

LOK SABHA DEBATES

(Fifth Session)



(Vol. XVIII contains Nos. 1-10)

**LOK SABHA SECRETARIAT
NEW DELHI**

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LOK SABHA

Friday, 22nd August, 1959.

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

American Military Aid to Pakistan

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- *392. { Shri V. C. Shukla:
Shri Kumaran:
Shri Panigrahi:
Shri Bibhuti Mishra:
Shri Damani:
Sardar Iqbal Singh:
Shri Shree Narayan Das:
Shri Arjun Singh Bhadauria:

Will the Prime Minister be pleased to state:

(a) whether Government's attention has been drawn to the reported agreement of the U.S.A. to supply Jet Bombers to Pakistan;

(b) if so, whether any protest has been lodged with the U.S. Government; and

(c) if so, with what results?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Government have seen some reports on the subject.

(b) and (c). The views of the Government of India in the matter have been conveyed to the United States Government.

Shri V. C. Shukla: May I know what steps we have taken to see that

no surprise attack can be made on us by these long-range jet bombers?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): This is hardly a question which I can answer here. Whatever steps we may take, we do not announce them or broadcast them.

Shri V. C. Shukla: Has the Prime Minister's attention been drawn to the statement of the Pakistan Finance Minister, Mr. Amjad Ali, that Pakistan being apprehensive of India's purchase of 73 Canberra jets, they have purchased these long-range jet bombers from the U.S.A., and if so, what is our view on this?

Mr. Speaker: No views are asked on the floor of the House.

Shri Panigrahi: May I know whether Government have any information about the number of military bases which have been established in Pakistan, both in the western and in the eastern wings, after the American military aid, and which are being run also by the American military personnel?

Shri Jawaharlal Nehru: It is well-known that Pakistan has a number of military centres and air-fields there. How far each one of them is run by a foreign authority or not, it is difficult for me to say. They have the foreign authorities as their consultants in various ways, but I cannot say whether they are supposed to be controlled in any way by any other authority.

Shri Supakar: Since these jet bombers are supplied to Pakistan apparently on a gift basis, why do we not ask Uncle Sam to make some gifts to us also?

Mr. Speaker: These are suggestions for action.

Shri Jawaharlal Nehru: Because we are India, not Pakistan.

Shri Ansar Harvani: In these border raids, may I know whether often American-supplied arms are being used?

Shri Jawaharlal Nehru: These border raids usually are with what are called small arms, not big or vital arms. As to whether any small arms come from abroad, I do not know. But they are just tommy guns and the like.

Shri Jaipal Singh: May I know whether our Government have any statistics as to the number of non-Pakistani nationals who are commercial pilots in Pakistan?

Shri Jawaharlal Nehru: I do not know.

Shri Ranga: May I know whether Government have any definite information as to who will have actual control of the storage as well as the use of these jet bombers, whether it will be the Pakistan Government or the U.S.A. Government or both of them together?

Shri Jawaharlal Nehru: I do not know about their internal arrangements.

Resettlement of Landless Labourers

***393. Shri Shree Narayan Das:** Will the Minister of Planning be pleased to state:

(a) whether any, and if so, which of the States have so far set up a Board for advising on resettlement schemes for the landless workers as decided by the Standing Committee of the National Development Council; and

(b) whether such a Board has been set up at the Centre?

The Deputy Minister for Planning (Shri S. N. Mishra): (a) No State has so far set up any such Board.

(b) No, Sir.

Shri Shree Narayan Das: May I know whether any of the State Governments have given an indication as to the date by which they will be able to set up such boards?

Shri S. N. Mishra: Most of them have said that the matter is under consideration. In certain cases, the fixation of ceiling on land has not yet been undertaken. So, they think that in some of these Bills that would be coming up for the fixation of ceilings, probably a provision might be made.

Shri Ranga: Is it not a fact that as much as 25 per cent. of the total cultivable land is still not cultivated and not occupied but in the possession of Government, and if so, why is it that Government have to wait until some ceilings are fixed and some surplus land is available, before such boards are established in order to raise the distribution of these uncultivated lands among the landless people?

Shri S. N. Mishra: I think this matter has so often been brought up before the House during the course of discussions. The extent of land available on that account is not going to be as much as the hon. Member makes it out to be. Here, the point is that the Standing Committee of the National Development Council thought that there would be land available through the application of ceiling and through bhoodan and gramdan. They are the more probable sources

Shri Ranga: I am asking about the appointment of these boards, even in anticipation of the fixation of ceilings, or even apart from that

The Minister of Labour and Employment (Shri Nanda): As regards land available from the other source indicated by the hon. Member, there is a programme of re-settling landless labour. In several States, this work is being done. It was that special or new source which was going to be tackled in this way.

Shri Tangamani: May I know whether Government have got any information as to the total land that has

been distributed to the landless workers so far?

Mr. Speaker: For the whole country? In all the States?

Shri S. N. Mishra: We do not have that information.

Shri Tangamani: This question relates to resettlement of landless labour. We want to know whether they have any information as to the extent of land distributed to the landless workers.

Shri S. N. Mishