलाने और तरक्की देने का काम एग्जीक्यूटिव डिपार्टमेंट का है। कम्यूनिटी डेवेलपमेंट का बजट भी इस के अन्तर्गत है और राज्य सरकारों के एग्जीक्यूटिव डिपार्टमेंट के अन्दर विकास कार्य होता है।

**श्री० नवल प्रसाद :** क्या मैं जान सकता हूँ कि अभी जो माननीय मंत्री जो ने कहा कि इस बोर्ड का काम अनुसन्धान करना है तो क्या बोर्ड अनुसन्धान करना है या विशेषज्ञ अनुसन्धान करते हैं ?

**श्री प्र० जैन :** करते तो विशेषज्ञ हैं, प्रोग्राम बोर्ड बनाता है। बोर्ड साल, दो साल में एक मंजूर मिलता है, वह अनुसन्धान कैसे करेगा ?

**Shri Ranga:** Is any special assistance being given or expected to be given to the people who are interested in developing fruit gardening all over India, and to that effect is any money placed at the disposal of the particular Board for distribution among the different States according to the plants that they have made?

**Shri A. P. Jain:** Development of horticulture forms part of the Five Year Plan. The money is given direct by the Government of India to the States and not through that Board. Roughly speaking—I am speaking from memory—the assistance for renovating old orchards is Rs. 15 to

Rs. 20 per acre. For planting an acre of new orchard, an assistance of Rs. 300 is given.

**श्री जगदीश शर्मा :** क्या इस अनुसंधान कार्य के लिये केन्द्रीय सरकार ने कोई धन से अनुदान नहीं रखा है ?

**अध्यक्ष महोदय :** किस वास्ते ?

**श्री जगदीश शर्मा :** अनुसंधान के लिये। अभी मंत्री महोदय ने कहा कि इस में रिसर्च वर्क किया जाता है। मैं जानना चाहता हूँ कि इस अनुसंधान कार्य के लिये कोई अनुदान धन से रखा गया है या नहीं ?

**श्री प्र० जैन :** इंडियन कॉमिन आफ एग्जीक्यूटिव रिसर्च के पास रुपया है, उस के पास धन है फंड है। जो भी रिसर्च, वह मजूर करता है, या जो भी कार्य होता है उस के लिये उस से वह जितना जरूरी और मुनासिब पया समझता है, देता है।

#### Special Coupon Scheme for Foreign Tourists

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\*962 { Shri Hem Barua:  
Sardar Iqbal Singh:

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

(a) whether there is any proposal regarding the Special Coupon Scheme for Foreign Tourists;

(b) if so, the main feature of this scheme; and

(c) when this will be introduced.

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) Yes.

(b) and (c). In view of the difficulties experienced by foreign tourists to obtain their additional requirements of films for cameras, pipe tobacco and alcoholic drinks owing to the import restrictions imposed by the Government of India, a proposal is under consideration of the Tourist Depart-

ment in consultation with the Chief Controller of Imports to issue coupons to foreign tourists on arrival in India through the various Tourist Offices so as to enable them to purchase these goods upto specified limits from shops recognised for this purpose by the Tourist Department. These shops will sell the above goods to tourists on production of the coupons and will keep proper account of the goods so sold. Unused coupons will be surrendered by tourists to the Customs Authorities and suitable entries will be made in the passports. Special import quotas will be allowed to approved dealers in the three commodities referred to above, on the strength of the Tourist Coupons collected by them. Necessary foreign exchange allocation has also been made for this purpose with the concurrence of the Economic Affairs Department.

Since the details of this scheme, involving consultation with the various Departments of the Government as well as with the shops and establishments concerned, are yet to be worked out, the scheme is not likely to come into effect before the end of the year.

**Shri Hem Barua:** I find in the statement that for the additional requirements of photographic films, pipe tobacco and alcoholic drinks Government proposes to introduce a coupon system for foreign tourists. May I know if any limit for these additional requirements for the foreign tourists is fixed in terms of money?

**Shri Raj Bahadur:** Coupons for these three articles to the extent of Rs 250 per head.

**Shri Hem Barua:** May I know if it is a fact that the Finance Ministry proposes to allocate Rs. 2 million in terms of foreign exchange for the implementation of this scheme?

**Shri Raj Bahadur:** That is right; that is the proposal.

**Shri Kasliwal:** Probably, the hon Minister is aware that only two years

back, a scheme of rupee travellers cheques was introduced and implemented. What are the special reasons now for this special coupon scheme?

**Shri Raj Bahadur:** The rupee travellers cheque was for the benefit of Indian travellers or travellers going from India to other places just as we have got other travellers cheques. This particular scheme has been evolved with a view to meet the difficulty experienced by foreign tourists in regard to their requirements in respect of films, tobacco and drinks.

**Shri C. D. Pande:** May I know if the Government is aware that the main difficulty in tourist traffic is that there are vexatious prohibition laws, low standard of railway travel, low standard of catering and low standard of hotels in mofussil areas? How far is the Government going to set these things right? It is not a question of issuing coupons for the quantity of alcohol, but the restriction that they can drink in their rooms and not with their meals which they like.

**Shri Raj Bahadur:** So far as lack of comfort in railway travel is concerned,—I shall take that first—I think our air-conditioned travelling in railways is one of the best in the world. About the unsatisfactory nature of the hotel arrangements in smaller towns, I do recognise that there is need for much improvement. Our dak bungalows and rest houses require much to be improved. We are very active about it and we are taking up the matter with the respective State Governments to see that the arrangements in regard to furnishings and in regard to other matters are streamlined so far as dak bungalows and rest houses are concerned. About prohibition, the matter is quite obvious. We have the directive principle in our Constitution.

**Shri C. D. Pande:** The directive principle is for us, not for them.

**Shrimati Ila Palchoudhuri:** For the tourists to get their tobacco and the



kind of drinks that they drink, a quantity of the stuff could be kept in the rest houses and guest houses in the smaller towns. May I know whether any such arrangement has been made?

**Shri Raj Bahadur:** To begin with, we shall have this arrangement of additional facilities for getting their tobacco, films and other things in 15 important towns, and in course of time, as the scheme proves to be a success by experiment or experience, we shall try to extend it to other places also.

**Shri C. D. Pande:** One part of my question has not been answered. The real difficulty which the tourist finds and cannot understand is that drinks are not served when meals are served, and meals without drinks are not comprehensible to them.

**The Minister of Transport and Communications (Shri S. K. Patil):** There are a number of difficulties so far as prohibition laws in the various States are concerned, and they have affected seriously our tourism. We are taking up the matter with the State Governments that within the scope of the prohibition laws, such liberty as could be given to the tourist should be given. That is our view.

**Raja Mahendra Pratap:** This seems to be very strange. We are speaking of tourists and their comforts, and people are dying of starvation!

**Shri Hem Barua:** Where do the Government propose to distribute these coupons, here or at the information centres abroad?

**Shri Raj Bahadur:** Through the agency of the regional tourist offices and other than tourist offices also as and when found necessary.

#### Accommodation for Tourists

\*963. **Shri Radha Raman:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that Government had through its tourist offices

tried paying guest accommodation for tourists in Delhi or elsewhere;

(b) if so, with what results;

(c) whether there is a proposal to encourage such schemes in other places; and

(d) whether any procedure has been laid down by the tourist offices for selecting such paying guest accommodation and fixing the scale of payment?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) to (c). The paying-guest scheme has been tried through the Government of India Tourist Offices in Delhi and Calcutta only. The results were quite encouraging in Delhi and, it is, therefore, proposed to enlarge the list of paying-guest establishments maintained by the Delhi Tourist Office. The experiment in Calcutta has not yielded any appreciable results and, therefore, the Regional Tourist Advisory Committee attached to the Calcutta Office are of the opinion that this scheme is impracticable in so far as Calcutta is concerned. There is no proposal to try this scheme at any other place for the time being.

(d) The criteria laid down for selecting the paying-guest establishments in Delhi are as follows:

- (i) Location of the house and particularly the entrance to the rooms to be occupied by the tourist(s).
- (ii) The size of the room and its furnishings, whether it has an attached bath, sufficient privacy, ventilation etc.
- (iii) Other considerations such as the general living standard of the family, number of members in the family and the suitability of the accommodation from the point of view of a foreign tourist.

The charges for paying guest accommodation are not fixed by the Tourist Office but in certain cases

where the charges are found to be a little high, the persons concerned are advised to lower them slightly. The average charge is Rs. 15 per head for bed and breakfast and for a couple Rs. 20 to Rs. 25.

**Shri Radha Raman:** In the statement it is mentioned that the results are quite encouraging in Delhi, and that it is proposed to enlarge the list of paying-guest establishments. May I know how many paying-guest establishments at present exist in Delhi, and how many more are to be added, and how many people took advantage of them in the past?

**Shri Raj Bahadur:** According to the list I have got with me, we have got 14 such establishments, but the accommodation is for 47 beds. So far as the number of people who have taken advantage of this facility is concerned, I cannot give the exact number, but it is very popular and we have got more demand than the capacity or accommodation in respect thereof. Therefore, we have invited through the columns of the newspapers by suitable advertisements more people to come in and offer themselves as hosts for these paying guests.

**Shri Radha Raman:** Although the statement suggests that there is no proposal with the Government for the time being to enlarge the scope or enlarge the area or the cities where the scheme is to be applied, may I know if the Government will consider Bombay and Madras also to be included in this scheme because there is sufficient scope for such a scheme to be adopted there?

**Shri Raj Bahadur:** In my answer to the previous question I was referring to Delhi. In regard to Calcutta, I may add that the experiment has not been quite a success. In Bombay we propose to try it. In Madras we have not yet taken it up.

**सेठ बच्चल सिंह :** क्या माननीय मंत्री यह बतलाने की कृपा करेंगे कि आगरा में तब महल होने के कारण जो टूरिस्ट्स लोग आगरा में 163 (A) LSD-2.

जाते हैं उन के बास्ते कुछ इस किस्म की वेबिंग मॅस्ट एका मोडेशन बनाने का इरादा है ?

**श्री राज बहादुर :** आगरा में अगर माननीय सदस्य खुद अपनी कोठी में से कुछ भोग इस के लिये दे दें तो इस तरह का प्रबन्ध करने के बारे में सोचा जा सकता है ।

**सेठ बच्चल सिंह :** मैं देने को तैयार हूँ ।  
(हंसी)

**Mr. Speaker:** We shall now go the next Question.

**हिमाचल प्रदेश के जंगलों में अग्निकांड**

\*६६४. श्री पद्म देव : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जून, १९५८ के मास में हिमाचल प्रदेश के जंगलों में विनाशकारी अग्निकांड हुए थे, और

(ख) सरकार ने आग को बुझाने के लिये क्या उपाय किये ?

**खाद्य तथा कृषि मंत्री (श्री प्र० प्र० जैन):**

(क) जंगल की उन आगों का अग्रज जो जून, १९५८ में लगी थी, शिमले सकिल के लगभग ६४५० एकड़ में, मिरमूर सकिल के ५४०० एकड़ में और चम्बा सकिल के १०,६६० एकड़ में हुआ था ।

(ख) ये आगें जंगल के राइट होल्डर (right-holders) और आस पास के गांवों के रहने वालों की मदद से बुझाई गई थी । जहाँ पर ये आगें तहसील या जिले के मुख्यालयों के पास लगी थी, वहाँ पर राजस्व और पुलिस कमिश्नारियों की भी इस में मदद ली गई थी ।

**श्री पद्म देव :** क्या माननीय मंत्री यह बतलायेंगे कि यह आग लगाई गई थी या खुद जंगल में पैदा हुई ?

**श्री प्र० प्र० जैन :** कुछ लगाई गई थी और कुछ लग गई ।

श्री पद्म देव : क्या मंत्री महोदय को यह बात मालूम है कि जिस वक्ता जंगल में भाग लगी उस वक्ता सरकारी कर्मचारी गांव में अपने दूसरे भफसरों से इजाजत मांग रहे थे और गांव के लोग जैसे पहले भाग बुझाने जाते थे, कोई नहीं गये, और मैंने खुद गांवों से देखा कि शाम तक जंगल जहां तक जला होता था दूसरे दिन उस से बहुत भाग तक जला होता था ? क्या इस के बारे में कोई जांच की जायेगी ?

श्री अ० प्र० जैन : यह तो सच है कि गांव वाले अपने भवेशियों को जंगल में चराना चाहते हैं लेकिन उन की हिफाजत करना नहीं चाहते और यह भी सच है कि गांव वाले स्वयं जंगल में भाग लगा बैठते हैं क्योंकि उस के बाद घास अच्छी उगती है और उन के भवेशियो को ज्यादा अच्छा चारा मिलता है । वैसे यह बहुत बुरी बात है और ऐसा कर के गांव वाले देश को बहुत हानि पहुंचा रहे हैं । उन को जंगल की हिफाजत करनी चाहिये ।

श्री पद्म देव : मंत्री महोदय ने जो यह फरमाया है वह बहुत ही मुनासिब बात कही है लेकिन लोगों के अन्दर इस की भावना पैदा करने के लिये सरकार ने कुछ यत्न भी किया है या उन को और ज्यादा उकसाने की कोशिश की है ताकि वे जलाने का ही काम करें ?

श्री अ० प्र० जैन : हम तो उस को रोकने की कोशिश करते हैं लेकिन कहीं कुछ लोग इस को बढ़ाने की भी कोशिश करते । अब माननीय सदस्य मंत्री रह चुके हैं और वहांके बहुत ही अमर वाले आदमी हैं वे उग उन से कहेंगे और समझायेंगे तो उन पर बड़ा असर पड़ेगा ।

श्री पद्म देव : अध्यक्ष महोदय . . .

Mr. Speaker: Hon. Members also must do so. One single Minister cannot go to Himachal Pradesh, while the Member is there.

श्री पद्म देव : अध्यक्ष महोदय, मैं एक निवेदन करना चाहता हूं । यह तो ठीक है कि यह हमारा कर्तव्य है कि हम लोगों को इस तरीके से समझायें लेकिन जो लोग कसूरवार हैं क्या सरकार ने उन को उचित बंड देने का भी प्रयत्न किया है । देखा यह जाता है कि जो कंसेज फंसते भी हैं वे बिगाड दिये जाते हैं और इस तरीके से जब कंस ऊपर जाते हैं तो वह छुट जाता है और इसका लोगों पर बुरा प्रभाव पड़ता है ।

श्री अ० प्र० जैन : अभी हाल तक माननीय सदस्य वहां पर मिनिस्टर थे और मुझ तकनीक है कि उन्होंने जरूर यह प्रयत्न किया होगा और भपराधियों को उन्होंने उचित बंड दिया होगा ।

श्री पद्म देव : मेरे वक्ता में कोई भाग नहीं लगी थी वरना मैं सक्त दण्ड देता ।

#### Looting of Passenger Train

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\*963. { Pandit D. N. Tiwary:  
Shri Mohan Swarup:  
Shrimati Ila Palchoudhuri:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a passenger train between Naksalbari and Batasi Stations (N. E.) was stopped by miscreants and some passengers were looted on the 26th May, 1958;

(b) whether it is a fact that such incidents between those stations or near about the two stations have occurred in the past also; and

(c) if so, the number of such incidents with loss of railway or passenger property?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes

(b) and (c). One incident occurred in the area in 1956 involving a loss of Rs. 1,495 and 3 incidents in 1957

involving a loss of Rs. 4,710/8/- to passengers. There was no loss of railway property.

**Pandit D. N. Tiwary:** In the last two years four such incidents have occurred. May I know what steps have been taken by Government to prevent such incidents?

**Shri S. V. Ramaswamy:** The police have been informed. The police are active. The Railway Protection Force is also active, and all measures necessary to bring the offenders to book are being taken.

**Pandit D. N. Tiwary:** May I know whether any passenger was hurt in this raid?

**Shri S. V. Ramaswamy:** In the incident of 26th May, 1958 relating to No. 22 Down Passenger Train, there were four passengers there in the compartment. Some dacoits, six or seven, pulled the chain and when the Guard went there, four passengers were found hurt.

**Shrimati Ila Palchoudhuri:** Considering the fact that the police in a certain State can only deal with accidents that are reported to them, have the Central Government thought of issuing a circular that any accident reported at a station will be dealt with in that station by the local police? Has that circular been circulated, and from when will that come into force?

**Shri S. V. Ramaswamy:** So far as I am aware, no such circular has been sent, but all steps are being taken to see that offenders are brought to book as early as possible. This is largely a question of law and order which belongs to the States.

**Mr. Speaker:** How is it a question of law and order in a running train?

**Shri S. V. Ramaswamy:** Because these dacoits pull the chain and run into the forest which is in the territory of the State. Our limitations are there. This line passes through forests.

**Mr. Speaker:** Therefore, additional police must be kept there in the train

itself. The hon. Minister should consider it. Hon. Members bring it to the notice of the hon. Minister and there is no good his simply saying it is a matter for the State and the State saying: it is connected with a railway train, it is a matter for the Centre, what can we do? After the bird has flown, what is the good of trying to catch it? Hon. Minister would try to look into this problem. It is a very serious thing. If railway travel becomes dangerous, all people will go to the forest and not get into the train. No, no. That should not be the attitude of the Minister.

**Shri S. M. Banerjee:** For your information, I may mention that the Railway Protection Force people travel with the train.

**Shri Jagdish Awasthi:** The GRP people also travel with the train.

**Mr. Speaker:** If in spite of the Force being there, these incidents occur, then, if hon. Members have got any further suggestions, they may communicate them to the Minister. That only shows that Government are taking all possible steps to avoid these happenings.

12 hours.

## अल्प सूचना प्रश्न

अलीगढ़ और हाथरस के बीच रसाती पानी का जमाव

७. **शेठ अखिल सिंह :** (क) क्या मंत्री महोदय बनाने की कृपा करेंगे कि जो बारिश का पानी पिछले एक माह से ज्यादा में हाथरस और अलीगढ़ और मथुरा, कोसी, पलवल आदि सड़कों पर फगलांगों जमा है जिस की वजह से कारों अथवा सवारियों का आना जाना बन्द है, उस सम्बन्ध में पानी को हटाने के बारे में क्या क्या कार्रवाई की गई और की जा रही है ?

(ख) क्या इस सम्बन्ध में सरकार की ओर से कोई विज्ञप्ति निकाली गई है जिस से कि आम जनता और कार द्वारा दूर से आने वाले मुसाफिरों को परेशान न होना पड़े ?

परिवहन तथा संसार मंत्रालय में राज्य मंत्री (श्री राज बहादुर): (क) और (ख). अलीगढ़ और हाथरस के बीच तथा मथुरा, कोसी और पलवल के चारों ओर के देहाती क्षेत्रों में सर्वत्र बाढ़ का पानी भरा हुआ है। अलीगढ़ और हाथरस के बीच की सड़क प्रदेश की सड़क है और इस की जिम्मेदारी राज्य सरकार पर ही है। पलवल और मथुरा के बीच राष्ट्रीय मार्ग नम्बर २ कई जगहों पर पानी में डूबा हुआ था और कोसी और मथुरा के बीच यातायात रुक गया था। यह सड़क का टुकड़ा २६ मील लम्बा है। पी० डब्ल्यू० डी० द्वारा यहाँ पर आवश्यक नोटिस लगा दिये गये हैं और यात्रियों के आवागमन का रास्ता बदल कर अलवर और भरतपुर की ओर से कर दिया गया है। स्थिति अब कुछ सुधर गई है और मुम्बई की बमों को इस रास्ते में हँकाकर गुजरने दिया जाने लगा है। पानी में डूबी हुई हर जगह पर रास्ता बताने और यातायात की सहायता करने वाली टोलियाँ नैनात कर दी गई हैं। तारीख ३ मिनम्बर, १९५८ को केन्द्रीय सिवार्ड और विद्युत आयोग ने सिवार्ड और सड़क के विशेषज्ञों का एक सम्मेलन इस क्षेत्र के पानी के बहाव के गम्भीरता को सुधारने के उपायों पर विचार करने के लिये इस उद्देश्य से किया था कि भविष्य में यहाँ ऐसी हालत पैदा न हो। सम्मेलन कुछ प्रयोगात्मक नतीजों पर पहुँचा है। इस समस्या का और अध्ययन करने के पश्चात् और पानी के बहाव के सम्बन्ध में एक आरम्भिक योजना तैयार करने के बाद इस सम्मेलन की अगले अक्टूबर में दुबारा बैठक होगी।

Some Hon. Members: In English also.

Shri Raj Bahadur: (a) and (b) There is a general flooding of the country-side between Aligarh and Hathras and around Mathura, Kosi and Palwal. The road between Aligarh and Hathras is a State Highway and is the responsibility of the State Government

The road between Palwal and Mathura on National Highway No. 2 was under water at many places and passenger traffic was stopped between Kosi and Mathura—distance of 26 miles. Necessary notices were put up by the Public Works Department and the tourist through traffic was diverted via Alwar and Bharatpur. The position has now slightly improved and passenger buses are being allowed to ply throughout the route. Gangs have been posted for guiding and assisting the traffic at each place of submersion.

A conference of Irrigation and Road Experts was convened by the Central Water and Power Commission on the 3rd September, 1958, to devise ways and means to improve the drainage in the area so as to avoid a similar situation in future. The Conference came to certain tentative conclusions and it would meet again in October next after studying the problem further and after drawing up a preliminary scheme of drainage.

सेठ अचल सिंह क्या मंत्री महोदय को ज्ञात है कि पिछले दस वर्षों से प्रति वर्ष की वजह से प्रतिवर्ष यही दशा हो रही है जिस की वजह से ग्राम जनता और टूरिस्टों को दिल्ली आने जाने में काफी कठिनाई का अनुभव करना पड़ रहा है। अगर हा, तो पिछले दस वर्षों में अब तक क्या किया गया?

श्री राज बहादुर : मुझे भी इस सड़क में आने जाने का अवसर प्राप्त होता है, इसलिए कह सकता हूँ कि पिछले दस वर्षों में तो नहीं, केवल एक बार ऐसा अनुभव हुआ था मथुरा और कोसी के बीच में।

Shrimati Renu Chakravartty: Is it a fact that not only the road track but also the main line connecting Calcutta to this area is surrounded on both sides by areas which are under water, and for one whole month, on this track of 25 miles, the railway trains have had to travel very slowly with the result that the Kalka Mail has been late for over a month, and if so, what

has the Central Government done regarding this matter, because this has affected the railway track also?

**Shri Raj Bahadur:** So far as I know about this particular problem of these 25 miles, as I said, the Central Water Power Commission has already called a conference, and they have come to certain tentative conclusions. It is obvious that the average rainfall of this area being only less than 20 inches, this year we had unusual rains of as much as 37 inches, and the entire area is flooded, and hence the difficulty

**Shrimati Benu Chakravarty:** May I know what steps Government are proposing to take to de-water this area where there has been water for one full month, and there does not seem to be any sign of the floods abating? I would like to know what steps the Central Government have taken to de-water the area or to pump out the water, because there does not seem to be any way out for it

**Shri Raj Bahadur:** The railway track, the road and the Agra Canal run in parallel lines. The area is flooded between the railway track and the road on the one side, and between the road and the Canal on the other side. Water can be drained off only through a siphon system, which exists at certain sections in the canal and does not exist at certain others. Unfortunately, this happens to be a place where we do not have a siphon system working

**श्री भक्त वरुण** माननीय मंत्री जी ने बतलाया कि इस सम्बन्ध में विशेषज्ञों की राय ली जा रही है। मैं जानना चाहता हूँ कि क्या ऐसा प्रयत्न किया जायेगा कि कम से कम जगसी बरसात में तो यह तकलीफ न होने पाये ?

**श्री राज बहादुर** मैं ने बतलाया कि जो २० इंच वर्षा का औसत है उस के कारण जो सड़क की सतह के समतल रखा गया है। जब वह पिघार है कि इस सड़क का स्तर

ऊँचा किया जाये जिस की वजह से जो प्लग वॉटर का सतरा पैदा हो गया है वह नहीं रहेगा।

**श्री बजराम सिंह** माननीय मंत्री महोदय ने अभी एक सम्मेलन का जिक्र किया है। क्या उस सम्मेलन ने कोई तुरन्त कार्रवाई करने के लिये सुझाव पेश किये हैं जिनसे कि पानी निकल सके ?

**श्री राज बहादुर** उन्होने कुछ टेंटेटिव कन्क्लूजन निकाले हैं। लेकिन जैसी स्थिति है उस में यकायक कोई नवीजा नहीं निकल सकता।

**सेठ प्रचल सिंह** क्या मंत्री महोदय यह बताने का वक़्त करेंगे कि सड़क के इन हिस्सों को ऊँचा किया गया, या पुनिया बनाई गई या बारिष्ठा के पानी को ले जाने के वास्ते नाले खूदवाये गये ?

**श्री राज बहादुर** मैं ने निवेदन किया कि म्यायी रूप में प्रबन्ध करने के वास्ते सड़क का लेवल ऊँचा करना होगा। यह काम भी दो स्टेज में होगा। पहली स्टेज में वह स्थान ऊँचा किया जायेगा जहा पानी बहुत ज्यादा भरता है और दूसरी स्टेज में वह स्थान ऊँचा किया जायेगा जहा पानी कम भरता है या नहीं भरता।

**श्री नवल प्रसाद** क्या माननीय मंत्री जी यह देखने की कृपा करेंगे कि सड़क का लेवल ऊँचा करने में किसानों के खेत न डूब जायें।

**श्री राज बहादुर** इस का भी ध्यान रखा जायेगा इस का इलाज यह होगा कि पानी नहरों के नीचे से साइफ़नों के द्वारा निकास जाये।

# WRITTEN ANSWERS TO QUESTIONS

## Anti-Oxidants

\*958. Shri T. B. Vittal Rao: Will the Minister of Food and Agriculture be pleased to state:

(a) whether toxicity tests have been made on an anti-oxidant evolved at the Pusa Institute from the plant *Myristica-malabarica*;

(b) if so, with what results; and

(c) how does the toxicity as determined compare with imported anti-oxidants like B.H.T.?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). The total extractives from *Myristica-malabarica* which showed strong anti-oxygenic properties have been sent to the Central Drug Research Institute for toxicity tests, as no proper facilities for such tests exist at the I.A.R.I. A report on the subject is awaited.

(c) B.H.T. is one of the anti-oxidants declared safe by the United States Food and Drugs Administration for incorporating inedible products upto 0.02 per cent. No such information is yet available with regard to extractives from *Myristica-malabarica*.

## पश्चिमी रेलवे में समाज विरोधी तत्व

\*९६०. श्री डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे प्रशासन को इस बात की जानकारी है कि पश्चिम रेलवे की रेलगाड़ियों में समाज विरोधी लोग सामान बेचने के बहाने यात्रियों को ठगते हैं ; और

(ख) यदि हां, तो ऐसे लोगों के विरुद्ध रेलवे प्रशासन का क्या कार्यवाही करने का विचार है ?

रेलवे उपमंत्री (श्री सै० बं० रामस्वामी) :

(क) जी हां, सिर्फ बड़ीदा डिबीजन के कुछ ठीकानों पर ।

(ख) इस बुराई को खत्म करने के लिये राज्य पुलिस और रेलवे सुरक्षा दल (Railway Protection Force) मिल कर कार्यवाही कर रहे हैं ।

## Two Tier Sleeping Berths

\*966. Shri S. M. Banerjee: Will the Minister of Railways be pleased to state:

(a) whether two-tier sleeping berths in 3rd class have been introduced in trains;

(b) if so, on what routes; and

(c) the number of such coaches?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir, as an experimental measure on certain trains only.

(b) A statement is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 40.]

(c) Broad Gauge coaches. 6

Metre Gauge coaches. 8

Total. 14

## Transmitter

\*967. Shri Halder: Will the Minister of Transport and Communications be pleased to state:

(a) whether a parachute and transmitter with U.S. inscription fell near a village P.S. Titagarh (West Bengal), and

(b) if so, what was found out from that?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) No, Sir, no such parachute and/or instrument fell in or near any village under Titagarh Police Station.

(b) Does not arise.

I may add, Sir, that meteorological instruments sent up by means of Parachute to collect meteorological data about pressure temperature,

humidity and wind direction were found in Vraia, Katiara and Dixpala villages in the Police Station Armdanga, District 24 Parganas, between 20th and 22nd May, 1958.

### Manpower for Major Projects

\*963. **Shri Sanganna:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the Manpower Directorate has estimated the technical requirements for the major projects in the country; and

(b) if so, the technical staff requirements of each major project like Hirakud, Bhakra and Nagarjuna Konda Sagar?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) No, Sir

(b) Does not arise.

### Tungabhadra Dam Project

\*969. **Shri Shivananjappa:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that four more generating units will be taken up for installation at Tungabhadra Dam and Hampi shortly; and

(b) if so, whether these installations will be completed during the Second Plan period?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) In the Second stage of the Tungabhadra Project, 3 nos. 9,000 KW generating units will be installed—two units in the Dam Power House and one in the Hampi Power House. These 3 units along with one unit of 9,000 KW in the Hampi Power House, sanctioned for the first stage, which has not yet been ordered, will comprise a total of 4 more generating units for the Tungabhadra Power stations. The installation of these 4 sets will, however, take time.

(b) Since the Tungabhadra Project is not related to the production of coal or steel or to the augmentation of Power for Railway electrification,

this scheme, although included in the 2nd Plan, has not been included in the 'core'. Foreign exchange may not, therefore, be available for it. It is difficult to say at this stage whether the installation of above 4 additional generating units will be completed in the Second Plan period.

### Palar River Waters Dispute

\*970. **Shri Tangamani:** Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1786 on the 23rd April, 1958 and state the latest position regarding Palar river waters dispute?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** The Government of Madras have intimated that they do not wish to pursue the matter further at this stage.

### Railway Bridge at Mokameh

\*971 { **Shri Anirudh Sinha:**  
**Sardar Iqbal Singh:**

Will the Minister of Railways be pleased to state the steps, if any, which are being taken to increase the line capacity on the North-Eastern Railway in anticipation of the increase in transshipment after opening of the Mokameh bridge?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** Yes, necessary works like provision of junction arrangements, doubling, remodelling of yards, etc. are being undertaken or are under consideration.

A statement giving details of works already in progress is laid on the Table of the House. [See Appendix IV, annexure No. 40-A.]

### Free Telegram Facility

\*972. **Shri B. Das Gupta:** Will the Minister of Railways be pleased to state whether it is a fact that the free telegram facility for passengers has been withdrawn on the Eastern Railway?



**The Deputy Minister of Railways (Shri S. V. Ramanwamy):** Yes. The facility of sending free telegrams to their relatives by passengers travelling in through service carriages which miss connection at Junction stations with the scheduled trains, was in force only on the Eastern Railway since March 1956. The facility was withdrawn from the middle of June 1958.

**रायसिंहनगर का सब-पोस्टमास्टर**

\*६७३. श्री प० ला० बाबूपाल : क्या परिवहन तथा संचार मंत्री राजस्थान के जिला गंगानगर के रायसिंहनगर के सब-पोस्टमास्टर द्वारा बचत बैंक लेख से धोखे से धन निकालवाने के बारे में १८ दिसम्बर, १९५६ के तारकित प्रश्न संख्या १०८० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि इस विषय में क्या कार्यवाही की गई है ?

परिवहन तथा संचार मंत्री (श्री स० ला० पाटिल) : रायसिंहनगर के उप-पोस्ट-मास्टर श्री महेन्द्र सिंह को निचले न्यायालय द्वारा विमुक्त किये जाने के बारे में उच्च न्यायालय में दाखिल किया जाने वाला पुनरीक्षण-आवेदन-पत्र (Revision Application) वास्तव में पेश नहीं किया गया था, क्योंकि राजस्थान सरकार के लीगल रिमेम्बरेंसर ने इस मामले का पुनरीक्षण कराया जाना उचित नहीं समझा था। दूसरे मामले में पुलिस ने अपनी प्रथम-सूचना-रिपोर्ट (F.I.R.) में यह बताया कि यह मामला न्यायालय में सफल नहीं हो सकेगा। सम्बन्धित कर्मचारी के विरुद्ध अनुशासनीय कार्यवाही की जा रही है।

**Gir Lions**

\*974. Shri Mohan Swarup: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that 'Folidol' is being used by the cattle

breeders of Gir forest in Saurashtra by spraying the medicine on the 'Kill' and thus causing the death of so many lions in the sanctuary;

(b) whether it is also a fact that breeders later burnt the dead bodies of the lions; and.

(c) if so, what steps have been taken by Government to protect the animals?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) and (b). According to information received from the Government of Bombay, the reply is in the negative.

(c) Does not arise.

**Purchase of Foodgrains**

\*975. Shri Raman: Will the Minister of Food and Agriculture be pleased to state:

(a) the quantity of food grains purchased in 1958 so far on Government account and the prices paid for it; and

(b) whether any State Government have undertaken purchase or procurement on their own account?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) The Government of India have purchased within the country the following quantities of foodgrains so far in the year 1958:—

(i) Rice—About 2,43,300 tons.

(ii) Gram—About 2,000 tons.

A statement showing the procurement prices is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 41.]

(b) Yes, Sir; the States of Assam, Bombay, Kerala, Madhya Pradesh, Mysore, Orissa and West Bengal and the Union Territories of Tripura and Manipur, have procured foodgrains on their own account.

### Night Trains

\*976. **Shri Nagi Reddy:** Will the Minister of Railways be pleased to state:

(a) the plans that Government propose to implement for the restoration of Night trains from Secunderabad to Dronachalam on the Central Railway, and

(b) the amount of money sanctioned for its implementation?

**The Deputy Minister for Railways (Shri S. V. Ramaswamy):** (a) The Railway line on the Dronachalam-Secundrabad Section passes through hilly terrain intersected by streams which develop sudden floods, and there are a large number of Railway Affecting Tanks, many of which are not up to the accepted standards of construction and maintenance. Owing to the presence of these tanks and the nature of the streams there is a possibility of sudden damage to the Railway line, should a storm of the abnormal cloud burst type occur and as such night running of passenger trains was restricted during the monsoon of 1957 and has again been restricted during the monsoon of this year with effect from 20th June, 1958.

The question of restoration of night running of passenger trains with more intensive patrolling and watching of the line is re-considered each year before the monsoon, but until the safety of the tanks can be vouchsafed by the State Government the possibility of human failure can with patrolling arrangements exists and is a factor that needs careful examination on each occasion.

(b) Does not arise.

### Suraimanpur-Reoti Railway Track

\*977. **Shri Radhamohan Singh:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1556 on the 9th April, 1958 and state the progress so far made in the construction of protection

work of the Railway track between Suraimanpur and Reoti Stations of the North Eastern Railway against the erosion of the river Ghaghra in Bellia District?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** The following works were considered necessary for the protection of Railway track between Suraimanpur and Reoti Stations of the North Eastern Railway against the erosion of the River Ghoghra —

- (1) Intermediate retired alignment of the Railway
- (2) Permeable Sal Bullah spurs along the eroded portion

The work (1) above was completed on the 26th July, 1958. As regards item (2) above, 11 spurs which were proposed for this year were constructed and these are so far working satisfactorily.

### Dacoity at Tikoli-Rawatpur Station

\*978. **Shrimati Ila Palchoudhuri:** Will the Minister of Railways be pleased to state,

(a) whether it is a fact that on the night of June 18, 1958, an armed dacoity was committed at Tikoli-Rawatpur Station on Raebreh-Unnao section of the Northern Railway;

(b) whether it is also a fact that the dacoits looted Government cash, from the booking office killing two railway employees and keeping others at bay;

(c) if so, what are the actual facts; and

(d) the steps taken in regard thereto?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) to (c). On the night of 17/18th June, 1958 at about midnight a gang of criminals raided Tikoli Rawatpur station and killed one porter and a sweeper who were on watch and ward duty at the station. Booking Office, cash safe

and ticket tube were found broken open and cash amounting Rs. 284-83nP. was found missing.

(d) The matter was reported to the Unnao Police who are investigating into the case. Immediately on receipt of the information an Armed detachment of the Railway Protection Force was posted at the station to restore a sense of security among the staff.

### स्वास्थ्य मंत्रियों का सम्मेलन

\*६७६. श्री जगदीश प्रबस्थी : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राज्य स्वास्थ्य मंत्रियों के गत वर्ष के सम्मेलन में यह निर्णय किया गया था कि द्वितीय पंचवर्षीय योजना के अन्तर्गत राज्यों के अर्धीन चिकित्सा कालेजों में काम करने वाले डाक्टरों को केन्द्रीय सरकार निजी रूप से डाक्टरी का खर्चा न करने का भत्ता दिया करेगी ,

(ख) यदि हा, तो सरकार ने इस निर्णय को कार्यान्वित करने के लिये क्या कार्यवाही की है ; और

(ग) किन राज्य सरकारों ने अब तक इस निर्णय को कार्यान्वित किया है ?

स्वास्थ्य मंत्री (श्री कर्मरकर) : (क) स्वास्थ्य मंत्रियों के १९५७ के सम्मेलन में यह विफारिश की गई थी की

(१) सभी मेडिकल कालेजों के क्लीनिकल तथा नान-क्लीनिकल दोनों विभागों को मेडिकल कालेजों में पूरे समय तक पढ़ाने वाली एकको की स्थापना की योजना के अन्तर्गत ले लिया जाये ; और

(२) इस पर होने वाला सारा अतिरिक्त खर्च केन्द्रीय सरकार वहन करे ।

(ख) भारत सरकार ने राज्य सरकारों को उनके अर्धीन मेडिकल कालेजों के क्लीनिकल तथा नान-क्लीनिकल दोनों विभागों

में पूरे समय तक पढ़ाने वाली एकको की स्थापना के लिये सहायता देने का निर्णय कर लिया है । केन्द्रीय सरकार १९५६-६० से द्वितीय पंचवर्षीय योजना की अवधि तक राज्य सरकारों को उन के अर्धीन मेडिकल कालेजों में इस योजना की कार्यान्विति पर होने वाले अतिरिक्त आवर्तक खर्च का १०० प्रतिशत देगी ।

(ग) इस योजना को वितीय वर्ष १९५६-६० से कार्यान्वित किया जाना है ।

### Tungabhadra High Level Canal

\*980. Shri Rami Reddy: Will the Minister of Irrigation and Power be pleased to state,

(a) whether the Tungabhadra High Level Canal Scheme with Mid-Pennar Regulator as proposed by the Andhra Pradesh Government is included in the Second Plan; and

(b) if not, the reasons therefor?

The Deputy Minister of Irrigation and Power (Shri Hathil): (a) Yes, Sir

(b) Does not arise.

### Ships Built at Hindustan Shipyard

\*981 Shri Goray: Will the Minister of Transport and Communications be pleased to state:

(a) the number of ships that were built in the Hindustan Shipyard after the completion of "Andamans";

(b) whether it is a fact that some ships completed after the "Andamans" have developed the same defect of listing?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Three;

(b) No. \*

## Wheat Wagons

\*982. { Shri Jadhav:  
Shri Nath Pal:

Will the Minister of Food and Agriculture be pleased to state whether it is a fact that the wheat wagons intended for Bihar from Kandla Port are sent to Delhi and then transhipped to Bihar?

The Minister of Food and Agriculture (Shri A. P. Jain): No. Sir.

उत्तरी बिहार में धान की फसलों को क्षति

\*६८३. { श्री काशी नाथ पांडे :  
श्री बिभूति मिश्र :  
श्री श्रीनारायण दास :  
श्री राधा रमण :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत सरकार को यह पता है कि उत्तरी बिहार में हजारों एकड़ में खड़ी हुई धान की फसल गुन्दी मक्खी ने नष्ट कर दी है ;

(ख) क्या इस विषय में किसी अन्य राज्य सरकार से सूचना मिली है ;

(ग) यदि हा, तो सरकार ने इन मक्खियों को मारने के लिये क्या कार्यवाही की है ; और

(घ) क्या यह सच है कि यदि इन मक्खियों को मारने के लिये तुरन्त उचित कार्यवाही न की गयी, तो लाखों एकड़ भूमि में खड़ी हुई धान की फसल नष्ट हो जायेगी ?

खाद्य तथा कृषि मंत्री (श्री प्र० प्र० जैन) : (क) अन्तिम प्राप्त जानकारी के अनुसार गुन्दी मक्खी ने उत्तरी बिहार की छोटी ज्वार और धान की फसल के लगभग १२६००० एकड़ के क्षेत्र में बहुत अधिक नुकसान पहुंचाया। लेकिन धान की फसल

का क्षय, जिसमें इसका असर हुआ है और इस बीमारी के हानि का अनुमान अभी मालम नहीं है।

(ख) जी हां, आसाम, मणिपुर, एन० ई० एफ० ए० और पूर्वीय उत्तर प्रदेश।

(ग) राज्य और केन्द्रीय वनस्पति रक्षा संगठनों ने जमीन पर प्रयोग की जान वाली मशीनों और वनस्पति रक्षा अवरोध और संचयन निदेशालय के द्वारा रखे हुये एक हवाई यूनिट की सहायता से बीमारी के क्षेत्र में कीट नाशक औषधियां छिड़की। कीट नाशक औषधियां और नियंत्रण का सामान किसानों में भी बांट दिया गया है और केन्द्रीय सरकार ने राज्य सरकारों को ऋण के रूप में कीट नाशक औषधियों की बहुत बड़ी मात्रा और बहुत सी स्प्रेइंग और डस्टिंग (praying and dusting) मशीनें दी है। वनस्पति रक्षा अवरोध और संचयन निदेशालय के टेक्निकल स्टाफ की सेवायें भी उनको उपलब्ध कर दी गई है।

(घ) अगर यह रोग बहुत मंकात्मक हो तो काफी नुकसान हो सकता है, क्योंकि विशेषकर फसल पकने वाली है और दाना कोमल है।

कालपी के निकट यमुना नदी पर सड़क का पुल

\*६८४. श्री लच्छी राम : क्या परिवहन तथा संचार मंत्री १६ मार्च, १९५८ के तारांकित प्रश्न संख्या १०६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि मध्य रेलवे के कालपी स्टेशन के निकट यमुना नदी के पुल पर लकड़ी पाट कर सड़क तैयार करने के सम्बन्ध में इस बीच क्या प्रगति हुई है ?

परिवहन तथा संचार मंत्रालय में राज्य मंत्री (श्री राज बहादुर) : आजकल "रेल और सड़क के जुड़वा पुल" को लकड़ी के तख्तों से पाटने के खाके की तफसील रेलवे विभाग के अधिकारियों द्वारा तैयार की जा

रही है। देख के पुन तक पहुंचान वाली सड़कों के रखते और जगह निश्चित करने के लिए भी जांच जारी है।

#### Kurduwadi-Miraj Rail Link

\*985. Shri Bajasaheb Patil: Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 1270 on the 27th March, 1958, and state:

(a) whether the survey reports for the construction of a broad gauge Railway line between Kurduwadi and Miraj have been finalised;

(b) if so, when the actual construction will begin; and

(c) what are estimated costs for the same?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) The Survey Report for conversion into B.G. has almost been finalised. Meanwhile directions have been given for making an appreciation of the Miraj-

Kurduwadi conversion into M.G. and also for comments on the possibilities of Kurduwadi-Latur conversion to M.G. and its further extension upto Puri-Vaijnath. Since these aspects are being looked into by the Railway it will take some time more to get the survey reports.

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

#### Chittaranjan Locomotive Works

\*986. Shri Ajit Singh Sarhadil: Will the Minister of Railways be pleased to state the present percentage of foreign imports and its value in the production of locomotives in Chittaranjan Locomotive Works?

The Deputy Minister of Railways (Shri S. V. Ramaswamy):

The value of imported materials and components for a W.G. class locomotive now being manufactured at Chittaranjan Locomotive Works is about Rs. 1.23 lakhs (total cost being 4.6 lakhs), broken up in 3 main groups as under:—

	Rs.
(i) Raw materials and rough components not yet available either fully or even partly from indigenous sources	36,900 (30%)
(ii) Components which are normally bought out items for all locomotive manufactures and which are not proposed to be manufactured at Chittaranjan Locomotive Works	55,350 (45%)
(iii) Components in respect of which capacity is being progressively developed at Chittaranjan to eliminate imports completely	30,750 (25%)

#### Closure of Rail Link between Bihar, North Bengal and Assam

\*987. { Shri L. Achaw Singh:  
Shri Rajendra Singh:

Will the Minister of Railways be pleased to state:

(a) whether the rail link between Bihar and North Bengal and Assam has been closed due to flood conditions between Katihar and Siliguri since the 17th August, 1958;

(b) the number of breaches which occurred due to the floods;

(c) if so, the number of passenger stranded on both sides of breaches;

(d) the nature of relief given to these passengers and alternative means of transit made available for them;

(e) how long the dislocation of the train services on the N.E.F. Railway lasted; and

(f) the steps taken for the resumption of train services?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) to (f). A statement is laid on the Table of the House. [See Appendix IV, annexure 170, 42.]

**Special Tax for Tourists**

\*988. **Shri Subodh Hansda:** Will the Minister of Transport and Communications be pleased to state:

(a) whether Government have any proposal under consideration to allow free movement of special taxis for tourists in the various States without paying any extra tax; and

(b) if so, when this will come into operation?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): Under a new provision made recently in the Motor Vehicles Act of 1939, special permits can be granted by a Regional Transport Authority to public service vehicles carrying tourists, by virtue of which they can move freely in other regions or States so long as they display a special distinguishing mark. In October 1957, the Conference of State Transport Commissioners/Controllers held at Mussoorie unanimously recommended that under this provision State Governments should allow unrestricted movement of taxis and other vehicles chartered by tourists without the levy of any extra tax. The State Governments have been asked to implement this recommendation.

**All India Road Development Plan**

\*989 { Shri Ram Krishan:  
Sardar Iqbal Singh:  
Shri Bhakt Darshan:  
Shri S. C. Samanta:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 464 on the 25th February, 1958 and state;

(a) whether the Committee of Chief Engineers, which was appointed to revise the 'Nagpur Plan' and to add new highways to the list of national highways, has since completed its work;

(b) if so, whether a copy of the revised plan would be laid on the Table;

(c) the steps being taken to implement the Plan; and

(d) if the reply to part (a) above be in the negative, the reasons for delay?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No, Sir.

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

(d) The Committee has prepared a draft Plan which is now being examined by the general body of the Chief Engineers and is expected to be finalised shortly.

**Korba Power Station, Madhya Pradesh**

\*990. **Shri V. C. Shukla:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government are considering any proposal for extending the power capacity of the Korba Power Station in Madhya Pradesh, over and above 90,000 kW; and

(b) if so, the broad details of the proposal and the capital out-lay involved?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The Planning Commission have not agreed to the proposal of the Madhya Pradesh Government to include the Korba Thermal Power Station Extensions, in the Second Five Year Plan.

(b) It was proposed to instal 2 x 60,000 kW generating sets at an estimated cost of Rs. 14 crores.

**Road Accidents in Delhi**

\*991. { Shri D. C. Sharma:  
Shri Kunhan:

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

(a) whether it is a fact that Road accidents in Delhi are on the increase;

(b) the total number of accidents during 1958 so far;

(c) the number of fatal accidents;

(d) how do these figures compare with those for the same duration in 1957; and

(e) the measure adopted to prevent road accidents in Delhi?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (e). A statement giving the information required is laid on the Table of the House. [See Appendix IV, annexure No. 43.]

**सीरिया जाने वाले भारतीय**

\*६६२. श्री डामर : क्या स्वास्थ्य मंत्री यह बतान की की कृपा करेंगे कि :

(क) भारतीय यात्रियों के, जो संक्रामक रोग से पीड़ित हों, संयुक्त अरब गणराज्य के सीरिया क्षेत्र में प्रवेश पर, जो पाबन्दी लगाई गई थी, क्या वह अब हटा ली गई है ; और

(ख) यदि नहीं, तो यह पाबन्दी कब तक रहेगी ?

स्वास्थ्य मंत्री (श्री करमरकर) : (क) जी नहीं ।

(ख) स्थानीय पीड़ित क्षेत्र के बीमारी से मुक्त घोषित कर दिये जाने पर संक्रामक रोग की पाबन्दियां हटा ली जाती हैं ।

**भारत आने वाले पर्यटक**

\*६६३. { श्री भक्त दर्शन :  
श्री रामेश्वर टाटिया :

क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि वित्तीय वर्ष, १९५७-५८ में भारत में आये विदेशी पर्यटकों से भारत को विदेशी मुद्रा के रूप में कुल कितनी आय हुई ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर) : पर्यटक यातायात से जो विदेशी-मुद्रा की आय होती है हर वर्ष के लिये उसके आकरों भारत के रिजर्व बैंक द्वारा इकट्ठे किये जाते हैं । १९५७ में विदेशी मुद्रा में १६ करोड़ रुपये की आमदनी हुई है ।

**Rural Electrification in Punjab**

\*994. { Sardar Iqbal Singh:  
Shri Ram Krishan:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Punjab Government have requested the Centre for any aid for rural electrification in the State; and

(b) if so, what action has been taken by the Centre in this regard?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). No, Sir, Not for the specific purpose of rural electrification. The following loans to the Punjab Government have, however, been sanctioned under the programme for expansion of power facilities to increase employment opportunities, which is mainly intended for the rural areas:—

1955-56—Rs. 3.50 lakhs.

1956-57—Rs. 1.00 lakhs.

**Health Services Centres in Rural Areas**

\*995. Pandit D. N. Tiwary: Will the Minister of Health be pleased to state:

(a) whether the Health Services Centres in rural areas to be opened under the allotment of \$3,654,000 by the UNICEF for which agreement was signed in June, 1957 will be in addition to 2000 and 1000 health centres planned to be opened in Block areas under the Second Plan scheme;

(b) whether further allotments by the UNICEF have been promised; and

(c) if so, of what amount?

**The Minister of Health (Shri Kar-markar):** (a) No, Sir.

(b) and (c). A further allotment of \$2,292,000 has been made by the UNICEF.

### Delhi Slums

\*996. **Shri Radha Raman:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Delhi Development Authority have made any proposal to Government which will develop areas near Palam, Kingsway, Villages of Rajpur and

Jhilmila Tahirpur and certain parts of Motinagar and Shadipur and Khanpur villages for purposes of construction of cheap houses for slum dwellers and for private sale;

(b) if so, the total area involved and whether the proposal has received Government's approval; and

(c) when this scheme will be implemented?

**The Minister of Health (Shri Kar-markar):** (a) Schemes for development sponsored by the Delhi Development Authority are—

### Acres

1. Kingsway Camp Area	130
2. Grand Trunk Road area beyond Shakti Nagar	80
3. Najafgarh Road area opposite Rajouri Garden	250
4. Mahrauh Road area	60
5. Patel Road area	230
6. Mansarovar Garden near Ramesh Nagar of Najafgarh Road	25
<b>TOTAL</b>	<b>775</b>

(b) 775 acres. Government have so far agreed to the acquisition of 250 acres of land on Najafgarh Road opposite Rajouri Gardens.

(c) These schemes are likely to be implemented within the next two years

### Purchase of Rail Store

\*997. **Shri Harish Chandra Mathur:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 730 on the 7th March, 1958 and to his subsequent statement on the 17th April, 1958 and state:

(a) how a saving of Rupees one and a half crore has been effected in the purchase of rail stores by a special mission in Europe by direct negotiations;

(b) whether these facts have been disputed by the Steel Importers Association of India, Calcutta;

(c) whether this Ministry has re-examined the matter; and

(d) if so, how the matter stands?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) A statement is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No 44]

(b) No.

(c) No.

(d) Does not arise

### घातू

\*६६८. श्री पद्म देव : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार को यह मालूम है कि हिमाचल प्रदेश में इस समय कृषकों की नकदी फसल बीज के घातू है ;

(ख) क्या सरकार को यह भी मालूम है कि गत वर्ष लोगों को घातू के व्यापार में भारी हानि हुई थी ; और

(ग) बीज के घातू के सुचारु व्यापार के लिये सुविधायें देने के हेतु सरकार द्वारा क्या उपाय किये जा रहे हैं ?



खाद्य तथा कृषि मंत्री (श्री श्री २० प्र० खैर): (क) जी हाँ।

(ख) जी हाँ।

(ग) हिमाचल प्रदेश प्रशासन भगले घासू के मौसिम में घासू का पजन भली भाँति करने का प्रबन्ध कर रही है। इस सम्बन्ध में प्रशासन के सहायता मागने पर, भारत सरकार मुनासिब सहायता देगी।

### मूरतगढ़ मेकेनाइज्ड फार्म

\*६६६. श्री प० ला० बाबुवाल . क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को यह ज्ञात है कि राजस्थान में मूरतगढ़ कृषि फार्म को राजस्थान सरकार ने पहले जो जमीन दी थी, उसमें से कुछ एकड़ जमीन छोड़कर उसके बदले में आस-पास की जमीन ली जा रही है,

(ख) यदि हाँ, तो कुल कितने एकड़ जमीन का इस प्रकार तबादला किया गया है,

(ग) पहले दी गई जमीन स्वीकार न करने के क्या कारण हैं,

(घ) पहले दी गई जमीन को कृषि-योग्य बनाने पर सरकार ने कितना धन खर्च किया; और

(ङ) क्या दी गई जमीन को बार बार बदलने में स्थानीय किसानों का परशानी नहीं होती?

खाद्य तथा कृषि मंत्री (श्री श्री २० प्र० जैन)

(क) जी हाँ।

(ख) ३७७५ एकड़।

(ग) लिंक केनाल (Link Canal) में, जोकि गंग केनाल (Gang Canal) की करानिजी डिस्ट्रिब्यूटरी (Karniji Distributory) से हमेशा सिंचाई के लिये फार्म के मरदारगढ़ के हिस्से में बनाई गई थी, ग्रन्थी और अधिक सिंचाई

उपलब्ध करने के लिये जमीन का तबादला जरूरी हो गया। यह योजना राज्य सरकार के द्वारा भूमि का पहला अल्टीमेटम होने के बाद शुरू की गई थी।

(घ) कुछ नहीं।

(ङ) जी नहीं।

### Floods in Orissa

\*1090. Shri Panigrahi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Government of India has received reports of widespread floods recently in some parts of Orissa, and

(b) whether reports regarding serious damage to paddy crops in flood-affected areas of Orissa have been made available to the Ministry by now?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b) The Government of Orissa have reported that paddy crop in the districts of Cuttack and Puri has been damaged due to flood. No detailed reports have yet been received.

### ग्रन्थों को यात्रा की सुविधायें

\*१००१. श्री जगदीश चवन्धी क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह मंच है कि ग्रन्थों को यात्रा में जो रियायत दी जाती है उसे प्राप्त करने के लिये उन्हें डाक्टर का प्रमाण-पत्र देना पड़ता है,

(ख) यदि हाँ, तो क्या सरकार को विदित है कि इस नियम के कारण ग्रन्थों को क्या कठिनाई उठानी पड़ती है; और

(ग) सरकार ने उन कठिनाइयों को दूर करने के लिये क्या कार्रवाई की है या करने वाली है?

रेलवे ब्रह्मचारी (बी.सी. में. रामस्वामी):

(क) किसी डाक्टर या अर्थी के लिए किसी मान्य संस्था (recognised institution for the blind) के प्रधान का प्रमाण-पत्र (certificate) देना पड़ता है।

(ख) और (ग). शुद्ध में कुछ कठिनाइयों का अनुभव हुआ था। इस तरीके को आसान बनाने के लिए निम्न उपाय किये गये हैं :-

१. नियत प्रमाण-पत्र पेश करने पर अब टिकट बाबू रियायती दर पर टिकट जारी कर देते हैं।

दूसरी तरह की रियायतों के लिये धारा 41 पर प्रधान कार्यालय या डिप्टी जनरल का प्रमाण-पत्र देना पेश करना जरूरी है। इस रियायत-प्राप्ति के लिए पहले उनके यहां धर्जा दी जाती है।

२. हर बार नया प्रमाण-पत्र लेने और पेश करने की कठिनाई दूर करने के लिए यह तय किया गया है कि किसी गवर्नमेंट अफसर, मजिस्ट्रेट या मंसूफ या राज्य के विधान सभा के सदस्य द्वारा तमदीक को हुई प्रमाण-पत्र की प्रतिलिपि देने पर रियायती टिकट जारी कर दिये जायेंगे। लेकिन टिकट घर पर आने के लिए मूल प्रमाण-पत्र दिखाना जरूरी है।

मूल प्रमाण-पत्र जिन तारों को जारी होगा उससे एक माल तक वैध माना जायेगा।

३. रियायती टिकट लेने के लिए यह जरूरी नहीं है कि अर्थात् व्यक्ति खुद टिकट घर पर जाये।

४. प्रेस नोट निकाल कर यह बात अखिल भारत में बतायी गयी कि इन रियायतों के पाने का क्या तरीका है।

## Nagarjunasagar Project

\*1002. Shri Bami Reddy: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Andhra Pradesh Government has made a request for an additional allotment of Rupees four crores for Nagarjunasagar Project for expenditure during the current year; and

(b) if so, whether the amount has been sanctioned?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir. The Nagarjunasagar Control Board has, however, asked for an enhanced allotment. The extent of additional allotment required has not been specified, though a works programme on the basis of a possible allotment of Rs. 10 crores has been drawn up by the Control Board.

(b) No, Sir. There is no possibility at present of any enhancement.

गन्ने की कीमत का चुनाव न जाना

\*1003. श्री विभूति मिश्र : क्या कृषि तथा कृषि मंत्री १२ अगस्त, १९५८ के अंतराकृत प्रश्न संख्या १४२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) गन्ना उत्पादकों को शेड कीमत शीघ्र दिलाने के विषय में विशेषतः ऐसे कारखानों में जहां यह शेड राशी १ लाख रुपये से भी ऊपर है केन्द्रीय सरकार क्या ठोस कार्यवाही कर रही है; और

(ख) क्या सरकार ने कोई ऐसी योजना बनाई है जिसमें चीनी की मिलें गन्ना उत्पादकों को भुगतान की तिथि की उचित सूचना दे दिया करें ताकि उन्हें भुगतान में सुविधा हो ?

कृषि तथा कृषि मंत्री (श्री प्र० प्र० जैन):

(क) राज्य सरकारों पर दबाव डाला जा रहा है कि वह चीनी मिलों से गन्ने की शेड कीमत का भुगतान शीघ्र करवाने के लिये

प्रत्येक उचित कार्यवाही करें। राज्य सरकारें भी इस घोर प्रत्यक्ष कर रही हैं। इन विशेष प्रयत्नों के फलस्वरूप खेच कीमत जो मई १९५८ के अन्त में ४.५ करोड़ रुपये की घब घट कर १.०४ करोड़ रुपये रह गई है।

(ख) चीनी मिलें प्रायः गन्ने की कीमत का मुगतान, गन्ना उत्पादकों के प्रतिनिधियों या उनकी सहकारी समितियों के परामर्श से निश्चित कार्यक्रम के अनुसार करती है। अतः किसी विशेष योजना की आवश्यकता नहीं है।

#### Accidents due to Travelling on Roofs of Trains

\*1004. { Shrimati Ila Palchoudhuri:  
Shri Vajpayee:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that on the 15th August, 1958 a number of students who were travelling on the roof of a mail train from Siwan in Bihar to Gorakhpur in U.P. on the North Eastern Railway were killed and injured when the train was entering the Chaurichaura Station yard;

(b) if so, the full details of the incident; and

(c) the steps taken or proposed to be taken to prevent recurrence of such incidents in the future?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir. 7 Students fell down from the roof of the train, of whom 3 died; and

(b) On 15.8.1958, while 1 UP Avadh Tirhut Mail was at Savan Junction, it was noticed that some persons had got on to the roofs of the rear coaches of the train. The Railway Staff brought these people down from the roof, but again at Bhatni Junction some students, it was noticed, had got on to the roof. The help of the Government Railway Police was sought for and these students were brought down

from the roof. This resulted in a detention of 22 minutes to the train at Bhatni Junction. Once again, at Deoria Sadar, there was further detention to the train in order to bring down from the roof some students who had again climbed on to the roof of the rear coach.

After the train had left Deoria Sadar Station, some students appear to have again climbed on to the roof and when the train was entering Chauri Chaura Station they were hit by the telegraph and telephone wires crossing the Railway Track. 7 students fell down from the roof of the refreshment car of the train on which they were travelling. This happened at about 16.05 hours.

All of them, after being rendered first aid at the station were taken to Deoria Civil Hospital by 2 DN Avadh Tirhut Mail Train, the next available train which was stopped out of course at 16-40 hours, and they were admitted in the Civil Hospital at 17-45 hours. Three of these seven students died in the hospital after admission. Remaining four are still in the hospital and are reported to be progressing.

None of these students had railway tickets. The case is under police investigation.

(c) To eliminate travelling on footboards and roofs the following steps have been taken:—

(i) Exhibition at Railway Stations of notices and pictorial posters asking passengers to desist from travelling on footboards, roofs, etc. and depicting the danger of such travel;

(ii) General instructions to the ticket checking and station staff to prevent passengers from travelling on footboards, roofs etc;

(iii) Raids by Government Railway Police to prevent travelling on footboards, roofs etc. by passengers.

### Deraignment of Lucknow-Kathgodam Express

\*1005. **Shri Tangamani:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Lucknow-Kathgodam Express Metre Gauge Train on the N.E. Railway derailed on the 17th August, 1958;

(b) if so, the extent of loss to persons and property; and

(c) how long the train service was dislocated as a result of the accident?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) At about 01.12 hours on 17th August, 1958 while No. 7 Up Naini Tal Express train was on the run between Shahgarh and Purnapur stations on the Bareilly-Mailani, Metre Gauge, Section of the North-Eastern Railway, the engine along with its tender and three vehicles, next to it derailed.

(b) Nine persons received minor injuries. The approximate cost of damage to Railway property was Rs. 5,200.

(c) For about 12 hours and 48 minutes.

### Hotel Standards and Rate Structure Committee

\*1006. { **Shri Subodh Hanota:**  
**Shri Ajit Singh Sarhadi:**  
**Shri Supakar:**  
**Shri Shivnananappa:**  
**Shri Barman:**  
**Shri T. B. Vittal Rao:**  
**Shri Hem Raj:**  
**Sardar Iqbal Singh:**

Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 3503 on the 8th May 1958 and state:

(a) whether the Hotel Standards and Rate Structure Committee has since submitted its report to Government;

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

(c) decisions taken thereon?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) Yes.

(b) A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 45].

(c) The Government have not yet completed the examination of the recommendations made by the Committee.

### T. B. Patients in Delhi

\*1007. { **Shri Ram Krishan:**  
**Shri D. C. Sharma:**  
**Shri Vajpayee:**

Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 1158 on the 24th March, 1958, and state the further progress made in the matter of providing more medical facilities for the treatment of T.B. patients in Delhi under the Second Five Year Plan?

**The Minister of Health (Shri Karmakar):** Admission of patients to the 52-bedded T.B. isolation ward at the T.B. Hospital, Mehrauli, has since begun. It has also been decided to supply one Photofluorographic X-Ray unit to the Municipal T. B. clinic, Queens Road, Delhi, during the year 1958-59.

### Supply of Power to Delhi

\*1008. **Sardar Iqbal Singh:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether an agreement has been signed with the Punjab Government regarding the supply of Power to Delhi; and

(b) details of this agreement?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) No, Sir.

(b) Does not arise.

दिल्ली में नयी बस्तियों का हटाना जल्दा

१५२६. { श्री मोहन स्वल्प :  
श्री बी० चं० शर्मा :

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में गन्दी बस्तियों को हटाने की किसी नयी योजना पर विचार किया जा रहा है ; और

(ख) १९५२ से १९५८ तक गन्दी बस्तियों को हटाने पर कितनी राशि खर्च की गयी, इस सम्बन्ध में क्या काम हुआ, कितनी गन्दी बस्तियां हटाई गयी और गन्दी बस्तियों में रहने वालों को दूसरी जगह दी गयी ?

स्वास्थ्य मंत्री (श्री करमरकर) :

(क) और (ख). उपोक्त सूचना का एक विवरण समा पटल पर रख दिया गया है ।  
[देखिये परिशिष्ट ४, अनुबन्ध संख्या ४६]

# Seed Production

1530. Shri Hem Raj: Will the Minister of Food and Agriculture be pleased to state:

(a) the annual production of seeds produced in the Central Seed Breeding Station at Kulu, Katrain and Nagar;

Number of Coaches on line on Central Railway on 1-4-1957 :—

	B.G.	M.G.	N.G.	Total
Full II Class	16	..	7	23
I and II Composites	77	7	..	84
I, II and III Composites	30	4	..	34
II and III Composites	49	15	6	70

(b) As a result of abolition of one class of travel corresponding to old I class and revision of rates, the designation "Inter class" was deleted and old Inter class renamed as II

(b) the annual expenditure incurred thereon;

(c) whether any experiments have been made in such stations so far for growing early varieties of vegetables in the Kulu Valley; and

(d) the steps taken by them to popularise vegetable growing amongst the Kulu Valley people?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (d). A statement is laid on the Table of the House. [See Appendix IV, annexure No. 47].

# Second Class Coaches of Indian Railways

1531. Shri Pangarkar: Will the Minister of Railways be pleased to state:

(a) the number of second class coaches on the Central Railway at present;

(b) whether it is a fact that all inter class coaches have been converted into second class coaches on this Railway;

(c) whether Government propose to increase the number of second class coaches on this Railway; and

(d) if so, by how many and when?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a)

class and the old II class renamed as I class

(c) No. It is the policy to abolish II class in stages.

(d) Does not arise.

### Construction of Ware-Houses in Bombay

1532. Shri Pangarkar: Will the Minister of Food and Agriculture be pleased to state:

(a) the places selected in the Marathwada region of Bombay State for the construction of Warehouses during 1958-59; and

(b) the details of cost of each?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Nil.

(b) Does not arise.

### Forest Development in Bombay State

1533. Shri Pangarkar: Will the Minister of Food and Agriculture be pleased to state:

(a) the amount allotted for the forest development in Bombay State during 1958-59; and

(b) the amount of grants given?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The amount allotted for 1958-59 is as follows:—

Central Assistance		To be found by the State Government	Total (Rs. in lakhs).
Loan	Subsidy		
14.44	6.79	23.54	44.77

(b) Grants will be sanctioned during the current year on the basis of details of expenditure to be received from the State Government at the close of the year, up to a maximum of Rs. 6.79 lakhs.

(b) whether topmost priority is assigned to the execution of the work; and

(c) what is its expansion programme Railway-wise during the Second Plan period and the time target fixed for its completion?

### Automatic Signals

1534. Shri P. G. Deb: Will the Minister of Railways be pleased to state:

(a) whether automatic signals have been introduced on Railways;

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes; Automatic Signalling exists on the following sections:—

Railways	Section	Route Mile	Track Mile
Central	Bombay V.T.—Kurla	10	20
Eastern	(i) Agarpara-Sealdah (Down main line) (ii) Belgharia-Sealdah (Down Quadruple line). (iii) Sealdah-Dum-Dum (Up main line) (iv) Kakurgachi-Dum-Dum (Up Quadruple line). (v) Kakurgachi-Majerhat (vi) Sealdah South-Mile 5B (vii) Ballygunge-Jadavpur	36	50
Southern	Madras Beach-Tambaram	18	36
Western	Churchgate-Andheri	11	22
	TOTAL	75	128

(b) The new programmed works have been given priority commensurate with the traffic requirements.

(c) The sections in which Automatic

Signalling has been programmed during the Second Plan period and the target for completion thereof are given below:—

Railway	Section	Route Mile	Track Mile	Target
Central	(i) Kurla-Bhandup-Thana	11	44	1960-61
	(ii) Thana-Kalyan	13	52	
Eastern	(i) Belur-Serampore	8	16	1959-60
	(ii) Dehri-on-Sone-Sone Nagar	4	8	1959-60
South-Eastern	Sini-Rajkharwan	9	18	1959-60
TOTAL		45	138	

#### Derailment of Madras-bound Waltair Passenger Train

1535. Shri Raghunath Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that on the 22nd July 1958 Madras bound Waltair Passenger derailed at Racherlapadu station; and

(b) if so, what is the number of injured and the extent of damage due to this derailment?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) On 22nd July 1958 at 02:15 hours while 78 Up Madras-Waltair Parcel-cum-passenger train was being received at Racherlapadu station on the Southern Railway the Driver passed the Up Main line starter signal 'at danger' and the train entered the sand hump resulting in the derailment of the engine and the four wagons immediately behind it.

(b) 16 persons including the driver, the fireman and the Travelling Ticket Examiner received minor injuries. The approximate cost of damage to the Railway property is assessed at Rs. 620.

रेलों में भोजन की व्यवस्था करने वाले ठेकेदार

१५३६. श्री खुशबख्त राय : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि गत सात

वर्षों में प्रत्येक वर्ष में भोजन की व्यवस्था करने वाले ठेकेदारों के लाइसेंस शुल्क से प्रत्येक रेलवे को कितनी प्राय हुई ?

रेलवे उपमंत्री (श्री सै० वें० रामस्वामी) : एक बयान सभा पटल पर रख दिया गया । [देखिये परिशिष्ट ४, अनुबन्ध संख्या ४८]

#### विभागीय भोजन व्यवस्था

१५३७. श्री खुशबख्त राय : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि विभागीय भोजन व्यवस्था के परिणामस्वरूप निम्नलिखित मदों पर प्रत्येक रेलवे ने गत तीन वर्षों में कितना व्यय किया :—

(१) खाद्य सामग्री का कच्चा सामान;

(२) कर्मचारी ;

(३) विविध ( धाकस्मिक आदि ) ?

रेलवे उपमंत्री (श्री सै० वें० रामस्वामी) : एक बयान सभा पटल पर रख दिया गया है ।

[देखिये परिशिष्ट ४, अनुबन्ध संख्या ४९]

#### Landless Labourers

1538. Shri Hem Raj: Will the Minister of Food and Agriculture be pleased to refer to the reply given to

Unstarred Question No. 3496 on the 8th May, 1958 and state:

(a) whether the required information from the rest of the States has since been received;

(b) the total number of landless labourers in the country after the First Plan period, state-wise; and

(c) the proposed plan to rehabilitate them during the Second Five Year Plan period?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Except Bihar, other State Governments have furnished information and it is given below:—

	Number of landless workers Rehabilitated	Acreage of land given
1. Jammu & Kashmir . . . . .	238	1,360
2. Assam . . . . .	120	661
3. Orissa . . . . .	160	800

Further, in the Central Mechanised Farm at Bhopal 469 labourers have been settled on an area of 6493 acres.

(b) Information was collected in the census of 1951 and the Agricultural Labour Enquiry which has been referred to in Chapter XVI on agricultural workers in the Second Five Year Plan and some estimates of the likely increase in the working force in that country as a whole was also made. Information about the total number of landless workers at the end of the First Five Year Plan is not available. However, a second Agricultural Labour Enquiry is going on.

(c) As mentioned in the Second Five Year Plan, there is provision for the resettlement of about 20,000 landless workers during the second plan period. Further, in the 5th meeting of the Standing Committee of the National Development Council held in September, 1957, it was suggested that a programme for resettling landless workers should be undertaken on lands obtained through the application of ceilings and on Bhoodan and Gramdan lands, the aim being to resettle about 3 lakh families during the

remaining period. The matter has been taken up by the Planning Commission with the State Governments.

**Extra Payment to Handling Contractor, Messrs. Bird and Co. by Railways**

1539. Shri V. C. Shukla: Will the Minister of Railways be pleased to state:

(a) the amount of extra payment made by the Railways month by month at Sakrigalighat and Maniharighat during the period from May, 1957 to June, 1958 for "extra lead" over normal limit to existing Handling Contractors Messrs. Bird & Co. (Private) Ltd. and total amount paid on this account at both Ghats for the period May, 1956 to June, 1958;

(b) whether it is a fact that the previous working Contractors, whose tender was lowest on the basis of given data of traffic figures in the tender, gave an undertaking in writing, before acceptance of the tender of Messrs. Bird and Co. (Private) Ltd., to the General Managers, Eastern and North Eastern Railways that they would not claim extra payment for "Lead" in all positions of Ghats at



Sakrighat Maniharighat and whether this assurance was reiterated in appeal to the Minister for Railways and Railway Board and if so, with what result;

(c) whether Government is aware that one of the retired member of the Railway Board is working as a Managing Director of Messrs. Bird & Co., (Private) Ltd., and whether any permission for such employment was given by the Government to Messrs. Bird & Co., (Private) Ltd., in terms of Clause 16 of the Handling Contracts for Sakrighat and Maniharighat; and

(d) if the reply to (c) above is in the negative, the reasons therefor?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) A statement giving the information desired is laid on the Table of the House [See Appendix IV, annexure No 50].

(b) On an approximate assessment of the total value of the contract including payment for extra lead over the normal, the tender of Messrs. Bird & Co., (Private) Ltd., was found to be the lowest, and not that of the previous contractor. After the tenders were opened, the latter offered to adjust his rates for extra lead if the tender was accepted but there was no unqualified undertaking not to claim payments for extra leads. The Railways did not consider that there was any justification for negotiating with the various tenders.

(c) and (d). Yes; but the question of grant of permission to Messrs Bird & Co., (Private) Ltd., did not arise as the retired Member had taken up the employment with them earlier, and his employment was known to the Railways when the contract was awarded.

#### Tuberculosis

1540. Shri Nek Ram Negi: Will the Minister of Health be pleased to state:

(a) whether a wild fruit "RUDANTI" has been used in Balabhai Nanavati Hospital, Bombay and

proved very successful for treatment of T.B. cases;

(b) if so, what are its details; and

(c) whether Government propose to introduce this very medicine in other T.B. Hospitals?

The Minister of Health (Shri Karmarkar): (a) to (c). The information asked for is being collected and will be laid on the Table of the Sabha in due course.

#### G.M.F. Schemes for Andhra

1541. Shri M. V. Krishna Rao: Will the Minister of Food and Agriculture be pleased to state:

(a) the amount allotted for Grow More Food Campaign to Andhra Pradesh during 1957-58 and whether it was fully spent;

(b) how far it has been helpful in increasing the food production in the State; and

(c) what fresh acreage of land has been brought under cultivation?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) A sum of Rs 519.70 lakhs was authorised to the State Government. According to the reports received so far, a sum of Rs. 450.05 lakhs has been spent.

(b) An additional production of 2.17 lakh tons is reported to have been achieved.

(c) An additional area of 32,972 acres is reported to have been brought under cultivation.

#### Parli-Vikarabad section of the Central Railway

1542. Shri Naldurgker: Will the Minister of Railways be pleased to state:

(a) the monthly income on Parli-Vikarabad section of the Central Railway from January, 1958 to the 31st July, 1958;

(b) the number of ticketless travellers during the same period, month-wise;

(c) whether the number of ticketless travellers is on the decrease or increase;

(d) the total amount recovered from such ticketless travellers during this period; and

(e) what steps have been taken to reduce ticketless travelling on that section?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) The income on any specific section of a Railway is not ascertainable with accuracy. However, the average amount collected per month by stations on the Purli-Vikarabad Section exclusive of Purli-Vaijnath Metre Gauge and Vikarabad stations on goods parcels and passenger traffic was Rs. 1.5 lakhs approximately during the period January to July, 1958.

(b) the number of ticketless travellers detected during the period January to July, 1958, monthwise is as shown below:—

Month	No. of Ticketless Travellers detected.
January	203
February	488
March	237
April	303
May	309
June	398
July	296

(c) No definite conclusion from the above figures can be drawn regarding the extent of ticketless travelling as a larger number of people having been detected without tickets could indicate either heavier ticketless travel or greater efficiency in ticket checking. Similarly, lesser number detected may indicate that the extent of ticketless travel is lower, or that the ticket checking organisation is less efficient.

(d) the Total amount recovered from ticketless travellers detected

during the period January, 1958 to July, 1958 was Rs. 4,766.

(e) Steps taken against ticketless travel on this section are:—

- (i) 2 Travelling Ticket Examiners detailed to work on each train on the section, where one was booked previously.
- (ii) Concentrated checks frequently by special squads from the headquarters and the division both in uniform and in plain clothes.

#### Road Development Scheme

1543. Shri Onkar Lal: Will the Minister of Transport and Communications be pleased to state:

(a) whether any grant has been given to the Rajasthan Government under the Road Development Scheme for the year 1958-59; and

(b) if so, to what extent?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). Yes; a provision of Rs. 12.63 lakhs has been made for grants to Rajasthan.

#### Head Post Office Building, Jajpur

1544. Shri R. C. Moollick: Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 3501 on the 8th May, 1958, and state:—

(a) whether the difficulties regarding the construction of Head Post Office building at Jajpur, have been removed;

(b) if so, whether the construction of the building has been started; and

(c) the time it will take to complete the work?

The Minister of Transport and Communications (Shri S. K. Patil): (a) The project has been exempted from the ban by the Ministry of Finance (Communications). As regards its construction, the matter is still under

correspondence with the Central P.W.D. authorities who have been requested for early execution of the project.

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

### Purchase of Vessels by Indian Shipping Companies

1545. Shri Abdul Salam: Will the Minister of Transport and Communications be pleased to state:

(a) the number of vessels purchased by the Indian Shipping concerns since

the Shipping Co-ordination Committee has been set up; and

(b) the names of the Companies and the number of vessels purchased by each?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). Information regarding the number of ships acquired by Indian Shipping Companies since the setting up of the Shipping Co-ordination Committee in January, 1958 is given below:—

Sl. No. 1	Name of Company	No. of ships purchased	G.R.T.
1	2	3	4
1.	Scindia Steam Navigation Co. Ltd., Bombay	3	14,420
2.	Great Eastern Shipping Co. Ltd., Bombay	4	22,763
3.	India Steamship Co. Ltd., Calcutta	1	9,300
4.	Malabar Steamship Co. Ltd., Bombay	1	7,162
5.	Gill Amin & Co. Ltd., Bombay	1	1,146
		10	54,791

### उर्वरक

१५४६. श्री श्रीनारायण दास : क्या साध तथा कृषि मंत्री १५ नवम्बर, १९५७ के प्रतारंकित प्रश्न संख्या २३६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि .

(क) क्या घनाज के बदले में उर्वरक देने की योजना के सम्बन्ध में इस बीच अन्तिम निर्णय कर लिया गया है,

(ख) यदि हां, तो उस की रूप रेखा क्या है ,

(ग) योजना के प्रशासनिक तथा वित्तीय परिणाम क्या है ,

(घ) यह योजना कब से कार्यान्वित की गयी है ; और

(ङ) इस योजना के अन्तर्गत अब तक किसका घनाज इकठ्ठा किया गया है ?

साध तथा कृषि मंत्री (श्री प्र० प्र० जैन) : (क) से (ङ). गत अप्रैल में राज्य सरकारों को कहा गया था । कि वह चावल घान के बदले में उर्वरक देने की योजना को प्राथमार्हश के तौर पर कार्यान्वित करें, विशेषतः उन चावल क्षेत्रों उत्पादक में जहां घान की खेती के लिये रासायनिक उर्वरक की अधिक मांग है । उन में कहा गया था कि वह योजना को इस प्रकार से बनायें कि इसका लब्ध उसकी उपयोगिता से अधिक न हो । राज्य सरकारों को यह भी कहा गया था कि वह इस प्रकार उपलब्ध चावल या घान को अपने पास रख सकते हैं अथवा केन्द्रीय सरकार को उस कीमत पर दे सकते हैं जो उन्होंने उत्पादकों को दी है और जिस में राज्य सरकार के लब्ध का निर्णित भाग भी जोड़ दिया जायगा ।

२. कुछ राज्यों ने, जैसे कौरल, उड़ीसा और पश्चिमी बंगाल, विस्तार

पूर्वक' योजनायें बनाई हैं और उनको छाड़-  
माईश के तीर पर चालू करने का यत्न कर  
रहे हैं ।

### Tax-collection

1547. **Shri Shree Narayan Das:** Will the Minister of Community Development be pleased to state whether any and if so, which of the State Governments have so far provided regular recurring finance either in the shape of grants in aid or by reservation of some taxes collected by the States in their respective jurisdiction for village Panchayats?

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

Andhra Pradesh, Bombay, Mysore, Punjab, Rajasthan, Himachal Pradesh, Madhya Pradesh, Madras, Uttar Pradesh, West Bengal, Kerala and Orissa.

### Seminar on Road Transport Development

1548. { Shri Subodh Hansda:  
Sardar Iqbal Singh:

Will the Minister of Transport and Communications be pleased to state

(a) whether it is a fact that the proposal to hold a seminar on road transport development in India has been accepted by the International Inland Transport Committee,

(b) if so, what preparatory steps are being taken to hold the seminar; and

(c) the date and venue of the seminar?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) The proposal has not yet been finally accepted. The Inland Transport Committee of the Economic Commission for Asia and the Far East has recommended that the proposal should be examined in

detail by its Highway Sub-Committee, which is likely to meet in November, 1958.

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

### Through Coach Between Loharu and Delhi

1549. **Shri Ram Krishan:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that through coach between Loharu and Delhi is not attached regularly with train No. 2BBR/232 down which causes great inconvenience to the passengers;

(b) if so, the reasons therefor; and

(c) the action proposed to be taken in the matter?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). A composite First, Second and Third class through service coach runs between Loharu and Delhi by trains Nos. 2BBR/232Dn and 231Up/1BBR. Whenever one of the two coaches allotted for the service gets damaged, it is not found feasible to replace it, due to acute shortage of such composite coaches. The through coach did not run on one occasion in June, five in July and one in August (upto 17th) 1958.

(c) Arrangements are being made to provide a stand-by composite coach for this service

### Air Accidents

1550 **Shri Ram Krishan:** Will the Minister of Transport and Communications be pleased to state:

(a) the number of air accidents that took place during 1957-58;

(b) the names of places where these accidents occurred;

(c) the number of persons who died and were injured; and

(d) the total amount of compensation paid to the injured and to the next of kin of those killed?

**The Deputy Minister of Civil Aviation (Shri Mohiuddin):** (a) Thirty-four major accidents to civil aircraft including gliders occurred in India during 1957-58.

(b) Four at Nagpur, three at Bombay, two each at Dum Dum, Bamrauli and Poona and one each at Jullundur, Safdarjung, Agartala, Santoshpur (Distt. Kachar), Port Blair, Lemaking, Inkyong, Bangalore, Udaipur, Madras, Golaghat, Bundi, Kursela, Nimtita, Bhiwandi, Panagarh, Shahjahanpur, Patna, Asansol, Bijnor and Lucknow.

(c) Twenty-four people were killed and fifteen sustained injuries.

(d) No compensation was paid by Government. However the Indian Airlines Corporation have paid a sum of Rs. 1,15,000 as compensation to the next of kin of their employees who were killed in the accidents. Government have no information about compensation, if any, paid by other operators, whose aircraft were involved in accidents.

#### **Flood-control Schemes during Second Five Year Plan**

**1551. Shri T. B. Vittal Rao:** Will the Minister of Irrigation and Power be pleased to state the future programme of Flood Control work during the remaining part of the Second Five Year Plan?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** The requisite information is contained in the statement on the flood situation in the country and the flood control programme laid on the Table of the Sabha on the 28th August, 1958.

#### **Theft of Railway Property and Goods**

**1552. { Shrimati Da Falchondhuri:  
Shri Mohammed Elias:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the number of thefts of railway property

and goods in transit have considerably increased of late;

(b) if so, the reasons therefor;

(c) the comparative figures of such cases for the years 1955-56, 1956-57 and 1957-58 separately; and

(d) the steps taken to check it?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) There has been only a slight increase in the theft of railway property over the Southern and Western Railways and in the theft of goods in transit over the N/Eastern Railway. There is no increase of theft on the remaining Railways.

(b) Increase in the theft of railway property i.e., carriage and wagon and electric fittings is reported to be due to criminal gangs being active near the cities. Increase the theft to goods in transit over the N/Eastern Railway was on account of general deterioration in economic conditions in North Bihar and Eastern UP which suffered from floods and drought during the last three years resulting in shortages of food and increased criminal activity in the affected area.

(c) Figures are being collected from the Railway Administrations and a statement will be placed on the Table of the House.

(d) The following steps have been taken by the Railway Administrations to check the thefts of Railway property and goods in transit:—

1. Intensive guarding and patrolling of vulnerable sections by the Armed Wing personnel of the Railway Protection Force;
2. Surprise patrolling and watch jointly by the R.P.F., Rly. Police and local police of Black Spots;
3. Escorting of all important goods and parcel trains by R.P.F. and by Armed Wing staff specially during nights;

4. Use of double rivets and E.P. locks in wagons containing valuable commodities;
5. Close liaison at different levels with the Government, Railway Police and State Police to ensure their help in rounding up the criminals;
6. Tightening up of security arrangements generally in workshops, stores, locosheds etc. Perimeter walls and fencing are also being provided in some places.
7. Deputation of plain clothes staff to collect intelligence about the criminals and receivers of stolen property;
8. Joint check by the Carriage and Wagons, Train Lighting and R.P.F. staff at different points to localise place of thefts of carriage and wagon and Electrical fittings;
9. Insisting on guards of the trains watching upper class coaches when running empty;
10. Special watch over rakes while stabled in yards.

#### Nutritional Disorders among Children

1553. **Shri V. P. Nayar:** Will the Minister of Health be pleased to state the specific research programmes currently worked out in institutions under the Central Government in regard to nutritional disorders among children?

**The Minister of Health (Shri Kar-markar):** The following research programmes are being currently worked out in nutritional disorders among children under the auspices of the Indian Council of Medical Research.

Investigations are being carried out on the problem of protein deficiency in children in the Nutrition Research Laboratories, Upgraded Department of Pediatrics, Madras, the School of

Tropical Medicine, Calcutta, the All Indian Institute of Hygiene and Public Health, Calcutta and the Prince of Wales Medical College, Patna. The causes contributing to protein malnutrition and the symptoms and sequelae of the condition have been worked out in detail. The cheapest and most practical method of combating protein malnutrition in children has been investigated and different cheap vegetable protein foods which could be used as substitutes for milk for children, have been worked out.

A country-wide survey of nutritional status of children, specially with regard to protein adequacy, has been launched and has already made considerable headway.

A country-wide survey of growth and development of Indian children is being undertaken by the Indian Council of Medical Research, in the following institutions:—

1. Nutrition Research Laboratories, Coonoor.
2. Department of Anthropology, Lucknow University, Lucknow.
3. Medical College, Nagpur.
4. G.R. Medical College, Gwalior.
5. Andhra Medical College, Visakhapatnam.
6. Department of Anthropology, University of Delhi, Delhi.
7. Sassoon Hospital, Poona.

— A study of breast-feeding practices and qualitative and quantitative aspects of breast milk has been carried out in Coonoor and this study helps to formulate rational programmes of infant feeding. Studies on the subject are also being carried out at the following centres:—

1. Wilson College, Bombay.
2. Indian Institute of Science, Bangalore.
3. Department of Biochemistry, Baroda University, Baroda.

• Ticketless Travellers

1554. { Shri Bibhuti Mishra:  
Shri Anandh Sinha:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that ticketless travellers attacked Gaya station staff at station on the 30th May, 1958; and

(b) if so, the nature of losses?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) One such incident took place at Gaya Station on the 27th May, 1958 and not on the 30th May, 1958.

(b) Loss of Railway cash	Rs. 27.00
Loss to Railway property, glass panes etc.	Rs. 9.00
Total.	Rs. 36 00

दिल्ली में फलों का डिब्बों में बन्द किया जाना तथा उनका परिरक्षण

१५५५. श्री नवल प्रभाकर : क्या साहू तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) फलों का डिब्बों में बन्द करने तथा उन के परिरक्षण का प्रशिक्षण देने की योजना के अन्तर्गत दिल्ली में गत दो वर्षों में कितने व्यक्तियों को प्रशिक्षण दिया गया ; और

(ख) कितने व्यक्तियों को प्रशिक्षण दिया जायेगा ?

साहू तथा कृषि मंत्री (श्री प्र० प्र० जैन) : (क) जून, १९५८ तक १५८ ।

(ख) प्रतिवर्ष लगभग २२० व्यक्तियों को प्रशिक्षित करने की धाशा है । यह योजना अग्री मार्च, १९५९ तक स्वीकृत की गई है ।

दिल्ली के माली

१५५६. श्री नवल प्रभाकर : क्या साहू तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में बागवानी विकास योजना के अन्तर्गत कितने मालियों को प्रशिक्षण दिया जायेगा ; और

(ख) यह प्रशिक्षण कहाँ दिया जायेगा ?

साहू तथा कृषि मंत्री (श्री प्र० प्र० जैन) : (क) बीस-बीस के दो वर्गों में मालियों को प्रशिक्षित करने का प्रस्ताव है ।

(ख) प्रशिक्षण दिल्ली में दिया जायेगा ।

World Bank Loan for Development of Ports

1557. { Shri S. C. Samanta:  
Shri Rameshwar Tania:  
Sardar Iqbal Singh:  
Shri A. K. Gopalan:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 2086 on the 8th May, 1958 and state:

(a) whether the loan agreement with the World Bank for Madras and Calcutta ports has since been signed; and

(b) if so, how the 29 million dollars for the Calcutta Port will be spent (item by item)?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Yes.

(b) A statement is laid on the Table of the House. [See Appendix IV annexure No. 51.]

### Forest Area

1558. Shri Bangshi Thakur: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that major portion of the total area of Belonia Sub-Division of Tripura is within the jurisdiction of the Reserved Forest Area;

(b) whether it is a fact that the Rehabilitation Department, Tripura has requested for the release of some area from Trishna Reserved Forests in Belonia Sub-Division for setting up of a colony for displaced persons; and

(c) if so, the action taken in this regard?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No, Sir. Out of the total area of 394 sq. miles, only 87.3 sq. miles are within the jurisdiction of the Reserved Forest Area after demarcation.

(b) Yes.

(c) An area of 0.58 sq. miles has been released for the purpose.

### Flood Control Phase of Bhakra Project

1559. { Sardar Iqbal Singh:  
Shri Ram Krishan:  
Shri Daljit Singh:

Will the Minister of Irrigation and Power be pleased to state the amount

spent on the flood control phase of the Bhakra Project so far?

The Deputy Minister of Irrigation and Power (Shri Nathi): NIL.

### Desert Control in Punjab

1560. { Sardar Iqbal Singh:  
Shri Ram Krishan:

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

(a) whether the Government of Punjab have submitted any schemes to fight spread of Desert in that State;

(b) whether the Government of India have considered these schemes;

(c) if so, with what results; and

(d) total amount given to the Punjab Government in this regard?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir; the following two schemes—

(i) Scheme for desert control and reclamation in Gurgaon, Hissar and Ferozepur districts bordering Rajasthan; and,

(ii) scheme for immobilisation of the desert.

(b) to (d). Yes, Sir. The schemes have been approved and the following Central financial assistance has been given so far:—

Year	Central assistance sanctioned			Central assistance actually utilised as reported by the State Government		
	Loan	Subsidy	Total	Loan	Subsidy	Total
1956-57 . . . . .	..	0.61	0.61	..	0.44	0.44
1957-58 . . . . .	..	1.01	1.01	..	0.50	0.50
1958-59 . . . . .	1.48	1.10	2.58	(Figures not reported).		
TOTAL . . . . .	1.48	2.72	4.20	..	0.94	0.94

(Rs. in lakhs)



### Lemon Production

1561. **Sardar Iqbal Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) total lemon production of each State;

(b) whether any research is being done on lemon by the I.C.A.R.;

(c) details of such research schemes; and

(d) results achieved so far in this regard?

**The Minister of Food and Agriculture (Shri A. P. Jain):**

(a) The total production of acid limes in India as per figures collected in the year 1955 is given below:—

State	Production
	<sup>95</sup> Maunds
Bihar . . . . .	4,76,800
Bombay . . . . .	2,25,600
Uttar Pradesh . . . . .	1,02,480
Punjab . . . . .	75,040
Madhya Pradesh . . . . .	42,880
Saurashtra . . . . .	8,000
Vindhya Pradesh . . . . .	2,320
<b>TOTAL . . . . .</b>	<b>9,33,120</b>

(b) and (c). The I.C.A.R. has sanctioned a scheme for citrus root-stock trials at Kodur (Andhra Pradesh). Under this scheme acid lime and lemon were budded on *Jamberi*, acid lime and *Gajaninma* rootstocks and the trees were planted in the orchard in 1951 to study their growth and cropping behaviours as influenced by different rootstocks.

(d) These rootstock trials, though yet in the initial stage, have shown that *Jamberi* rootstock imparts significantly more vigour to acid lime trees, but in respect of yield, *Gajaninma* rootstock proved better than others. To get conclusive results, these trials have to be continued over a long period (10—15 years more).

In the case of lemon (variety *Nepali Oblong*) the results of root-stock trials have so far indicated that acid lime rootstock increases the vigour of plants as compared to other rootstocks but has no perceptible influence on yield.

### Posts and Telegraphs Offices in Ferozepore District

1562. **Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) how many villages having population of five thousand and above, are without the combined Posts and Telegraphs Offices in Ferozepore District, (Punjab State) and the reasons therefor;

(b) whether Government have any plans to extend the combined Posts and Telegraphs facilities to these and such of the villages which are important from agricultural and commercial points of view irrespective of remunerative and population basis; and

(c) the reasons for not opening Public Call Offices in all important places in Ferozepore District so far?

**The Minister of Transport and Communications (Shri S. K. Patil):** (a) None.

(b) Yes, upto a limited number, where justified.

(c) Important places have been provided with Public Call Office facility except at (i) Nihalsinghwa, (ii) Badhni Kalan and (iii) Nathan. Proposals for the first two have already been sanctioned. They are expected to be opened during 1958-59 (subject to stores being made available). The case of Nathan is under examination. The facility will be sanctioned if found justified.

### Collection of Terminal Tax at Parli

1563. **Shri Panigrahi:** Will the Minister of Railways be pleased to state:

(a) the amount of terminal tax collected from Railway Passengers visit-

ing Puri in the years 1954-55, 1955-56, 1956-57 and 1957-58;

(b) whether the Railway Board directly pays the collected amount of terminal tax to the Government of Orissa; and

(c) whether the amount of money collected by way of terminal tax from Railway passengers visiting Puri is paid in its entirety or after some deduction?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a)

Years.

1954-55	Rs.	64,980.06 nP
1955-56	Rs.	58,174.37 nP
1956-57	Rs.	1,15,336.25 nP
1957-58	Rs.	1,33,187.16 nP

(approximate figures)

(b) and (c) In accordance with Section 20(1)(c) of the Bihar and Orissa Places of Pilgrimage Act, 1920, the proceeds of the pilgrim tax after deduction of collection charges were credited to the Puri Lodging House Fund Committee by the Railway Administration upto 30-9-56. Consequent on the enhancement in the rates of the pilgrim tax, from 1-10-1956, the net proceeds are to be assigned to the State Government of Orissa after certification by the Comptroller and Auditor General of India in terms of article 279(1) of the Constitution.

The current rate of collection charges is 3 per cent of the amount collected.

#### Tourist Permits to Kashmir

**1564. Shri Vajpayee:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that tourists intending to visit Kashmir have to stand in the scorching heat as no arrangements for shelter exist at the Pathankot permit office; and

(b) if so, the steps Government propose to take or have taken in the matter?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) and (b). Tourists intending to visit Kashmir

have to take permits from their District authorities or the Defence Ministry. The Pathankot permit office is only meant to serve the local people or those who have arrived in Pathankot by mistake without permits. The Permit Office in Pathankot which consists of one room should be regarded as sufficient for emergency requirements. However, the desirability of arranging for some sheltered space is being brought to the notice of the Punjab Government who are in administrative charge of that Office.

#### Sleeping Facilities for Drivers and Guards

**1565. Shri Joachim Alva:** Will the Minister of Railways be pleased to state

(a) what kind of sleeping facilities are provided for Drivers and Guards at Victoria Terminus at Bombay; and

(b) what are the shifts arranged for both Drivers and Guards for duty throughout the day and night?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) Two Running Rooms are provided—one each for Motormen (Drivers) and Guards at Bombay V.T. with 12 beds in each room. Provision is made for the supply of linen, blankets and mosquito-nets in these Running Rooms.

(b) The duty hours for both Motormen (Drivers) and Guards vary, depending on train timings. Duty hours which include an allowance for taking over and making over the train, range from 4 hours 5 minutes to 9 hours 25 minutes. Running duty at a stretch does not, however, exceed 9 hours in any case.

**देहरादून एक्सप्रेस के डिब्बे**

**१५६६. श्री डामर :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सब है कि पश्चिम रेलवे पर चलन वाली देहरादून एक्सप्रेस रेलगाड़ी के कुछ डिब्बों की छतों की हालत बहुत खराब है;

(ख) क्या इन टूटी छतों से वर्षा का पानी डिब्बों में टपकता है; और

(ग) यदि हाँ, तो इस संबंध में क्या कार्यवाही की गई है ?

रेलवे उपमंत्री (श्री सै. बं. रामस्वामी):

(क) जी नहीं ।

(ख) जी नहीं ।

(ग) सबाल नहीं उठता ।

### Rice Prices in West Bengal

1567. **Shri Tridib Kumar Chaudhuri:** All the Minister of Food and Agriculture be pleased to state:

(a) what are the current prices of rice in different districts of West Bengal and how do they compare with the prices prevailing in the two preceding months and the prices prevailing in the corresponding period of 1957; and

(b) the causes of the disparity, if any?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) A statement showing monthly average retail prices of rice in different districts of West Bengal during the months of June to August, 1958, as compared to the corresponding months of 1957 is laid on the Table of the House. [See Appendix IV, annexure No. 52.]

(b) The disparity in prices is due mainly to the short production of rice this year in West Bengal as compare to last year. The prices in August were higher than those in the two preceding months also because of the advance of the season when the prices rise even in normal circumstances.

### Irrigation Projects in Madras State

1568. **Shri Tangamani:** Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 2847 on the 23rd April, 1958 and state:

(a) whether the execution of the following Projects included in the

Second Five Year Plan in Madras State has started:

(1) New Kattalai Canal Scheme.

(2) Pullamboddy Canal Scheme.

(3) Vidur Reservoir Project.

(4) Parambikulam, Sholayar-Aliyar Project.

(5) Neyyar 2nd State (relates to both Madras and Kerala States).

(6) Medium Schemes in Kanya Kumari District.

(b) if so, the progress made so far?

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

### New Kattalai Canal Scheme

Work on the canal was started in July, 1956. The progress to the end of March, 1958 is as follows:—

Earth work on canal and construction of bridges and under-slucies are in Progress.

### Pullumboddy Canal Scheme

Work started during 1956-57. The progress to the end of December, 1957 is as follows—

Works on the excavation of channels, construction of masonry works and formation of banks are in progress

### Vidur Reservoir Project

Work on the project has been started in March, 1958. The progress to the end of March, 1958 is as follows.—

Approach road and colony buildings are nearing completion. Excavation of foundation, construction of masonry dams and formation work for earthen dams and formation work for earthen dam have been started.

**Parambikulam, Sholayar-Aliyar Project.**

Work has not started and investigations are in progress.

Neyyar 2nd State (relates to both Madras and Kerala States)

Government of Kerala started work on the project in their area in October, 1956

Progress to the end of March, 1958, so far as Kerala State is concerned, is as follows:—

Cutting open of left bank channel for the first 8 miles has almost been completed. Work on the portion beyond the 8th mile and to the 12th mile is in progress.

No information is available regarding starting of work by the Government of Madras

Medium Schemes in Kanya Kumari District

Information is not available

Suburban Train Drivers in Bombay (V.T.)

1569. Shri Tangamani: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Suburban Train drivers and conductors who have to start early morning duty in Bombay do not have rest and recreation facilities in Bombay (V.T.), and

(b) whether due to this difficulty motor men and guards who have to

start a fresh detail at 8 A.M. are obliged to arrive by midnight at V.T. from distant places of residence and spend sleepless nights at the Station?

The Deputy Minister of Railways (Shri S. V. Rama-swamy): (a) No Two Running Rooms, one for conductors (Guards) and one for Motormen (Drivers), each equipped with 12 beds, are provided at Bombay V.T. for their rest. The accommodation provided in these Rooms is considered adequate, as, according to duty rosters, not more than 6 Motormen (Drivers) and 6 Conductors (Guards) are required to occupy these Running Rooms at a time during night

(b) Does not arise

#### W.H.O. Conference

1570. Sardar Iqbal Singh: Will the Minister of Health be pleased to state the names of member of the Indian delegates who attended the World Health Organization Conference held in USA from the 26th May to 16th June, 1958

The Minister of Health (Shri Kar-markar): The following Indian delegates attended the Tenth Anniversary Commemorative Session of the World Health Organisation and the Eleventh Session of the World Health Assembly held in Minneapolis, USA from 26th May to 16th June, 1958 —

1. Dr. A.L. Mudahar, Vice-Chancellor, University of Madras	Leader
2. Shri V.K.B. Pillai, Secretary to the Government of India, Ministry of Health	Delegate
3. Dr. R.V. Wardkar, Secretary, Gandhi Memorial Leprosy Foundation, Wardha	Delegate
4. Dr. T.R. Tewari, Director Contributory Health Service, Directorate General of Health Services, New Delhi	Alternate delegate

Central Public Works Department Roads in Punjab

1571 Sardar Iqbal Singh: Will the Minister of Transport and Communications be pleased to state:

(a) the total amount allotted to Punjab during 1954-55 and 1955-56

by the Union Government for construction and maintenance of Central Public Works Department roads, and

(b) the mileage of Central Public Works Department roads constructed and maintained in Punjab during these years?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). A length of 82 miles of Pathankot Jammu road which forms part of National Highway No. 1-A lying in the States of Punjab and Jammu and Kashmir is under the executive charge of the Central Public Works Department. Of this, a length of 8 miles lies in Punjab. Separate figures of allotment of funds for the portion of road in Punjab territory are not available. The total allotments made for the entire length during 1954-55 and 1955-56 for construction and maintenance of the portion of the Pathankot Jammu road under the charge of the Central Public Works Department are as follows:—

	Original Works	Maintenance & Repairs
--	-------------------	-----------------------------

	Rs.	Rs.
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1954-55 . . .	1,79,800	4,80,300
1955-56 . . .	11,85,900	4,86,100

#### Fazilka-Ferozepore Railway Line

1572. Sardar Iqbal Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Fazilka-Ferozepore Railway Line is running at a loss;

(b) the average number of passengers that travel daily on this line; and

(c) the number of goods trains that run daily on this line?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Fazilka-Ferozepur Section, being only a part of the Northern Railway system, no separate accounts showing the financial results of working of that Section are maintained.

(b)

I Class	1
II Class	20
III Class	3249

(c) No goods trains are run on this section, as the goods traffic is cleared by mixed trains.

#### Medical Education Conference

1573. { Sardar Iqbal Singh:  
Shri Ram Krishan:

Will the Minister of Health be pleased to state:

(a) whether the Medical Education Conference was held in New Delhi in March, 1958;

(b) if so, what were its decisions; and

(c) steps taken by Government to implement these decisions?

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

(b) The following resolutions were passed:—

#### RESOLUTION I

This Conference having reviewed the efforts so far made to implement the scheme of giving subsidy to State Governments for setting up full-time teaching units in Medical Colleges, regrets to note that no progress has been made so far. The importance of the subject is reiterated and the Central and State Governments should take immediate steps to set up as many full time teaching units in all departments of medical colleges as possible. While the Central Government have proposed to grant a subsidy for the duration of the Second Five Year Plan period, it may be noted that the expenditure on this scheme will become committed expenditure at the end of the Plan period, and therefore the question of resources for continuing the scheme, would be considered by the Planning Commission and other authorities concerned, in the light of the total resources available to the Centre and States.

## RESOLUTION II

The Conference is of the view that one of the main reasons for the shortage of teachers especially in non-clinical subjects is the inadequacy of salaries. It considers that the salary scales should be raised to a level

sufficient to attract suitable persons to devote themselves to a teaching career. For the encouragement of post-graduate medical education and research the following scales are recommended as the minimum for medical teachers subject to further consideration in the Third plan period:

Rs.

- |   |             |
|---|-------------|
| (1) Professors                          | 1,000—1,400 |
| (2) Additional or Associate Professors. | 800—1,250   |
| (3) Readers/Assistant-Professors        | 500—30—800  |
| (4) Junior Teachers                     | 250—600     |

With a non-practising allowance of Rs. 250 P.M.

With a non-practising allowance of not less than Rs. 250 P.M.

Plus non-practising allowance of Rs. 150 P.M.

Plus a non-practising allowance of Rs. 150 P.M.

(While Demonstrations may be started on the minimum of Rs. 250 P.M., Lecturers may be given a higher initial pay of Rs. 450 P.M.).

The Conference also considers that to prevent teachers from migrating from one college to another the above scales may be adopted uniformly in all the medical colleges.

## RESOLUTION III

The Conference views with concern that in many Medical colleges in the country, there is not adequate number of teachers, especially for non-clinical subjects. The Conference is apprehensive that with the opening of additional medical colleges and expansion of the existing ones, the position may deteriorate still further. The Conference, therefore, recommends that urgent steps should be taken to remedy the situation. Among other measures, the following are suggested.

(3) Encourage promising young graduates to take up the teaching line by awarding suitable fellowships for taking junior teaching assignments and working for post-graduate degrees. The award of such stipends should be linked up with a guarantee that the recipients would serve as teachers for a certain number of years. The Central Government should consider giving financial assistance towards these fellowships.

(4) In view of the present position the Indian Medical Council and the Universities should consider the question of relaxation of conditions for appointment of qualified and experienced teachers, in individual cases when presented to them particularly when properly qualified and experienced teachers are not available after advertisement on all India basis.

(5) That an integrated scheme of fellowships for training abroad covering all the medical colleges in the country and in all the States may be drawn up by the Central Government (towards which assist-

(1) Extend the age of retirement of teachers in medical colleges who are physically and mentally fit;

(2) Employ retired former teachers on a full-time or part-time basis as may be suitable in individual cases;

ance from foreign agencies may be obtained).

- (6) The Universities should be requested to consider relaxation of territorial and domiciliary restrictions in the matter of the award of post-graduate degrees so that students from one University may be enabled to take up post-graduate qualifications in another University.

(c) The Government of India have decided to assist the State Governments in the establishment of full-time teaching units both in clinical and non-clinical Departments of the medical colleges under the control of the State Governments. The State Governments have been informed that the Central Government are prepared to pay 100 per cent. of the extra recurring cost involved in raising the pay-scales of the teaching staff during the years 1959-60 and 1960-61. Copies of the other resolutions have been forwarded to the State Governments who are to take further action in the matter.

#### Improvement of Mango

1574. **Sardar Iqbal Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any research is being carried out by the Indian Council of Agricultural Research with regard to improvement of Mango;

(b) if so, details of such schemes; and

(c) results achieved so far?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) Yes.

(b) and (c). A statement giving the required information is laid on the Table of the House. (See Appendix IV, annexure No. 53).

#### Mango Production

1575. **Sardar Iqbal Singh:** Will the Minister of Food and Agriculture be pleased to state the total Mango production of the different States for the current year, State-wise?

**The Minister of Food and Agriculture (Shri A. P. Jain):** No authentic data is available.

#### Hindu-Malkot—Sriganganagar Rail Link

1576. **Sardar Iqbal Singh:** Will the Minister of Railways be pleased to state:

(a) whether Government have received the survey report in regard to railway line connecting Hindu-Malkot and Sri Ganga Nagar Railway Stations on the Northern Railway; and

(b) if so, the main features thereof?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) Yes.

(b) The Survey reports are under examination and until a final decision is taken it is not desirable to disclose details about the recommendations contained in the Survey Reports.

#### Quarters for Postal Employees in Ferozepore District

1577. **Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) the number of residential quarters constructed during the First Five Year Plan and so far for the Posts and Telegraphs Employees in Ferozepore District;

(b) names of the places where constructed; and

(c) how many such quarters are proposed to be constructed during the Second Five Year Plan period in this district?

**The Minister of Transport and Communications (Shri S. K. Patil):** (a) 33 units.

(b) Ferozepur and Fazilka.

(c) 34 units.

**Regional Railway Equipment Advisory Committee**

1578. **Sardar Iqbal Singh:** Will the Minister of Railways be pleased to state:

(a) whether the Railways have set up Regional Railway Equipment Advisory Committees;

(b) main function of these Committees;

(c) number of such Committees and members of these Committees; and

(d) work done by these Committees so far?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) Yes.

(b) to (d). A statement is laid on the Table of the Lok Sabha [See Appendix IV, annexure No 54]

**Engines for running Electric Trains**

1579. **Shri Jadhav:** Will the Minister of Railways be pleased to state:

(a) the number of electric engines running on Indian Railways;

(b) when they were purchased;

(c) whether they are in good condition;

(d) whether it is a fact that there is a shortage of such engines in the country;

(e) if so, the steps taken to meet the shortage; and

(f) whether such engines are being manufactured in India?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) 4 Metre Gauge and 88 Broad Gauge Electric locos are in operation on Indian Railways.

(b) 4 Metre Gauge and 85 Broad Gauge locos were purchased during 1927-31.

1 Broad Gauge electric loco was purchased in 1938.

7 Board Gauge electric locos were purchased in 1955.

15 Broad Gauge electric locos were purchased in 1957-58.

(c) Yes, Sir.

(d) Yes, Sir.

(e) The question of importing 7 Broad Gauge Electric locos for Central Railway is under consideration;

(f) No, Sir.

**Co-operative Movement in Bombay State**

1580. **Shri Pangarkar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Government of Bombay has recently approached the Union Government for a loan for the expansion of Co-operative Movement in Bombay State;

(b) if so, whether that loan has been given; and

(c) the amount of that loan?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) No, Sir.

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

**Scuffle between Railwaymen and Vegetable Vendors**

1581. { **Shri Narayanankutty Menon:**  
**Shri Warlor:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that on the 8th July, 1958 the Calcutta bound Katwa Local, after it had left Balagarh Railway station was stopped by operators of the control cabin;

(b) if so, whether it is also a fact that there was a scuffle between railwaymen and vegetable vendors resulting in the death of a vendor; and

(c) the action taken in the matter?



**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) On 8th July 1958 at 8-18 hours No. S 166 Dn. Katwa Local was stopped by passengers by pulling alarm chain after she had started from Balagarh station.

(b) It is alleged that some altercation ensued between Cabin Signalman, extra Hot-weather Waterman and a Vendor. This altercation, later on, developed into a scuffle between the above mentioned railwaymen and the Vendor, who was subsequently found dead being run over by the same train.

(c) A departmental enquiry was held into the incident but could not be finalised, as the two railwaymen are under Police custody. The case is subjudice. The staff have however been placed under suspension.

#### **Conference of State Ministers of Fisheries**

**1582. Shri Vajpyee:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether a Conference of State Ministers incharge of Fisheries was held at Mysore in the second week of July, 1958;

(b) if so, the decisions taken and recommendations made at the Conference; and

(c) the steps taken or proposed to be taken to implement those decisions?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) Yes, a Conference was held at Mysore from 14th to 16th July, 1958;

(b) A copy of the recommendations made by the Conference is laid on the Table of the House. [See Appendix IV, annexure No. 55].

(c) The recommendations have been referred to the State Governments and the Central Government Departments concerned for necessary action.

#### **Mail Guards**

**1583. Shrimati Renu Chakravarty:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that in 1955 the Posts and Telegraphs Department advertised some posts of Mail Guards in the Sorting and Air Mail Divisions, Delhi;

(b) if so, number of applications received;

(c) number of applicants who were asked to appear in an examination; and

(d) whether all those who qualified in the examination were appointed?

**The Minister of Transport and Communications (Shri S. K. Patil):**

(a) Yes

(b) 276.

(c) 178.

(d) No. The examination is a competitive one and, as such, only the required number of qualified candidates were appointed in order of merit against the available number of vacancies.

#### **Parlakimedi Light Railway on S.E. Railway Zone**

**1584. Shri Sanganna:** Will the Minister of Railways be pleased to state:

(a) the annual income for the years 1956-57 and 1957-58 on the Parlakimedi Light Railway on the South Eastern Railway zone;

(b) the extent of the expenditure for the corresponding years;

(c) the number of ticketless travel cases for these two years;

(d) how many of them ended in conviction and how many in compounding during these two years; and

(e) how many times ticketless travelling on this line was checked

by the special staff during the same years?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) and (b). Parlakimedi Light Section being only a part of the South Eastern Railway system, no separate accounts showing the financial results of working of this section are maintained.

(c) 1956-57—1,537.

1957-58—1,648.

(d) Out of 1,537 passengers detected travelling without tickets during 1956-57, 1,513 paid the amounts due under the Indian Railways Act on demand; 24 cases were registered in court resulting in 12 being sentenced to imprisonment, excess fare and penalty being realised from 4 and 5 being released. No trace could be found of the other 3 because of false addresses given. Out of 1,648 passengers detected travelling without tickets during 1957-58, 1,627 paid the amounts due under the Act on demand; 21 cases were registered in court, resulting in 15 being sentenced to imprisonment excess fare and penalty being realised from 3 and 1 being released. No trace could be found of the other 2 because of false address given.

(e) 1956-57—Once.

1957-58—Nine times.

#### **Passenger Traffic from Ahmadpur Station**

**1585. Shrimati Renu Chakravartty:** Will the Minister of Railways be pleased to state:

(a) the average daily rate of passenger traffic from Ahmadpur Station (Birbhum, West Bengal) on the Eastern Railway;

(b) whether it is a fact that there is great congestion and delay at the only ticket counter in this station; and

(c) whether it is proposed to increase the number of counters?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) About 1100 per day.

(b) Some pressure on the ticket counter has been noticed.

(c) The question of providing an additional booking window is under consideration.

#### **Sugar Export**

**1586. Shri Hem Barua:** Will the Minister of Food and Agriculture be pleased to state the steps taken to step up the export of sugar during the years 1956, 1957 and 1958 so far?

**The Minister of Food and Agriculture (Shri A. P. Jain):** During the period 1954 to 1956 the country had to import substantial quantities of sugar to cover the gap between the production and internal demand. The question of exporting any sugar in 1956, therefore, could not arise.

In view of the rising trend of production and pressing need for foreign exchange it was decided in January, 1957 to export the sugar surplus to our requirements. It was possible to do so even at a profit in view of the temporary rise in international prices. With a view to avoiding competition among the sellers and to obtain the best available price for sugar exported abroad the sales were canalised through the Indian Sugar Mills Association. Necessary facilities in regard to releases of sugar of the required quantity and quality, quick transport, godown accommodation etc. were provided to the Association in this connection.

Since July, 1957 there has been considerable fall in world prices and Indian sugar can now be exported only at a loss of Rs. 9 to Rs. 10 per maund after allowing refund of full excise duty and cane cess. In order that exports were made in spite of this loss an ordinance was issued imposing obligation on the producers to export the quota specified by the

Government through the Exporting Agency viz., the Indian Sugar Mills Association. Sugar Export Promotion Bill has been introduced in Parliament during the current session to take the place of this ordinance. All necessary facilities are being provided to the Export Agency.

### Electricity Consumption

**1587. Ch. Ranbir Singh:** Will the Minister of Irrigation and Power be pleased to state—

(a) whether it is a fact that the private electric supply companies (licensee) charge full cost of the service lines laid for the temporary connection from the poles to the premises of the consumer,

(b) whether it is also a fact that the Punjab Government advised the companies to charge the rent for the said service lines, instead of the cost laid down and schedule of rent for this purpose,

(c) whether it is also a fact that the companies have failed to implement the advice of the State Government and observe the schedule of rent,

(d) whether representation has been made by the consumers to amend the legislation to achieve the above objective;

(e) if the reply to parts (a), (b), (c) and (d) above are in the affirmative, whether Government propose to sponsor the amending legislation shortly; and

(f) if not, the reasons therefor?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** (a) The usual practice with the private electric supply companies is to charge rental, and not full cost of temporary service lines. The only instance brought to Government's notice in which full cost has been recovered in respect of such lines is that of the licensee at Rohtak.

(b) and (c) Yes, the Punjab Government advised the licensee at

Rohtak to charge for temporary service lines on the rental basis. It is understood, however, that the licensee has not yet complied with the Punjab Government's instructions in the matter.

(d) Yes.

(e) Yes.

(f) Does not arise.

### Suratgarh Mechanised Farm

**1588. Shri P. L. Barupal:** Will the Minister of Food and Agriculture be pleased to state:

(a) the number of villages acquired for the Suratgarh Agricultural Farm in Rajasthan and the amount of compensation paid to the inhabitants of those villages for their lands and houses by the Central Government and the State Government; and

(b) the amount of compensation paid to individual cultivators belonging to the villages of Chakk Sawan, Hasamki Dhani and Sardargarh which were acquired for the said farm?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) and (b) A statement giving the required information is laid on the Table of the House [See Appendix IV, annexure No 56]

### Insanitary conditions in Karol Bagh

**1589. Shri Mohan Swarup:** Will the Minister of Health be pleased to state.

(a) whether it is a fact that what was once a graveyard is today conglomeration of stables and junk shops and unauthorised dairies in the heart of Western Extension Area in Karol Bagh, Delhi;

(b) whether it is a fact that it is one of the worst insanitary spots in the capital and constitutes a perpetual threat to the health of the residents in the area; and

(c) what steps have been taken by Government in the matter?

**The Minister of Health (Shri Karmarkar):** (a) and (b). Yes, Sir. Since partition this graveyard has been occupied by a number of displaced persons who have established unlicensed dairies and automobile repair workshops.

(c) The grave-yard is the property of Suni-Majlis-Ukaf and the Municipal Corporation of Delhi is in correspondence with the Majlis for maintaining the plot in neat and sanitary condition. Besides, the dairy owners were served with notices to remove the unauthorised stables. On their refusal to comply with the notices, prosecutions were launched against them and some of the dairy owners have been prosecuted more than 50 times

The problem of clearance of slums in Delhi is a complicated one. The Delhi Development Authority has no scheme in hand for the immediate clearance of the area in question and resettling the people concerned. This will be undertaken in due course

### Slum Clearance in Delhi

1590 **Shri Mohan Swarup:** Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 911 on the 28th August, 1957 and state the progress made so far to improve the plight of the people living in Motia Khan and Jhandewalan localities of Delhi?

**The Minister of Health (Shri Karmarkar):** The area in question is a low lying tract. A large number of labourers, sweepers, tongawalas and some displaced persons have squatted in this area. The Town Planning Organisation is preparing a layout plan for the future development of this area, but it will take some time before the plans are finalised

### दुखतनगर में बर्कशाप

१५६१. श्री मोहन स्वरूप क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) दुखतनगर में प्रस्तावित बर्कशाप कब बन कर तैयार होने की संभावना है

(ख) इस बर्कशाप में किये जाने वाले विभिन्न कार्यों का व्योरा क्या है और उस पर अनुमानतः कितना खर्च होगा, और

(ग) इस बर्कशाप के लिये कितने व्यक्ति भर्ती किये जायेंगे

रेलवे उपमंत्री (श्री मे० ब० रामस्वामी) :

(क) अगस्त १९६१ तक।

(ख) (१) इज्जा मवारी और माल-दिब्बों का नियतकालिक आवरहान।

(२) इम्पान के खोल जाने मवारी दिब्बों में माज-मामान का लगाना।

(३) इज्जों मवारी और माल दिब्बों की फिटिंग के सामान तैयार करना

(४) कारखाने के विस्तार की अनुमानित लागत १८६ ०० लाख पैसे है।

(ग) अगले ३-६ माल में लगभग ६००० घादमी भर्ती करने का विचार है।

### लखनऊ-बरेली रेलवे से काम

१५६२. श्री मोहन स्वरूप क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) लखनऊ-बरेली मेकशन के विभिन्न स्टेशनों पर रोशनी व बनी का प्रबंध करने के लिये कोई ठेकेदार नियुक्त किया गया है, और

(ख) पूर्वोक्त रेलवे द्वारा इस कार्य पर किये जाने वाले व्यय का व्योरा क्या है

और लखनऊ-बरेली सेक्शन के कितने स्टेशनों पर ठेकेदारों द्वारा रोशनी का प्रबंध किया जाता है ?

रेलवे उपमंत्री (श्री से० बें० राम-स्वाधी) : (क) जी हाँ। १-५-५८ में पूर्वोत्तर रेलवे के लखनऊ-बरेली सेक्शन के स्टेशनों पर रोशनी के लिए ऊँचे पावर की बलिया सप्लाई करने के लिये श्री के० एल० नरूला नये ठेकेदार नियुक्त किये गये हैं। श्री नरूला ने हर रात हर बली के लिए पास सहित ६५ नये पैसे का भाव (Quotation) दिया था जो सब से कम था।

(ख) लखनऊ-बरेली सेक्शन पर ऊँचे पावर की बलियों में रोशनी की व्यवस्था केवल नीचे लिखे तीन स्टेशनों पर है और १-५-५८ से पहले डम रोशनी पर मानाना खर्च लगभग डम प्रकार था —

- १ पीलीभीत—२०७८ रुपये
- २ पूर्णपुर—१७५ रुपये
- ३ हरगाव —११८१ रुपये

उत्तर प्रदेश में चीनी मिलें

१५६३. श्री मोहन स्वकर : क्या खाद्य तथा कृषि मंत्री यह बताने का कृपा करेंगे कि :

(क) १९५५-५६, १९५६-५७ और १९५७-५८ में बरेली, पीलीभीत और रामपुर की चीनी की मिलों में कितना गन्ना पेरा गया और उन में से प्रत्येक ने कितनी चीनी तैयार की, और

(ख) इन मिलों ने गन्ना उत्पादकों को गन्ने के मूल्य के रूप में कल कितनी राशि दी और कितनी राशि का मुगलान अभी बाकी है ?

खाद्य तथा कृषि मन्त्र (श्री अश्विमत प्रसाद जैन) :

(क) १९५५-५६ १९५६-५७ और १९५७-५८ में बरेली पीलीभीत और रामपुर की चीनी मिलों में निम्न लिखित परिणाम में गन्ना पेरा गया और चीनी तैयार की गई —

(लाख टनो में)

बरेली

पीलीभीत

रामपुर

( गन्ना और बलुन्द )

मीट्रन	जितना गन्ना पेरा गया	जितनी चीनी तैयार हुई	जितना गन्ना पेरा गया	जितनी चीनी तैयार हुई	जितना गन्ना पेरा गया	जितनी चीनी तैयार हुई
१९५५-५६	१.८०	०.१७	२.६०	०.२५	६.०६	०.६०
१९५६-५७	१.६३	०.१८	३.२४	०.२६	३.७४	०.३८
१९५७-५८	१.३५	०.१३	१.६१	०.१६	३.१६	०.३०

(ख) १९४७-४८ सीजन में गन्ने भुगतान हो चुका है और जितना भुगतान का कुल मूल्य, उम में से जितनी राशि का बाकी है उसका विवरण निम्नलिखित है —

मिन का नाम	गन्ने का कुल मूल्य (लाख रुपये में)	जितनी राशि का भुगतान हो चुका है (लाख रुपये में)	जितनी राशि का भुगतान बाकी है (लाख रुपये में)
बरेली	४० २४	६३ ६०	२ ८४ (३१ जुलाई को)
पीलीभीत	६१ ७१	४३ ८६	१७ ८५ (१५ अगस्त को)
गमपुर (रजा और बलन्द)	११६ ६६	११६ ६६	कुछ नहीं।

### Tube Wells

1594. { Shri B. C. Mullick:  
Shri P. G. Deb:

Will the Minister of Food and Agriculture be pleased to state

(a) whether it is a fact that the Central Government have given financial assistance to all drought affected States in the years 1957-58 and 1958-59 for sinking of tube wells,

(b) if so, the amount of financial assistance given for this purpose State-wise, and

(c) the number of tube wells installed so far in each drought affected State?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). Financial assistance for tube-wells, given to the four drought affected States of Uttar Pradesh, Bihar Madhya Pradesh and Orissa during 1957-58 and the financial assistance agreed to for 1958-59 is as under —

(Rs in lakhs)

State	1957-58	1958-59
	Loan given	Loan agreed to
Uttar Pradesh	190 73	144 00
Bihar	15 97	35 48
Madhya Pradesh	6 38	4 86
Orissa		2 66

(c).

State	1957-58 (Installed)	1958-59 (Target)
Uttar Pradesh	179	217
Bihar.	31(a)	30
Orissa	X	6
Madhya Pradesh	X	X

(a) Relates to Small Tubewells

X Figures not available.

Note: The figures regarding achievements are provisional

हिन्दी पढ़ाने वाले कर्मचारियों को दिया जाने वाला मानदेय

१५६५. श्री क० भे० मालवीय : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) पश्चिम रेलवे के प्रधान कार्यालय में हिन्दी पढ़ाने वाले कर्मचारियों को प्रतिमास कितना मानदेय दिया जाता है ; और

(ख) क्या यह मानदेय ग्रन्थ खाना में भी दिया जाता है ?

रेलवे उपमंत्री (श्री सें० बें० रामस्वामी) :  
(क) और (ख) रेलवे के प्रधान कार्यालय और दूसरी जगहों पर जहाँ दफ्तर के समय से पहले या बाद हिन्दी की कक्षाएँ लगती हैं वहाँ हिन्दी पढ़ाने वाले कर्मचारियों को २५ रु० मासिक मानदेय (Honorarium) दिया जाता है। लेकिन मास १९५८ में अजमेर और बड़ोदा में दफ्तर के समय हिन्दी पढ़ाने की व्यवस्था की गयी है। इसलिए वहाँ हिन्दी शिक्षकों को मानदेय नहीं दिया जाता।

हिन्दी में भेजे गये पत्र

१५६६. श्री क० भे० मालवीय : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि रेलवे प्रशासन को भेजे जाने वाले पत्रों के साथ रेलवे मंत्रालय यह निर्देश मँलन कर देता है कि केवल अंग्रेजी पाठ को अंगिकृत माना जायें, और

(ख) यदि हाँ तो इसके क्या कारण हैं ?

रेलवे उपमंत्री (श्री सें० बें० रामस्वामी) :  
(क) शायद माननीय सदस्य का मतलब नियमों आदि के हिन्दी अनुवाद में है, जो

रेल-प्रशासनों को भेजे जाते हैं। यदि ऐसा है तो उत्तर 'हाँ' है।

(ख) भारतीय मंच की राजभाषा अंग्रेजी अंग्रेजी है।

दुर्घटना सम्बन्धी नियम

१५६७. श्री क० भे० मालवीय : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे मंत्रालय ने विभिन्न रेलवे प्रशासनों को दुर्घटनाओं के बारे में सामान्य नियमों का हिन्दी अनुवाद भेजा है, और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे उपमंत्री (श्री सें० बें० रामस्वामी) :  
(क) और (ख) शायद माननीय सदस्य का मतलब उन सामान्य नियमों के दुर्घटनाओं वाले अध्याय में है, जिस में बताया गया है कि यदि गाड़ी में कुछ डिब्बे अलग हो जाय या अलग लग जाय तो उस हालत में कर्मचारियों को क्या करना चाहिए या यदि लाइन पर किसी तरह की रुकावट (Obstruction) हो जाय, तो लाइन की रक्षा किस तरह की जाय। पूरे सामान्य नियमों का हिन्दी अनुवाद हो रहा है। ज्यों ही अनुवाद पूरा हो जायगा, उसे रेल-प्रशासनों को भेज दिया जायगा।

रेलवे सुरक्षा बल

१५६८. श्री क० भे० मालवीय : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या रेलवे सुरक्षा बल के अनुशासन तथा अपील नियम हिन्दी और प्रादेशिक भाषाओं में जारी कर दिये गये हैं ; और

(क) यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे उपमंत्री (श्री ले. वें. रामस्वामी) :

(क) जी नहीं ।

(ख) रेलवे सुरक्षा दल के अनुशासन और अपील-सम्बन्धी नियमों का परिशोधन (Revision) किया जा रहा है । अधिक महत्वपूर्ण संहिताओं (Codes) का हिन्दी अनुवाद हो जाने के बाद इन नियमों का हिन्दी अनुवाद यथा समय शुरू किया जायेगा और प्रादेशिक भाषाओं (Regional Languages) में इनका अनुवाद करने के सवाल पर भी विचार किया जायेगा ।

#### Forest Industries in Beas Area

1599. **Shri Hem Raj:** Will the Minister of Food and Agriculture be pleased to refer to replies given to Starred Question No. 2005 on 5th May, 1958 and Unstarred Question No. 3589 on the 8th May, 1958 and state:

(a) whether the report of the Finnish Experts has been received for the setting up of the forest industries in the Beas Area;

(b) if so, their main recommendations, and

(c) whether a copy of the report will be laid on the Table?

**The Minister of Food and Agriculture (Shri A. P. Jain):** (a) Not yet, Sir. The Finnish Government is being reminded.

(b) Does not arise.

(c) This will be considered after the reports are available.

#### Ships awaiting Unloading

1600. **Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) the number of ships which were awaiting to be unloaded at various

ports of India on the 31st July 1958; and

(b) for how long they had waited?

**The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur):** (a) 13.

(b) 1 for 20 days

1 for 8 days

1 for 6 days

5 for 4 days

1 for 3 days

2 for 2 days

1 for 1 day and

1 arrived on morning of 31st July.

#### Rhubaneshwar Railway Station

1601 **Shri Panigrahi:** Will the Minister of Railways be pleased to state:

(a) whether his Ministry has received any proposal from the Orissa Government to construct a platform on the New Capital side of the Bhubaneswar Railway Station; and

(b) whether the proposal has been considered by the Ministry?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) and (b) No request has been received from the State Government, but a platform is being provided on the Capital side of the Station as part of the scheme for remodelling of the yard, which has been necessitated by the requirements for increasing line capacity on the Cuttack-Khurda Road section.

पटना जंक्शन पर लाइसेंस प्राप्त पोर्टरों के रूप में अनधिकृत व्यक्ति

१६०२. श्री महेन्द्र नाथ सिंह : क्या रेलवे मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या यह मंच है कि पूर्व रेलवे के पटना जंक्शन पर अनधिकृत लोग लाइसेंस प्राप्त पोर्टरों के रूप में काम कर रहे हैं ;



(ख) क्या यह सच है कि लाइसेंस प्राप्त पोर्टर उन्हें अपनी बर्फी और लाइसेंस नम्बर पहनने देते हैं ताकि वे पोर्टरों के रूप में काम कर सकें ;

(ग) क्या यह भी सच है कि पुलिस बे कम से कम घाबे दर्जन ऐसे मामलों का पता लगाया था और अपराधियों को दण्ड देने के लिये उनके विरुद्ध अभियोग चलाया गया है ;

(घ) क्या ऐसी स्थिति कुछ अन्य स्टेशनों तथा रेलों में भी है ; और

(ङ) यदि हा, तो इस विषय में क्या कार्यवाही की गई है ?

रेलवे उपमंत्री (श्री सै० बें० रामस्वामी):

(क) जनवरी और अप्रैल १९५८ के बीच पटना जंक्शन पर ६ भारिक (Porters) बिना लाइसेंस काम करते पाये गये ।

(ख) इस तरह का कोई मामला रेलवे के नोटिस में नहीं आया है ।

(ग) जी हा ।

(घ) इस बान की शिकायत आई है कि दूसरी रेलों के कुछ बोर्डों से स्टेशनों पर भी कुछ भारिक बिना लाइसेंस काम करने हैं ।

(ङ) ऐसे भारिका का रेलवे पुलिस और सुरक्षा-दल (Security Force) की मदद से पकड़ कर उन पर मुकद्दमा चलाया जाता है ।

#### Wagons for Cement Factory at Charkhi Dadri

1603. Shri Ram Krishan: Will the Minister of Railways be pleased to state

(a) whether it is a fact that wagons allotted to cement factory at Charkhi Dadri during the current year were not loaded fully according to their indents, and

(b) if not, total number of wagons which were kept idle during same period month-wise?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Except in a few cases, the cement factory at Charkhi Dadri loaded wagons according to indents and supplies.

(b) The total quotas and the number of wagons indented, supplied and loaded by Charkhi Dadri Factory from January to 20th August 1958 month-wise together with the reasons for short loading by the Factory against the supplies made are shown in the statement laid on the Table of the House [See Appendix IV, annexure No 57] It will be seen that while the indents placed by the Factory were far below the quotas, the loadings were also slightly less than the supply

#### Damage to Photographic Materials by Rains

1604 Shri Dinesh Singh: Will the Minister of Food and Agriculture be pleased to state

(a) whether photographic equipment belonging to the Directorate of Extension and Training was damaged in the recent floods in Delhi, and

(b) if so, the cost of the equipment so damaged?

The Minister of Food and Agriculture (Shri A. P. Jain) (a) Yes

(b) The value of the equipment involved is Rs 13,758. The extent of damage is, however, estimated at Rs 2,200 mainly on cleaning and overhauling

#### Damage due to Rains

1605 Shri B. C. Mullick: Will the Minister of Community Development be pleased to state

(a) whether it is a fact that a large number of publications relating to the Community Development and articles of stationery have been destroyed by rain-water in the office houses at

multi-storeyed building on Queen Victoria Road in New Delhi;

(b) if so, what is the total amount of damage; and

(c) whether a statement giving details thereof would be laid on the Table?

**The Minister of Community Development (Shri S. K. Dey):** (a) and (b). Some damage has unfortunately been caused. The amount of damage is being assessed in consultation with the Publications Division of the Ministry of Information and Broadcasting who supplied the publications for distribution, free of cost.

(c) Yes.

#### Medium-sized Irrigation Projects in Punjab

1606. { Shri Daljit Singh:  
Sardar Iqbal Singh:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the financial aid was sought by the Government of Punjab for the construction of medium-sized irrigation projects in the scarcity areas of the State during 1958-59; and

(b) if so, the names of the places where these are to be constructed?

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

Under the programme of Permanent Improvement of Scarcity areas, a sum of Rs. 38.5 lakhs was allocated for the State of Punjab and the entire amount was placed at their disposal by the end of 1957-58.

(b) There is only one scheme viz. Dadri irrigation scheme which is under execution by the Government of Punjab under this programme. The scheme will provide irrigation for 50,000 acres of arid tract in Dadri Tehsil of Mahendragarh district by remodelling the Bhiwani Distributary on the Western Jamuna Canal and extending it by 23.2 miles.

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#### Bhakra Nangal Project

1607. **Sardar Iqbal Singh:** Will the Minister of Irrigation and Power be pleased to lay on the Table a copy of agreement between the Punjab and Rajasthan Governments regarding the Bhakra Nangal Project?

**The Deputy Minister of Irrigation and Power (Shri Hathi):** A draft agreement has been prepared and is being scrutinised by the Government of India and the Governments of Punjab and Rajasthan. It is hoped to finalise it shortly.

#### Joy Flights

1608. **Sardar Iqbal Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether Indian Airlines Corporation has started joy flights; and

(b) if so, at which stations?

**The Deputy Minister of Civil Aviation (Shri Mohiuddin):** (a) and (b). The Indian Airlines Corporation have been operating joy flights at Delhi, Bombay, Calcutta and Madras on demand.

#### Conversion of Nagpur and Parasia Line into Broad Gauge

1610. **Shri Chandak:** Will the Minister of Railways be pleased to state:

(a) whether Government have any proposal to convert the Narrow Gauge line between Nagpur and Parasia into a Broad Gauge one;

(b) whether Government have recently assessed the freight potential of oranges, manganese ore, coal, etc. of this area; and

(c) if not, whether Government propose to carry out the assessment soon?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) No.

(b) No such occasion has arisen. The anticipated increase of traffic by the end of the Second Plan period is well within the transport capability of the existing narrow gauge.

(c) Does not arise.

क्लकों की गाड़ के तीर पर पदोन्नति

१६११. श्री घाबड : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) उत्तर रेलवे के सखनऊ डिवीजन में १९३२ से अब तक कितने क्लकों को पदोन्नति देकर गाड़ बनाया गया और उन्हें पदोन्नति किन-किन वर्षों में दी गई ,

(ख) क्या कुछ क्लकों को बिना चुनाव के गाड़ की पदोन्नति दी गई ,

(ग) यदि हा, तो उनकी संख्या क्या है और उन्हें किस-किस वर्ष में पदोन्नति दी गई तथा इस ढंग की पदोन्नति देने के क्या कारण हैं ,

(घ) क्या कुछ ऐसे कर्मचारी हैं जिन्होंने स्थानापन्न गाड़ के रूप में काम किया था परन्तु इस पद पर पदोन्नति के लिये उन्हें नहीं चुना गया , और

(ङ) यदि हा, तो इसके क्या कारण हैं ?

रेलवे उपमंत्री (श्री सै० बें० रामस्वामी) :

(क) १९३२ से १९३४ कोई नहीं

१९३५	१
१९३६	१
१९३७	कोई नहीं
१९३८	१
१९३९	कोई नहीं
१९४०	१
१९४१	२
१९४२	३
१९४३	१
१९४४	१
१९४५	१

१९४६ से १९४७ कोई नहीं

१९४८	१
१९४९	२

१९५०	२
१९५१	१
१९५२	कोई नहीं
१९५३	३
१९५४	१
१९५५	४
१९५६ से १९५७	कोई नहीं
१९५८	१

जोड़ २७

(ख) और (ग) केवल एक क्लक को १९५८ में गाड़ के पद पर तरक्की दी गई है । यह प्रबन्ध अस्थायी है और तब तक के लिये किया गया है जब तक इस पद पर तरक्की पाने के हकदार विभिन्न कोटि (Categories) के कर्मचारियों की उपयुक्तता-परीक्षा (Suitability Test) नहीं हो जाती ।

(घ) जी हा ।

(ङ) काम जारी रखने के लिये अस्थायी प्रबन्ध करना पड़ा ।

### Railway Dispensaries

1612. Shri Daljit Singh: Will the Minister of Railways be pleased to state

(a) the number of full time departmental dispensaries established upto-date to provide medical facilities to Railway employees,

(b) the names of the places where these are established, and

(c) the total number of beds in each of the dispensaries?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) 452.

(b) and (c). A statement is laid on the Table of the House. [See Appendix IV, annexure No. 58.]

### Post and Telegraph Offices in Kangra and Hoshiarpur

**1612. Shri Daljit Singh:** Will the Minister of Transport and Communications be pleased to state the number of Post Offices of all categories, telegraph offices and Public Call Offices opened with names of places during the Second Five Year Plan period so far in Kangra and Hoshiarpur Districts of Punjab?

The Minister of Transport and Communications (Shri S. K. Patil): A statement is laid on the Table of the Lok Sabha. [See Appendix IV, annexure No. 59.]

### Women Employees on Northern Railway

**1614. Shri Daljit Singh:** Will the Minister of Railways be pleased to state the total number of women employed on the Northern Railway as on the 31st July, 1958 category-wise?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): A statement is laid on the Table of the House. [See Appendix IV, annexure No. 60].

### Telegraph Poles

**1615. Shri Daljit Singh:** Will the Minister of Transport and Communications be pleased to state the number of telegraph poles which fell down due to the storms in Punjab during 1957-58?

The Minister of Transport and Communications (Shri S. K. Patil): 31.

### Appointment of Handling Contractors

**1616.** { Shri Jadhav:  
Shri Nath Pal:

Will the Minister of Food and Agriculture be pleased to state what is the procedure adopted to appoint handling contractors?

The Minister of Food and Agriculture (Shri A. P. Jain): The handling contractors are normally fixed up on the basis of open tender enquiry.

Sometimes negotiations have to be carried out so as to ensure that the best possible rates compatible with quality of service are obtained by Government. In case of emergency, Government have sometimes to take action on the basis of limited tender enquiry among contractors approved by the State Governments or other local authorities.

### Class III Employees

**1617. Shri Ghosal:** Will the Minister of Railways be pleased to state:

(a) whether a number of senior class III staff have been officiating in Class II service in S.E. Railway; and

(b) if so, their number and for how many years?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes.

(b) Altogether 172 Class III staff are officiating in Class II for periods shown below:—

Below 4 years—130

4 to 8 years—39.

Over 8 years—3.

### Railway Links via Dumka

**1618. Shri S. C. Choudhury:** Will the Minister of Railways be pleased to state:

(a) whether a Survey was made with a view to have a railway link at and via Dumka, the headquarter station of the District of Santhal Parganas;

(b) if so, what is the result of the same;

(c) whether Government have taken any decision in the matter; and

(d) if so, the nature thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir. A survey was made in 1927-28 for a B.G. Railway line from Sainthia to Bausi via Dumka.

(b) to (d). The project was dropped as it was not considered financially justified.

### Sea Island Cotton in India

1619. Shri Naldurgker: Will the Minister of Food and Agriculture be pleased to state the total acreage brought under cultivation so far under the Sea Island Cotton Scheme in the various States?

The Minister of Food and Agriculture (Shri A. P. Jain): A scheme for the development and improvement of Sea Island Cotton 'Andrews' is functioning from the 11th May, 1957, in the States of Kerala, Mysore and Assam. The total acreage brought under cultivation of this cotton was 135 acres in 1957-58. The target to be covered during 1958-59 is 2,500 acres.

### Casual Workers

1620. Shri Rajendra Singh: Will the Minister of Railways be pleased to state.

(a) whether the Railways make payments to the casual workers (line staff and gangmen) for the national holidays, viz. 26th January, 15th August and 2nd October; and

(b) if not, why?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b) Casual labour are employed on daily rates of pay and are paid for the days on which they actually do work.

### Price of Rice

1621. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state.

(a) the present prices of rice in Uttar Pradesh and Madhya Pradesh provinces;

(b) the present prices of rice in Punjab; and

(c) the causes of differences in these prices?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b) A statement showing the whole-sale prices of rice in certain important centres of Uttar Pradesh, Madhya

Pradesh and Punjab as on 28th August 1958 is laid on the Table of the House. [See Appendix IV, annexure No. 61].

(c) The variations in price are caused by various factors, such as the quality of rice, local demand for rice, arrivals in local markets, condition of the last crop, prospects of the next crop etc. Another important factor responsible for the difference in prices is the various zonal restrictions imposed on the movement of rice. At present, there is a ban on the export of rice from Punjab except to the Union territories of Himachal Pradesh and Delhi, from Madhya Pradesh and from Uttar Pradesh.

### तार घर

१६२२. श्री लच्छी राम क्या परिवहन तथा संचार मंत्री १६ मार्च, १९५८ के अंतराकित प्रश्न मध्या १४६० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि जिला झांसी (उत्तर प्रदेश) के गरीठा और गुरमराय मंडियो में तारघर खोलने के सम्बन्ध में अब तक क्या प्रगति हुई है ?

परिवहन तथा संचार मंत्री (श्री स० का० पाटिल) आवश्यक स्टोर इकट्ठे किये जा चुके हैं। गरीठा में यह काम शीघ्र ही शुरू किया जायेगा और नवम्बर, १९५८ में यहाँ तार-घर खोलने जाने की सम्भावना है। गुरमराय में, गरीठा के साथ-साथ तार-मुविषा तभी उपलब्ध की जा सकेगी जब कि इस बीच वहाँ का अतिरिक्त विभागीय विद्यमान शाखा डाक-घर में परिवर्तित कर दिया जाय।

### यात्रियों की सुविधाएँ

१६२३. श्री लच्छी राम क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या यह सच है कि झांसी-कानपुर सेक्शन में उरई और धराच स्टेशनों पर जगह के अभाव के कारण तृतीय श्रेणी के यात्रियों को बहुत असुविधा होती है ,

(क) यात्रियों की इस असुविधा को दूर करने के लिये उपरोक्त स्टेशनों पर प्रतीजालय को बढ़ा करने और वर्षा से बचने के लिये शेड बनाने का काम कब पूरा होगा ; और

(ग) क्या यह काम १९५८-५९ में प्रारम्भ किया जायेगा ?

रेलवे उपमंत्री (जी. सें. बें. रामस्वामी) :

(क) उरई स्टेशन पर मुसाफिरों को कुछ असुविधा जरूर होती है, लेकिन भराच रोड स्टेशन के बारे में यह नहीं कहा जा सकता।

(ख) रेलवे उपभोक्ता सुविधा समिति (Railway Users' Amenity Committee) ने इस बात की मंजूरी दे दी है कि उरई स्टेशन के मुसाफिरखाने का १९५९-६० में विस्तार किया जाय। भराच रोड स्टेशन के मुसाफिरखाने को बढ़ाने का कोई विचार नहीं है। इस स्टेशन पर मुसाफिरों का घाना-जाना भी इतना नहीं है कि मुसाफिर-खाने का बढ़ाना जरूरी हो। रेल उपभोक्ता सलाहकार समिति ने यह भी तय किया है कि उरई प्लेटफार्म पर छत अभी न डाली जाय। इस्पात और पैसे को दूसरे जरूरी कामों के लिये बचा रखने के उद्देश्य से भराच रोड स्टेशन के प्लेटफार्म पर छत लगाने का विचार नहीं है।

(ग) जी नहीं।

#### Licences for Foodgrain Dealers

1624. Shrimati Masda Ahmed: Will the Minister of Food and Agriculture be pleased to state:

(a) which of the State Governments and Union Territories have promulgated orders making it obligatory for the foodgrain dealers to obtain licences; and

(b) details of order, if any?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). The desired information is given in the statement laid on the Table of the House. [See Appendix IV, annexure No 62.]

#### Sugar Mills

1625. Shri Daljit Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) how many sugar mills existed at the close of the First Five Year Plan period; and

(b) the number of sugar mills as on the 30th June, 1958?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) 147.

(b) 163.

#### Goods Shed at Kiratpur Sahib

1626. Shri Daljit Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a goods shed is proposed to be constructed at Kiratpur Sahib on the Northern Railway; and

(b) the time by which the construction work is likely to be started?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The proposal for the construction of goods shed at Kiratpur Sahib station is under examination. If the proposal is justified the work will be provided in the Railways' future works programme in consultation with the Users' Amenity Committee.

#### Railway Station at Chatar

1627. Shri Mohammed Tahir: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the people of Samral village round about village Chatar in P.S. Kesba district Purnea, Bihar represented to start a railway station at Chatar in between the railway stations Jalalgarh and

Kusiargaon on N.E. Railway Katihar-Jaghani Section; and

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

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) Yes.

(b) The proposal was examined but it was found lacking in justification, either financially or on grounds of volume of passenger traffic expected to be dealt with thereat. Consequently the proposal was not accepted.

### **Kursela Railway Bridge**

**1628. Shri Mohammed Tahir:** Will the Minister of Railways be pleased to state:

(a) the year in which Kursela Railway bridge on Kosi river near Kursela railway station on N.E. Railway was constructed;

(b) what was the period of expected life of the bridge at the time of construction;

(c) whether Government have examined the bridge and are satisfied that the bridge is still serviceable; and

(d) if so, for how many more years?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) The Railway bridge on Kosi River near Kursela was completed in 1902

(b) The average anticipated life of a Railway bridge is 60 years for steel-work and 100 years for masonry.

(c) and (d). The bridge is inspected and examined regularly as laid down in the rules. The condition of this bridge is satisfactory and the girders are expected to exceed the average life of 60 years.

### **Catering on Bombay-Poona Race Specials**

**1629. Shri Naushir Bharucha:** Will the Minister of Railways be pleased to state:

(a) whether Government have received any complaints about catering on Bombay-Poona Race Specials;

(b) whether in the catering elementary hygienic principles are not observed and conditions are filthy;

(c) whether drinking water supplied to passengers is procured from Lavatory taps and cups, plates and utensils washed under the same taps;

(d) whether there is Government inspection on Race Special Catering establishment; and

(e) what Government proposes to do in the matter?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) Yes, 4 complaints were received in 1957-58.

(b) Hygienic principles are observed and conditions are not filthy.

(c) No.

(d) Yes

(e) Supervision with a view to ensuring high standard of food, service and hygiene will be maintained.

### **Railway Over Bridges**

**1630. Shri Ajit Singh Sarhadi:** Will the Minister of Railways be pleased to refer to the reply given to Un-Starred Question No. 2036 on the 5th April, 1958 and state what progress has been made in regard to the construction of overhead bridge between Mullerganj area and Ludhiana town in order to eliminate the traffic jam on the G. T. Road railway crossing?

**The Deputy Minister for Railways (Shri S. V. Ramaswamy):** The proposal of providing an overbridge at Ludhiana on G. T. Road in replacement of existing level crossing is still under correspondence with the Punjab Government. The design originally prepared by the Railway Administration was revised at the request of the State Government and the revised plan since submitted awaits their approval.

**Double Broad Gauge Lines**

1831. **Shri Shree Narayan Das:** Will the Minister of Railways be pleased to state:

(a) whether any proposal to have a double broad gauge line between Samastipur and Muzaffarpur via Darbhanga is being considered by the North Eastern Railway;

(b) if so, the stage of its consideration;

(c) the important features of the scheme; and

(d) the programme for its undertaking?

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** (a) The hon. Member is presumably referring to proposal for doubling the Samastipur-Darbhanga Section and the alternate scheme for a new line from Darbhanga to Muzaffarpur, both to the Metre Gauge. If so, the proposals have been surveyed.

(b) The survey reports are under examination.

(c) and (d) Do not arise in view of (b).

12.06 hrs.

**RE: ARREST OF TWO MEMBERS**

**Mr. Speaker:** Now, Papers to be laid on the Table.

**Shri Tangamani (Madurai):** May I make a submission? Two Members of this House, Shri Sampath and Shri Dharmalingam were arrested during the last session for defying certain orders. I find from the information that we have received that they were sentenced to either pay a fine of Rs. 25 or undergo simple imprisonment for fifteen days. That happened on the 3rd of this month. I understand also that they have refused to pay the fine, and they would prefer to go to jail.

I would like to know whether any communication has been received from the Presidency Magistrate or

from the State Government. But it is quite possible that after they go to jail, the sentence is likely to be remitted. What I want to know is whether any communication....

**Mr. Speaker:** Hon. Members ought not to interrupt proceedings in this manner. The hon. Member could easily have written to me or gone to the office. Why should it be taken up now? If he had only told me, I would have found out. How can I carry all this information?

**Shri Tangamani:** All that I want to know is whether such communication....

**Mr. Speaker:** The hon. Member would not be allowed to know all that here. He knows it well that we have got certain agenda here. If he had only sent a chit to me, I would have asked the Secretary to give him the information. I have also to go through it, because I do not know.

**Shri Tangamani:** I want to know..

**Mr. Speaker:** It is wrong. Our time is precious here. If he had only informed me or seen the Secretary or gone to the Notice Office, he could have had this information. In the Notice Office, I have posted a Superintendent for this purpose. Hon. Members may be aware of this, but I shall tell them once again, though I constantly refer to it in the Bulletin. Since nearly a year ago, I have posted a Superintendent in the Notice Office with a stenographer; and whoever wants to know anything about Parliament may go to him; and it is his duty to give him sufficient information. If the hon. Member is not satisfied, then he should mark it for me, and I shall send for the hon. Member. I am trying to provide as many conveniences as possible to avoid any hon. Member coming up here with these things. How can I carry all this information? If the hon. Member himself were here, can I ask about all the Members of Parliament who have gone to jail?

**Shri Tangamani:** It is not about all those persons. If...



Mr. Speaker: He cannot say, 'if' or 'but' now.

Shri Tangamani: 48 hours have passed since the sentence, and that is why I have brought it to the notice of the House.

Mr. Speaker: It is very wrong. He ought not to bring it to the notice of the House like this. If there is any grievance, he could write to me, and I could give him the information. Or, if he wants to condemn any particular person, there are motions for that purpose. The motions are already given. If I agree, I shall bring them up. It is very wrong to raise it in this manner.

Shri Tangamani: If.....

Mr. Speaker: I cannot say 'if' or 'but'.

Shri Tangamani: 48 hours have passed. I have brought it to the notice of the House....

Mr. Speaker: It is very wrong. The hon. Member ought not to bring it to the notice of the House like this. If there is any grievance, he could write to me and I would have given him the information. Or if he wants to condemn any particular person, there are motions and if I agree, I will bring them up here. But this sort of procedure is very wrong.

Shrimati Renu Chakravartty: I would just like to ask one thing. I think normally this is done. Recently in the case of Shri Yajnik when he was sentenced, the matter was communicated to the House. So I was just wondering whether normally this is not done.

Mr. Speaker: Who ever denies it? If any Member of Parliament is arrested, the Magistrate must communicate it to me. If he is released, that also is communicated to me. I am not in a position to say whether in this case it has been communicated or I have read it out here. Hon. Members might have been watching. On some days they are not here. I also do not exactly remember what all cases I have read out here. If he gives me

intimation, I will find out and then take steps myself, if necessary, to raise it on the floor of the House. I would have allowed the hon. Member to do so. There is no good taking me by surprise. I am not disallowing anything.

Shri Satya Narayan Sinha.

12.12 hrs.

# RE: MOTION OF PRIVILEGE

Shrimati Manjula Devi (Goalpara): I have given notice of a motion of privilege, and as it is very urgent and important, I request you to read it out to the House, and allow me to move the motion.

Mr. Speaker: I will not allow her to move it. The hon. Member came to me with a motion of privilege and gave it to me. Under the rules, I am entitled to look into the matter before I bring it up before the House, whether it is really a matter of privilege or not. She told me about this when I was entering the Chamber. Then I said that normally, if I find that there is a *prima facie* case, I bring it before the House; otherwise, I take the advice of the Privileges Committee. Opinions also can be asked for. I have sent it to the Privileges Committee. But the hon. Member told me that she wanted to go away. Therefore, the whole House must tune itself to her convenience. I then asked when she was returning. She said, on the 14th. Then I said that in the meanwhile I would not pass any orders; I would wait till she came back. Then she said: 'No, no. You must bring it up today'. I must adjourn the House to hear this matter! This is meaningless. She wants the House to discuss this according to her convenience and I must adjourn the business of the House for that! The business of the House ought not to

be interfered with like this. Whether it is 'he' or 'she', I am not going to allow.

Shri Satya Narayan Sinha.

Shrimati Manjula Devi—

Mr. Speaker: Order, order. The hon. Member must resume her seat.

12.14 hrs.

#### PAPERS LAID ON THE TABLE

Statement on action taken by Government on Assurances

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table a copy of each of the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each:

1 Supplementary Statement No VII Fourth Session 1958 of Second Lok Sabha [See Appendix IV, annexure No 63].

2 Supplementary Statement No IX Third session, 1957 of Second Lok Sabha [See Appendix IV, annexure No. 64]

3. Supplementary Statement No XIV Second Session, 1957, of Second Lok Sabha [See Appendix IV, annexure No. 65].

4. Supplementary Statement No XV First Session, 1957 of Second Lok Sabha [See Appendix IV, annexure No. 66].

5. Supplementary Statement No. XX Twelfth Session, 1956 of First Lok Sabha [See Appendix IV, annexure No. 67].

#### REPLIES TO MEMORANDA ON DEMANDS FOR GRANTS (RAILWAYS)

The Deputy Minister of Railways (Shri S. V. Mamaswamy): I beg to lay on the Table a copy of the statement containing replies to certain memoranda received from Members in connection with Demands for Grants (Railways) 1958-59. [Placed in Library, See No. LT-894/58]

#### WEALTH-TAX (EXEMPTION OF HEIRLOOM JEWELLERY OF RULERS) RULES

The Deputy Minister of Finance (Shrimati Tarkeswari Sinha): I beg to lay on the Table, under sub-section (4) of Section 46 of the Wealth-tax Act, 1957, a copy of the Wealth-tax (Exemption of Heirloom Jewellery of Rulers) Rules, 1958, published in Notification No 719 dated the 23rd August 1958 [Placed in Library, See No. LT-895/58]

12.14½ hrs.

#### SUPPLEMENTARY DEMANDS FOR GRANTS FOR 1958-59.

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1958-59

12.15 hrs.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

##### WASHING AWAY OF TWO BRIDGES ON CENTRAL RAILWAY

Shri K. S. Ramaswamy (Gobichettipalayam). Under Rule 197, I beg to call the attention of the Minister of Railways to the following matter of urgent public importance and I request that he may make a statement thereon —

'The washing away of two bridges between Kazipet and Balharshah on the Central

[Shri K. S. Ramaswami]

Railway and the consequent dislocation of railway traffic".

**The Deputy Minister of Railways (Shri S. V. Ramaswamy):** Consequent on heavy rains on 30th/31st August, 1958 in the basin of the River Godavari and its tributaries, particularly the Penganga, in the Adilabad District of Andhra Pradesh, flood waters have affected the railway track at a few places on the Chanda-Asifabad Section of the Broad Gauge Main Line between Wirur and Bezwada.

2. It is pointed out for the information of the Members that wash-away of a part of one Bridge only on this Section has occurred. At the other Bridge, the flood waters had reached rail level, but receded shortly thereafter, enabling restoration of traffic over the section concerned.

3. The particulars are as follows:—

- (i) Flood waters rose to rail level on the morning of 31st August 1958 over the Bibra Bridge No. 208, consisting of one span of 250 ft. and 3 spans of 40 ft., at mile 300/4-5 between Sirpur Kaghaznagar and Asifabad Road. By the morning of 1st September 1958, the water had receded below the level of the top piers and after inspection of the bridge, the Grand Trunk Express ex-Madras to Delhi, which had been detained at Sirpur-Kaghaznagar was allowed to return to Kazipet and was diverted onwards to Delhi via Wadi-Manmad-Itarsi Section.
- (ii) Between Wirur and Makudi, 2 piers of Bridge No. 269 at mile 331/1-2, consisting of 6 spans of 40 ft. girders were washed away by the floods.

All arrangements for restoring the traffic are in hand, but until the morning of 4th September 1958, the

flood waters had not receded sufficiently to permit the work at the site to be taken up. At the bridge, there is still a 25 ft. depth of water and the surrounding area is one large sheet of water. It is, therefore, not possible to say just yet in how many days the through rail communications are likely to be restored over this section.

4. On 4th September 1958, through communication is interrupted between Makudi and Balharshah.

5. The position regarding running of passenger trains is as follows:—

- (i) Nos. 15 Down/16 Up Grand Trunk Express trains have been diverted to run via Waltair-Raipur-Nagpur.
- (ii) Nos. 17 Down/18 Up Janata Express trains have been diverted to run via Raichur-Dhond-Manmad-Bhusawal-Itarsi.
- (iii) No. 21 Down air-conditioned Express train from Madras has been cancelled on 1st September 1958 and 5th September 1958. No. 22 Up air-conditioned Express train from New Delhi has been cancelled on 3rd September 1958 and 6th September 1958. These trains will be reintroduced only after the restoration of through communication.
- (iv) Arrangements have been made for the running of New Delhi-Hyderabad and Hyderabad-Madras through coaches by the G. T. Express trains via Bezwada by suitable connecting trains.
- (v) The Delhi-Hyderabad and the Hyderabad-Madras through third class coaches running by Nos. 17 Down/18 Up Janata Express trains have been cancelled for the present.

(vi) Nos. 336 Up/335 Down Wardha-Hyderabad Passenger trains have been cancelled—between Hyderabad and Balharshah, Nos. 395 Down/396 Up Kazipet-Wardha Passenger Trains are running between Kazipet and Sirpur Town and between Wardha and Balharshah.

Chintamani Panigrahi on 10th September.

I may also inform the House that discussion on the Planning Commission's Memorandum on the Appraisal and Prospects of the Second Five Year Plan will take place on 17th and 18th September 1958.

12.19 hrs.

### BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government business in this House for the next week will consist of:

(1) Consideration of any item of business carried over from today's Order Paper;

(2) Consideration and passing of the following Bills which are expected to be introduced early next week:

(i) Supreme Court Judges (Conditions of Service) Bill;

(ii) International Finance Corporation (Status, Immunities and Privileges) Bill.

(3) Discussion and voting on the Supplementary Demands for Grants for 1958-59 in respect of the General Budget.

(4) Discussion on the following matters will also come up at 3 p.m. on the dates mentioned:—

(a) Report of the Commission of Inquiry into the cases of food poisoning in Kerala and Madras States on a motion to be moved by Shri K. K. Warior on 9th September;

(b) Important policy decisions taken at the high level conference held on the 4th July 1958 at Calcutta regarding rehabilitation of displaced persons from East Pakistan on a motion to be moved by Shri

### CORRECTION OF ANSWER TO SHORT NOTICE QUESTION NO. 4

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): Sir, in reply to a supplementary question by Shri Vajpayee on 25th August 1958, arising out of Short Notice Question No. 4 by Sarvashri S. M. Banerjee, Tangamani and Vajpayee regarding fair price shops in Delhi, I had stated as follows:

"The whole question, as I said, was considered in the context of the formation of the wheat zone. At first, Delhi was not included in the Northern Zone whereas Punjab and Himachal Pradesh were included. Later on Delhi was also included. The prevailing price of wheat in Punjab will be about Rs 14 to Rs. 16. A little more has to be paid for wheat made available in Delhi."

The correct reply to this Supplementary Question should have been as under:—

"The whole question, as I said, was considered in the context of the wheat supply position in Delhi and in the rest of the Northern Wheat Zone comprising the State of Punjab and the Union Territories of Himachal Pradesh and Delhi. The prevailing prices of wheat in Punjab will be about Rs. 15 to Rs. 16.50 per maund. A slightly higher price will have to be paid for wheat in Delhi."

Shri S. M. Banerjee (Kanpur): After this the prices have gone up to Rs. 19/-.

12.21 hrs.

**PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) BILL**

**Mr. Speaker:** The House will now resume further discussion of the following motion moved by Shri Anil K. Chanda on the 4th September 1958, namely:—

“That the Bill to provide for the eviction of unauthorised occupants from public premises and for certain incidental matters, as passed by Rajya Sabha, be taken into consideration.”

Out of 4 hours for general discussion including one hour in the discretion of the Chair, 2 hours now remain.

After the general discussion is over, clause by clause consideration and thereafter third reading of the Bill will be taken up for which 2 hours have been fixed.

Shri Ajit Singh Sarhadi may continue his speech.

**Shri Braj Raj Singh (Firozabad):** Sir, only very few speakers have been able to speak on the Bill—only four.

**Shri S. M. Banerjee (Kanpur):** Out of the four, three were from the ruling party.

**Mr. Speaker:** Where they given more time—more than 15 minutes? The hon. Minister took some time.

**Shrimati Renu Chakravartty (Basirhat):** The difficulty is this. It is controversial at every stage. In the earlier stages also there has been a great deal of controversy over it. Therefore, I think, some more time should be allotted for discussion.

**Shri Braj Raj Singh:** There are a number of amendments.

**Mr. Speaker:** May I know who are the hon. Members that want to participate?

Some Hon. Members rose—

**Shri Naushir Bharucha (East Khadesh):** Some of them are outside also.

**Mr. Speaker:** I will call hon. Members representatively of their groups; that will do, I think. Will hon. Members kindly send me chits?

**An Hon. Member:** Chits have been sent.

**Mr. Speaker:** I will note them. As there are many hon. Members who want to speak, no hon. Member will take more than 15 minutes.

[Shri Ajit Singh Sarhadi]

12.23 hrs.

**Shri Ajit Singh Sarhadi (Ludhiana):** Mr. Speaker, Sir, I was submitting yesterday that I have my doubts if the recommendations of the Select Committee to implement the assurances given has any legal weight. A repetition of the assurances by the hon. Minister on the floor of the House would have no legal validity. And for that I quote an authority in support of my arguments. Therefore, I submitted that it would be well if the amendments are accepted and the assurances are incorporated in the provisions of the Bill under consideration. As the hon. Minister knows very well, those assurances pertain to the public premises, that is, the property which was in the occupation of displaced persons and on which they had made constructions before 15th August, 1950.

But, there is another category of property which has been recently acquired by Government under section 14 of The Displaced Persons (Compensation and Rehabilitation) Act, 1954 which is also in the occupation of displaced persons. And this comprises of extensive property of the value of nearly Rs. 100 crores. A part of it has certainly been adjusted against the claims of displaced persons; a part is to be adjusted in some time to come. Some of it has been duly allotted; but

there is some also which, under the definition in the present Bill, would be unauthorised occupation.

Now, about the property which would come within the definition of 'unauthorise occupation', there are certain commitments of the Rehabilitation Ministry of which, I think, the hon. Minister is well aware. I would only draw his attention to the Press Note that was issued by the Rehabilitation Ministry to the Members of the Select Committee during the course of the discussions. That Press Note concedes this position. That Note reads:

"A deputation of displaced persons who were in unauthorised occupation of evacuee houses met the Minister on the 9th March, 1958 and represented that they had occupied those houses towards the end of 1955 when they were uprooted by heavy floods in the Punjab. If they were again evicted from those houses, they would have no shelter anywhere. The Minister announced that the possession of the unauthorised refugee occupants of evacuee properties before and up to the 31st December, 1955 will be regularised on the condition that all dues etc. were paid by them in the prescribed manner. The Minister asked the Regional Settlement Commissioner, Patiala, who was also present there, to implement this decision."

This Press Note indicates clearly two things. That there was a notification by the Rehabilitation Ministry that unauthorised occupants of certain government properties which were evacuee properties before 1955 would be permitted to remain in such properties and their occupation will be regularised provided they paid their dues. That earlier notification was up to 31st December 1954. Subsequent to the floods, this date was extended to 31st December, 1955.

Now, it means that there are certain properties which do come within the mischief of this Bill which are, to all intents and purposes, unauthorised occupations. Yet, these unauthorised occupations are only in the technical sense. Then, the Rehabilitation Ministry has made a commitment that it would be regularised—either allotted to them or adjusted against their claims—if they pay the previous dues.

You find that this commitment of the Rehabilitation Ministry is subsequent to the one that was given by Shri Gadgil in 1950 and this pertains to property that was acquired by Government in 1955 under the provisions of section 14 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954. All those properties which have been so acquired come within the definition of 'public premises' in clause 2 of this Bill.

Those properties are in the occupation of displaced persons. The Rehabilitation Ministry stands committed to regularise their possession and adjust it against their claims. But, there is no provision in the Bill now before the House whereby those commitments could be implemented by a statutory provision. Therefore, I have tabled an amendment and I would request the hon. Minister to consider this aspect that evacuee property which has been acquired in 1955 should be excluded from the purview of the present Bill in order to avoid complications that might arise later on about such properties and such possessions.

The hon. Minister would know very well that we have got a special provision governing such evacuee properties. I refer him to that very Act. That Act, in itself, is very exhaustive. It has provisions which govern such property. It provides the procedure also whereby persons in occupation thereof can be ejected.

If we have got a special provision governing a certain category of pro-

[Shri Ajit Singh Sarhadi]

perties and that Act contains the procedure by which the persons in unauthorised occupation could be evicted, then, why have another provision of a general nature of the present kind whereby that will be superseded? Legal complications would arise.

I draw the hon. Minister's attention to section 19 of that very Act. It definitely postulates that the Government or the Appropriate Authority has got the right to eject a person and take possession if that Appropriate Authority finds that the person's possession is not in accordance with law. That provision is this:

"Notwithstanding anything contained in any contract or any other law for the time being in force but subject to any rules that may be made under this Act, the managing officer or managing corporation may cancel any allotment or terminate any lease or amend the terms of any lease or allotment under which any evacuee property acquired under this Act is held or occupied by a person, whether such allotment or lease was granted before or after the commencement of this Act."

Sub-section (2) says:

"Where by reason of any action taken under sub-section (1), any person has ceased to be entitled to possession of any evacuee property acquired under this Act, he shall, on demand by the managing officer or managing corporation, surrender possession of such property to such officer or corporation or to any person duly authorised by him or it in this behalf".

Sub-section (3) is very relevant. It says:

"If any person fails to surrender possession of any property on demand made under sub-section (2), the managing officer or

managing corporation may, notwithstanding anything to the contrary contained in any other law for the time being in force, eject such person and take possession of such property and may, for such purpose, use or cause to be used such force as may be necessary".

So, what I am submitting is this. We have got section 19 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 which authorises the appropriate authority to eject an unauthorised occupant if the appropriate authority comes to the conclusion that the possession is not proper or not in accordance with the law.

12.31 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

This provision, namely, section 19, is subject to the commitment that the Rehabilitation Minister has given and thus communicated, although where a person is in occupation before 31st December, 1955, his possession will be regularised in case he follows certain conditions, that he pays the dues and fulfils the requirements in the prescribed form and manner. If you supersede this Act and if you bring in another Bill and change it into an Act, namely, the present one, which does not contain any repealing clause about section 19 which is contained in the Act quoted by me, what is the legal implication or legal consequence? Is it a repeal or is it a supersession or what is it? On the one side, we have a special Act and on the other side we have a general Act. This is a point worthy of consideration. I therefore submit that the Government, at this stage even, would do well to exclude the evacuee property which has been acquired in 1955 from the purview and ambit of this Act and allow it to be governed by the Displaced Persons (Compensation and Rehabilitation) Act, 1954

which does vest power in the appropriate authority to eject a person where the possession is illegal, unauthorised or against the provisions of the rules and the law.

I fail to understand, when we have got an Act already governing such property and the provisions of that Act are subject to certain commitments, why you should bring in another measure which does not contain any commitment. The hon. Minister can ask us why it should not be done. There is no doubt that a very large number of refugees bank upon the assurances which had been given in this House, but I would submit that there is no legal validity for them, because the Estate Officers situated, as they would be, in different parts of the country, would not implement those assurances when they are not provided in the statute itself. I possibly cannot understand the position. Now, I shall make a few general observations after this submission.

I would submit that the refugees are your liability. They have suffered for the country, and you have to safeguard their interests. You certainly gave them assurances and we are grateful for that. It was very kind of you. You have done all that was possible for rehabilitating them. We are very grateful for that also. But do not do anything now to undo what you have already done. The Rehabilitation Minister says that their possession will be regularised in case they were in possession before a certain target date. The present Bill is brought, nullifying that assurance and commitment. Therefore, I pray that you will be pleased to reconsider—I would request the hon. Minister to reconsider—the position in the light of my submission which I have made now, and exclude such evacuee property which is now Government property acquired under the Act, from the provisions of this Bill. That is my submission pertaining to the evacuee property.

There is another category of people that would also be affected and they are the Government servants that would be evicted, and particularly the refugee squatters and Government servants who had opted out for India and who have been given houses not under the rehabilitation scheme but have been given Government accommodation. In between these periods, they have not built any houses for them. They would certainly be ejected the moment they retire in two or three or five years' time. What have you provided for them? I would submit that housing is one of the objectives in the Plan. It is also the duty of the Government to look to proper housing and see that every citizen gets a house. This is one of the objects of planning. Would it not be unfair if, after those people retire in two or three years you ask them to go out on the road? They have not built any houses. Therefore, my submission is, apart from the measures you take and apart from the schemes, and also as part of the schemes, you must give them some concessions. I support what the hon. Members who preceded me spoke—Shrimati Sucheta Kripalani and Pandit Thakur Das Bhargava. I would not take long. I have done. I would again draw the attention of the hon. Minister to those amendments which I have tabled, namely, the evacuee property which was acquired by the Government under the Displaced Persons (Compensation and Rehabilitation) Act, 1954, and which now comes within the definition here, should be excluded and that that the assurances that have been given by Shri Gadgil in 1950 about the public premises then should be incorporated in the statute. That would meet the ends of justice.

**Shrimati Renu Chakravarty:** Mr. Deputy-Speaker, I just want to add my voice to that of the other hon. Members who have proposed that there should be a very clear amendment added to this Bill so that it is made absolutely clear that those refugees who are covered by the assurance of Shri Gadgil and who have



[Shrimati Renu Chakravartty]

come to India before and had established their houses or premises before 1950 should not be brought within the purview of this Bill.

This Bill itself, as you know very well, had met with 'opposition' at various stages earlier. When similar Bills had come, both at the Select Committee as well as later, you yourself, and many of us, have again and again tried to show what great hardship it will bring to those who have been uprooted from Pakistan and who have come here at a time when they had no house, and when they were literally on the street. When they were faced with that huge problem, they did set up unauthorised settlements not only here but elsewhere also. As the hon. Minister of Rehabilitation very well knows and as many of our hon friends here who have been interested in rehabilitation know, if those who have come from East Pakistan had not settled in what are known as squatters' colonies which are according to the law actually illegal possessions of land, thousands and thousands of people would still be shelterless. That is why, finally, in spite of every objection from the side of Government for years together, when eviction bills were passed, tremendous movements took place. There were firings, there were shootings, and people died. And the Government then accepted the position that squatters' colonies had to be regularised.

I admit that for reasons of health, for reasons of hygiene and for reasons of town-planning, etc., it is necessary to bring about a certain modicum of conformity with municipal rules and planning rules. But we should not make a fetish of it. Because of the rules, it is not right that those people, who have, after so much travail and suffering, got a shelter over their heads should again be evicted. After all, this Government itself is facing a huge shortage of housing, but on the pretext that a particular house is not having the measurements according to the model

rules or according to the town-planning rules, we should not allow them to be evicted and become shelterless again. That is why all of us have been pleading with the Government that it is necessary to exclude at least those who have come and who have built their houses before 1950. There should be under this unauthorised occupation clause, a proviso which excludes those displaced persons who were in occupation of public premises before the 15th day of August, 1950, and that they shall not be deemed to be unauthorised occupants if they had constructed any building on such sites.

Actually, a committee of assurances was set up. That committee of assurance had submitted three reports, if am not mistaken. The first report shows—and actually Shri Gadgil had stated—that they would have to comply with a certain modicum of rules, and in cases of construction which complied with or fairly complied with suitable modifications, or which fairly complied with the municipal rules and town-planning or improvement plans, the value of the land of the unauthorised occupant shall be assessed on a no-profit-no-loss basis, having regard to the cost of acquisition and development of land, and the displaced person would be given the option to purchase the site occupied by him against payment in easy instalment of the value of land etc.

Now, Sir, I am very much surprised that, in spite of the fact that the Committee on Assurances in its First Report says that many many owners of these houses have applied for regularisation, even today I find that 711 houses housing about 5,000 people with property worth about Rs. 2 crores will fall within the mischief of this Act because they have not yet been regularised.

Under the circumstances, I think it is absolutely essential that those who came at that time—of course, my hon. friend, Shri Sarhadi has pleaded about

the cases of those who are in possession of evacuee property; there is something to be said on that point because, after all, the Ministry of Rehabilitation made certain commitments to them and they would even fall beyond the date of 1950, and for them it is a separate case—should be given statutory protection that they will not be evicted. I think there can be absolutely no objection on the part of Government to at least assure those who have come before 15th August, 1950 that they will have statutory protection and that they will not be evicted, and that their houses will be regularised according to the conditions laid down in the assurance given by Shri Gadgil.

We have found that this Bill actually seeks to replace an old Act which has been declared void by some High Courts. Therefore, it is right that we should be very careful when we are drafting this Bill. We should give clear legal recognition to these unfortunate people who have lost their hearth and home once. We must see that they are not made to face the same problem again. They should not be made to lose them all over again. We should not make a fetish of law, town rules and hygienic conditions. We should only see that a minimum of rules are adhered to and, as far as possible, if these people abide by those rules they should have a shelter on their heads. The Government which is unable to give shelter to thousands and thousands of our people should not add to its burden by evicting these people who are today housed once again, who have today got some sort of a shelter. That is why, Sir, I plead that the Minister should accept the amendment which has been suggested to him from all sides of the House.

Mr. Deputy-Speaker: Shri Deo,

Shri Naval Prabhakar rose—

Mr. Deputy-Speaker: I will be coming to that side also. \* Perhaps hon. Members have listened to the

complaint that was made on behalf of the Opposition that from the ruling party four Members have already been called.

Shri P. K. Deo. (Kalahandi): Mr. Deputy-Speaker, Sir, this Bill seeks to empower the Government to evict from public premises certain persons without going through the normal Civil Code proceedings. Sir, it is a short circuit to the ordinary course of law. Though there was similar Act in 1950, it has been declared *ultra vires* of the Constitution as certain provisions of that Act offend articles 19 and 14 of the Constitution. The findings of the Calcutta and Punjab High Courts have been met by this Bill. Regarding the objection of the Allahabad High Court with regard to the discriminatory treatment to the citizens of this country, the hon. Minister is sanguine that if this matter be taken to the Supreme Court, probably the finding of the Allahabad High Court would be upset. In view of the sentiments expressed by the hon. Minister, I have nothing more to add.

Coming to the merits of this Bill, by this Bill we are going to give unlimited arbitrary power to our executive. The Government can institute ejection proceedings in the ordinary civil court. I do not understand why this summary procedure is being sought for in this particular case. In summary proceedings effective judicial safeguard should have been provided to the affected persons. Here we find that the Estate Officer himself is the Eviction Officer. In the ordinary procedure of law he would be a party. If you go through clause 5 of this Bill you will find that if a person is aggrieved by the 'show cause' notice of the Estate Officer, then he has to appear before him, produce some evidence in his favour, and after giving him full opportunity to be heard the Estate Officer will pass orders if he is satisfied that the possession has been unauthorised. Here the prosecutor

[Shri P. K. Deo]

himself is the deciding authority. In the ordinary course of law, as I said, he would be a party to it. Therefore, I feel that in such matters, instead of referring the matter to the Estate Officer, it should be referred to a third party.

Regarding recruitment of gazetted officer for the post of Estate Officer, I respectfully submit that such an officer should be an officer of the judicial department. For such summary proceedings we would like that the Estate Officer should have some judicial bend of mind, because he has to dispose of these cases in a summary way.

Then I come to the provision with regard to appeal. There is provision only for one appeal from the Estate Officer to some judicial officer like the District Judge. I think this is not adequate. There should be provision for a second appeal, and any aggrieved person who is not satisfied with the finding of the District Judge should be able to prefer an appeal to the High Court and the decision of the High Court should be final in these respects.

The way the whole ejection proceeding is rushed through, I feel that it will deprive the occupant a real and effective legal remedy if any injustice is done to him. If our Civil Courts cannot provide speedy remedy, why not change the Civil Procedure Code and improve the provisions so that speedy justice would be available? Instead of doing that, why make a legislation like this?

Sir, the axe of the Bill will naturally fall on three categories of persons. First of all there are those ab-initio trespassers. For this category of persons I do not think the House will have any sympathy. The second category of persons who would be affected by this Bill are such persons who suffer from social and pecuniary disabilities. Among,

them we can mention the refugees who have been reduced to the status of refugees by circumstances beyond their control. Even though assurances have been given by the Ministry of Rehabilitation that those refugees who were occupying public premises before 15th August, 1950 would not be removed from the premises if they fulfil certain conditions, and the possession of evacuee properties by refugees up to 31st December, 1954 would be regularised, they have not been incorporated in this Bill. If the Government are really sincere about it, mere assurances will not help the refugees. They should form part of the legislation. Otherwise, promises become pie-crust and are broken if there is no sincerity behind them. I most respectfully submit that those assurances should be incorporated in this legislation.

The second category of such persons affected would be the construction workers, the sweepers, the cobblers, the masons and other construction workers who have been occupying these public premises. They are rendering very useful service to the community and to throw them into the streets without providing any alternative accommodation for them or without making any plan for their rehabilitation would be a very cruel thing. This problem should be considered from its human aspect. It is a human question and even though they might be occupying some public premises not lawfully, still the Government, which is trying to build a socialist pattern of society, should see that they are properly rehabilitated and they find their proper place in the society.

In this connection, it would not be out of place to mention the way in which these construction workers have been treated in my state. The poor, Hafijans, or Raptapara in Kasinga who form the main bulk of construction workers, have been put

under undue official pressure and asked to quit their tenements and I do not think anybody in this House would agree that they should be thrown into the wilderness. It is the duty of the Government to see that they are properly rehabilitated with alternative accommodation and unless and until that is done, they should not be asked to leave their tenements. The third category of persons affected by this Bill would be the displaced persons who are about to be displaced from lands which are acquired for developmental purposes as for steel plants, big irrigation projects, cantonments, etc. To acquire these lands, necessarily the Central Government seeks the service of the State Governments and there are different land acquisition laws in different States.

**Pandit Thakur Das Bhargava (Hisar):** So far as the question of land acquisition or legislation about land is concerned, it is entry No. 18 in the State List and so, it cannot be a subject-matter of this legislation. He is speaking of Rourkela, Bhiali lands, etc. They do not come within the purview of this legislation.

**Shri P. K. Deo:** The lands might be acquired by the State Government. After they are acquired, they are given to the Central Government and the Central Government would apply this legislation for their eviction. I am subject to correction, but that is my reading of this Bill.

According to the Orissa Act No. 18 of 1948, so far as displaced persons from Hirakud are concerned, you will be surprised to know that though 12 years have passed, they have not been paid a single pie of compensation. When the axe of retrenchment fell, it first fell on those displaced persons who have been employed in the project in various capacities. It is the primary duty of the Government to see that before these displaced persons are displaced from their lands which have been in their possession since centuries, they should be properly rehabilitated and proper com-

pensation should be paid to them before they are evicted from these lands.

I would be failing in my duty if I allow this Bill to be passed without recording a protest against the way the eviction proceedings have started in the Rourkela area. In that case, no compensation has been paid to the people and they are asked to leave their houses. Bulldozers are being used to demolish the villages and fields with luxuriant growth of paddy are being levelled overnight, because the State Government law under which these lands have been acquired is defective. According to that law, as soon as notice is given, the title of that land ..

**The Deputy Minister of works, Housing and Supply (Shri Anil K. Chanda):** On a point of order. The hon. Member is referring to some provincial legislation. We have nothing to do with that. We do not even know the provisions of that Act. In any case, it has no relevance so far as this Bill is concerned.

**Shri P. K. Deo:** They can issue a directive to the State Government . . .

**Mr. Deputy-Speaker:** This has been brought to his notice by Pandit Thakur Das Bhargava, but even then the hon. Member believes that those provisions do attract that also.

**Shri Mahanty (Dhonkanal):** If the hon. Minister would look to sub-clause (b) of clause 2, he will find that,

"Public promises" means any promises belonging to, or taken on lease or requisitioned by, or on behalf of the Central Government".

**Pandit Thakur Das Bhargava:** It is in regard to the Union Territory of Delhi only.

**Shri Mahanty:** There is a semi-colon and then there are the words

[Shri Mahanty]

"and, in relation to the Union Territory of Delhi, includes also" etc.

**Shri P. K. Das:** I would like to draw attention to the remark of the hon. Minister at the time this House referred this Bill to a Select Committee. He has given the statistics of persons unlawfully occupying public premises and he has mentioned people occupying the tenements in the Hirakud area. Naturally, when he speaks of Hirakud, there would be no objection if I bring to the notice of the House the state of affairs there.

In the Orissa Act, there is a provision that as soon as notice is given, the title will vest in the Government and the occupant is asked to vacate within 48 hours. But 12 years have passed since the acquisition proceeding started in Hirakud area and still not a pie has been paid as compensation to these people. So, I respectfully submit that these persons should be provided with alternative accommodation and should be properly rehabilitated before any drastic action is taken to evict them.

**Shri D. C. Sharma (Gurdaspur):** It is said that there should be no taxation with representation and I believe that natural justice requires that there should be no eviction without giving corresponding accommodation. This principle of natural justice has been very vigorously and eloquently propounded by our beloved Prime Minister in his Foreword to the book *Slums of Old Delhi* where he says:

"We have to provide housing for them, before we can ask them to vacate."

It has been said that this law has been proved to be unconstitutional and it will work against the fundamental rights of humanity. I would also say that this law is bad in justice and that it offends one of the most fundamental principles of natural justice. My hon. friends have already argued the case on behalf of displaced persons. I

endorse every word of what Pandit Thakur Das Bhargava has said. Assurance once given should be acted upon. Otherwise I think the Government loses its prestige in the eyes of those persons who are sufferers. I also endorse what Pandit Thakur Das Bhargava has said about government servants. After all these government servant from East Bengal and from West Pakistan who have no homes of their own should be given some kind of concession so that they are not displaced twice over as it has been put so aptly.

13. hrs.

But, Sir, there are three classes of persons whose claims I want to put forward. They are, first of all, the Harijans and the members of the backward classes. Now these Harijans and members of the backward classes are without any kind of resources and they have been living in those places for a number of years. They are now being displaced from those places. I have in my pocket notices which have been served upon these persons. I want to bring to the notice of the House the instance of a village in Delhi, in Vinayanagar, where people have been living for so many years, and where they have their homes and their sources of livelihood. But now they are being displaced and notices are being served on them. They are asked to quit their houses; their cattle are attached and all kinds of things are being done to them, subjecting them to a great deal of hardship. In other words this Bill is going to affect those persons, Harijans and members of the backward classes, whom it is our foremost duty to protect.

Thousands and lakhs of persons have come to Delhi in order to put up these buildings where we work and in which we live. They have built their colonies in all kinds of places and they have been living there for so many years. One day I met a worker who told me that it was in his

presence that the foundation stone of Connaught Place was laid. Now that person along with so many thousands is going to be displaced. What is Government going to do about these persons?

At the same time there are these slums and I think some of those slums will also be covered by the provisions of this Act. I am sure the process of eviction will go on at a very rapid pace so that all these persons will be evicted. Eviction is a nightmare—the very word is a nightmare—and I believe that the process which has been outlined in this Bill to give effect to eviction does not inspire any kind of hope or any kind of assurance in the minds of people who live there

In the first place the definition of "public premises" has been made so wide and so sweeping that I think anything can be covered under this. My hon. friend over there was speaking of Rourkela. He was perfectly justified in speaking about Rourkela, as I am perfectly justified in speaking about the town of Bilaspur or where they are building the fertilizer factory in Hoshiarpur District. These persons are being uprooted. They may be uprooted on account of some State law, or they may be uprooted on account of some Central law. I think you cannot distinguish between one kind of eviction and another kind of eviction and I think what is being done in the matter of eviction by the States now is going to be done by the Centre. Therefore I think there is a kind of conspiracy between the States and the Centre to evict these persons and to evict these persons in such a way that they are not provided with alternative accommodation. I would, therefore, say that the definition is such that it leaves no loophole of escape for anybody who is going to come within the net of this definition.

When I come to Delhi I find that the Delhi Development Authority has been included in the purview of this Bill. What that Authority has been doing is common knowledge to all of us; it is common knowledge to all the

citizens of Delhi. People have been putting up constructions because their blue-prints were not passed for years together. It is common knowledge. I am not saying something which is not known to anybody else. Now people have put up constructions. Why have they put up constructions? On account of the default of the Delhi Development Authority in not sanctioning these constructions in time and not giving them permission to do so. Now this Development Authority is coming within the purview of this measure and I do not know how much of property will come within it, on account of the inclusion of the Delhi Development Authority in this Bill.

Then I come to the definition of "premises". When you talk of premises you usually refer to the ground on which the house is built. But here the whole thing, the garden and everything else, is going to be included in the definition of premises. The definition of the word has been made so wide that it will affect people very very harshly and very very badly. This Bill is not only harmful in intention, but it is also damaging so far as the definition of the word "premises" and the definition of the word "public premises" are concerned.

When I was speaking on the Bill before it was referred to Joint Committee I asked: who are these estate officers? What kind of functionaries are we going to create in these estate officers, the kind of officers who I think are going to exercise not only judicial functions but also executive functions, not only judicial and executive functions but also police functions? We are creating a new type of officers in this country of ours, who I think are going to be more dangerous for these persons than any other officer has been so far. I feel that the estate officer should not have been clothed with so wide powers as he has been. At the same time I would have liked that the period of notice should have been longer, but nothing has been done. Nothing has been done to give more scope for redress to the person whom it is going to affect.

[Shri D. C. Sharma]

This Bill, from whatever angle you may look at it, gives unlimited powers to the estate officer. When a State comes under the President's rule, even the Governor who is put in charge of that State does not enjoy such unlimited powers as the estate officer is going to enjoy and still nothing has been done to put a curb on the powers of the estate officer. He is the assessing authority also. He can do anything. Again, the right of appeal has been taken away. It has been kept at only one level. You can prefer your appeal to the judicial officer who is of the rank of a District Judge. Beyond that you cannot go.

So, I would submit that this Bill is going to create a new class of persons. In this country we have the tenant class and the land-owner class. All these years we have been trying to solve their problems and we have not been able to do so very effectively. By passing this Bill we are going to create a new class in our country, a houseless class, a homeless class. Of course, that class already exists. This is a new class, because they have houses. But they stand in danger of their houses being demolished. They have their premises and they stand the danger of being evicted from their premises. We are going to create a new class, and that class will constitute a danger to the social life of our country I believe that this should not be done.

Again, as I said, the intention may be good. But the implementation of a good intention may not be as desirable as it should be, and here the implementation is not such as will promote any kind of well being.

So far as delegated legislation is concerned, more power is taken by this Bill than is necessary. As you are the Chairman of the Committee on Subordinate Legislation, I would request you to go into the provisions of clause 13 of this Bill. You will find that more power has been sought to

be taken through subordinate legislation than is done in any other Bill. I can understand that some power should be taken under the rule making power. I have no quarrel about it. But here even how the enquiry is to be conducted would be decided in the rule-making power of the Ministry. What is the procedure to be followed? What is the manner in which the damages are to be worked out? All these things are very essential parts of this Bill, and the essential parts of the Bill should not be left to the rule-making power of the executive. They should form part of the Bill, so that we know how the Bill is going to be implemented. I think this is one of the biggest defects of this Bill. So far as the implementation part is concerned, and that is a very important part, that has been left to the rule-making power. When we passed the Refugee Rehabilitation Rules, we had to discuss them for days together, because there was some difficulty. So far as the power for making rules under this Bill is concerned, that goes one step further than that Bill. Therefore, I would say that the rule-making power should not be given in extenso to the executive, so far as this Bill is concerned.

Mr. Deputy-Speaker: Shri Kodiyan

श्री नवल प्रभाकर (बाह्य दिल्ली-रक्षित-धनमूलित जातियाँ) : उपाध्यक्ष महोदय, क्या मैं प्रार्थना कर सकता हूँ कि मेरे निर्वाचन क्षेत्र पर इसका व्यापक प्रभाव पड़ने वाला है, इसलिये क्या मुझे बोलने का . . . . .

उपाध्यक्ष महोदय : इसलिये क्या मैं बाकी के सदस्यों को छोड़ दूँ और माननीय सदस्य को पहले बोलने दूँ ? माननीय सदस्य को बुलाया उठकर जायेगा, लेकिन अपनी टर्न आने बापि कैसे चुन सकते हैं ?



श्री बाबूजी (मुम्बई-रहित-अनुसूचित जातियाँ) : उपाध्यक्ष महोदय, मैंने मिनिट ग्रफ डिसेंट दिया है। मैं प्रार्थना करता हूँ कि मुझे भी बोलने का समय मिलना चाहिये।

उपाध्यक्ष महोदय : जिन मੈम्बरों ने मिनिट ग्रफ डिसेंट नहीं दिया क्या उनको मैं बोलने का वक्त न दूँ ?

एक माननीय सदस्य : आपका नोट छप गया है, अब आपको बोलने की क्या जरूरत है ?

Mr. Deputy-Speaker: Yes, Shri Kodiyan

श्री बाबूजी : उपाध्यक्ष महोदय, आपने कहा कि नोट छप गया है। लेकिन उससे शान्ति नहीं होती है। मुझे कुछ और कहना है।

उपाध्यक्ष महोदय : मैंने नहीं कहा कि नोट छप गया है।

Shri Kodiyan (Quilon-Reserved-Sch. Castes): Mr. Deputy-Speaker, this a very controversial Bill, and in the Select Committee, we tried our best to remove the evils of this Bill, as far as possible. But our efforts did not succeed. I shall try to explain some of the important points raised in our dissenting minute

Yesterday, commending this Bill the hon. Deputy Minister said that they have tried their best to meet the objections raised by the various High Courts of our country regarding the previous Bill, that is, the Public Premises Eviction Bill of 1950. But, I do not think, even after the deliberation of the Rao Committee, this Bill has overcome all the objections raised by the various High Courts. There is the judgment of the Calcutta High Court, and the Punjab High Court had agreed with that judgment. But I am not referring to these two judgments. I am here referring to the judgment given by the Allahabad High Court,

and that judgment was that certain provisions of the previous Act offended against article 14 of our Constitution, which deals with equality of persons before the law.

Yesterday, the hon. Minister said that even though the Allahabad High Court had given that particular judgment, there is room for such classification if there is reasonable rationale behind such classification. As far as I know, according to the provisions of this Bill, Government is empowered to evict all those persons who are deemed to be in unauthorised occupation of public premises. Here in our country, under ordinary law, if a person happens to be in unauthorised occupation of another premises of a private individual, he has all the right to go and approach a court of law and try to get his grievances redressed by the normal procedure of the law court, if the owner of that particular tenant takes action against him through the law courts. But in this Bill Government are being given summary powers to evict all those persons from the public premises. Here the differentiation or classification is not between a private individual and a State, but it is a classification between a private individual or a private citizen on the one hand, who occupies private premises, and another private citizen, occupying public premises, on the other hand. Therefore, under the law, even though every citizen has got the right to be heard, if the citizen happens to be in unauthorised occupation of Government land, he has no such option to go to a higher court to get his claim adjudicated by that higher court. Therefore, this kind of a provision in the Bill, giving arbitrary powers to the estate officer, is, in my opinion, contrary to the provisions of the Constitution and is undemocratic and unconstitutional also.

Here, of course, in the provisions of the Bill there is room for appeal to the higher authority, but it is a



[Shri Kadiyan]

District Judge who may be appointed as Appellate Officer according to this Bill. I am referring to the higher courts. If an aggrieved person thinks that justice has not been done to him, he must have the right to approach the higher courts in the country. Here the complainant is the Government and who is to judge the complaint? The Government themselves are to judge their complaint through their officers—the Estate Officer and other like officers. The ultimate decision rests with the Estate Officer or the Appellate Officers.

Another point that I wish to bring to the notice of the House is that this whole problem has not been viewed by the Government from the human aspect of it. The human aspect of the problem has been completely neglected. This is a measure which is going to affect tens of thousands of people in our country. Several hon. Members have already pointed out that a lot of refugees and other people are going to be affected by this Bill. Yesterday the hon. Minister said that there are squatters in several parts of Delhi, but all these people cannot be termed as trespassers. Of course, there may be some people who deliberately encroach upon Government land and if they are deliberately trying to encroach upon Government property, of course Government must have the power to evict them. But all of these people do not belong to that category. There are a large number of refugees and people like harijans. Then, there are construction workers, Government servants and such other poor people. Take for example, the case of construction workers. These people have been here playing their part in building up the city, but after having played their part in building up this great city of our country, are they going to be driven away? If for the expansion of the city and for the sake of the development of the city, all these poor people are to be driven away and the city is to remain the paradise of the high-ups alone I have nothing to say against it. But my

submission is—of course, Delhi must be expanded, other cities must be expanded, the projects in the public sector must be executed; I am not against it, I am all for the success of such project—but what I submit is that the needs for expansion of the city must reconcile with the requirements of the people, especially the working people who have played their part in building up the city.

A lot has already been said by hon. Members who preceded me about the assurances given by Shri Gadgil. I am not going into the details of these assurances. Yesterday the hon. Minister has been pleased to say that those assurances have been implemented. I do not think that those assurances have been implemented. If those assurances have been implemented, I would like to ask the hon. Minister why these refugees are coming to us? Yesterday and on the previous day also, several representatives of these refugee associations had come to me and I have a memorandum submitted to me by those people. In that memorandum they say:

"The very fact that there are thousands of constructions which have not been regularised and even the question of their regularisation has not been examined clearly shows that the assurances have not been implemented."

As a proof of this argument of theirs, they have given some figures of those houses which have not so far been regularised. I need not read out all those figures, but I may say that there are 711 houses, with a population of 4,634 people, the value of which is Rs. 14,77,000. They say that these houses have not been regularised.

With regard to a certain part of those assurances given by Shri Gadgil, i.e., regarding ex gratia payment to displaced persons whose houses may be demolished, it is true that some payments have been made to those

persons, but as far as I understand even that *ex gratia* payment was later deducted from the compensation which was due to the refugees from the Rehabilitation Ministry.

In the memorandum that I just now mentioned, they have quoted several other things also, but I do not want to enter into the details of such complaints. What I submit is that the assurances given by Shri Gadgil have not been implemented satisfactorily and I am very glad that the hon. Minister was gracious enough to inform the House yesterday that he still stands by those assurances. But standing by those assurances is one thing and implementation of those assurances is another thing. Yesterday as Pandit Thakur Das Bhargava has pointed out if he is prepared to stand by the assurances, why is he not prepared to incorporate those assurances in the provisions of the Bill by making a statutory provision in the Bill? If he is prepared to implement those assurances, what is the difficulty in making statutory provision for such assurances in the Bill? I think the hon. Minister would reply to this specific question.

Then many things have been said about gazetted officers. I also strongly feel that these gazetted officers, specially as they have to deal with this complicated problem in the course of which they have to deal with many legal aspects of the problem also, should be recruited from the judicial service. I think every section of this House demands such a provision because in the notices of amendments given by several hon. Members I find that there is unanimity of opinion regarding this particular matter.

Then lastly, again I repeat that this problem must be viewed from the human point. If you take the example of refugees, they have been once refugees and again if they are going to be made refugees for all their life, certainly it is very unfortunate. Having allowed these refugees to

construct houses in public premises, as several hon. Members pointed out, yesterday, having encouraged them to settle more or less on these public premises, if now the Government is coming forward with this Bill which gives them arbitrary and sweeping powers, if they come forward to unsettle the already settled life of the refugees, it will create a more complicated situation, that would be very difficult to meet.

With these words, I conclude.

**The Deputy Minister of Law (Shri Hajarnavis):** Sir, may I have your respectful permission to intervene to make submissions on behalf of the Government on one aspect about which complaint has been made by several speakers that we have not paid due regard to the various decisions of the High Court by which they struck down the earlier Act? It is out of respect due to the eminent Members of the legal profession like Pandit Thakur Das Bhargava and also out of respect and reverence which we have to the High Courts who are the custodians of the fundamental and other civil rights in this country that we must meet that charge and I submit to this House with all the earnestness that I have that that charge is not true.

I may remind the House and Pandit Thakur Das Bhargava must have noticed that the earliest decision comes from the Calcutta High Court. That particular petition on behalf of the citizen was argued by the Law Minister. The objections raised to the earlier Act were raised by our Law Minister.

**Shri Anil K. Chanda:** Not as Law Minister.

**Shri Hajarnavis:** As counsel. It is his objections to the Act which were upheld by the High Court. Therefore, we were more aware than any other person could be aware of the grounds on which this Bill was likely to be assailed. We went all out and

[Shri Hajarnavis]

we paid anxious consideration to every aspect of the Bill to see that the Bill did not suffer from any of the defects about which complaint was earlier made.

Then, it has been said that we have disregarded certain additional point which has been made by the Allahabad High Court. I briefly intend to deal with them. Before I do so, there are two preliminary observations which I might make. The first is that the Government, as any other owner, as Pandit Thakur Das Bhargava admitted, is entitled to protect its property. Not only it is entitled to protect its property, but it is in trust bound as the guardian of the property of the whole nation to take steps to see that all trespassers are evicted and Government's possession of the property is protected and that no person without any right—unless good cause is shown—is allowed to use Government property. That is the primary duty of the Government as owner, as trustee on behalf of the whole community. Government can file a suit to oust any trespasser. That right is there. The only question is whether, Government's title being admitted, Government's right to possession being unchallenged, it would be in the interests of the Government and the person who is in illegal possession—that is the assumption I make—it is admitted that a person is in illegal possession and the property belongs to the Government—is it necessary that a costly litigation should be launched before possession is recovered from him? As Pandit Thakur Das Bhargava said yesterday, court fee will have to be paid. Pleadings will be drafted by lawyers. Before he goes to the court and very probably before he makes an effective defence, he will also have to engage counsel himself. There will be protracted proceedings. On the assumption that the property in respect of which the suit is launched belongs to the Government, the Government is able to prove that the

right of possession of the defendant has come to an end or it had never existed, and a decree for ejectment is bound to follow. In such a case, he will be saddled with costs. His own costs have been in vain. He will be further liable to a decree for mesne profits. Assuming that a person of no means, a refugee, a destitute person, is to be proceeded against, assuming we are heartless and we have decided to be vindictive, is it in his interest that he should fight his case in the civil court? Should it not be a procedure where there are no technicalities, where he will not be saddled with costs, where if he has any defence, it will be heard without technicalities? I submit that the easier and cheaper method is as much in his interest as in the interests of the Government.

The point that I want to emphasise is that the Government, in attempting to enact this Bill, is merely trying to change the procedure. It does not create any right which did not exist before. Yesterday, a question was asked by Pandit Thakur Das Bhargava and he is, as I know, a very able lawyer but he has not answered it. The question is, has not the Government today the right to evict a person who is without any right occupying property which admittedly belongs to the Government and for this what should be the procedure.

**Shri Achar (Mangalore):** May I just ask one question? Is it the case of the Government that the Act will apply only in cases of admitted title?

**Shri Hajarnavis:** I entirely heartily endorse what my hon. friend has said. This Act is not intended to be applied to a case where there is any bona fide question of title because, we know that in such cases where we are not able to prove that Government have a clear title or right to possession, the defendant is entitled to go to the civil court and say that the powers under the Act are being

abused and we are going outside the Act. As a matter of fact, Pandit Thakur Das Bhargava will notice that in the Allahabad case, the suit was entertained in spite of a clause to the effect that civil suits will be barred.

As I said, there can be only two very simple issues in this case. Does the property belong to the Government? If there is the slightest doubt about this, the Government will be well advised not to have resort to this proceeding at all.

**Pandit Thakur Das Bhargava:** May I enquire, where is the provision in this Bill to say that, where there is doubt, or where the plea raised is about title, the Estate officer will stay his hands? There is no such provision in the Bill.

**Shri Hajarnavis:** May I submit that the Bill permits the Estate officer to do so, and he can only act under clause 4 if he is of opinion that any person was in unauthorised occupation of any public premises. He must form an opinion in respect of public premises. If he tries to set in motion proceedings under this Act in respect of premises which are not public premises as defined by the Act, he is going outside. We have no doubt about it.

**Pandit Thakur Das Bhargava:** So that, his opinion is final.

**Shri Hajarnavis:** No.

**Pandit Thakur Das Bhargava:** Who decides the question of title? If he is of the opinion that the property belongs to the Government, the other person is practically debarred from raising that question.

**Shri Hajarnavis:** No.

**Pandit Thakur Das Bhargava:** Why not?

**Shri Hajarnavis:** In such a case, he can go to the civil court.

**Pandit Thakur Das Bhargava:** Where is that provision? We are all agreed if there is that provision that he can go to the civil court. This was the point taken in the Allahabad High Court that he cannot go to a civil court because the section says that the civil court's jurisdiction is excluded.

**Shri Hajarnavis:** Will Pandit Thakur Das Bhargava refresh his memory and see that that particular decision of the Allahabad High Court arose from a suit under an Act in which a similar provision was there? The suit was not barred because we went outside the Act.

**Pandit Thakur Das Bhargava:** It was argued by the Government Advocate on that ground. But, the ground was not upheld by the High Court. On the contrary, the High Court held, since civil court's jurisdiction is barred, and the matter is decided by the subjective satisfaction of an executive officer, these provisions were *ultra vires*.

**Shri Hajarnavis:** If the jurisdiction of the civil courts were ousted, the High Court could not have made that declaration. The High Court would have said, the suit does not lie. It would not have made that declaration. As I read the Act, as I interpret the Act, it can only be applied where the title of the Government to the property is in no doubt whatsoever.

**Pandit Thakur Das Bhargava:** We agree there. If this is the interpretation and if there is a provision like this for determination of rights by civil courts, much of the complaint will disappear.

**Shri Hajarnavis:** The Act means that; to our mind it means that.

**Mr. Deputy-Speaker:** If there is question of title raised, who will decide?

**Shri Hajarnavis:** I may inform the House that we will consider that aspect of the matter also. This Act is supposed to provide a summary remedy. We have no doubt in our mind that this particular house or this particular building belongs to the Government, and Government are urgently in need of that house. The man there comes and says that he has some sort of title. Must we stay our hands? Must the title be again referred back to the civil court? Then, why have this Bill?

**Mr. Deputy-Speaker:** Then the question of title is to be decided by the same Estate Officer. In the first instance if the Government decides the title is clear, if Government is of that opinion, then the Estate Officer...

**Shri Hajarnavis:** First of all, we have to make up our mind, but maybe we have come to a wrong decision. First of all we make up our mind, then the matter. . . .

**Pandit Thakur Das Bhargava:** Government does not make up its mind. Only the Estate Officer makes up his mind.

**Shri Hajarnavis:** He does. Then the Estate Officer decides that issue initially. Well, the matter goes to the District Judge.

Suppose we launch a suit in a civil court, it would go, in the first instance, to the Munsiff, and the appeal would be to the District Judge. The appellate authority would be just the same. I submit so far, short of the High Court, there is no court which enjoys the confidence of the country at large except the District Judge's court. And it would ordinarily go to the District Judge, but I submit the defendant need not wait to see what the Government does. He can himself file a suit for injunction for a declaration and injunction as was done in the Allahabad High Court. I have no doubt about that.

**Shri Braj Raj Singh:** How will clause 10 be interpreted?

**Shri Hajarnavis:** So far as clause 10 is concerned, a clause like that has been interpreted not to bar the jurisdiction of a civil court where the conditions of operating that clause are not fulfilled. The moment you do so, when the conditions precedent to the operation of the clause are not satisfied, then we are acting outside the Act.

**Pandit Thakur Das Bhargava:** This is the ruling of the Allahabad High Court which I have got in my hand. I can read from it the passages which go to show that the other Act was declared to be illegal because of the fact that the civil court's jurisdiction was barred. They said:

"He cannot even move the civil court to restrain the 'competent authority' to proceed under this Act."

And then again:

"The provisions of the impugned Act are so harsh and unjust that they cannot possibly be said to have any reasonable relation with the objective of the Legislature. The objective of speedy and effective eviction of unauthorised persons from Government premises could very well have been achieved without unjustifiably denying to persons in occupation of Government premises rights which are considered fundamental in all civilised societies.

In 'Ram Prasad v. The State of Bihar' Patanjali Sastri, C. J., observed that the Constitution prohibits by Art. 14 the State from denying the protection of adjudication of a dispute by observing the well established procedural safeguards which include the right to be heard, the right to produce witnesses and so on."

In the end they stated:

"The unguided and unfettered discretion of a non-judicial

authority to regulate persons similarly situated to different remedies clearly violates the principle of equality before the law."

And it is not once. In several sentences they have maintained that as a matter of fact the real question is that the civil court's jurisdiction is taken away and only the subjective determination of a non-judicial officer is the very basis of the entire Act. If my hon. friend reads it and then says I will accept it. My hon. friend and we are of the same view that...

**Mr. Deputy-Speaker:** Now the hon. Minister may be allowed to proceed.

**Shri Ajit Singh Sarkadi:** The hon. Minister said that this Bill would cover admitted Government premises. What does he mean by "admitted"? Does he mean that that clauses 4 and 5 will only apply when the occupant admits in a written statement Government possession, that they are Government premises? What does he mean?

**Shri Hajarnavis:** No. It does not mean the admission must come from the defendant. We say in a case where the assumption of the jurisdiction by the Estate Officer is challenged in the civil court, *prima facie* the defendant would be able to show that there is some doubt as to the satisfaction of the two preliminary conditions on the basis of which the jurisdiction is issued. That is what is meant. There is *prima facie* a case made out by the defendant. Then in such a case injunction would issue.

**Shri Ajit Singh Sarkadi:** Is there a clause in the Bill where it is stated that where there is doubt it will be outside the jurisdiction of the Estate Officer?

**Shri Hajarnavis:** I submit that is the ordinary law of the land. That is section 9 of the Civil Procedure Code.

**Shri Braj Raj Singh:** He is not a judicial officer. It does not apply to the Estate Officer. That is the difficulty.

**Shri Hajarnavis:** He can file a suit for declaration and injunction before any sub-Judge or Civil Judge asking for injunction. Apart from that, there is another safeguard, viz., the District Judge himself is subject to the jurisdiction of the High Court under article 226 of the Constitution so that.

**Shri Achar:** Clause 11 bars all such things.

**Shri Hajarnavis:** When clause 10 is supposed to bar jurisdiction of the civil court, it does not include the jurisdiction of the High Court under article 226 or the Supreme Court under article 136. That is not barred at all. That has been held by the Supreme Court. If my hon. friend refers to the Raj Krishna Bose's case, he will find that it has been held that a clause like this is not capable of excluding the High Court's jurisdiction under article 226.

**Shri Naushir Bharucha:** What about clause 10?

**Shri Hajarnavis:** As the order does not take away the jurisdiction of the High Court under article 226.....

**Mr. Deputy-Speaker:** But of what avail would that jurisdiction of the High Court under article 226 be to that man whose case is being decided by the Estate Officer when he contests the question of title?

**Shri Hajarnavis:** *Prima facie*, as I see, notice goes. On the issue of the notice, the person to whom notice is issued makes a defence showing firstly that the premises do not belong to the Government, or secondly that even though they belong to the Government he is entitled to remain in possession. These are the two things on which he can contest.

**Mr. Deputy-Speaker:** When he is in unauthorised possession and he is a refugee, it is to be presumed he has nothing more with him. Therefore, he cannot move the High Court under article 226.

**Shri Braj Raj Singh:** He will be put in the street.

**Shri Hajarnavis:** Is it suggested that if he goes before a sub-Judge, if a suit is filed before a civil Judge, he will be in a better position to defend himself? Let us go upon the experience that we have. (Interruptions).

**Mr. Deputy-Speaker:** Let us hear the views of the hon. Minister. I hope he would not be interrupted now.

**Shri Hajarnavis:** The chief point on which, I understand, the Allahabad High Court struck down the Act—if I might say so, I am in respectful agreement with their view—was the phrase that was employed in the earlier Act, which was this:

"If this competent authority is satisfied that the person authorised to occupy any Government premises whether before or after the amendment of the Act has sublet without the permission of the Central Government or has otherwise acted in contravention of any of the terms or that any person is in unauthorised occupation of Central Government premises, the competent authority may by notice served order that the person be evicted"

Now, the process was that the order of eviction was made dependant only upon this, that the competent authority should be satisfied. That is to say, there was no provision for hearing the person against whom the order was made. There was no provision for taking of evidence. Thirdly, no reasons had to be recorded. All that he had to do was to address himself in his own room to the answer to that question, and subjectively arrive at

the answer and then if he subjectively came to the conclusion that the man should be evicted, he made an order. Now, certainly the person may not be the owner, but because he was in possession, surely he is entitled to greater respect of his rights than deprivation of his right merely on the subjective satisfaction of the officer.

We have removed all that. We have said he will issue a notice. In that notice we will give all the reasons, specify the grounds on which the order of eviction is to be made. Then we will give him a reasonable opportunity of being heard, and thirdly, he will make an order giving reasons, so that unless the objective fact is established before the Estate Officer that the premises belong to the Government and that the person has no right to possession, no order can be made. So, we have changed the jurisdiction being exercised on subjective satisfaction to only being exercised after an objective fact has been established. So, we have changed the whole basis of the Act. We have carried into effect the observations of the Allahabad High Court.

The second ground that they made was that there was no opportunity given to the person against whom proceedings were taken, to hear him or to enable him to make his defence. That has been specifically provided. Thirdly, it was said that the right of appeal was illusory, because the right of appeal was given to the Central Government. I am aware of the cur with which any appeal that is made to the Central Government is considered. But justice should not only be done but appear to be done. Therefore, we have constituted a district judge to whom normally this appeal would go, and it goes to him by a shorter process, which is economical to the person to against whom proceedings are taken. Government have no lack of funds; Government have no lack of resources; Government have machinery to fight litigation, but it is the other man's resources which are



to be considered. We have made it simpler for his benefit. The ordinary procedure before the civil courts is likely to be cumbersome and more expensive to him, not to Government; Government can go right up to the Supreme Court; it is the other man who will be tired.

So, we submit the whole proceedings to appellate court, that is to say, the proceeding begins anew before the district judge from beginning to end. And the district judge, Sir, is an experienced officer; he is probably the seniormost amongst the judges, next to the judges in the High Court. And then, if there is any error in law, there are proceedings under article 226 of the Constitution in the High Court itself.

That being so, we contend, and respectfully submit, and I hope that we have convinced this House, that we have complied with all the requirements which the various High Courts said we had to comply with before a shorter procedure was adopted. The procedure adopted is shorter, economical, but the essence of the judicial procedure is throughout maintained. That is my submission.

श्री बनवर (मैनपुरी) : उपाध्यक्ष महोदय, विभागीय मंत्री जी ने इस बिल को लागू करने के कारण इस प्रकार से बताये हैं, (१) इस सम्बन्ध में जो पहला कानून था, उसके सम्बन्ध में तीन हाई कोर्टों ने कुछ एतराजात पेश किये हैं, (२) बहुत सी जगहों पर लोगों ने अन-अथराइज्ड कब्जे कर रखे हैं, (३) ऐसा कानून न होने की वजह से बहुत सी जगहों में विकास प्रायः रुका हुआ है, और (४) बिल्ली का जो विकास होना है, उस में भी ऐसे कानून के न लागू होने की वजह से रुकावट है। जो इस सरकार के हाई कोर्ट्स हैं, सरकार से उनके जो सम्बन्ध हैं और उनकी जो कुछ भी तजवीजें हैं, उनके सम्बन्ध में मुझे ज्यादा नहीं कहना है, क्योंकि इस अवसर के लिये वह बहुत ही टेक्निकल

चीज होगी। यह मैं अवश्य कहना चाहता हूँ कि विभागीय मंत्री ने बहुत सी जगहों पर नाजायज कब्जे होने का जिक्र करके सरकार की कमजोरी का एक बड़ा भारी इस्तेहार किया है। इस सम्बन्ध में मुझे रहस्य का एक दोहा याद आता है। उन्होंने कहा है;

कन्त निपुणई गुण बिना रहिमान गुणी हजूर,  
मानहुं टेरत विटप चढ़ि यहि प्रकार हम कूर।

वह कहते हैं कि उस सरकार को क्या कहा जाये, जो यह समझती है कि उसके प्रताप के होते हुए—उसकी सब प्रकार की ताकतें होते हुए—लोगों ने बहुत सी चीजों पर कब्जा कर रखा है। अगर उस सरकार को लचर सरकार कहा जाता है, अगर उसको कमजोर सरकार कहा जाता है, अगर यह कहा जाता है कि वह बिल्कुल सरकार है ही नहीं, या द्विनिर्मल सरकार है, तो इसमें क्या कसर हो सकती है? मैं यह कहना चाहता हूँ कि इस बिल के उद्देश्यों की ही बात नहीं है, सरकार का कुछ डांचा ही ऐसा है। सारे एडमिनिस्ट्रेशन को बाबत यह बात कही जा सकती है। सरकार की सभी बातें ही ऐसी हैं, जिनमें सरकार की कमजोरी, लचरपन इंच इंच पर जातिर होता है। मैं समझता हूँ कि इस बिल का यह उद्देश्य देना बजाय इस बिल के नियम उपकारी और लाभदायक होने के सरकार की कमजोरी की तरफ ज्यादा इशारा करता है।

तीसरा कारण उन्होंने विकास के रास्ते में रुकावट होना दिया है। यह कैसा विकास है? सरकार का हर एक काम विकास का है और तरह तरह के विकास के काम सरकार कर रही है, लेकिन चूँकि यह कहा गया है कि इस बिल के आने से, जो बहुत सा विकास का काम रुका हुआ है, वह प्रायः चलेगा, प्रगति पायेगा और रुकेगा नहीं, इसलिये मैं विकास के सम्बन्ध में भी थोड़े से शब्द कहना चाहता हूँ। इस कारण से



[श्री धीनगर]

सम्बन्धित एक बीधा कारण भी मंत्री महोदय ने दिया है और वह यह है कि दिल्ली के विकास के लिये, उसको एक उन्नतिशील और प्रगतिशील शहर बनाने के लिये भी, इस बिल का लाना बड़ा जरूरी है। सरकार के ग्राम विकास और विशेष कर दिल्ली के विकास के सम्बन्ध में मैं यह कहना चाहता हूं कि जब हमारे देश को स्वतन्त्रता मिली, उस वक्त दिल्ली की आबादी ५ लाख थी और आज उसकी आबादी २१ लाख के करीब है। मैं मंत्री महोदय से यह पूछना चाहता हूं कि क्या उन्होंने इस विकास की कोई परिभाषा दी है और बताया है कि वह दिल्ली का कैसा विकास करना चाहते हैं। जब हमारे यहां जनतंत्रवादी व्यवस्था शुरू हुई, तो पहली जनतंत्रवादी सरकार बनाने का श्रेय हमारी कांग्रेस पार्टी को मिला। वह हर जगह अपने प्रचार में कहती है कि हमने विकास करना है। वह विकास किसके लिये किया जा रहा है? हमारी सरकार की दशा उस अभ्यापक की सी है, जो कि अपने विषयों को नहीं जानता है और जिन स्टुडेंट्स को वह पढ़ाने जा रहा है, उनको नहीं जानता है। विकास के सम्बन्ध में हमारी सरकार के लिये भी वही कहा जा सकता है। उस का यह विकास किन लोगों के लिये हो रहा है? चाहे कोई भी जनतंत्रवादी सरकार हो, उसका उद्देश्य बहुजन हिताय बहुजनसुखाय होना चाहिये। मैं पूछना चाहता हूं कि इस मुल्क के बहुजन कौन हैं और किन के हित के लिये यह जनतंत्रवादी सरकार गठित की गई है। शायद हमारे सभी माननीय सदस्य इस बात से भ्रष्टाचारी तरह वाकिफ हैं कि हमारे देश में सब से ज्यादा आबादी किसानों और मजदूरों की है। अगर हमारे देश में सारी कानूनी व्यवस्था और सारे सरकारी विभाग किसानों और मजदूरों का विकास न कर सके, उनके सम्बन्ध में कोई प्रगतिशील व्यवस्था न ला सके, तो मैं समझता हूं कि आज नहीं तो कल यह कांग्रेस पार्टी की सरकार जरूर फेल होने

जा रही है। किसानों और मजदूरों के विकास के सम्बन्ध में अभी कोई भी प्रगतिशील कदम नहीं उठाया गया है। सरकार का जितना विकास-कार्य है, वह बन्द लोगों तक महसूस है, उन बन्द वर्गों तक महसूस है, जो कि पहले से ही प्रगतिशील थे या जो बुद्धिजीवी क्लास से सम्बन्ध रखते हैं और जो पहले से पूंजीपति व्यवस्थाओं से चिपके चले जाते हैं और अब भी चिपके रहना चाहते हैं। यह कहते हुए भी कि हम किसान, मजदूर और सभी तरह के लोगों का विकास करना चाहते हैं, उन लोगों की तरफ़ जरा भी तबज़ह नहीं दी गई है। इस बिल के सम्बन्ध में सरकार का यह कहना कहां तक सही हो सकता है कि इस बिल के द्वारा वह ग्राम विकास करने जा रही है और उसके साथ ही दिल्ली का विकास विशेष रूप से करना चाहती है। जिस बिल पर हम बार्ता कर रहे हैं, उसका असर सब लोगों पर पड़ेगा। जहां तक मैं समझता हूँ, इस बिल का असर सब से ज्यादा—जहां तक दिल्ली का सम्बन्ध है—रेफ़्यूजीज पर पड़ेगा। दूसरे नम्बर पर उस का असर मजदूरों पर पड़ेगा, किसानों पर पड़ेगा, शरीब नौकरी पेशा लोगो पर पड़ेगा, मामूली दुकानदारों पर पड़ेगा, लोचें वालों, मोचियों, भंगियों, नाइयों, हरिजन भाइयों पर और एम० पी० पर पड़ेगा और कार्पोरेट्स के सदस्यों पर पड़ेगा। किस वजह से पड़ेगा? हमारे विभागीय मंत्री कितने अक्रियतामक हैं और इस सम्बन्ध में कितने सचर तरीके से सोचते हैं, इसलिये सब लोगों पर इसका असर पड़ेगा। आज लोग शायद इस बात को महसूस नहीं करेंगे, लेकिन आने वाली पीढ़ियाँ—बल्कि आज भी समझदार लोग—इसको महसूस करेंगे और इन सब बातों को समझेंगे। इसी तरह के और मंत्री शायद यह कह कर बरी होना चाहें कि यह विरोध तो पोलिटिकल पार्टीज का काम है। कि वह भूखे लोगों को भड़का देते हैं।

यह कैसा दिल्ली का विकास है कि गरीबों को उखाड़ा जा रहा है। इस बिल में आपने नाइट पोस्टर की तरह से, नाजायज तरीके से जमीनों पर कब्जा करने का अधिकार ले लिया है। मैं तो कहूंगा कि यह कोई छोटा बड़ा थॉर्टिसेंस न हो करके एक फुल-स्लेज्ज थॉर्टिसेंस है। क्या यह कोई ऐसी चीज थी जिसके बारे में हमारे मंत्री जी को आज तक कोई होंश ही नहीं थी? उनको शायद मायूस नहीं कि ऐसा कानून पहले से ही लागू था। थोड़े से पड़े लिसे लोगों के कुछ कहने पर जिनका वास्तविकता से कोई सम्बन्ध नहीं है, आप इस बिल को यहाँ पेश कर रहे हैं। मैं कहता हूँ कि क्या इस बिल के पास करवा लेने के बाद वह यह समझते हैं कि आइंसा नाजायज कब्जा नहीं होगा या वह बन्द हो जायेगा? मैं तो कहूंगा कि वह और भी अधिक होगा। आप अपनी कम-जोरी की तरफ क्यों ध्यान नहीं देते हैं? मैं समझता हूँ कि पूरी की पूरी सरकार को, पूरी की पूरी कैबिनेट को इस बिल की व्यवस्थाओं की समझने की जरूरत है। आपका क्या मन्तव्य है, आपका क्या मकसद है कि आप इस बिल को यहाँ लायेंगे? क्या इस सरकार का गठन चन्द लोगों के फायदे के लिये ही हुआ है? क्या यह सरकार बहुजनहिताय बहुजनसुखाय की बात में विद्वान नहीं करती है? यह बिल आम जनता की भलाई के लिये नहीं है और जिस तरह से लोग हमारे मुल्क में अपना जीवन व्यतीत कर रहे हैं, उसकी ओर हमारी इस सरकार का बिल्कुल भी ध्यान नहीं है। इसको पता ही नहीं कि किननी परेक्षानी में वे लोग आज हैं।

14 hrs.

किसान, मजदूर या दूसरे लोग जो बाहर से यहाँ दिल्ली में काम काज करने के लिये, नौकरी ढूँढने के लिये, ऐसा करने के लिए रोड़ी की फ़िराक में आते हैं उनके प्रति इस सरकार के दिव्य में कोई जगह नहीं है? उनके लिये यह सरकार कोई व्यवस्था करने के लिये तैयार नहीं

है। दिल्ली के विकास का अर्थ केवल इतना लगाया जा रहा है कि यहाँ पर जो बहुत बड़े बड़े धावनी हैं—छोटे छोटे नीकर भी नहीं—जो बहुत बड़े बड़े नीकर हैं और जिनको यह सरकार पास रही है, उनको फायदा पहुंचाया जाये। यह गांधीजी के उभूल के खिलाफ है। उनको इतनी बड़ी बड़ी तन-स्वाहें दी जा रही है, इतने अधिक भत्ते दिये जा रहे हैं, उनका पालन पोषण किया जा रहा है, लेकिन यही पर बस न करके उनको तरजीह और तरगीब देने के लिये हमारी सरकार दिल्ली का विकास करना चाहती है। दिल्ली के विकास के नाम पर, शायद हमारे माननीय मंत्री जी को पता नहीं किमानो की ११,००० एकड़ जमीन—११,००० बीघा नहीं, बल्कि ११,००० एकड़ जमीन—पहले ही ली जा चुकी है और उम जमीन पर बसे लोगों को बेदखल किया जा चुका है। मुझे यह भी पता चला है कि साढ़े चार हजार एकड़ और जमीन दिल्ली के विकास के नाम पर किसानों में ली जाने वाली है और किसानों को उम जमीन में हटा दिया जायेगा। यह नाजायज कब्जे का भी मवान नहीं होगा यह तो गवर्नमेंट द्वारा मीठा कानून के सहारे एक्सीडीशन करना होगा। इस तरह में दिल्ली का विकास हो रहा है। इस तरह के काले कानून बनाते वक्त क्या हमारे मिनिस्टर साहिबान कमी खयाल करते हैं कि उन लोगों का क्या होगा जिनको बेदखल किया जायेगा? आखिर किनके फायदे के लिये आप कानून बनाते हैं? इस कानून के परिपालन से जो लोग विस्थापित होंगे, उनकी क्या हालत होगी, क्या इस पर भी आपने विचार किया है? शायद उनको तभी मोच पड़ेगी जब कि यह हालत उनके और उनके बाल बच्चों के साथ की जायेगी। शायद बहुत जल्दी वह दिन आयेगा जब कि ऐसी व्यवस्थाएँ गिन गिन कर आपके खिलाफ काम में लाई जायेंगी। आज आप बड़ी फुरती के साथ इस तरह के काले कानून पास करते जाते हैं। आज आप

[श्री बनगर]

इस स्थिति में हैं कि इस तरह के कानूनों को पास करवा सकते हैं और इनको अमल में भी ला सकते हैं। लेकिन भागे घाने वाली पीढ़ियाँ और हम सभी लोग क्या बिल्कुल शान्तिपूर्वक इन सब चीजों को सहते चले जायेंगे? क्या हम हमेशा ही इस तरह की बातें सुनते रह सकते हैं? हर एक चीज की हद होती है और अति का भी कहीं न कहीं अन्त होता है। देश में जायूति पैदा होकर रहेगी। येन केन प्रकारेण . . . . .

**उपाध्यक्ष महोदय :** यह कब अन्तर्जा लयाया जा सकता है कि माननीय सदस्य शान्ति से सुनेंगे? अब वक्त हो गया है और माननीय सदस्य खरम करें।

**श्री बनगर :** पाच मिनट और दीजिय।

**उपाध्यक्ष महोदय :** पाच मिनट और नहीं, वक्त हो चुका है। मैं आपकी मदद भी करना चाहता हूँ और अगर आपको ज्यादा वक्त दिया गया तो आप बहुत थक जायेंगे।

**श्री बनगर :** यह पहली घंटी है

**उपाध्यक्ष महोदय :** मैं पहले भी दो बार बजा चुका हूँ।

**श्री बनगर :** एक तो मैं अपन लहजे में सुन ही नहीं पाया।

**उपाध्यक्ष महोदय :** अब सुन नीजिय। यह तीसरी हो गई है।

**श्री बनगर :** जब माननीय मंत्री जो इस बिल पर अपनी स्पीच दे रहे थे, उस वक्त उन्होंने कुछ सरक्षणों का भी जिक्र किया था और कहा था कि गाडगिय साहब ने १९५० में कुछ सरक्षण दिये थे। मैं पूछना चाहता हूँ कि क्या आप उन पर कायम हैं? मैं समझता हूँ कि आप उनको अमली

रूप देना नहीं चाहते हैं। जिस तरह से आप अमली रूप देते भी हैं, उसको हमारे देश के लोग और हमारे देश की पब्लिक बहुत अच्छी तरह से जानती है। मैं आपको बतलाना चाहता हूँ कि सिलेक्ट कमेटी के एक सदस्य महोदय ने यह कहा है कि "गवर्नमेंट एक्जो-रेसिस थार नथिंग"। गवर्नमेंट बहुत सी ब्यवस्थाएँ अपना वक्त निकालने के लिये, अपना काम निकालने के लिये कर देती है, लेकिन जब इम्प्लेमेंटेशन का वक्त आता है, जब उनको लागू करने का वक्त आता है, तो उनको लागू नहीं करती है, और ऐसा समझती है जैसे उनसे उसका कोई सम्बन्ध ही नहीं है।

**Mr Deputy-Speaker:** Lala Achint Ram. The hon Member has to go away, therefore, I am giving him the preference I shall try to accommodate other hon Members also

**Shri Hajarnavis:** There is one correction which I wish to make. I wonder whether when I was speaking I said the Allahabad judgement arose out of a suit. It was the Punjab judgment that arose out of a suit. That is the correction I have to make.

**Pandit Thakur Das Bhargava:** The Allahabad judgment has given it 11 complete words.

**Shri Hajarnavis:** Punjab has given

**Pandit Thakur Das Bhargava:** Punjab judgment has given the right reply to your argument.

**श्री अश्वित राम (पटियाला) :** उपाध्यक्ष महोदय, मैं आपका बहुत मशकूर हूँ कि आपने मुझे बोलने का वक्त दिया है। आपने मुझे पहले वक्त दे कर जो मुझ पर मेहरबानी की है, उसके लिये मैं आपका धन्यवाद करता हूँ।

यह बिल बचकिस्ती में मैं कहूंगा कि कन्या साहब के जिम्मे पड़ गया है। मेरे बिल में रेड्डी साहब के लिये बहुत इज्जत है। वह हर काम को सेवा भाव से और बड़े प्रेम से करते हैं। लेकिन मैं नहीं समझ पाया कि यह बिल उनके माथे कैसे जड़ दिया गया। यहां पर कई माननीय सदस्यो ने कहा कि यह बिल इस्लीगल है, अनकास्टीट्यूशनल है और शायद सरकार यह समझती है कि यह बात नहीं है। इस चीज को यहां पर साबित करने की कोशिश भी की गई है और इस बारे में सारा हाउस एकमत मालूम देता था। मैं मानता हू कि कई मौके ऐसे भी आते हैं जब कि कोई इस्लीगल बात करनी पड़ जा सकती है, अनकास्टीट्यूशनल बात करनी पड़ जाती है और वह तब जब कि ऐसी अवस्था हो जाती है जिसको ठीक नहीं जा सकता है या जिसका कानून में रहना हुए मुकाबला नहीं किया जा सकता है। अब देखना यह है कि क्या ऐसी बात हो गई है ऐसी हालात पैदा हो गये हैं कि आप इस तरह की इस्लीगल इन-ह्यूमन, अनकास्टीट्यूशनल, अनसम्पेक्टिव बात करने पर मजबूर हो गये हैं? आखिर-कार हमारे सामने प्रोजेजिशन क्या है। इस बिल को खास तौर पर दिल्ली पर लागू करने की गरज में तैयार किया गया है। हमारे ला मिनिस्टर साहब यहां बैठे हुए हैं और उन्होंने यह सिद्ध करने की कोशिश की है कि यह बहुत जरूरी बिल है और हर प्वाइंट में ठीक है।

आखिर मसला क्या है? मसला यह है कि ११,००० परिवार यहां बैठे हुए हैं और ३५७ एकड़ जमीन है। कहते हैं कि उससे लोगों को एविक्ट करना है। पहली बात तो यह है कि आप ११ वर्ष के बाद, हिन्दुस्तान की आजादी के, यह बिल यहां पर लाये। यह क्या बहुत जरूरी हो गया था? जब लाखों आदिमियों को बसाने का सवाल तो और बात थी। आज क्या जरूरत पड़

गई इस की? अगर आप ३५७ एकड़ जमीन को ११,००० आदिमियों में बाँटें, तो एक एकड़ में ३१ परिवार बसते हैं, क्या इनकी जगह भी आप इन को देने के लिये तैयार नहीं है? यह कौन सी ऐसी बात है जिस के लिये आप का यह बिल लाने की जरूरत पड़ गई? जब मैंने मिनिस्टर साहब की स्पीच पढ़ी बड़े गौर से तो मालूम हुआ कि उन्होंने कहा कि दिल्ली से बड़ी जरूरी डिमांड आई है। यहां पर पाक्स बनाने हैं, यहां पर स्कूल बनाने हैं, यहां पर लिंक रोड बनानी हैं। इसके फिगर्स तो उन्होंने नहीं दिये कि इन कामों के लिये कितनी जमीन की जरूरत है लेकिन यह कहा कि लिंक रोड बनानी हैं, स्कूल बनाने हैं। इस के अलावा रिफ्यूजीज को छोड़ कर कितने आदिमी एविक्ट होंगे, इसके भी फिगर्स नहीं दिये हैं। मैं पूछता हू कि यह क्या ऐसी अनभाववायदेबल बात थी जिस के बिना आप का काम नहीं चल सकता था?

दिल्ली में २२ लाख की आबादी है, २० लाख में से ११ हजार परिवारों को एविक्ट करने की बात आप ने मोची। क्या इस के अलावा और कोई रास्ता नहीं था? मेरा ख्याल है कि दिल्ली में ११ हजार नहीं, २० हजार २५ हजार आदिम ऐसे हैं जिनके पास ०-०, ३-३, ४-४ मकानात होंगे। कई एक एक फैमिलीज के पास ७-७, ८-८, १०-१० कमरे होंगे। तब फिर क्या यह नहीं हो सकता था कि आप उन को रिक्रिडिजेशन कर लें, और उन में लोगो को बसा दें? मैं यह समझने से कासिर हू कि क्या यही एक रास्ता उन के पास बचा था। आपन रिफ्यूजीज को, बेचारे दूसरे हरिजनों को उखाड़ने की सोची क्योंकि आप को लिंक रोड चाहिये। मैं तो आशा करता था कि आप इस बिल का नाम "पब्लिक प्रेमिसेज। (एविकशन आफ अनआथराइज्ड आकुपेन्ट्स) बिल" के बजाये Necessary Regularisation of the Occupants of Public Premises Bill

[श्री अर्चित राम]

रखेंगे। जो काम कि आज तक नहीं हुआ। आजादी को ११ वर्ष हो गये, अब तक आप लोगों को बसा नहीं सके हैं।

उपाध्यक्ष महोदय : सिर्फ बिल का नाम बदल दें, भन्दर ऐसा का बैमा ही रहे ?

श्री अर्चित राम : आपने बिल्कुल ठीक कहा। वह भन्दर ठीक न हो कर बाहर बाहर बदल जाये तो काम न होगा—मैं कहता हूँ कि नाम बाहर भले ही बही रहे लेकिन भन्दर तो उसे जरूर बदल दिया जाये।

श्री बाल्मीकी : इस बिल के भन्दर ही यह सब कुछ किया जा रहा है।

श्री अर्चित राम : मेरी गुजारिश यह है कि आप यह समझें कि इस वक्त जरूरत यह थी कि आप इन प्राक्पेशम को रेगुलराइज करने का बिल लाते, और हम आप को सपोर्ट करने। अगर आप को निक रोड बनाना है तो आप हम को उस की पावर देते, लेकिन आपका उन लोगों को निकालने की पावर न देते। आप को पता है कि गांडगिल साहब ने हम को एग्जोरेन्स दिया था कि लोगों को उखाड़ा नहीं जायेगा, लेकिन जहा बिल पास हुआ और हम बाहर गये तो हम को सबर मिली कि बहा मकान गिरा दिये गये। गांडगिल साहब की बात को कोई पूछता ही नहीं था। यहा ता तमाम बातें कह दी जाती थीं, यहा पर एग्जोरेन्स दिये जाने थे आप भी कहते हैं कि हम एग्जोरेन्स देंगे। अगर आप को एग्जोरेन्स देना है तो आप निख कर दीजिये कि यहा पर इतने मकान हैं और हम उनको रेगुलराइज करते हैं। क्हाट इस दि डिफिकल्टी? यहा पर बाज इस तरह की बातें करते हैं और जब बाहर जाते हैं तो दूसरा ही कुछ देखने को मिलता है। मुझे इन सब बातों का ज्ञाती तजुर्बा है। यहा पर एक कमेटी बनी, उसका मैं मेम्बर था। फार कम ५३ इक्वर्स किसी ने मुझे पूछा ही नहीं। उस के

बाद जब एक बार मैं दिल्ली स्टेट के सेक्रेटरी से मिला तो उन से पूछा कि जनाव, क्या ब्रह्म है, मैं ने सुना था कि मैं इस कमेटी का मेम्बर बना हूँ। तो उन्होंने मुझ से कहा कि सब कुछ ठीक है, आप फिक न कीजिये।

उपाध्यक्ष महोदय : आप के सिवा दूसरे मेम्बरों का भी यही हाल था या सिर्फ आप का ही ?

श्री अर्चित राम : मुझे तो अपनी सबर है, दूसरों की सबर दूसरों को होती।

श्री बजरंग सिंह (फिरोजाबाद) : उनसे पूछा नहीं ?

श्री अर्चित राम : मुझ का उन से पूछने की फुर्त नही थी। मुझसे ता यही कहा गया कि आप बिल्कुल फिक न कीजिये, सब ठीक चल रहा है। उस के बाद यह कमेटी बैठी, उस में मैं भी था। मैंने क्या देखा कि पहले से ही वह सारी पक पकाई चीज से कर घाये, हम उस को स्वीकार करें या न करे। उसके ऊपर कुछ कह नहीं सकने। उस के बाद मैं रिहैबिलिटेशन मिनिस्टर के पास गया। उन्होंने कहा कि हमारा इस से कोई सम्बन्ध नहीं है। यह तो बक्स, हाउसिंग और मप्पाई मिनिस्ट्री का काम है। उस वक्त उस के मिनिस्टर सरदार स्वर्ण सिंह थे, उन्होंने मुझ से कहा कि उन से इस का कोई ताल्लुक नहीं है। यह मयला तो दिल्ली स्टेट का है। मैं दिल्ली स्टेट के पास गया तो उन्होंने कहा कि हमारा इस में कोई ताल्लुक नहीं है, यह तो ऊपर में हुआ है। इधर से उधर और उधर में इधर भागता हुआ परेशान हो गया, आखिर मैं कहा जाऊँ ? मुझे आप से बड़ी हमदर्दी है। आप क्यों मुसीबत में पड़ने के लिये इस चीज को अपने ऊपर लेते हैं? आप देखन नहीं हैं कि पिछले एलेक्शन में रिफ्यूजीन ने आप को बिकस्त दी ! उन्होंने इस का पीछों का भनका बना रक्खा था। और

यहां पर सब लोगों में इस मसले ने एक यूनिफ़ॉर्मिटी पैदा कर दी है। यह कहाँ की एकतावादी है कि अपोजीशन वाले धाप के खिलाफ है, धाप के साथी धाप के खिलाफ है, कभी धाप के खिलाफ मबिबरा देते हैं।

श्री बल राम सिंह : वह यह जानते हैं कि धाप उन के साथ धा जायेंगे।

श्री अर्चित राम : आई कैन स्पीक फार आई सेल्फ, मुझे धाप की मदद की जरूरत नहीं। मैं कहता हूँ कि यहां पर पंडित जी ने कहा कि यह फूड का मसला जो है वह पार्टी का मसला नहीं है और सब लोग उन के साथ हो गये। कृपा कर के यह भी देखिये कि इट इज भालसो नाट ए पार्टी क्वेश्चन। धाप एक्विशन को पार्टी का मसला बनाते हैं। धाप देखिये कि सारा हाउस इस के खिलाफ है। इस लिये कृपा कर के धाप जैसा मैं कहता हूँ वैसा बिल लाइये। इस पर पार्टी से ऊपर उठ कर देखिये। जब हम से पंडित जी ने कहा कि फूड का मसला पार्टी का सवाल नहीं है, सब ने उन की बात पर भ्रमल किया। आज सब एक जवान से कह रहे हैं कि यह बिल गलत है, यह बिल गलत है। इस लिये धाप हमको हटाइये और प्रमनियन का सामने रखिये।

I would request you to take up courage in your hands as an experienced man.

इस बिल को धागे न चलाइये। यह वेलफेयर स्टेट का बिल नहीं है, यह इलफेयर स्टेट का बिल है। वेलफेयर स्टेट में वह बिल नहीं आ सकता। टेक धाप करोज इन थार हैंड्स और जा कर कहिये कैबिनेट से कि उस ने यह गलत कदम उठाया है और यह बिल धाप के इम्पैक्ट के मुताबिक नहीं है। धाप इस को याद रखिये कि अगर दिल्ली में मुसीबत आयेगी तो तमाम हिन्दुस्तान पर उसका असर पड़ेगा। यह मुनासिब बात नहीं है।

मैं बहुत ज्यादा वक्त नहीं लेना चाहता इस लिये सिर्फ यही कहता हूँ कि यह बिल ठीक नहीं है। धाप जो बात है धाप उस को फेल क्यों नहीं करते? यह बात बिम्कुल गलत है इस लिये मेरी दम्बिस्ट है कि धाप तमाम बातों को देख कर बताइये कि क्या धाप इस की जरूरत महसूस करते हैं। तथा यह कोई ऐसी चीज है जिम् के बिना धाप का काम नहीं चल सकता। मैं तो कहता हूँ कि पंडित ठाकुर दास भागव ने जो बातें कही हैं धाप उन को गौर से देखिये। स्पीकर साहब ने कुछ मजेशन दिये हैं, धाप उन पर ध्यान दें। यह चीज धाप के एक्विशन में पता लग गई कि धाप के दो आफिसर्स हैं वह लोगों की बात सुनते नहीं हैं। धाप लोगों के दिल में यह यकीन हो गया है कि "The Present Government is not in a mood to feel our grievances and remedy our grievances" बाज दफा सेलेक्ट कमेटी फैसला देनी है, हाउस मूतफिक है, मेम्बरस एक आवाज में कहते हैं लेकिन कोई उन की सुनता नहीं है। इस डिमाक्रेसी के क्या माने हैं? मैं समझता हूँ कि कम से कम धाप के हाथों से ऐसी बात नहीं होनी चाहिये, औरों के हाथ में हो तो हो।

Shri S. M. Banerjee: Sir, I have listened with deep patience to the various speeches delivered by the Members of the ruling party as well as the Opposition. My hon. friend Shri Kodiyar has pointed out to this hon. House a memorandum submitted by the Displaced Persons' Association. I need not mention much about this memorandum because much has been said about the assurances given by Shri Gadgil. I was pained to hear yesterday a few sentences of the hon. Minister about the squatters in Purana Qila. As far as I know, and it is best known to the hon. Minister of Rehabilitation, that the residents of Purana Qila are not squatters. Many times, their problems have been mentioned in this House, and if today, after a lapse of ten years, the Purana Qila

[Shri S. M. Banerjee]

residents become squatters, I do not know what is their fate in the hands of the Rehabilitation Minister,

Shri Anil K. Chanda: May I explain it? As a temporary measure these people were given shelter in the Purana Qila. We constructed tenements and developed sites so that they could go over to those tenements and we could clear up the Purana Qila, but as soon as those tenements were ready and the sites were developed, other squatters came in and occupied those quarters, with the result that the poor people who were given temporary shelter in Purana Qila have had to remain where they are. I am not saying anything against the people who are in Purana Qila, but I say that the squatters are behaving in a manner which makes it difficult for other displaced persons.

Pandit Thakur Das Bhargava: May I point out that the statement is not right? As a matter of fact, those persons themselves contributed to the construction of those premises; they themselves subscribed; they themselves helped to build it up. Subsequently, the Rehabilitation Minister gave them perfect assurance not once but twice—and he was garlanded—that they will be given some alternative accommodation, alternative accommodation for those who will be evicted from their premises, near the Purana Qila. That promise was given. Now, my hon. friend comes here and says, "other squatters have come in". No other squatters have come there. There were 500 people there and some of them were given houses in Lajpat Nagar. The other who have not been given are in such distress as cannot be described. And for my hon. friend here to say that other persons have come in and those persons are not denied the right to alternative accommodation is perfectly wrong.

Shri Anil K. Chanda: I am afraid what the hon. Member says is not

quite correct. I do not contest the fact that the people who were in the Purana Qila had been lodged there with the permission of the Government. But I stick to what I said: that tenements had been built for housing these people who are in Purana Qila, but squatters have taken possession of those buildings.

Pandit Thakur Das Bhargava: That is a different matter entirely.

Shri S. M. Banerjee: Here is very good news. In today's Urdu Daily called *Daily Milap*, dated 5th September, 1958 under the heading, "पुराने किले के पुर्वाधियों की बहाली का मसला"

they have said that at the time of the inauguration of the Bhagat Singh market, Shri Mehr Chand Khanna, the Rehabilitation Minister said this:

इस बीके पर कमाल हमदर्दी और दिस की इन्तहाई गहराई से परमात्मा की कसम खाकर ऐलान किया कि मैं परमात्मा को हाजिर नाजिर मान कर ऐलान करता हूँ कि मैं दिस से चाहता हूँ कि पुराने किले के लोगों को पुराने किले के नजदीक मकान और दुकान बना कर दूँ जहाँ यह श्राराम से रहे और अपनी रोजी कमायें।

This was the assurance given by the Minister when that market was opened.

Shri Anil K. Chanda: Please give it in English. I cannot understand what you read.

Shri S. M. Banerjee: It says that an assurance was given by the hon. Rehabilitation Minister at the time of the inauguration of the shops in Bhagat Singh market. The translation would show that the Purana Qila residents are given some land near the Purana Qila so that they can live there peacefully and also have their shops.

An Hon. Member: Assurance on oath.

Shri S. M. Banerjee: Yes.

Mr. Deputy-Speaker: How will that improve matters?

Shri S. M. Banerjee: I might translate this for the benefit of the hon. Minister.

“इस ऐलान के बाद जो हजारों लोगों की मौजूदगी में श्री लत्ता जी, वजीर, बहालियन ने ११ जनवरी सन् १९५७ को भगतसिंह मार्केट में किया। जनरल एलेक्शन आया। पुराने किले के लोगों ने इस एलेक्शन में कांग्रेस उम्मीदवार के लिये अपनी बिसान में बढ़ कर सारे हक्के में भारी काम किया। भुना गया और महसूस किया गया कि यही काम पुराने किले के मसले के हल में स्कावट बना और एक जिम्मेदार कांग्रेसी नेता के कोम के मुताबिक पुराने किले के मसले की गाड़ी को सियासी रंग लग गया है जो आगे बढ़ाने की बजाय पीछे धकेली जा रही है।”

It says that they worked for some Congress leaders who were elected and the result was, the whole matter was hushed up, and nobody took anything. It was not done because of political considerations. Today, when much is being said that the Rehabilitation Minister—

Shri Naushir Bharucha: Is it Gadgil's assurance?

Shri S. M. Banerjee: Somebody's assurance. They have also commented very sarcastically and genuinely too, that our Rehabilitation Minister said that there is no problem now. The rehabilitation work of the western refugees is finished, and the problem of eastern refugees cannot be tackled because the Bengalese are not mobile. Therefore, the paper says:

“नगर क्षेत्र में बहानी का काम सत्य हो चुका है, या नहीं इसका जिन्या सबूत पुराना किता है”

So, what I was saying is that the Purana Qila people also who contributed Rs. 500 drafted a memorandum

and at the time of Shri Mohanlal Saksena, they were actually asked to build their own houses. They were charged Rs. 12½ as rent, but after this matter was raised by Pandit Thakur Das Bhargava and Shri Achint Ram, their rent was reduced from 12½ to Rs. 4. If they become also squatters I do not know what will be their fate, the fate of those who are really considered to be squatters by our Central Government, who may be evicted any time just to rehabilitate these people. There are 11,000 people in that category. Now, in Delhi, we know that about 60,000 people are building workers engaged in various construction works. What will be their fate? I do not know what will happen, if this Bill is passed, apart from the legal aspects of it which I am not capable of arguing here. They were argued very nicely by my learned friends Pandit Thakur Das Bhargava and Shri Achint Ram and others. I do not want to say the same thing about the legal defects. But how this Bill will react on the people concerned? I know what will be the fate of those people who will be hit in the hands of the Estate Officers. The Estate Officer will have all the powers and I know how it will become impossible for those people who will face these troubles. If this is the policy of the Government to evict the people, this is not correct.

I submit to the hon. Minister to consider the voice of the people, the voice not only of the Delhi people but the genuine voice of the people everywhere in the country, heard through the mouths of the various people not belonging to the Congress Party only but to the Opposition. There is unanimous opinion in this House that this Bill should not be passed. But I know it will be passed. And then, all sorts of things, some assurances, will be given. What I say is, there is something wrong with this Bill. If there is general objection to it, if people raise their voice against this Bill, I know word will be sent to our hon. Prime Minister and he will come



[Shri S. M. Banerjee]

to the rescue of the hon. Minister and he would reply so that there will be quiet. That is my feeling.

What I feel is, when Vinobhaji and groups of honest persons in this country are really engaged in Bhoodan and Gramdan movements,—they are asking land from the rich people, from the zamindars, for distribution to the landless people,—here is a contrast. People who are having these jhompri, small cottages, will be evicted and you know how badly those refugees have suffered after partition after 1947. Lakhs of refugees have lost everything in Western Punjab. What is happening is, again, 11,000 people will be asked, "You become refugees". My hon. friend Shri Achint Ram has correctly pointed out one fact. In the recent elections in the Corporation, why is it that the Congress has miserably lost in those areas which is dominated by the refugees? Because, the western refugees feel today—and the eastern refugees also—that their interest is not safe in the hands of the Rehabilitation Minister. And now another Minister, unfortunately, he also becomes an eye-sore to the refugees.

So, with all the humility at my command, I appeal to the hon. Minister to consider the question of refugees, the question of retired government servants, the question of those toiling people who are constructing buildings like the Ashoka Hotel, and not evict them. With regard to this Purana Qila business there should be a genuine enquiry. Members of this House should be asked to enquire into this. I know that Purana Qila has become a scandal with the Rehabilitation Ministry—the way in which they are being treated, the way in which they have been assured but all those assurances have been kept in cold storage. And now it is said that the Purana Qila people, who gave everything, sold their ornaments and constructed their huts, are squatters. This is not the way in which Government should move, and I do not think

by such move the people will think that our Government is really after a welfare State. This will be bad for the Government itself, because these refugees whom we supported always have sacrificed for the country and they deserve better treatment.

Mr. Deputy-Speaker: Is the hon. Member concluding?

Shri S. M. Banerjee: I will finish within two minutes.

Mr. Deputy-Speaker: Let me take the sense of the House. Even the hour that was at the discretion of the hon. Speaker, that too has been exhausted now, by 2-30, and now there is no other time left. But I find that there are some hon. Members who are very anxious to speak on this—Mr. Naval Prabhakar is there, Mr. Balmiki, Mr. Mahanty, Mr. Daulta, Mr. Barman. Would the House be prepared to sit an hour longer in the day, that is till six o' clock today, in which case we might begin the non-official business at half past three?

Some Hon. Members: No, Sir.

Mr Deputy-Speaker: Then it will be difficult to find another hour.

Shrimati Renu Chakravartty: Tomorrow is a holiday.

Shri Radha Raman (Chandni Chowk): On the next day we could have it.

Shri Anil K. Chanda: On Monday perhaps it could be had

Mr. Deputy-Speaker: If the House is not prepared to sit late, then this discussion will be resumed on the next day.

Shri S. M. Banerjee: In the end I would request the hon. Minister to consider the various amendments that have been moved, and specially I would draw his kind attention to amendment No. 9 by Shri Kodiyan

and amendment No. 42 by Pandit Thakur Das Bhargava and Shrimati Sucheta Kripalani. If these amendments are accepted, I feel that at least they can face the refugees and go to the colonies with this Bill.

Mr. Deputy-Speaker: We will now take up Private Members' business. Introduction of Bills.

14.33 hrs.

**MAHENDRA PRATAP SINGH ESTATES (REPEALING) BILL\***

Shri P. R. Patel (Mehsana): I beg to move for leave to introduce a Bill to provide for the repeal of the Mahendra Pratap Singh Estates Act, 1923.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the repeal of the Mahendra Pratap Singh Estates Act, 1923"

*The motion was adopted.*

Shri P. R. Patel: I introduce 'he Bill.

**REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL\***

(Amendment of sections 56 and 123)

Shri Radha Raman (Chandn: Chowk): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1951".

*The motion was adopted.*

Shri Radha Raman: I introduce the Bill.

**CONSTITUTION (AMENDMENT) BILL\***

Amendment of Articles 134, 136 and 145).

Shri Subiman Ghose (Burdwan): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India".

*The motion was adopted.*

Shri Subiman Ghose: I introduce the Bill

**COLOURING OF VANASPATI BILL\***

Shri Abdul Salam (Tiruchirappalli): I beg to move for leave to introduce a Bill to provide for and to regulate the colouring of vanaspati so as to prevent it from being used as an adulterant of ghee.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for and to regulate the colouring of vanaspati so as to prevent it from being used as an adulterant of ghee."

*The motion was adopted.*

Shri Abdul Salam: I introduce the Bill.

**MUSLIM WAKFS (AMENDMENT)  
BILL\****(Amendment of section 3)*

Shri Abdul Salam (Tiruchirappally): I beg to move for leave to introduce a Bill to amend the Muslim Wakfs Act, 1954. -

Mr. Deputy-Speaker: The question is: "That leave be granted to introduce a Bill to amend the Muslim Wakfs Act, 1954".

*The motion was adopted.*

Shri Abdul Salam: I introduce the Bill.

**INDIAN EVIDENCE (AMENDMENT)  
BILL\****(Amendment of section 103)*

Shri Naushir Bharucha (East Khandesh): I beg to move for leave to introduce a Bill further to amend the Indian Evidence Act, 1872

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Evidence Act, 1872".

*The motion was adopted.*

Shri Naushir Bharucha: I introduce the Bill.

**\*PARLIAMENTARY PRIVILEGES  
BILL\***

Shri Naushir Bharucha (East Khandesh): I beg to move for leave to introduce a Bill to define powers, privileges and immunities of Parliament and its Members in certain respects.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to define powers,

privileges and immunities of Parliament and its Members in certain respects".

*The motion was adopted.*

Shri Naushir Bharucha: I introduce the Bill.

**TERRITORIAL COUNCILS (AMENDMENT) BILL\****(Amendment of sections 3, 22, 30 and 36).*

Shri L. Achaw Singh (Inner Manipur): I beg to move for leave to introduce a Bill to amend the Territorial Councils Act, 1956.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to amend the Territorial Councils Act, 1956".

*The motion was adopted.*

Shri L. Achaw Singh: I introduce the Bill.

14.38 hrs.

**CODE OF CRIMINAL PROCEDURE  
(AMENDMENT) BILL***(Amendment of sections 342 and 562)*

Mr. Deputy-Speaker: The House will now resume further discussion of the motion moved by Shri Raghunath Sahai on the 22nd August, 1958 that the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration.

Out of 1½ hours allotted for discussion of the Bill, 1 hour and 1 minute were taken up on the 22nd August, 1958 and 29 minutes are now available.

Shri Easwara Iyer has to continue his speech. The hon. Member is not present. Shri Barman.

\*Published in the Gazette of India Extraordinary Part II, Section 2, dated 5-9-58.

**Shri Barman** (Cooch-Bihar-Reserved-Sch. Castes): Mr. Deputy-Speaker I do not propose to enter into any argument as to how far the accused will be benefited by the amendment as suggested by this Bill. But on one point I consider that this House and the hon. Minister should give serious consideration, and that is whether the clause that at present obtains in section 342 should be removed from that section or not.

By clause 2 of the Bill, hon. Mover of this Bill wants that the words "or by giving false answers to them" shall be omitted. My humble submission is that this, rather, privilege granted to the accused does not benefit him at all. On the other hand, it casts an aspersion on our legal system itself. It connotes that the Indian legislation contains provision by which a person in the dock—whether he takes oath or not is immaterial—but being present in the dock, when he is being examined by the court, is at liberty to tell lies. I do not know whether any other legislation in any other part of the world contains any such provision.

**Shri Raghubir Sahai** (Budaun): It does not.

**Shri Barman:** Even if such a provision is contained in the legislation of any other part of the world, I do not like to be a blind imitator of others. It hurts our self-respect that the judiciary which we respect so much, which is the sole custodian of the rights of the people against any deviation from the right by the executive or the administration and on whose fair decision the justice of the whole nation depends, that judiciary should give the right to any person on the dock to tell a lie. It is a blot and a calumny.

I would, therefore, humbly submit to the hon. Minister that he should give serious consideration to this matter. He should not take it as a matter of prestige, that this being a

private Bill it should not be given that much consideration, and he should not just try to evade the issue by saying that the Government will bring in a more comprehensive Bill after we get the overall report of the Law Commission or something like that. I do not say that the hon. Minister will try to take shelter under any such thing; I simply want to convey my feeling that this kind of blot on our legislation should not be allowed to remain a single day more.

What is the advantage that the accused gets by such a provision in the law? Whatever statement he may make, the court takes it that that man is given the liberty under law to tell lies and, therefore, it does not make any impression on the court. So it neither confers any benefit upon the accused nor does it satisfy the court about the veracity of the statement of the accused; it only remains as a blot on our legal system. Therefore, I sincerely believe, and I strongly hold the opinion that at least clause 2 of this Bill should be accepted by this House.

As regards clause 3 of this Bill I have some doubt whether it will help anybody. By amending the clause as suggested in clause 3, it does not help anybody. The wording that is suggested by way of amendment is: "and the offender making a completely true statement without concealing anything". If the court has any doubt in its mind after hearing the evidence from the side of the complainant, simply by putting down in the law that he will make a true statement without concealing anything it will not carry much further than what the court has already formed in its mind. I think that the section as it is quite sufficient.

There are cases where before the complainant calls his witnesses on the dock and furnishes evidence he may simply make a statement, and his case may be treated under section 302. Simply by inserting in the section that

[Shri Barman]

the offender shall make a completely true statement, it does not benefit him either way. It depends upon the belief or disbelief of the court. I do not think that we should make any amendment in the existing law, unless it is supported by very strong and good grounds. But so far as clause 2 is concerned, my submission to the hon. Home Minister and to this House, through you, Sir, is that this amendment should be accepted without any delay.

**Pandit Munishwar Dutt Upadhyay** (Pratapgarh): Mr. Deputy-Speaker, Sir, the object of this Bill, is very laudable, no doubt; and I find that the hon. Mover as well as the hon. Minister are one on that point. But the difficulties that have been expressed by the hon. Minister in accepting these amendments....

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** I have not accepted the amendments; I am only accepting the motion for circulation.

**Pandit Munishwar Dutt Upadhyay:** I did not say that the hon. Minister has accepted the amendment; I was saying with regard to the difficulty that the hon. Minister is feeling in accepting the amendments. If he goes deeper into this matter, I think he might agree on that point also.

There are two very simple questions that have been raised by the hon. Mover. The first is that the few words mentioned in section 342 of the Criminal Procedure Code should be dropped. The words sought to be omitted are: "or by giving false answers to them". As the previous speaker has just now said, really it is a blot on our national character that these words should remain on the statute. In fact, I do not exactly know if these words exist in any other statute of any other country, but so

far as I have been able to see this sort of a provision does not exist in any other country. Such a provision may or may not exist, but I do not see any utility, any use of these words here at all; and, in substance, the hon. Mover as well as the hon. Minister agree that these words are superfluous as the provision is already there in sub-section (4): "No oath shall be administered to the accused when he is examined under sub-section (1)", that by itself is enough to establish that he cannot be prosecuted for perjury, that even if he tells lies while making a statement as an accused he shall not be run down under section 193 I.P.C. for that statement. Why, then, should there be any difference so far as the substance goes?

The hon. Minister has said that abundant precaution has been taken so that the accused might feel secure that for the statement that he was making he would not be run down for perjury. I do not think that this precaution is at all necessary. Everybody knows that when no oath is given the maker of the statement cannot be run down for perjury; it is so obvious. But the hon. Minister says it is by way of abundant precaution. I think precaution is not 'abundant'; but as a matter of fact, these words are redundant. If he had said that these words were absolutely redundant in this section, I could very well understand that. If the redundant words are removed, there will be no harm; the position remains the same. It is not only that these words are redundant and that they are not doing any harm,—in fact, they are doing harm—this sort of a provision on our statute, as some of the previous speakers have said, is really a shame for us. Of course, if by removing these words we were actually losing something in substance, we should have considered whether they should or should not be dropped. When we are not at all losing anything if we drop these un-

wanted words from our Criminal Procedure Code—I think there would be absolutely no harm; on the other hand, it is likely to do good—there should be no hesitation so far as the dropping of these words from the statute is concerned.

In the other provision the Mover wants that there should be another circumstance also which should be considered by the court when utilising the provision under section 562 in respect of any accused. As a matter of fact, I think there are a number of circumstances which are to be considered. The question of age, character, antecedents, etc. have to be considered. Then, the mover wants to add, "and the offender making a completely true statement without concealing anything". I do not think this position in any way injures the interest of the accused or creates any sort of difficulty. It really helps the accused in a manner. It creates another ground for the consideration of the court for taking lenient view of this case.

It may be that on grounds of age, character or antecedents, the court may not be impressed to take a lenient view of the matter; but because he has made a true statement, the court may consider that point and take a lenient view of his case. So, I think in a way it shall be helpful to the accused. The argument given by the hon. Minister is that there might be a case where the accused has not made any statement and on that account, if this provision is made here, the court may think that because he has not made any statement at all, there might have been something wrong and that was why he did not make any statement. That seems to be the impression of the hon. Minister and he thinks that his case may be prejudiced on that account. My submission is that there is not the slightest implication of that sort, so far as this provision goes, because this is one additional circumstance which can be considered by the court. It is wholly a

matter of discretion for the court. The court is not bound to consider any of these circumstances. There are two or three circumstances which the court may consider. This is another circumstance added to it, and if the court considers it proper, it may consider this circumstance also.

So, if it does anything, it helps the accused; it does not at all injure or prejudice his case. In my view, the adoption of this measure will do two things. Firstly, it will encourage truth-speaking in courts of law. This provision is bound to help in that direction; secondly it may help the accused. This object, as I said in the very beginning, was in the mind of the hon. Mover as well as the hon. Minister when they were considering this provision. So, if accepted, this amendment also is likely to encourage truth-speaking in the courts of law and is likely to benefit the accused in certain circumstances.

Therefore I support the Bill

**Pandit Thakur Das Bhargava:**

rose—

**Mr. Deputy-Speaker:** My difficulty is the time allotted to this Bill is almost over. I can only call the hon. Mover. How much time does the hon. Member want?

**Pandit Thakur Das Bhargava:** 5 to 8 minutes

**Mr. Deputy-Speaker:** We can extend the time by 15 minutes

पंडित ठाकुर दास भार्गव : यह बीच जो कि इस बिल में दर्ज है यह पहली मंतावा हो हाउस के सामने नहीं आया है। जिस बक्त क्रिमिनल प्रोसीज्योर कोड की जनरल तरकीब हो रही थी उस बक्त भी यह मामला इन्हीं प्लेफाइ में हाउस के सामने आया था। अब तो यह है कि इस बिल के पान-रेबिल मुवर साहब बहुत धरसे से यह कोशिश कर रहे हैं कि हमारे कानून में ऐसी तरकीब

[वंडित ठाकुर दास भार्गव]

ही जाये कि इशारतन या कनायतन किसी तरह की तरफीब न हो कि कोई शक्स अदालत के सामने झूठ बोल सकता है। मैं उनके इस खयाल की दाद देता हूँ और उसकी कद्र करता हूँ और मेरा खयाल है कि उनके मोटिव को देखकर ही प्रानरेबिल मिनिस्टर साहब ने यह मजूर करमाया है कि इसको सरकुलेट किया जाये। उनका जो दूसरा अमेन्डमेंट है उसके बारे में मुझे यह कहना है कि जब किसी शक्स को दफा ५६२ का फायदा दिया जाता है तो यह किस तरह मान लिया जाये कि उसने अदालत के सामने कोई मामला बर्बर छिपाये अपना दिल खोलकर रख दिया है या नहीं। यह तो दो बातें हैं इस के अन्दर।

मैं अदब से अजं करना चाहता हूँ कि अगर कोई इस मेकान को सुपरफीशियली पढ़ेगा तो यह नतीजा निकालेगा कि कानून में मुलजिम को झूठ बोलने का ब्लैक चेक दे दिया गया है। दरअसल यह मामला इस तरह से नहीं है। आप मारे सेक्शन को देखें और क्रिमिनल प्रोसीज्योर कोड की सारी स्कीम को देखें तो मालूम होगा दरअसल यह मुलजिम को झूठ बोलने का राइट नहीं दिया गया है बल्कि पब्लिक इंटरेस्ट में जो एक हक होना चाहिये था और जो मुलजिम को दुनिया भर में दिया गया है वह यहाँ भी दिया गया है, यानी किसी मवाल के जवाब में वह जो कुछ भी कहना चाहे कहने का हक रखता है। और उसको यह भी हक हासिल है कि कोर्ट उसके बखिलाफ मामले के बारे में उसमें कोई सबाल पूछे और वह चुपचाप खड़ा रहे। बुनाचि नान कोप्रोपेगान्डेज में कितने ही ऐसे आदमी हैं कि जिन्होंने अदालतों में एक सबाल का भी जवाब नहीं दिया बल्कि जो स्टेटमेंट देना चाहा वह दिया। जो अल्लेज ३४२ के हैं और जिन की तरफ कम एक्जज्यूटिव दी जाती है वे यह हैं -

For the purpose of enabling the accused to explain any circumstances appearing in the evidence against him, the court may put such questions, etc.,

जनाब वाला देखें कि किस तरह के दुनिया में यह ट्रायल का किस्सा चला और किस तरह से ला आब एबीडेंस बना है। यह तो सारी एक इंडीपेंडेड स्कीम है। कोर्ट को यह मालूम है कि इस मुलजिम ने जुर्रम किया है लेकिन अगर कोर्ट के सामने एबीडेंस नहीं है तो कोर्ट पर यह कर्ज आयेद नहीं होता कि कोर्ट उसका बयान ले। अगर कोर्ट के सामने ऐसी एबीडेंस नहीं है कि जिससे मुलजिम का जुर्रम माबित होता हो तो कोर्ट को उससे कोई सबाल पूछने का हक नहीं है। अगर एबीडेंस में कोई लेक्यूना है तो उसको मुलजिम की बयान से पूरा नहीं किया जा सकता। अगर कोई कोर्ट किसी लेक्यूना को मुलजिम की अदावत से पूरा करके उसका सजा देती है तो अपीलेट कोर्ट उस सजा को नाजायज करार देती है। एक्ज्यूज को हक है कि वह चाहे जो भी जवाब दे सकता है। अगर एक्ज्यूज के बयान के बारे में यह पाबंदी लगायी जाती है कि उसका बयान अगर सच न हुआ तो उसको सजा हो सकती है तो मैं अदब से अजं करूंगा कि यह उसके ऊपर बड़ी भारी जिम्मेदारी आयेद होगी, जो कि नहीं होनी चाहिये। अगर एक्ज्यूज किसी तरह का जवाब बिस्कुल नहीं देता तो मेरे नायक दोस्त मानते हैं कि उस ने कोई जुर्रम नहीं किया लेकिन अगर वह जवाब दे देता है और वह बाद में गलत साबित होता है तो उस को सजा देने की बात कही जाती है।

श्री रघुबीर सहगल (बयाम्) : हममें पनिशमेंट का सबाल कहा उठता है।

वंडित ठाकुर दास भार्गव : मैं उनको पढ़कर सुनाऊंगा। यही तो मेरी सिफायत

है। मेरे लायक दोस्त ने इसी चीज को तो नहीं देखा है। इसमें लिखा है।

The accused shall not render himself liable to punishment by refusing to answer such questions or by giving false answers to them.

कानून में उसको यह प्रतिश्रुति है कि अपने डिफेंस में जो कुछ बयान देना चाहे दे दे जो कि अगर बाद में गलत साबित हो जाये तो उसको सजा नहीं हो सकती। सिर्फ इतना ही नहीं है कि उसको झूठा बयान देने की सजा नहीं होगी, बल्कि अगर एक्जुड कोई ऐसा बयान दे दे कि जिससे किसी की डिफेंसेशन हो रही हो तो हालांकि ऐसा करना जुर्म है, लेकिन उस हालत में भी एक्जुड पर कोई जुर्म धायद नहीं हो सकता। वह कुछ भी बयान दे दे जुर्म नहीं माना जायेगा। हा अगर प्राप रिटिन स्टेटमेंट दें और उसमें इस तरह का स्टेटमेंट हो जिस से किसी का डिफेंसेशन होता हो तो प्राप पर जुर्म धायद हो सकता है, लेकिन अगर एक्जुड अपने बयान में इस तरह की बात कह दे तो उस पर कोई जुर्म धायद नहीं हो सकता। और यह ना अपनी जगह पर ठीक है। आज अगर एक्जुड बयान देता है तो कोई नहीं कह सकता कि वह बयान झूठ है या सच है। अगर प्राप ऐसा करना चाहेंगे कि इसकी जांच करें कि वह बयान सच है या झूठ है तो उस मुकदमे को छोड़कर प्रापको इस बयान की नई तहकीकात शुरू करनी होगी। अगर प्राप इस चीज को इस कानून में ला देंगे और मुस-जिम को जो आज तक है उसको हटा देंगे तो लोगों पर बड़ा भारी जख होगा। इसका नतीजा यह होगा कि कोई मुलजिम अपने प्रापको डिफेंड नहीं कर सकेगा।

**Shri Barman:** What about those countries where this provision does not exist?

श्री बरमान : मैंने सारे मुल्कों के कानूनों नहीं देखे हैं लेकिन

अगर किसी मुल्क के कानून में यह स्पिरिट नहीं है तो मैं कहूंगा कि वहां पर मुलजिम को उसका जायज हक नहीं मिला है।

15 hrs.

मैं जनाब की तबज्जह दफा १६१ की तरफ दिलाना चाहता हूं जिसके मातहत पुलिस बयान लेती है। सन २२ के पहले कानून में यह लिखा था कि जो बयान पुलिस को दिया जाये वह सच होना चाहिए। लेकिन बाद में लफ्ज 'ट्रली' (truly) हटा दिया गया। हर एक शख्स को प्रतिश्रुति है कि वह ऐसा बयान दे कि पुलिस के सामने सारा मामला धा जाये, वह अगर किसी तरह के अपना बयान दे सके। आज अगर कोई पुलिस के सामने गलत बयान दे तो क्या उसको सजा हो सकती है। कोई भी शख्स अगर पुलिस के सामने झूठ बयान देता है तो उसको सजा नहीं हो सकती। इसी तरह से मुलजिम कोर्ट के सामने अपने को बचाने के लिए कोई भी बयान दे सकता है। फर्ज कीजिये लफ्ज "फाल्स" न हो तो क्या फर्क पड़ता है। मुलजिम को पूरा पूरा हक है कि वह कोई बयान दे सकता है लेकिन वह उसके लिये किसी सजा का मसूजब नहीं है। यह तय करने के लिए कि यह बयान फाल्स है प्रापको बीच में दूसरा मुकदमा चलाना होगा। एक मुकदमे के फंसला होने में तो इतना बक्त लगता है, अगर यह दूसरी तहकीकात शुरू कर दी जायेगी तो कितना बक्त लगेगा। मेरे लायक दोस्तों ने जिन्होंने इसको सपोर्ट किया है उनमें से किसी ने भी यह नहीं कहा है कि अगर मुलजिम झूठा बयान देता है तो उसको सजा दे दो। कानून में कहा गया है कि

He shall not be liable to punishment if he gives false evidence.

अगर इन अल्फाज को निकाल दिया गया तो इसका नतीजा यह होगा कि कोई बयान जो उसने अदालत के सामने दिया अगर वह बाद में गलत साबित होता है तो उसको सजा हो सकती है। यह कानून



## [पंथि ठाकुर बास भार्गव]

इतने बरसों से चला आ रहा है और इसका सही तौर पर इस्तेमाल हुआ है। मैं समझता हूँ कि आज इतने बरसों के बाद यह सजेस्ट करना कि एक्ज्यूट को यह राइट न रहे, ठीक नहीं होगा। मुलजिम का यह राइट है कि वह कोई भी बयान दे सकता है उसके लिए उसे सजा नहीं दी जा सकती। पुलिस के सामने मैं या मेरे लायक दोस्त कोई भी बयान दे सकते हैं, उस बयान के लिए उनको सजा नहीं दी जा सकती। यह पालिसी आफ़ ला ऐसी है कि इसके नीचे बड़े-बड़े उसूम छिपे हुए हैं। उनकी तरफ़ भूबर माहब नवज्जह दें सिर्फ़ इन अल्फाज़ की तरफ़ तबज्जह न दें। इस वास्ते मैं अदब से धर्म करता हूँ कि यह चीज़ हटाने की ज़रूरत नहीं है। गो कि यह अल्फाज़ मुझ को भी चुमते हैं लेकिन मैं इनको हटाने के हक़ में नहीं हूँ। मैं नहीं चाहता कि कानून इस तरह का हो जाये कि अगर मुलजिम कोई बयान करे जो कि बाद में गलत साबित हो तो उसको उसके लिए सजा दी जा सके। यह अच्छी बात है कि अदालतों के सामने वही बात कही जाये जहाँ कि मही है लेकिन लोगो में यह मेंटेलिटी लाने के लिए दूसरी तरकीबें हैं। लेकिन यह तरीका तो मिसकमीन्स है। ज़िम वक्न डा० काटज़ के सामने यह चीज़ पेश की गयी थी उस वक्न इसी लिए इसको मंजूर नहीं किया गया। इन अल्फाज़ का रहना हमको भी जाहरा तौर पर बुरा लगता है लेकिन मैं यह मनासिब नहीं समझता कि इनको हटा दिया जाये।

जहाँ तक मेरे लायक दोस्त के दूसरे प्वाइंट का मवाल है मैं समझता हूँ थानरेबिल मिनिस्टर माहब की स्पीच के बाद वह महसूस करेंगे कि उसको जोर के साथ प्रेस न किया जाये। जहाँ तक दफा ५६२ का तात्पर्य है कानून यह है कि मजिस्ट्रेट को हक़ है कि सारे सरकमस्टेंसेज को देखे और यह

भी एक सरकमस्टेंस हो सकता है कि उसने सब बीला है। यह सरकमस्टेंस मुलजिम के हक़ में जा सकता है। लेकिन अगर आपने कानून में यह तबदीली कर दी तो मतीजा यह होगा कि जिन्होंने कुसूर नहीं किया है वे भी कमफ़ेशन करने के लिए तैयार हो जायेंगे। आप जानते हैं कि मुलजिम की मेंटेलिटी यह होती है कि कोर्ट में फासदा उठाये। अगर यह तबदीली कर दी गयी तो हर मुलजिम दफा ५६२ में बयान देना शुरू कर देगा। इसलिए मैं समझता हूँ कि ठीक है कि इस सरकमस्टेंस का लिहाज रखा जाये। मैं समझता हूँ कि दफा ५६२ में इन अल्फाज़ को दाखिल नहीं करना चाहिए। पहले भी मेरे लायक दोस्त ने यह तबदीली करानी चाही थी लेकिन हाउस ने उसको मनासिब नहीं समझा। इसलिए मैं समझता हूँ कि इस वक़्त भी इस तरमीम को करने की ज़रूरत नहीं है।

चूँकि थानरेबिल मिनिस्टर माहब चाहते हैं, इसलिए यह सर्कुलेशन के लिए जायेगा। हम अपने दोस्तों की दाद देते हैं कि उन्होंने यह मोचा कि हमारे कानून में कोई ऐसी चीज़ न हो, जो कि किसी को अलबरे लेकिन अगर वह ज्यादा गौर में इसको देखेंगे तो यह रोशन हो जायेगा कि क्रिमिनल प्रोसीड्यर कोड की पालिसी दुस्मन है कि किस तरह एक घादमी के बिमाफ़ शहादत दी जाती है किम तरह उसे बयान का हक़ दिया गया है, यहाँ तक कि मेंशन कोर्ट में दफा २८७ के मातहत एक्ज्यूट का बयान एविडेंस बन जाता है।

It becomes an evidence. It is read as part of the evidence.

मैं धर्म करना चाहता हूँ कि इनके पीछे बड़े जोर के प्रिंसिपल्ज़ लिखा है। मेरे दोस्त कहते हैं कि और मुक्तों में कानून के मुताबिक एक्ज्यूट को इस तरह का राइट नहीं है। मुझे तो इसका इनम नहीं है। बेहतर होता कि अगर वह दिखाते कि किस मुक्त

वै इस तरह का सैटिस्फाइड नहीं है। मैं इसके हक में नहीं हूँ, गोकि मैं उस बजह की दाव देता हूँ, जिस के बेसिस पर मेरे दोस्त इस बिल को यहां लाए हैं।

श्री ब्रजराम सिंह (फिरोजाबाद) :  
उपाध्यक्ष महोदय, मुझे भय है कि मैं इन बिल का कतई समर्थन नहीं कर सकना और मैं चाहता हूँ कि इस बिल को कतई नागरिकों को राय जानने के लिये न भेजा जाय। उसके कुछ कारण हैं। जो बातें अभी यहां बताई गई हैं, उनके प्रतिरिक्क यदि आप देखें, तो धारा ३४० (३) में कहा गया है—

"The answers given by the accused may be taken into consideration in such inquiry or trial, and put in evidence for or against him in any other inquiry into, or trial for, any other offence which such answers may tend to show he has committed"

प्रस्तावक महोदय उपधारा (२) में ये शब्द हटा देना चाहते हैं—

"or by giving false answers to them"

लेकिन उसके धागे उपधारा (३) में जो यह कहा गया है—

"The answers given by the accused may be taken into consideration...."

उसके बारे में वह कुछ नहीं कहते हैं। मैं यह निवेदन करना चाहता हूँ कि जब उपधारा (२) में मैं

"or by giving false answers to them"

शब्दों को हटा दिया जायेगा, तो फिर उपधारा (३) में प्राम्त्वर का सवाल ही नहीं उठता है, इस लिए उसमें भी परिवर्तन की आवश्यकता होती है। उसके बारे में प्रस्तावक महोदय ने कोई सुझाव नहीं रखा है।

इसके प्रतिरिक्क हमारे कानून में यह व्यवस्था की गई है कि अभियुक्त को इस बात का पूरा विश्वास होना चाहिए कि वह जो कुछ कह रहा है, उसके आधार पर उसके खिलाफ कोई कार्यवाही नहीं हो सकती है। यह कहने का क्या नतीजा निकलेगा कि अगर उसने फाल्स प्राम्त्वर दिया, तो उसके खिलाफ कार्यवाही हो सकती है? इसमें पहल धारा ३४० (१) में निम्ना दृष्टा है—

"—the Court may, at any stage of any enquiry or trial without previously warning the accused,...."

धारा ३४२ में अभियुक्त में जो मवाल किया जाता है, उसमें यह जरूरी नहीं है कि पहले अभियुक्त को मालूम हो कि कब अदालत मवाल पूछने जा रही है। ट्रायल चलने के दौरान में प्रचानक, किसी भी वक्त, अदालत उसमें मवाल कर सकती है और इसमें अभियुक्त को किसी वारनिंग की जरूरत नहीं है। अभियुक्त यह मोच कर जाता है कि आज उसके खिलाफ एविडेन्स होगी, लेकिन अदालत ने उसमें मवाल पूछ लिया। उसकी पहले में कोई न्यायरी नहीं है और अगर गलती में कोई बात उसके मुह में निकल गई, तो नतीजा यह होगा कि उसके खिलाफ कार्यवाही की जा सकती है। मैं यह कहना चाहता हूँ कि सिर्फ यह कह कर कि अदालत में प्रसत्य—भाषण बन्द हो, कानून में परिवर्तन कराने की बात उचित नहीं है। यह तो सभी चाहते हैं कि अदालत में प्रसत्य—भाषण कम हो, लेकिन उसका यह तरीका कतई नहीं है। मुझे ताज्जुब है कि कुछ माननीय वक्ताओं ने कहा कि दूसरे देशों में कही इस तरह की व्यवस्था नहीं है। मैं विश्वास करता हूँ कि जिन देशों के कानून के आधार पर हमारा यह कानून बनाया गया है, वहां भी इस तरह की व्यवस्था होती, हालांकि मैं इसके बारे में जानता नहीं हूँ। अच्छा होता कि जिन

[श्री. बंज राज सिंह]

वक्ता महोदयों ने यह बात कही है, वह सम्बन्धित कानून बूढ़ कर ला कर दिखा देते कि उनमें इस तरह की व्यवस्था नहीं है। मैं समझता हूँ कि जिस देश में हमारा यह कानून नकल किया गया है, वहाँ भी इस तरह की व्यवस्था होनी चाहिए। आखिर इसका उसूल क्या है? उसूल यह है कि मुल्जिम को पूरा विश्वास रहे कि इस तरह के प्रश्न करने से उसकी कोई हानि होने वाली नहीं है, तो कानून का जो एक खास उद्देश्य है कि जब तक मुल्जिम को सजा न हो जाय, तब तक वह निरपराध समझा जायेगा—

the accused shall be deemed to be innocent,

वह बिल्कुल स्वतन्त्र हो जाता है। यह ठीक है कि मूवर महोदय को इस बात का बहुत उत्साह है कि अदालत में अस्वस्थ-भाषण कम हो, लेकिन उसके साथ ही उनको इस बात का भी ध्यान रखना चाहिए कि कानून का जो उद्देश्य है, वह कही नष्ट न हो जाय।

जहाँ तक धारा ५६० में तरमिम का सम्बन्ध है, उसके बारे में मेरा निवेदन है कि वह तो बिल्कुल ही एक ऐसी चीज है, जिसका यहाँ कोई स्थान नहीं है। आखिर धारा ५६२ में अदालत क्या देखती है। अदालत यह देखती है—

“ regard being had to the age, character or antecedents of the offender, and to the circumstances in which the offence was committed, ... ”

और वह यह बात कब देखती है? जब वह इस विषय पर पहुँच गई कि मुल्जिम को सजा करनी है। जब सजा करने की बात आ गई, तो अदालत यह देखती है, उसमें पहले नहीं। तो क्या सजा देने की बात आने के बाद मुल्जिम में यह पूछा जायेगा कि तुम ने पूरा टूटे स्टेटमेंट दिया है या नहीं और कुछ कनसेल तो नहीं किया

है? जब अदालत इस निर्णय पर पहुँच गई कि मुल्जिम को सजा करनी है, तब उसे यह सोचना पड़ेगा कि उसकी धारा ५६२ में छोटा आ सकता है या नहीं। जब अदालत के सामने इन सब बातों का ध्यान रखने की बात है, तो फिर इन शब्दों को —

“and the offender making a completely true statement without concealing anything”—

जोड़ने के मायने ये हैं कि फिर से ट्रायल की जाय, इन्क्वायरी की जाय, ज़िम्मे वह पता लगाया जाये कि मुल्जिम कुछ छिपा तो नहीं रहा है, या अस्वस्थ-भाषण तो नहीं कर रहा है। यह तो बिल्कुल मुकदमे की बटने की बात है। इन शब्दों की कोई ज़रूरत नहीं है।

अन्त में मैं यह निवेदन करना चाहता हूँ कि मैं नहीं समझता कि गृह मंत्रालय की तरफ से यह बात कैसे कह दी गई कि इस कानून का हम मुल्क में राय जानने के लिए भेजना चाहते हैं। इस कानून में तो इम्पटिंग की गलतियाँ हैं। लागू यह मावेगे कि हमारे सर्वमत्ता-प्राप्त सदन में इस पर चर्चा हुई लेकिन उन्होंने धारा ० में मशौघन करने के साथ ही धारा ३ को हटाने की कोई व्यवस्था नहीं की है। मैं नहीं समझता कि इसके बारे में राय जानने में कोई फायदा हो सकता है। अगर गृह मंत्रालय यह समझता है कि इस तरह की व्यवस्था होनी चाहिए, तो जैसे अन्य प्राइवेट बिलों के वक्त अक्सर यह कह दिया जाता है कि हम इस पर विचार करेंगे, या कमीशन विचार करेगा, गृह मंत्रालय विचार करेगा, वैसे ही अब भी गृह मंत्रालय इसको देख में और अगर कोई आवश्यकता हो, तो मशौघन कर दे। लेकिन उसूलों पर इसमें किसी प्रकार के परिवर्तन की आवश्यकता नहीं है। अगर इस बिल

को मुल्क की राय जानने के लिए भेजेंगे तो इसके नतीजे ये होंगे कि न सिर्फ लोग यह समझेंगे कि गवर्नमेंट ने अच्छी तरह से देखने की कोशिश नहीं की कि यह बिल क्या है, बल्कि वे यह भी क्या करेंगे कि हिन्दुस्तान के इस सर्वसत्ता-प्राप्त मदन ने भी यह देखने की कोशिश नहीं की कि इसमें क्या लिखा हुआ है।

इन शब्दों के साथ मैं इस बिल का सख्त विरोध करता हूँ।

श्री २० सि० बोलता (अजमेर)

जनाब डिप्टी स्पीकर साहब, जो दलीले पहले दी जा चुकी हैं, उनके अलावा मैं कोई नई दलील नहीं देना चाहता हूँ। लोकन में बताना चाहता हूँ कि मैं इस बिल का बिल्कुल मुखालिफ हूँ। पिछले कुछ बरसों में यह देखा जा रहा है कि हमारे अदालतों में मुल्जिम को जो हक दिये गए थे, उनका धीरे धीरे कम किया जा रहा है। हम में से जिन लोगों का फौजदारी की अदालतों का तर्जुमा है उन को शिकायत है कि पिछले जो तर्जुमान हुए हैं उनमें मुल्जिम के हक पर बड़ी भारी चोट पड़ी है। उसमें जिरह का हक छीन लिया गया है। अब तक दो दलीले दी गई हैं इस बात की कि इसमें बड़े तर्जुमान की जाय। यह कहा गया है कि दूसरे मुल्कों में इस क्रिम का कानून नहीं है। मैं समझता हूँ कि यह जरूरी नहीं है कि अगर हमारे मुल्क में कोई अच्छी बात है और दूसरे मुल्कों में न हो तो इसलिए हमको भी अपनी अच्छी बात खत्म कर देनी चाहिए। दूसरे मुल्कों का हम से सबक हासिल करना चाहिए। उनको भी अपने मुल्जिम को वह हक देना चाहिए, जो कि हमने दे रखा है। यह जरूरी नहीं है कि हम दूसरे मुल्कों की नकल करें। इस तरजीब के बाद जो पिछले बरसों में हुई है, मुल्जिम बिहनेस बाक्स में आ सकता है, ग्रॉय पर स्टेटुमेंट दे सकता है,

रिस्क ले सकता और रिस्क लेने की उसको अपरबुनिटी दे दी गई है। इन हालात में ये दोनों दलीलें कि दूसरे मुल्कों में यह बात नहीं है या यह बात कि मुल्जिम के बयान का अदालतें कुछ अग्रिमियत नहीं देती हैं, गलत हैं। जहां तक हमारे मुल्क के जाबता फौजदारी का ताल्लुक है उसमें यह बड़ी भारी तारीफ की बात है कि हमारे यहां मुल्जिम को ऐसे ऐसे हक दिये गये हैं कि दूसरे मुल्कों के कानूनों में नहीं दिये गये हैं। मैं समझता हूँ यह तारीफ की बात है, शर्म की बात नहीं। खाम तौर पर मियामी नीडियन्स के जो मुकदमे आयेंगे उनमें अगर यह मान लिया गया कि मुकदमा झूठा है तो दूसरा मुकदमा भी बन सकता है। खाम तौर पर विडिक्टिव क्रिम में बेचारे को एक एक नहीं तीन तीन भगनत पड़ेगे।

इन अफाज के साथ मैं इस बिल के मर्क्युलेशन का जो मुद्दा है उसकी मुखालिफत करता हूँ क्योंकि इसका मतलब यह होगा कि मुल्जिम को जो हक दिये गये हैं, उनको उसमें छीना जाए। साथ ही साथ जो बिल रज किया गया है मैं उसका भी सख्त खिलाफ हूँ।

Mr Deputy-Speaker. Shri Subiman Ghose will be the last speaker now. Other hon Members are making up their minds just now

15.17 hrs.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

Shri Subiman Ghose (Burdwan): Mr Chairman, Sir, to my mind this Bill is ill-conceived. It takes away a very valuable right of the accused. Let us take a concrete example. Suppose a man is standing trial for murder and when he is examined under section 342 by the Court, if this Bill becomes an Act will he be entitled to say "I am innocent", if he is ultimately convicted? He is examined under section 342, he says, "I am innocent"

[Shri Subiman Ghose]

and ultimately he is convicted, in that case what will be the result, if his version that he is innocent turns out to be false? Strictly speaking he is not a litigant of his own choice and naturally the safeguard is only for avoiding further punishment. If statement under section 342 Cr. P.C. turns out to be false, where is the guarantee that he will not be hauled up under section 182 or section 193 of the Indian Penal Code. It is only for protection from further embarrassment for further punishment that this has been written. It is not that there has been an encouragement for giving false answers, but it is that even if he gives a false answer he will not be hauled up for another punishment.

The Bill, so far as this is concerned in the statement of objects and reasons the sponsor wants to say, is to eliminate perjury from law courts and to encourage amongst the litigant public the habit of speaking the truth. That is a very laudable object, no doubt. But I have got my own apprehension. To eliminate perjury from the law courts, why the experiment commences with the accused? A vast field is there. If you want to eradicate or eliminate perjury just try in another way. Why make an experiment with the accused? It is a statutory right that has been given to the accused, but it is only that he will not be harassed further and that he will not be doubly convicted, i.e., that he is convicted for the offence itself and for the statement that he makes. Naturally, this Bill takes away a very valuable right of the accused. It never encourages him to make any false statement, but he will not be convicted for false statement even if he makes it to save his own skin.

Secondly, as for section 562 I submit that—it is said “making a completely true statement without concealing anything”—if he makes a statement, who is to decide that he has made a true statement?

Shri Raghunir Sahai: The Court.

Shri Subiman Ghose: How can the Court do that? He makes a statement, how can it be tested? Again will the court sit in judgment over the statement? He makes a statement in his own way and he says that it is a true statement. How can the court then and there say, you are not making a clean breast of everything and you are suppressing? How is the court in a position to say like this. That is absolutely a superfluous amendment. The objects are no doubt laudable. There is a sentimental touch rather than a legalistic touch. If the Bill becomes an Act, that would go very much against the accused and it would take away a very valuable right of the accused. I submit that this Bill should be opposed.

Shri Raghunir Sahai: Sir, besides myself, some ten hon. Members of this House have taken part in the discussion over this Bill. I am very glad to note that out of these 11 hon. Members, seven have given their wholehearted support to the objects of this Bill. I am really sorry that four hon. Members could not see their way to give their support to this motion for circulation of this Bill.

As was rightly pointed out, I was anxious for this change from the year 1954 when Dr Katju brought forward his comprehensive amendment of the Criminal Procedure Code. I am really glad that as many as seven hon. Members have given their wholehearted support to the Bill. The hon. Minister has also in a way supported not only the object, but the motion for circulation to elicit public opinion. I myself realise that it is not an ordinary change that I am advocating here. It is a change of fundamental importance. It would be in the fitness of things if on such a matter, opinion of competent persons are ascertained, for instance, High Court Judges, State Governments, Bar Associations, lawyers and others who are interested in

the system of administration of justice as is prevailing in this country. I do hope that after these opinions have been obtained by the Government by the 31st December, 1958, they will be supplied to all the Members of this House and I would be in a position to make a motion for reference of the Bill to a Select Committee.

I do not want to take the time of the House by giving my own views regarding the arguments advanced by those hon. Members who have opposed this Bill tooth and nail and even the motion for circulation in order to elicit public opinion. The least that I can say about those hon. Members is that they are labouring under certain misapprehensions which would not be borne out by the public opinion when it is available to us. I am quite agreeable to the motion that has been placed before the House by my hon. friend Shri Shree Narayan Das for circulation of this Bill to elicit public opinion.

**Mr. Chairman :** To the Consideration motion, an amendment has been moved which runs thus: "That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1958." I proceed to take the opinion of the House on this motion. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1958."

*The motion was adopted.*

**Mr. Chairman:** This amendment is carried. I will proceed further.

15-26 hrs.

# REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

(Amendment of Sections 55A, 82 and 116A)

**Mr. Chairman:** Shri Tangamani.

**Some Hon. Members:** What is the time for this Bill?

**Mr. Chairman:** Two and a half hours.

**Shri Tangamani (Madurai):** Mr. Chairman,....

**Shri Shree Narayan Das (Darbhanga):** Sir, I would like to rise on a point of order. The Bill that the hon. Member is going to move for consideration, I think....

**Mr. Chairman:** I think it is desirable that the hon. Member should be allowed to say something before the point of order is raised. Before he opens his mouth, the point of order is raised. We do not know what he will say. It is just possible that he may himself make a statement which may not necessitate the raising of the point of order. He may himself say something. He does not to move for the change of the Constitution. He may not try to see that those portions of the Bill which offend against the Constitution are proceeded with. I do not know what he will say. Let him begin. Then, the point may be raised.

**Shri Tangamani:** Mr. Chairman, Sir, I move:

"That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration."

In so moving, I have two or three purposes in mind and I shall briefly explain what I really meant by bringing this amendment to the Representation of the People Act. In the Statement of Objects and Reasons, I have tried, as far as possible, to explain the limited purpose which prompted me to bring this Bill. The election petitions filed in the various States after the General elections in 1957 have proved that even after the amendment effected by the Representation of the People Act of 1956, election disputes are being dragged on and section 90(6) of the Act which requires that the trial of an election petition should

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conclude within six months from the date of the publication of the copy of the petition in the Official Gazette is now a dead letter. In several cases, every interlocutory or other order passed during the trial of an election petition and before the passing of the final order is questioned by a writ in the High Court and by a further appeal to the Supreme Court and the trial of the election petition is stayed till the writ from the interlocutory or other order is disposed of. Although the Representation of the People Act was passed in 1951 which covers a much wider subject, namely, qualification for membership, disqualifications, conduct of general elections, procedure for election, counting of votes, publication of election results, etc., Part VI of the Act deals with election disputes. I want to confine myself only to the election disputes.

So far as election disputes are concerned, it has been laid down that these election disputes will be referred to the Election tribunals. In this, to some extent, we have also followed the Representation of the People Act of 1949 which is a U.K. Act. For the sake of really enlarging my point as to how it is necessary that these election petitions should be expedited, I will give only the figures which were supplied by the Ministry of Law to some of my questions on the floor of this House. In reply to Starred Question 240 dated 18th February, 1958 the hon. Minister of Law stated: Number of election petitions referred to the tribunal (i.e., after the 1957 elections): Lok Sabha—57; Legislatures—398; No. of election petitions still pending: Lok Sabha—28; State Legislatures—177. Three from the Lok Sabha and 35 from the State Legislatures were declared as null and void. At that time, 36 petitions were pending before the High Courts and none was pending before the Supreme Court.

I will come to a much later date, namely 18th August, 1958, about two weeks ago. In reply to Starred Question 216 dated 18th August, 1958, the following statement was made by the hon. Minister. He stated that as on 1st August, 1958 in all the 13 States and also the regions, in all numbering 17, the following was the position: No. of election petitions disposed of by the election tribunals relating to Lok Sabha: 37. Those relating to the Legislative Assemblies were 317. Number of election petitions still pending with the election tribunals: 100. Number of election petitions still pending before the High Court: 48; pending before the Supreme Court: 8. Number of election petitions disposed of in six months by the election tribunal: 158. The House knows that our law provides that the election tribunal should dispose of these election petitions as expeditiously as possible and should not take more than six months. Those disposed of by the High Court within the period mentioned (our law provides that the High Court should dispose of appeals within three months): 103. Number of elections declared null and void: Lok Sabha—2; Legislative Assemblies: 50—making a total of 52.

To summarise it, after 18 months we find that 156 election petitions are still pending either before the election tribunal or before the High Court or before the Supreme Court. That would mean one-third of the total petitions which were filed after the end of the general elections are still pending.

The intention of the Legislature was clearly that whenever there was a *prima facie* case, there must be a machinery for bringing these election petitions and it is given exhaustively under Chapter VI as to how an election petition is to be filed before a tribunal. But now difficulties have arisen, and I will mention only two or three cases.

Originally there was no appeal to the High Court and so after the tribunal had given its findings, they had really to go to the Supreme Court and invoke article 136 of the Constitution. The Supreme Court has held that under 136 they have much wider powers—if I have the time I will refer to one or two decided cases in the matter—and that this is more in the nature of residuary powers. After 1956 when the amendment has come

**Shri Ajit Singh Sarhadi** (Ludhiana) May I submit that the point of order raised by Shri Shree Narayan Das may be allowed? You have not taken notice of it yet

**Mr. Chairman.** The hon Member is still giving the background and he has not yet stated that he wants a certain amendment or that he wants to move clause 4 or that he wants to move the entire Bill or that he suggests that right to make application to the High Court or Supreme Court be taken away. He is only stating the background. Unless he makes out a case that he really wants to take away these powers of the High Court or Supreme Court, I do not think it is fair to allow the objection to be raised.

I know objection is going to be raised, and very seriously I am not burking, but that will be the proper time when he makes a statement that he wants to see the powers of the Supreme Court and the High Court to be taken away. He is only giving the background. He may ultimately say, as a matter of fact, that he only wants to press clauses 2 and 3. So, let him make a statement. Let it come from him that as a matter of fact he wants to take away the powers. He is only stating that there are so many applications, so many have not been decided. Let him at least say once that he wants to take away those powers before I allow the hon. Member to proceed with the point of order.

**Shri Tangamani:** By the amendment of 1956 a new section, section 116A, has been added. This is what the section says:

“(1) An appeal shall lie from every order made by a Tribunal under Section 98 or Section 99 to the High Court of the State in which the Tribunal is situated

(2) The High Court shall, subject to the provisions of this Act, have the same powers, jurisdiction and authority, and follow the same procedure, with respect to an appeal under this Chapter as if the appeal were an appeal from an original decree passed by a civil court situated within the local limits of its civil appellate jurisdiction.

Provided that where the High Court consists of more than two judges every appeal under this Chapter shall be heard by a bench of not less than two judges.

(3) Every appeal under this Chapter shall be preferred within a period of thirty days from the date of the Tribunal under Section 98 or Section 99.

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within such period.

(4) Where an appeal has been preferred against an order made by the High Court may, on sufficient of the order appealed from and in such a case the order shall be deemed never to have taken effect under sub-section (1) of clause (b) of Section 98, Section 107.

(5) Every appeal shall be decided as expeditiously as possible.



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and endeavour shall be made to determine it finally within three months from the date on which the memorandum of appeal is presented to the High Court."

I have read it in full just to remind this House that after 1956 a specific provision has been included giving the right of appeal. It is not as if that leave to appeal has got to be obtained from the High Court. After the tribunal has given its findings, the aggrieved party has got the right to go before the High Court and the right of appeal is here. But, of course, such a right of appeal does not exist in the U.K. today.

In the U.K., if I may say so, what happens is that the trial of the election petition takes place in an open court without jury. The petition is tried by two Judges on a Rota for the trial of parliamentary election petitions. The Judges for the time being on that Rota must, unless they otherwise agree, try the petitions standing for trial according to their seniority. The Judges are referred to as the Election Court. The Election Court has the same powers, jurisdiction, authority etc., as the High Court. The Judges, after giving a finding, will have to write to the Speaker at the completion of the trial. No appeal under section 137 of the Representation of the People Act of 1949 shall lie without the special leave of the High Court from the decision of the Election Court on any question of law, whether an appeal or otherwise, under the provisions of that part of the Act, and if leave to appeal is granted, the decision of the Court of Appeal in the case shall be final and conclusive.

I wish to draw attention to this distinction. In our case, after the ward or the finding has been given by the election tribunal, there is the right of appeal to the High Court. Under the U.K. practice, after the final award or judgment is given by the election court, an appeal lies only

on a question of law with the leave of the court of appeal. I am not really contesting this point, but the point I want to really emphasize is that the tribunals must have full powers to go into this, and when there is a right of appeal and when the right of appeal is to be used, the appellate tribunal or the appellate court—in this case the High Court—has got full jurisdiction to go into all the preliminary objections or otherwise, but that is a thin line which has got to be drawn so far as the practices in the United Kingdom and India are concerned.

The next point which I would like to mention is that inordinate delays do occur because of many reasons. The election tribunal, for reasons only known to itself, drags cases on for more than one year. It is for the Ministry to give a direction to the Election Commission or to the election tribunals to see that this matter is expeditiously disposed of, because an election petition hanging in the air is doing good neither to the petitioner nor to the respondent. It may be a good case or a bad case, but it is going to create more and more bitterness. So, it has got to be disposed of as expeditiously as possible.

I am not, however, for any kind of summary trial. It has got to be gone through very carefully also. In the 1951 Act, there was only provision for a candidate to withdraw. A candidate has got the right to withdraw within a particular period. It is well known, and, therefore, I need not repeat it here. But, after 1956, a provision has been included, namely section 55—A which authorises a candidate to retire. First, a candidate could withdraw after three days of the scrutiny or whatever period has been fixed; as soon as he withdraws, he is no longer in the field. Before the election takes place, one of the candi-

dates who has filed his nomination, and whose nomination has been accepted, has got the right to retire. When once he has retired, he has got actually no interest in the further elections or election proceedings. That is more or less commonsense. But there is still a lacuna in the law in this respect.

The misjoinder or the non-joinder of parties can be raised as a preliminary objection. Such cases do arise. As a matter of fact, I know of a case where the respondent was the Chief Minister of the Madras State, where the point was raised about the non-joinder of a party, that party being a person who had practically withdrawn from the contest by retirement, and who had the right to retire under section 55—A. Now, our practice is not the same as that in UK. In UK, if there are three candidates who are competing, and one of them is a victorious candidate, and if a candidate wants to challenge the candidate who has won, he can in his election petition bring in as a respondent only that person who has declared as elected. He cannot implicate or bring in the third man who had withdrawn; if that third man is also brought in as a party, he can claim damages for being unnecessarily dragged into the court. The only person who can be dragged is the person who has declared in election, namely the returning officer, if there is a specific allegation against the returning officer.

**The Deputy Minister of Law (Shri Hajarnavis):** Suppose a seat is claimed. In addition to the request for setting aside the election of the candidate who has won, suppose a seat is claimed by the petitioner. Is not the other person a necessary party in whose absence there can be no adjudication?

**Shri Tangamani:** It is only here that where you are not claiming to be declared as the elected candidate, you need not include the others as parties. Generally, in all the election

petitions, what is wanted is to set aside the election of the other person and also a declaration that the petitioner be declared as the elected person. In such a case, if I am not wrong—I am subject to correction—our law here specifically provides that you have to include all the persons who are in the field. But I am not sure whether there is such a provision in the UK law but my recollection is that in one of the leading cases, there is a clear decision that you cannot drag in all the people who are not interested in the election petition. But, here, the man was probably interested in the election....

**Shri Satyendra Narayan Sinha (Aurangabad—Bihar):** Here also, the same provision is there in section 82.

**Shri Tangamani:** I am just giving my understanding of the position.

Anyway, coming to my amendment, I would like to submit that my amendment seeks to exclude this anomaly. Where a person has retired under section 55—A, he must also be treated as the person who has withdrawn. So, a non-joinder of the person who has retired from the contest should not vitiate the entire trial. That was the main point that I wanted to bring to the notice of the Ministry and the House.

My next point, namely whether the Supreme Court should intervene or not is really a secondary point, so far as I am concerned. I am sure cases of the following type must have come to the notice of the Ministry, that is cases, where serious allegations are made of corrupt practices and so many other things. Suppose in this case, on this preliminary point that there has been a non-joinder of parties, that is, that the person who has retired from the contest has not been included, he gets a decision in his favour, then ultimately no court can go into the merits of this case. The whole constituency would be expecting that the merits of the case would

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be gone into, but because of this lacuna, the merits cannot be gone into. I want the Ministry to think seriously whether an amendment in this behalf is not called for. I am sure the Ministry may be having more details and more facts, and they will be in a position to make other similar amendments to the provision in this regard.

Therefore, clauses 1, 2 and 3 are the clauses really which I would like to press for acceptance by the Ministry. As for clause 4, when it was being drafted, I was really conscious of the lacuna, that it will go against the Constitution. But I included it because I wanted a certain assurance to be given. I know that we cannot now dictate to the Supreme Court. In fact, I distinctly remember that the Supreme Court has said so in one of the cases reported, namely AIR-54-Supreme Court-page 520. In that case, there was an appeal against the election tribunal's verdict setting aside the election, because, at that time there was no section 116-A. So, an appeal was preferred to the Supreme Court, and it was argued also that under article 329 (b):

"No election to either House of Parliament or to the House or either House of the Legislature of a State shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate Legislature."

It was argued, very ably also, that this gave a finality to the election tribunal's verdict. Now, the finality will be an appeal to the High Court, for, the Supreme Court is very touchy about this matter, and the Supreme Court says that anybody can invoke article 136, because their jurisdiction is so unlimited; and

under the residuary powers, in their wisdom, they are saying it. I would really commend this case to the Ministry so far as this aspect is concerned. When there is a serious injustice done, naturally, the Supreme Court will be able to intervene. But where the hardship comes is where because of certain technical errors, preliminary objections are raised, and they can be taken right up to the Supreme Court; let them be decided there but my grievance is the delay which is inevitable in the nature of things as they stand today. That is why I have brought forward clause 4 also.

Mr. Chairman: So, I take it that the hon. Member is not interested in clause 4.

Shri Tangamani: I am not interested in it except to this extent.

Mr. Chairman: On this undertaking given by the hon. Member that he does not want to press clause 4, I am allowing him to move for consideration the rest of the Bill

Shri Tangamani: There are instances which will substantiate the case of hardship which I have cited. There may be a case where the challenge to the election may be very justified, but the delay may be causing unnecessary harassment to the person who has filed the petition.

There was one such case in Karaikudi in Madras State. The election petition was based on certain serious allegations. When the Election Tribunal was taking up this matter, several preliminary objections were raised. I believe the matter was twice brought to the Supreme Court. Of course, the Supreme Court gave a decision against them. But only last week the trial has started.

In another case, where the person concerned is the Planning Minister in Andhra Pradesh, the trial has not yet commenced even to this day.

Such instances can be multiplied. It does not do good either to the respondent or to the petitioner. So for expeditiously dealing with these cases, we have provided in our law that the Tribunal must give its verdict within six months. But we find that even after 18 months, we have one third of the cases still pending. We have also provided under 116A that the High Courts must give their verdict within three months. Still we are told that 58 cases are pending before the High Courts. I take it that the reply of the hon. Deputy Minister of Law to my question is really in respect of those cases which are pending before the High Courts on appeal, not cases which are pending before the High Courts by way of writ petitions under article 226 of the Constitution or before the Supreme Court under article 32 by any one of those writs against any of the interlocutory orders passed by the Tribunal. We now (in Sept. 1958) find that one third of the petitions which were filed in March 1957 are still pending.

Are we to allow this sort of thing to go on? I do not know the practice in UK. But I know that if there is an election of a particular candidate which is challenged and if ultimately the election is set aside and if the member concerned had continued as member for three years, he will be asked to pay back all the salary and emoluments that he has received. No such calamity is now going to befall on similar persons here. But what is happening is that the election is set aside after the end of the fifth year which makes a mockery of the whole thing.

So I would earnestly request the Minister to consider this aspect and speedily bring such amendments to the Representation of the People Act—my clauses 1, 2 and 3 are there—as will really fill up this lacuna, so that election petitions are disposed of as expeditiously as possible.

I would even venture to make a suggestion, though it is slightly outside the scope of the Bill. Election petitions must also be screened. Now, any man able to deposit Rs. 1,000 and able to set apart about Rs. 10,000 for appeals and writs to the High Court and the Supreme Court will be in a position to file an election petition. Any poor man will not be able to do that. There has got to be some arrangement for screening. The Election Commission itself must be in a position to do this. Let it be an impartial thing. The Election Commission must have some machinery, as we are now having for the purpose of scrutiny, to see whether the election petitions could be allowed. It will not be going into the entire merits, but it will be able to see *prima facie* whether a petition should be allowed. Otherwise, there will be unnecessary election petitions which will unnecessarily prolong the whole proceeding and really make a mockery of the petitions.

After nearly 8 years of our experience, I submit that a certain revision is necessary. It is in this spirit that I have brought forward my Bill, and I request the hon. Minister to consider it favourably.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration".

Shri Satyendra Narayan Sinha: I wanted to have a clarification. Do I understand the hon. Mover to say that he is not interested in clause 4 of his Bill, that he is not pressing that clause?

Mr. Chairman: He has given an undertaking that he is not going to press clause 4. On the basis of that, I have allowed him to proceed with the Bill.

**Shri Shree Narayan Das:** I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December 1958".

I am thankful to the hon. Mover for introducing this measure in this House. By this he has given the House an opportunity to discuss a very important thing, that is, with regard to some of the provisions of the Representation of the People Act concerning election petitions

There is no doubt that even after the first general election we have noticed that a very large number of election petitions were filed before election tribunals under the provisions of the Act, and after that under the various provisions of the Constitution.

**Shri Sinhasan Singh (Gorakhpur):** Before the hon. Member proceeds further, may I have a clarification? The hon. Mover has said that he is not going to move clause 4 of his Bill which is the relevant portion of the Bill. Whatever remains of the Bill is only about definition of a 'contesting candidate' and addition of "and clause (a) of Section 82". I submit that if clause 4 is removed, nothing remains of the Bill. Clause 4 refers to appeals to High Court and so on. Without this clause, what is the use of taking the time of the House?

**Mr. Chairman:** Order, order. I have not been able to understand the objection of the hon. Member. There are four clauses to the Bill. He is not pressing one clause and the rest of the Bill is under consideration. What is the point of objection?

**Shri Sinhasan Singh:** Clause 4 is the only relevant clause in the Bill. Clause 1 is only the name. Clause 2

is about adding "and clause (a) of Section 82". Clause 3 gives the definition of a 'contesting candidate'. Clause 4 is the only relevant clause in the Bill which relates to appeals and so on, so that there may not be delay in the disposal of petitions in the High Courts.....

**Mr. Chairman:** Order, order. The hon. Member is not allowed to make a speech. What is the point of order?

**Shri Sinhasan Singh:** I am saying that if clause 4 is withdrawn, what remains of the Bill?

**Mr. Chairman:** There is no point of order.

**Pandit Munishwar Dutt Upadhyay:** (Pratapgarh): On a point of order. My hon friend, Shri Sinhasan Singh, should really have raised this point after the speech of the hon. Member.

**Shri Satyendra Narayan Sinha:** Is that a point of order?

**Pandit Munishwar Dutt Upadhyay:** Now he wants to speak on a point of order. I do not think it is justified.

**Shri Braj Raj Singh (Firozabad):** What is the point of order of the hon. Member?

**Mr. Chairman:** Order, order. Unfortunately, the proceedings of this House are taking a turn which is not desirable. First of all, an hon. Member stands up on a point of order knowing full well that there is no point of order. Then another hon. Member stands up to say that it is not a point of order. It is for the Chair to decide whether there is a point of order or not and not for the hon. Member.

**Shri Shree Narayan Das:** I was just telling the House that there is no doubt that under the present procedure and under the provisions of the Constitution and the Representation

of the People Act there is much delay in the disposal of election petitions. As the hon. Mover has pointed out, a large number of cases are still pending before either the High Courts or the Supreme Court or election tribunals, because the Supreme Court and the High Court have, according to the powers given under the Constitution, thought it proper to intervene in the rights of the Election Tribunal or in the rights of the High Court when the appeals come to the High Courts or the Supreme Court

16 hrs.

After the experience gained in the first General Elections, the Representation of the People Act, 1951 was amended. We made some provisions for the disposal of the election cases to be expedited. Though these provisions were not mandatory, it was expressly stated that the Election Tribunal should dispose of the cases within 6 months of the publication of the Election Petition in the Gazette of India. (Interruptions). We expected that the election petitions would be disposed of both by the Election Tribunals and the High Courts expeditiously. But as experience has shown, it has not been possible. It has not been found possible to dispose of these cases within 6 months because appeals or certain other things were brought before the High Courts or the Supreme Court. Therefore, I think it necessary now that the House should consider the whole of the Representation of the People Act and also the constitutional provisions. If the constitutional provisions stand in the way of the speedy disposal of election petitions, Parliament is entitled to amend the Constitution.

Here I will submit that it is the sole responsibility of Parliament to regulate the elections, either to both Houses of Parliament or to the Houses of the State Legislatures. Under article 329 of the Constitution, it is provided that Parliament will make such laws. As we understood it then,

when the Representation of the People Act, 1951 was being enacted, we made a provision that the decisions of the Tribunal will be final and conclusive. By that we meant that no election cases will be taken up by the High Court or the Supreme Court. I do not mean to say that the Supreme Court or the High Courts have gone out of their way to take up these cases. They have decided—and rightly too—that under the provisions of the Constitution they have the right to interfere in some of the election matters, especially those that have been provided for in the Constitution. Yet I would say that it is the sole right of this body to lay down rules and regulations to govern the elections of Members. Therefore, I feel that with regard to the regulation of matters concerning the election of Members, the powers of the High Courts and the Supreme Court should be restricted and the Act that is passed by this House regulating the elections to either House of Parliament or to either House of the State Legislatures should give certain restricted powers to the High Courts or the Supreme Court.

I will make myself clear. Article 329 reads:

"Notwithstanding anything in this Constitution—

(a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under article 327 or article 328, shall not be called in question in any court;"

So far as I know, neither the High Courts nor the Supreme Court have in any decision or judgment interfered with the operation of this provision.

Clause (b) reads:

"(b) no election to either House of Parliament or to the House or either House of the Legislature of

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a State shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate Legislature."

According to the provisions of this sub-clause, we made certain provisions in the Representation of the People Act. We had provided in the original Act that the decisions of the Election Tribunals as constituted by that Act will be final and conclusive. But, at that time also the High Court or the Supreme Court said that the Representation of the People Act cannot take away the powers of the High Court or the Supreme Court. Therefore, they entertained certain of the proceedings that were brought before them.

What I would like to say is this. I am aware that in certain cases, especially in cases of appeals against the orders of the Election Tribunal, they shall lie before the High Court. But I would like to suggest that even against the decisions of the High Court an appeal should lie to the Supreme Court, so that we may have the findings of the learned Supreme Court in order to make the decisions or judgments in election cases uniform. If the Supreme Court is not given the right to hear appeals from the decisions of the High Courts in election cases, the different High Courts will give different rulings and there will be no opportunity for the Supreme Court to say which of the decisions of the High Courts are good and proper. I, therefore, suggest that the Representation of the People Act should be scrutinised and revised and certain provisions should be made by which we can give suitable powers to the High Courts as well as the Supreme Court so that they may be able to pronounce judgment on the varying decisions respectively of the Tribunals and of the High Courts. I would request the hon. Minister....

Shri Hajarnavis: That, I understand, is the present law. (Interruptions).

Shri Shree Narayan Das: We have not given any power to the Supreme Court to hear appeals against the judgments of the High Courts. The Supreme Court now comes in under the provisions of the Constitution, articles 132 and 136 or some of the other articles. I would request the hon. Minister to find out which are the provisions of the Constitution that stand in the way of the speedy disposal of election cases.

Shri Hajarnavis: None.

Shri Shree Narayan Das: We cannot question the right of the High Courts or the Supreme Court. As the High Courts or the Supreme Court have interpreted the Constitution, they have the powers to interfere and to entertain writs under the provisions of the Constitution. But as I have understood it, it is the sole responsibility of Parliament to regulate the election of Members. Therefore, it is the right of this Parliament to give such powers as are necessary either to the Tribunals or the High Courts or the Supreme Court. The general provisions in the Constitution pertaining to the powers of the High Courts and the Supreme Court should be curtailed in this matter.

I know that with regard to the Armed Forces, the powers of the High Court and the Supreme Court have been limited by providing suitable provisos to various provisions in the Constitution. Therefore, I would suggest that under articles 132, 136, 226, 227 and 228 and even 329, there should be provisos that all those general powers would not apply to elections to both Houses of Parliament and to the State Legislatures.

Shri Hajarnavis: May I understand the hon. Member correctly? I think that, at one stage of the speech he said



that under the Representation of the People Act, there is no right of appeal to the Supreme Court; that we have got to go back to article 13 and so on of the Constitution and that, therefore, provision for an appeal to the Supreme Court ought to be made. That is what I understand he said at one stage. Now, what thereafter fell from his speech leads me to indicate that he wants the powers to be completely taken away from the High Courts or the Supreme Court. I would like to know which one he wants.

**Shri Shree Narayan Das:** All the powers that have been given in the various articles of the Constitution with regard to the elections to the Houses of Parliament and the State legislatures should be taken away, and certain powers should be given under the law made by Parliament in the Representation of the People Act, by way of an appeal or certain other provisions, where, in certain suitable cases, the High Courts or the Supreme Court may interfere. That is my proposition. I think there is no contradiction.

**Pandit K. C. Sharma (Hapur):** Nothing.

**Shri Shree Narayan Das:** The Minister has sought to make certain provisions with regard to the candidate who retires. When the Representation of the People Act, 1951, was amended during the year 1956, I think, section 55A was inserted. The reason for it was, there are certain cases where a candidate, after going through the constituency, finds that he will not be able to win the election; he then does not take care to go about, and then simply sits. Previously, there was no provision that he can retire or withdraw at that time. Therefore, we felt at that time that it will be good if there is some provision made by which a candidate may retire after sometime. But, I think after the general election, from what I have heard—I do not have any

such case before me—this provision has resulted in corruption on the part of some candidates. Previously, the provision was that after the scrutiny was over, a period of three days is provided for the withdrawal of candidates and those candidates who do not withdraw are thought to be contesting candidates. Now, the question arose after the last general election whether a retiring candidate was a contesting candidate or not, and as far as I have been able to know, different high courts have given different rulings. In section 55A there is a provision that any person who had given notice of retirement under sub-section (2) shall thereafter be deemed not to be a contesting candidate for the purpose of section 52. Therefore, the high court of one of the States said that because there is no mention of section 82 under this section, the contesting candidate continues to be a contesting candidate, so far as section 82 is concerned.

Another high court—I do not remember the name—said. "No; the candidate who has retired is not a contesting candidate". Anyway, that is the interpretation given by the courts. But what I would like to say is that this provision is not a healthy provision. I have given notice of an amendment to the effect that the whole of section 55A be omitted. There is no necessity for it. The reason is this. A certain number of candidates come up. They file nomination papers, and the candidates who are not keen retire within the time provided, that is, after three days of the scrutiny. But now, after the insertion of section 55A, some spurious candidates remain as contesting candidates even after the time for withdrawal. After sometime they begin to bargain with the contesting candidate. The contesting candidate thinks that there is only one single contestant and that if the other person is won over, is persuaded to retire, then, under the provisions he will be returned as uncontested. That leads to some corruption. So, I think there is no necessity for that provision.



[Shri Shree Narayan Das]

The second reason is this. When certain candidates come up for election, the electorate begins to think which candidate has to be supported. Suppose a certain candidate for an election wants that he should be supported, and suppose he is cajoled or is persuaded to retire, there is no option left to the electorate to cast their votes. Therefore, this aspect also, from the point of view I mentioned, is not proper. Hence, I suggest that if the amending Bill moved by my hon. friend is considered this provision should be omitted from the original Act. Suppose it is not considered, what I would suggest is this. After having had the experience of the two general elections, I have heard that the Election Commission has prepared a report, and that in that report certain suggestions have been made regarding the working of the Representation of the People Act. Therefore, having in view all these experiences and the suggestions made by the Election Commission, I would request the Government to come forward with an amending measure, as comprehensive as it should be, so that certain lacunae that are there in the present Representation of the People Act could be removed and the disposal of election petitions not delayed. Then, the Act could also work very smoothly.

With these words, I commend my amendment to the House, and I think if the Bill is circulated, there will be some opportunity to the general public to give its opinion on this point, and that could be considered by this House when a comprehensive Bill is brought forward by the Government.

**Mr. Chairman:** The amendment is before the House.

**Shri Achar (Mangalore):** I rise to a point of order, Sir. The point is this. This is a 4-clause Bill. The hon. Mover of the Bill said, if I remember aright, that he is not interested in clause 4 of the Bill. The point is whether an hon. Member can do like

that. There are several stages of a Bill. First, there is the consideration of the Bill as a whole. Later, there comes a stage where amendments are considered, during the clause-by-clause consideration of the Bill. Now, the Member has introduced the Bill which consists of four clauses. There is no amendment. Is he entitled to bring a Bill and say, "I have got four clauses," while the Bill is introduced, and while the consideration stage starts, can he say, "I give up a portion of the Bill"? Is he entitled to do it?

**Mr. Chairman:** I understand that the hon. Member objects to this procedure. Am I correct? I take the hon. Member to mean that the procedure that has been adopted in the House is not correct: either the Bill should be proceeded with as a whole or not proceeded with at all. Is that the contention?

**Shri Achar:** My submission is, when the Member brings in a Bill, he should have the permission of the House to have the consideration of the Bill as a whole. He cannot say, "I introduce the Bill" first, and then say, "I give up some clause, and I would introduce the Bill with half the clause or section" or something like that.

**Mr. Chairman:** This Bill consists of four clauses. The fourth clause is quite independent of the other three clauses. This is not the first occasion when a question of this nature has arisen. It has always been the practice in this House that if a Member gives an undertaking that he is not going to press one part of the Bill, then he is allowed to proceed with the other parts of the Bill. If clause 4 is so connected with the other clauses that those clauses could not be considered without clause 4 being considered, then the position would have been otherwise. It is covered by the practice of this House, and I have done what the practice of the House is. So I have allowed him.

When he goes on, after the consideration motion also, he will not be allowed to say a word about this clause 4. He has given an undertaking. On the basis of that undertaking he has been allowed to proceed with the Bill. There is no objection to that, and it is not contrary to the procedure.

**Pandit K. C. Sharma:** I agree that the candidate, having retired, has no interest in the dispute about the election. It is the correct position. But the point is one of the right and liability pertaining to the law in existence at the time of the dispute. That is, the right and the obligation of the candidates arises from the letter and spirit of the law as it existed at the time of election. Now, during the pendency of the dispute it is not proper to change the law, to interfere with those rights and liabilities.

My hon. friend's solicitation I understand. He has the right to contest that when a gentleman has retired he is not interested in the election, and so why should he have been made a party at all, why should he be regarded as a contesting candidate. But at time of of the elections certain position has arisen under the law as it has been in existence, and now the candidates contesting the election must stand by that position.

It is wrong in principle to change the law after that. You cannot decide the position, you cannot decide the right of a candidate from the viewpoint of a law that was not in existence. That is my difficulty. Otherwise I would agree with the contention that my hon. friend has advanced. Therefore I beg to oppose it, because it is wrong in principle. It is wrong in principle because the rights and liabilities of any disputant must relate to the law in existence when the incident relating to those rights and liabilities took place. That is the general principle of jurisprudence.

My hon. friend is not pressing clause 4. Therefore, I have not much to say. Enough to say that he has

not the right to dispute that position in the way in which he would have disputed under the Bill. Therefore, the question does not arise.

श्री ब्रज राव सिंह : समापति महोदय, मुझे लुझी है कि श्री तंगामणि के इस बिल में हम को अपने चुनाव कानून पर कुछ खर्चा करने का मौका मिला है। जहाँ तक कनटेस्टिंग कैंडीडेट की परिभाषा बदलने का सवाल है, मैं समझता हूँ कि यदि पुराने कानून की धारा ५५ए रहे, तो फिर इस परिभाषा को बदल देना उचित ही होगा। लेकिन सवाल यह है कि क्या हमारी धारा की परिस्थितियों में यह उचित है कि हम चुनाव से दस दिन पहले तक किसी उम्मीदवार को यह मौका दें कि वह कनटेस्ट से बाहर हो जाय, रिटायर हो जाय। वर्तमान कानून में यह व्यवस्था की गई है कि कोई भी उम्मीदवार चुनाव से दस दिन पहले रिटायर हो सकता है और उस के बाद उस का नाम कनटेस्टिंग कैंडीडेट्स में नहीं रह जायगा। सवाल यह है कि जो धादमी प्रमेम्बली या पार्लियामेंट के लिए चुने जाते हैं, हम उन को मौका दें कि वे वहाँ जा कर कुछ काम करें या चुने जाने के बाद फिर चुनाव पेटिशन लड़ते रहें और जिस काम के लिए वे भेजे गए हैं, उन में वे अपना पूरा वक्त न दे सकें। वर्तमान कानून की इस व्यवस्था के परिणाम स्वरूप बहुत सी इलेक्शन पटीशनज चलती हैं। मैं यह नहीं कहता कि कोई पटीशन न चल, लेकिन हम को इस तरह के उसूल निर्धारित करने पड़ेंगे, इस तरह के सिद्धान्त तय करने पड़ेंगे, जिन के आधार पर इलेक्शन पटीशन चले सकें, लेकिन मैं बहुत ही विनम्र शब्दों में कहना चाहता हूँ कि हमें इस तरह के सिद्धान्त निर्धारित करने चाहियें, जिस से काम में कम इलेक्शन पटीशनज चल सकें। हमारे देश में जनतंत्र है, सब में बड़ी सत्ता जनता की है। जनता एक निर्णय द देती है और जो सदस्य चुना जाता है वह पार्लियामेंट में पहुँचता है। उसके बाद किसी कानूनी विषय की वजह से जनता के इस निर्णय को बदलवाने का मौका नहीं रहना चाहिए। अगर

[श्री बबराज सिंह]

कानूनी विक्लत की वजह से जनता के निर्णय को बदला जाता है तो यह जनतंत्र को शोभा नहीं देता है। मेरा कहना यह नहीं है कि जो कोरप्ट प्रैक्टिसिस की जाती है, उन कोरप्ट प्रैक्टिसिस की बिना पर कोई भी चुनाव अवैध घोषित न किया जाय। इस तरह के चुनाव अवैध घोषित किये जाने चाहिये। लेकिन इन कोरप्ट प्रैक्टिसिस को आपकी बहुत ही सीमित कर देना चाहिए और साफ कह देना चाहिये कि इन कोरप्ट प्रैक्टिसिस के भलाबा और कोई कोरप्ट प्रैक्टिसिस नहीं होंगी। इनके भलाबा और किसी पर भी चुनाव पेटिशन दाखिल नहीं की जा सकेगी। वर्तमान कानून की धारा ५५ (ए) में रिटायरमेन्ट सम्बन्धी व्यवस्था की गई है। इस कानून में कहा गया है कि कोई भी प्राथमी चुनाव के लिए लड़ा हो सकता है। हर वोटर को चुनाव लड़ने का अधिकार दिया गया है। जब ऐसी बात है तो लोगों के दिमागों में, वोटरों के दिमागों में यह बात साफ होनी चाहिए कि कौन कौन लोग हैं जो चुनाव लड़ रहे हैं। श्री श्रीनारायण दास ने सही कहा है कि ऐसे लोग हो सकते हैं जो सिर्फ चुनाव में इसलिए भा सकते हैं कि वे दस दिन पहले रिटायर हो जायें। आखिर जो लोग चुनाव लड़ना चाहते हैं, जो देश की राजनीति में हिस्सा लेना चाहते हैं, उनका पहले से कुछ काम हुआ करता है, कुछ नीति हुआ करती है, प्लान हुआ करता है, उनको क्या करना होता है, इसके बारे में उनका दिमाग साफ हुआ करता है। कुछ लोग ऐसे होते हैं जिन का उद्देश्य चुनाव लड़ना नहीं होता है, जिन को विश्वास नहीं हो पाता कि प्राया वे चुनाव लड़ेंगे या नहीं और जो बाद में रिटायर हो जाते हैं और प्रायः इसी उद्देश्य से लड़े होते हैं। इस तरह से दूसरे लोगों को और विशेषकर राजनीतिक विचारधारा रखने वाले लोगों को एक ठेस पहुंचती है। इस तरह से लोग दूसरों के दिमागों को दस दिन तक उसझाये रखते हैं जिस का नतीजा यह होता है कि न वोटरों के दिमागों में एक निर्णयात्मक स्थिरता

आ पाती है और न उम्मीदवारों के दिमागों में ही। उम्मीदवारों को पता नहीं चलता है कि किस विचारधारा वाले लोगों के खिलाफ उनको लड़ना है।

इस तरह से आप देखें कि कौन से ऐसे लोग होते हैं जो दस दिन पहले रिटायर होते हैं। किन्हीं राजनीतिक पार्टियों का सदस्य ऐसा नहीं कर सकता है। उनके धमने उसूल होते हैं, अपने नियम होते हैं जिन के मुताबिक उन्हें लड़ा होना पड़ता है तथा जिनका उन्हें पालन करना होता है। पार्टियों का उन पर कंट्रोल भी होता है और वे पार्टियों के खिलाफ नहीं जा सकते हैं। कुछ स्वतंत्र लोग होते हैं जो कि चुनाव लड़ते हैं अगर हम पिछली इलेक्शन के धाकड़े देखें तो हमें पता चलेगा कि काफी बड़ी तादाद में स्वतंत्र उम्मीदवारों ने चुनाव लड़ा। आखिर ये स्वतंत्र उम्मीदवार मुल्क का क्या करेंगे किधर इसको ले जायेंगे? मैं यह नहीं कहता कि उनको चुनाव लड़ने की इजाजत नहीं होनी चाहिए। हमने अपने विधान में हर व्यक्ति को, जोकि वोटर है, अधिकार दे रखा है कि वह चुनाव में लड़ा हो सकता है। लेकिन हम चाहते हैं कि हमारे देश में राजनीतिक विचारधारा चले। आखिर हमारे यहां बहुमत की सरकार चलती है। जब यह बात है तो हमें सोचना पड़ेगा कि अगर अधिक स्वतंत्र लोगों को चुनाव लड़ कर घाने का मौका मिलता है तो हम कानून में कुछ परिवर्तन करें या न करें। मैं यह बात इसलिए नहीं कह रहा हूं कि वे चुनावों में चुनकर न आवें। जो लोग जनता की सेवा करते हैं वे अवश्य आवें। लेकिन हम इस तरह की बात कभी न होंगे जिसमें कि उनके दिमागों में यह साफ न हो पाये कि प्राया उन्हें चुनाव लड़ना भी है या नहीं। जो पार्टियां होती हैं, उनका चुनाव मैनिफेस्टो होता है, उनके कुछ नियम होते हैं, उनके सदस्यों में अनुशासन की भावना होती है। जब ये सब बातें होती हैं तभी वे चुनाव लड़ सकती हैं अन्यथा एक पार्टी को पार्टी ही नहीं

कहा जा सकता है। इस बास्ते में निवेदन करना चाहता हूँ कि वा मिनिस्टर महोदय से कि जो कानून है उस पर पूरे तरीके से विचार करने जब वह बैठें तो श्री तंगामणि के इस बिल पर भी वह विचार करें। मैं चाहता हूँ कि वह गम्भीरतापूर्वक इस पर विचार करें कि आया इस तरह की धारा को रखने की आवश्यकता है या नहीं जिसमें कि उम्मीदवार बाद में रिटायर हो। नाम वापिस लेने के बाद फिर इस तरह की कोई बात नहीं होनी चाहिए कि कोई उम्मीदवार रिटायर हो।

एक बात में और कहना चाहता हूँ। पेटिशन दाखिल करने के जो आधार हैं, जो ग्राउंड्स हैं, उनको भी कुछ सीमित कर दिया जाना चाहिये। जब जनता अपना निर्णय दे देती है तो कानून की मुलमुल्यों से पड़ कर, कानून के अमले में पड़ कर, उनको पलटने की कोशिश नहीं होनी चाहिए। अगर हम जनतन्त्र को पनपाना चाहते हैं तो जनता के निर्णय को बैकडोर से बदलवाने की कोशिश नहीं होनी चाहिए और इस काम में कानून को सहायक नहीं बनना चाहिए। मेरा इरादा यह बात कहने में यह नहीं है कि मैं अदालतों की निष्पक्षता में विश्वास नहीं करता या मैं उनको अपमान करता या कोई अपमानजनक बात कहता हूँ। मैं उनका बहुत आदर करता हूँ। लेकिन सब में आदर आम जनता का होना चाहिए, जो जनता अपने प्रतिनिधि चुनती है, उसका होना चाहिए। मैं चाहता हूँ कि कानून मंत्री इस पर भी विचार करें कि इस चुनाव कानून में इस तरह के किसी परिवर्तन की भी आवश्यकता है या नहीं। जिन आधारों पर चुनाव पेटिशन हो सकती है, उनको सीमित करने की जरूरत है।

इन शब्दों के साथ अन्त में मैं यही कहना चाहूंगा कि अगर इसी बिल को स्वीकार करना है तब तो हमें उसमें जो कानूनी दिक्कतें रह जाती हैं उसको भी दूर करना होगा। कंटेस्टिंग कैंडिडेट कौम है, उसको सफ़्त करने के लिए

यह मुनासिब होगा कि हम जो रिटायर होता है, उसके बारे में एक साफ नीति अपनाने में अच्छी बात यह होगी कि रिटायर होने की बात को ही ख़त्म कर दिया जाए और यह विद्वांस तक ही सीमित रहे ताकि जो लड़ना चाहते हैं उनको भी पता हो कि फला फला लोग चुनाव लड़ रहे हैं और वे लोगों में जाकर अच्छी तरह से अपने कार्य को कर सकें तथा जनता की राय को अपने हक में कर सकें।

Some Hon. Members rose—

Mr. Chairman: The time allotted for this Bill was 2½ hours, but at that time it was taken into consideration that Section 116A was also to be debated here. That has been withdrawn by the Mover. Therefore, I think we should not take much time over this Bill now. It is now a short Bill, which has been sufficiently discussed. I will allow only one or two more Members and then I will call upon the hon. Minister to reply to the debate.

Ch. Ranbir Singh (Rohtak): This is an election matter, Sir. This is a matter of life and death for those people who fight the election.

Mr. Chairman: The real question, the subject matter of the Bill, has been withdrawn. There is no debatable point now. There is only a short question, and it has been sufficiently discussed.

Shri Satyendra Narayan Sinha: Sir, may I submit one thing? After what Shri Shree Narayan Das has stated in support of his motion for circulation of the Bill, I understood that you permitted a larger scope for discussion on the Bill and you permitted Members to speak about the general situation with respect to election petitions and all that. Therefore, our remarks are not now only to be confined to the small point in the Bill.

Mr. Chairman: Some more scope was allowed and that was permissible because there was a general question.

[Mr. Chairman]

But so far as the scope of the Bill is concerned, it is very much restricted after the main question has been withdrawn. If any hon. Member is very anxious to speak, I will allow him; otherwise, if I have the permission of the House, I may just call the hon. Law Minister to reply to the debate. If any hon. Member is very anxious I shall certainly allow him.

Shri Satyendra Narayan Sinha: There is no question of our being very anxious to speak on this Bill.

Mr. Chairman: I find no hon. Member is standing up. Therefore, I take it that nobody is anxious to speak.

Ch. Chandra Singh rose—

Mr. Chairman: Very well; let him speak.

श्री० चन्द्रचर सिंह : सम्पाति महोदय, मैं इस बिल का विरोध करने के लिए खड़ा हुआ हूँ। मैं समझता हूँ कि वर्तमान कानून के तहत इलक्शन हो चुके हैं और उनके नतीजे के तौर पर जो रिजल्ट्स दाखिल होनी थी वे दाखिल हो चुकी हैं और कुछ पर तो फंसले भी हो चुके हैं और बाकी जो बची है उन के बारे में भी जल्दी फैसले हो जायेंगे। बीच में ही कोई कानून बदलना मैं समझता हूँ ठीक नहीं है। मैं खास तौर पर उस घरा का अवयव विरोध करता हूँ जो चाहती है कि इस बीच में नया की इम्प्लेमेंटेशन बदले।

मैं समझ नहीं पाया हूँ कि हमने जो इजाजत दे रखी है कि अगर कोई चाहें तो दस दिन पहले विद्वद्गण अपना नाम कर लें, आया वह सही है या गलत है। यह सोचने वाली बात है। मैं राज राज सिंह जी से इस बात में सहमत हूँ कि एक लास्ट डेट मुकदर हो और उसके बाद बजाय इसके कि लोग कैंडिडेट्स को बिठाने में अपनी तकल्लुफें, बोटर्स को बीछे जायें। कैंडिडेट्स को बिठाने की परेशानी में उनको

नहीं फंस्ना चाहिए। ध्यान तौर पर यह होना है कि, चाहे यह कोरप्ट प्रेक्टिस हो या न हो, बहुत से लोग इसी बात की कोशिश करते हैं कि किसी को बिठा दिया जाए ताकि वे आसानी के साथ इलक्शन सड़ सकें। जो अपोजिशन वाले होते हैं वे आपस में सीदेबाजी करते हैं कि यहां पर तुम बठें जाओ, वहां पर हम बैठें जायें, यहां तुम लड़ो, वहां पर हम लड़ें इत्यादि। इस तरह से होता है यह कि—

श्री जगदीश चवत्तल : (बलहौर) : आपकी पार्टी वाले भी ऐसा करते हैं।

श्री० राजब र सिंह : हो सकता है कि हमारे साथी भी ऐसा करते हों, इससे मुझे इन्कार नहीं है।

लेकिन मैं समझता हूँ कि यह सब के लिए बेहतर है कि एक दफा विद्वद्गण करने की जो तारीख है वह बीत जाय तो फिर बाद में किसी के लिये भी विद्वद्गण करने का सवाल पैदा न हो ताकि जिन को इलक्शन लड़ना है वह और जो एनेक्टारेट है वह दोनों काई फीमला कर पायें। वरना आप जानते हैं कि कितना बड़ा हमारा देश है और इस देश के अन्दर बहुत से आदमी, ७०, ७५, ८० फीमदी आदमियों से भी ज्यादा ऐसे हैं जो पढ़े लिखे नहीं हैं, और पढ़े लिखे आदमियों में से भी बहुत थोड़े ऐसे हैं जो अवधार पढ़ें हैं। लोगों के पास सबरें पढ़ने की ही नहीं, उन को यह भी पता नहीं लगता कि कौन उम्मीदवार है कौन नहीं। उस तारीख के खत्म होने के बाद भी मैंने कई दफा ऐसा देखा है कि जब बोटर अपनी बोट देने आता है तो उसका पता नहीं होता कि कौन उम्मीदवार है। वह सिर्फ पार्टी का नाम सुन कर आता है। इसीलिए जब पहले चुनाव हुए तो इलक्शन कमिशन ने और इस हाउस ने अच्छी समझा था कि निशान लगाया जाय क्योंकि यह देश बहुत ज्यादा पढ़े लिखे लोगों का नहीं है और आदमियों का नाम याद रखना आसानी नहीं है। तो देश

की समान व्यवस्था को समझ कर ही यह कानून बनाया, उस को बदलने के लिये अब यह बिल आया है। जिन आवाजों के पास प्रस्ताव नहीं पहुँचते, जो प्रस्ताव नहीं पहुँच रहे, जिन के पास रेडियो से सारी बातें जानने के साधन नहीं हैं, उन के हितों के खिलाफ यह बिल आता है, क्योंकि कोई आदमी आपस में मिल कर तय कर लें और एक आदमी खड़ा रह जाय बाकी हट जायें, तो यह अच्छा ही है। मैं समझता हूँ कि विवाद करने के लिये जो प्रक्रिया तारीख रक्की गई है, वह रहनी चाहिये।

हम जानते हैं कि जब हम इस बिल का विरोध करते हैं तो उस से हमारी पूरी दिक्कतें हल नहीं होती। इसलिये मैं माननीय मंत्री महोदय से चाहता हूँ कि बेशक वह इस बिल की मुजालिफत करें, हमें गिरा दे, लेकिन और तत्कालिया इस ऐक्ट में लाने के लिये वह कोई बिजुल ले जाये तब यह जो मरदानिया है वोल्स को भी और चुनाव लड़ने वालों को भी, बे दूर हों।

**Shri Hajarnavis:** Sir, I rise to oppose the motion moved by the hon. Member, but I can give this assurance to him and to the House and to the other Members who have pointed out the various difficulties which arise in the application of section 55A, that the Election Commission themselves are considering this matter. Whatever difficulties it might have created for the individual members and contesting candidates, there are many larger difficulties for the Election Commission themselves. They cannot, for instance, finalise the printing of ballot papers till they finally know who are the persons for whom the votes are to be cast and that sometimes causes avoidable delay. Therefore, this matter is under the examination of the Election Commission, whether section 55A itself should be allowed to be retained.

We will come before the House very shortly, we hope after this last round

of election petitions is over, a comprehensive Bill and in that Bill, I hope we shall be able to secure co-operation from all sections of the House, because so far as the process of election or the machinery for election is concerned, it should be made simple. We shall try at that time to secure as much measure of agreement as possible. This certainly would be one of the matters which will engage our attention.

I find myself in almost entire agreement with the views expressed by many hon. Members. Having some experience as candidate and also as counsel for various election petitions, I find myself almost entirely in agreement with the views expressed by Ch. Ranbir Singh and Shri Braj Raj Singh. I have nothing to add. It is absolutely necessary that the law relating to elections should be made simple and very definite. By some process, if there is a serious dispute as regards elections, it should be possible to decide it expeditiously. With this end in view, we hope to bring before the House a comprehensive measure. In the meantime, I hope this assurance should satisfy the hon. Member and I hope he will withdraw the Bill.

**Mr. Chairman:** May I know whether the hon. Member, Shri Shree Narayan Das proposes to withdraw his amendment?

**Shri Shree Narayan Das:** I do not want to press my amendment.

**Shri Tangamani:** In view of the assurance given by the hon. Minister, I have no objection to withdraw the Bill.

**Mr. Chairman:** Has the hon. Member leave of the House to withdraw his Bill.

**Some Hon. Members:** Yes.

*The Bill was, by leave, withdrawn.*

16.41 hrs.

# CANTONMENTS (AMENDMENT) BILL

Shri Jhulan Sinha (Siwan): Mr. Chairman, I beg to move:—

“That the Bill further to amend the Cantonments Act, 1924, be taken into consideration.”

From a persual of, the Statement of Objects and Reasons to this Bill, it will be clear that this Bill is intended to remedy three defects in the present enactment, namely, the Cantonments Act. It will not be proper for me to remind the House of the history of the Cantonments in this country. It will be enough for me to say that the cantonments were conceived to be areas exclusively meant for the stationing of armed forces. During the British regime the areas covered by these cantonments were small and their number was also very limited. But now their number has gone to enormous proportions. Now there are, I find, 59 cantonments existing in this country. They cover, so far as I have been able to gather, a population of five lakhs.

They are divided into three classes—classes 1, 2 and 3. Class 1 consists of those areas where the population is above 10,000. Classes 2 and 3 consist of areas where the population is 7,500 and 2,500 respectively. All these three classes put together comprise a population of over five lakhs. Since this question concerns the civic life and amenities of such a large portion of the population of our country, the Government should, I think, take a view of this thing which is consistent with the prevailing view in these matters. We are now in the 11th year of our independence and democratic functioning. But the constitution of these cantonment boards still remains as archaic and old as it used to be during the British regime.

I can very well understand the want of confidence among the Britishers about the efficiency and capacity of

non-officials in those days. But now when the whole country is being governed by the adult population of this country, there is hardly any room for not having confidence in the efficiency and capacity of the people as such. If this position is taken into consideration and accepted, then there is hardly any room for the functioning of the cantonment boards as they are functioning today.

If you look at the organisation of these cantonment boards, you will find that they are so organised that the elected element in the cantonment board never gets any opportunity of being in a majority.

There is the permanent officials' majority controlling the fate of all those people who not only do not belong to the Armed Forces, but who belong to the general population residing in the areas covered by these cantonments. Of course, a later amendment in the Cantonments Act has made some provision for the constitution of civil area committees. Formerly, during the British regime they were bazaar committees, now they are civil area committees. But these civil area committees have got very limited powers and very limited functions. As I have been able to find out from the constitution of these civil area committees, they are practically wholly recommendatory. Their resolutions do not hold any value with the Cantonment Board as a whole. I have, therefore, thought it fit to provide in this amending Bill that the present majority in the Cantonment Board should not be allowed to exist any longer. It is too late in the day now to say that the people in this country are not as much interested in the wellbeing and security of the armed forces as the General Officer Commanding or his subordinates or the Defence Department itself. It is obvious and patent that the Defence Department in this country—I mean the Defence Minister and the whole Defence Department—is controlled by the elected representative of the people. Whether he is the Defence Mi-



nister or the Prime Minister, who-  
ever holds the rein in his hand, that  
person belongs to the general popula-  
tion of this country. Now, if that  
thing is possible, if the whole country  
and the whole 'Defence' Department is  
fit to be controlled by a person elect-  
ed by the people, there is hardly any  
ground for not allowing these armed  
forces, their amenities, their security  
and their welfare to be left in the  
hands of the elected representatives of  
the people. That is the main purpose  
behind the amendment that I have  
proposed.

The other thing that I have con-  
sidered fit to bring to the notice of  
this House and to provide for in this  
amending Bill is that in certain cir-  
cumstances the Government has re-  
served the right of entirely supersed-  
ing the elected and nominated element  
and leaving the whole thing in the  
hands of the General Officer Com-  
manding I know, as well as anybody  
in this country knows, that even for  
the municipal administration of this  
country, wherever it exists, there is  
provision for supersession of the  
municipalities and the local boards and  
the district boards by the local Gov-  
ernment or the Central Government  
where they are concerned. But once  
when these municipalities and local  
boards are superseded the administra-  
tion is not left in the hands of those  
people who have themselves been  
superseded, but some special officer,  
an executive officer, is appointed to  
carry on the administration just not  
only for a change but with a view to  
see the things existing then in their  
right perspective. But here even when  
these Cantonment Boards are circum-  
stanced to be superseded the General  
Officer Commanding who happens to  
be the Chairman of these Boards, car-  
ries on the administration after their  
supersession. This is anomalous. So  
far as I have been able to make out,  
the whole thing still seems to have  
been based on a lasting suspicion about  
the capacity, efficiency and the gen-  
eral interests of the people in the wel-  
fare and security of the armed forces.  
This is a thing which is unacceptable

to me and I hope it will be unaccept-  
able to the House also. People have  
got to be trusted. If the people in  
this country do not deserve the trust  
of the Central Government, I think  
the Central Government itself will  
cease to command any confidence  
from the people themselves. That is  
the position which we are not going  
to accept.

This amending Bill makes another  
provision apart from these two things.

A third provision that I have  
thought fit to incorporate in this Bill  
is this. There is a provision in the  
Cantonments Act that all taxes to be  
levied by the Board which is under  
the Commanding General with a  
standing majority of officials, have  
got to be levied with the previous  
approval of the Central Government.  
That is a thing which is still more  
unacceptable to my mind. We know,  
the resolutions and actions of the  
municipalities and local boards and  
other such local bodies are subject to  
the subsequent approval of the local  
Governments or other Governments  
concerned. I have never met with  
such a provision in the constitution  
of local bodies where the levying of  
taxes is subject to the previous ap-  
proval of the Government concerned.  
This is just quite contrary to and  
against any conception of democracy  
that we possess. If the Cantonment  
Board which commands a majority no-  
minated by the Government, is so  
efficient as to carry on the adminis-  
tration and it has been empowered to  
levy taxes, there should be no previ-  
ous approval. That is only dilatory.  
That will not only keep things pend-  
ing till the approval of the Central  
Government is received, but that is  
also based on the same want of con-  
fidence in the efficiency of the persons  
who have been nominated there to  
command a standing majority. This  
Bill provides for only three things.

Before I proceed further, I will just  
remind you of certain passages in the  
Forty-sixth Report of the Estimates  
Committee which went into this ques-  
tion exhaustively. I may, Sir, be



[Shri Jhulan Sinha]

allowed to quote certain passages which occur there. The Estimate Committee says:

"The committee therefore recommend that the Cantonments Act should be amended immediately to provide for the democratisation of the civil administration of the Cantonment areas. The strength of the Cantonment Boards which varies from 3 to 15 should be increased. The membership should be determined in relation to the population and should be based on well defined principles. The Officer Commanding the station may have powers to nominate one or two military officers to the Board, if necessary. One of them might be the Health Officer and the other one of the Medical Officers or the Garrison Engineers. The Committee do not consider it necessary or desirable that the Officer Commanding the station should be a member of the Board. They are of the opinion that the President of the Board should be elected by the members from amongst themselves."

This is the recommendation of a Committee of this House. This Report was published in March 1957. I think it is about a year and a half now.

They have made many other recommendations bearing on the points covered in my Bill. But, before I proceed to quote those recommendations, I would just try to bring to your notice that this Bill has absolutely no intention to try to malign this Government or to create any sort of insecurity or any want of amenities to the troops stationed in the cantonment areas. Certainly we all feel that the army in this country residing in the cantonments deserves the greatest care and attention of the nation. We have the tradition of believing in non-violence and the Panchsheel principle, enunciated by this

country, has been accepted by a majority of the people in the world as worth something. Even then we know that the whole world is so built that if we do not keep the army satisfied, contented and well-protected and well-kept, there are nations in this world that will pounce upon us and devour us. It will take us back to the days of slavery from which we have come out after a serious struggle of so many years under the leadership of one the like of whom is not likely to be born very soon amongst us. In this state of things, we should be second to none in this world in keeping our army well-equipped, well-protected, well-fed and well-kept. With this background in mind, we also feel that the army should not be made to feel that they are something aloof from the general population of this country. They are of us and we are of them. If this be the position, there is absolutely no ground for doubting the capacity or the efficiency of the bona fides of the general population that has been made to reside with them, to think against them.

There was absolutely no scope, no necessity for joining the civil population with the Cantonment Board, but circumstances were such that they had to be there. We would be very glad if those areas which are occupied exclusively by the civil population are taken away from the jurisdiction of these Cantonment Boards and, if they are sufficiently large, placed under a separate municipality or joined to the adjoining self-governing body. If that is to be the position, then, of course, the case for armed forces stands on a different footing.

I may point out from the report of the Estimates Committee that there was a committee appointed many years back. It was appointed for delimitation of the areas of these Cantonment Boards as early as 1949. That committee made certain recommendations, and among the recommendations there was one of delimiting and what they have called "excision" of

the civil areas from the Cantonment Boards wherever it is possible, and for this purpose they have divided all the Cantonment Boards into three classes.

They have grouped the cantonments under three categories. Only Ambala was put under Category 1, viz., one in which a large area redundant to the requirements of the army could be excised and formed into a separate local body. Category 2 specified those cantonments in which civil areas were not large enough to constitute a local-body by itself, but could be merged in the adjoining body. This category applies to 17 cantonments. Under Category 3 the remaining cantonments were listed. This was the recommendation made by the committee appointed in 1949. These recommendations also are lying in abeyance. They

have not been implemented. It was a committee under the Central Government itself.

I am aware the constitution of the Civil Areas Committee is such that the President of this Committee though elected by the people is only the Vice-President of the Board and is subservient to the general constitution of the Board and to its resolutions.

Mr. Chairman: I understand the hon Member will take some more time to finish his speech. The House stands adjourned till Monday 11 A.M.

17 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 8th September, 1958

[Friday, 5th September, 1958]

## ORAL ANSWERS TO QUESTIONS.—

S.Q. No.	Subject	COLUMNS
947.	Tourists Office, Paris	4849-50
948.	Scientific Research on Arid Lands	4851-52
949.	Zoo in Delhi	4852-54
950.	Gandak Project	4854-56
951.	Policy of decentralization of Railway Board	4856-58
952.	Remodelling of New Delhi Station	4859-60
953.	Central Council of Ayurvedic Research	4860-63
954.	Electrification schemes on South-Eastern Railway	4864-56
955.	Construction of second Shipyard	4866-69
956.	Farmers' Forum	4869-70
957.	International Conference of Agricultural Economists	4870-71
959.	Consolidation of land Holdings in Delhi	4871-73
961.	Fruit and Vegetable Development Board	4873-76
962.	Special Coupon Scheme for Foreign Tourists	4876-79
963.	Accommodation for tourists	4879-82
964.	Fire in jungles of Himachal Pradesh	4882-84
965.	Looting of passenger train	4884-86

## S.N.Q. No.

7. Accumulation of rainy water between Aligarh and Hathras . . . 4887-90

## WRITTEN ANSWERS TO QUESTIONS—

S.Q. No.	Subject	COLUMNS
958.	Anti-oxidants	4891
960.	Unsocial elements on Western Railway	4891-92
966.	Two Tier Sleeping Berths	4892
967.	Transmitter	4892-93
968.	Manpower for major projects	4893

## WRITTEN ANSWERS TO QUESTIONS—contd.

S. Q. No.	Subject	COLUMNS
969.	Tungabhadra Dam project	4893-94
970.	Palar river waters dispute	4894
971.	Railway Bridge at Mokamch	4894
972.	Free telegram facility	4894-95
973.	Sub-Postmaster, Raisinganagar	4895
974.	Gir lions	4895-96
975.	Purchase of foodgrains	4896
976.	Night trains	4897
977.	Suraimanpur-Reot Railway Track	4897-98
978.	Dacoity at Tikoli-Rawatpur Station	4898-99
979.	Health Ministers' Conference	4899-4900
980.	Tungabhadra High Level Canal	4900
981.	Ships built at Hindustan Shipyard	4900
982.	Wheat wagons	4901
983.	Damage to paddy crop in North Bihar	4901-02
984.	Road Bridge on River Jamuna near Kalpi	4902-03
985.	Kurdawadi-Miraj Rail link	4903-04
986.	Chittaranjan Locomotive Works	4904
987.	Closure of rail link between Bihar, North Bengal and Assam	4903-04
988.	Special taxis for tourists	4905
989.	All India Road Development Plan	4905-06
990.	Korba Power Station, Madhya Pradesh	4906
991.	Road accidents in Delhi	4906-07
992.	Indian visitors to Syria	4907
993.	Tourists who visited India	4907-08
994.	Rural electrification in Punjab	4908
995.	Health Services Centres in rural areas	4908-09
996.	Delhi Slums	4909-10
997.	Purchase of Rail Store	4909-10
998.	Potatoes	4910-11

# WRITTEN ANSWERS TO QUESTIONS—contd.

S. Q. No.	Subject	COLUMNS
999.	Suratgarh Mechanised Farm	4911-12
1000.	Floods in Orissa	4912
1001.	Travel concession to the blind	4912-13
1002.	Nagarjunasagar Project	4914
1003.	Non-payment of sugar-cane prices.	4914-15
1004.	Accidents due to travelling on roofs of trains	4915-16
1005.	Derailment of Lucknow-Kathgodam Express	4917
1006.	Hotel Standards and Rate Structure Committee	4917-18
1007.	T.B. Patients in Delhi	4918
1008.	Supply of Power to Delhi	4918
U.S.Q. No.		
1529.	Slum clearance in Delhi	4919
1530.	Seed production	4919-20
1531.	Second Class Coaches in Indian Railway.	4920
1532.	Construction of Warehouses in Bombay	4921
1533.	Forest development in Bombay State	4922
1534.	Automatic signals	4921-24
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1536.	Catering Contractors on Railways	4923-24
1537.	Departmental Catering	4924
1538.	Landless labourers	4924-26
1539.	Extra payment to Handling Contractors, Messrs Bird and Co., by Railways	4926-27
1540.	Tuberculosis	4927-28
1541.	G.M.F. Schemes for Andhra	4928
1542.	Parli-Vikarabad section of the Central Railway	4928-30
1543.	Road Development Scheme	4930
1544.	Head Post Office Building, Jaipur	4930-31
1545.	Purchase of vessels by Indian Shipping Companies.	4931-32

# WRITTEN ANSWERS TO QUESTIONS—contd.

U. S. Q. No.	Subject	COLUMNS
1546.	Fertilizers	4931-32
1547.	Tax-collection	4933
1548.	Seminar on Road Transport Development	4933-34
1549.	Through Coach between Loharu and Delhi	4934
1550.	Air accidents	4934-35
1551.	Flood Control schemes during Second Five Year Plan	4935
1552.	Theft of Railway property and goods	4935-37
1553.	Nutritional disorders among children	4937-38
1554.	Ticketless travellers	4939
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# PAPERS LAID ON THE TABLE 4993-94

The following papers were laid on the Table :—

- (1) A copy of each of the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each :—
- (2) Supplementary Fourth Statement No. 1958 of Second Lok Sabha.

# QUESTIONS LAID ON THE TABLE—contd.

COLUMNS

COLUMNS

4998

- (ii) Supplementary Statement No. IX. Third Session, 1957 of Second Lok Sabha.
- (iii) Supplementary Statement No. XIV. Second Session 1957 of Second Lok Sabha.
- (iv) Supplementary Statement No. XV. First Session, 1957 of Second Lok Sabha.
- (v) Supplementary Statement No. XX. Twelfth Session, 1956 of First Lok Sabha.

(2) A copy of the statement containing replies to certain memoranda received from Members in connection with demands for grants (Railways) 1958-59.

(3) A copy of the Wealth-tax (Exception of Heirloom Jewellery of Rulers) Rules, 1958 Published in Notification No. G.S.R. 719 dated the 23rd August, 1958, under sub-section (4) of Section 46 of the Wealth-tax Act, 1957.

## STATEMENT RE: SUPPLEMENTARY DEMANDS FOR GRANTS FOR 1958-59 PRESENTED.

4994

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi) presented a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1958-59.

## CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.

4994—97

Shri K. S. Ramaswamy called the attention of the Minister of Railways to the washing away of two bridges between Kazipet and Balharshah on the Central Railway and the consequent dislocation of Railway traffic.

The Deputy Minister of Railways (Shri S. V. Ramaswamy) made a statement in regard thereto.

## STATEMENT BY MINISTER

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas) made a statement correcting the reply given on the 25th August, 1958 to a Supplementary by Shri Atal Bihari Vajpayee on Short Notice Question No. 4 regarding fair price shops in Delhi.

## BILL UNDER CONSIDERATION

4999

Further discussion on the motion to consider the Public Premises (Eviction of Unauthorised Occupants) Bill, 1958, as passed by Rajya Sabha—continued. The discussion was not concluded.

## PRIVATE MEMBERS' BILLS INTRODUCED.

- (1) Mahendra Pratap Singh Estates (Repealing) Bill, 1958, by Shri Purushottamdas R. Patel.
- (2) Representation of the People (Amendment) Bill, 1958, (Amendment of sections 56 and 123) by Shri Radha Raman.
- (3) Constitution (Amendment) Bill, 1958 (Amendment of Articles 134, 136 and 145) by Shri Subiman Ghose.
- (4) Colouring of Vanaspati Bill, 1958 by Shri M. K. M. Abdul Salam.
- (5) Muslim Wakfs (Amendment) Bill, 1958 (Amendment of section 3) by Shri M.K.M. Abdul Salam.
- (6) Indian Evidence (Amendment) Bill, 1958 (Amendment of section 103) by Shri Naushir Bharucha.
- (7) Parliamentary Privileges Bill, 1958 by Shri Naushir Bharucha.
- (8) Territorial Councils (Amendment) Bill, 1958, (Amendment of sections 3, 22, 30 and 36) by Shri Laxman Achaw Singh.

## COLUMNS

## COLUMNS

PRIVATE MEMBERS' BILLS  
UNDER CONSIDERATION.

(i) Further discussion on the motion to consider the Code of Criminal Procedure (Amendment) Bill, 1958 (Amendment of sections 342 and 562) was concluded. The amendment that the Bill be circulated for eliciting opinion thereon by 31-12-58 was adopted.

(ii) Shri Jhulan Sinha moved that the Cantonments (Amendment) Bill, 1957 (Amendment of Sections 13 and 60 and omission of section 14) be taken into consideration. The discussion was not concluded.

PRIVATE MEMBERS' BILL  
WITHDRAWN.

Shri Tangamani moved for that consideration of the Representation of People (Amendment) Bill, 1957 (Amendment of sections 55-A, 82 and 116A). The Bill was withdrawn by leave of the House.

AGENDA FOR MONDAY,  
8TH AUGUST, 1958—

Further discussion on the motion to consider and Passing of the Public Premises (Eviction of Unauthorised Occupants) Bill as passed by Rajya Sabha.

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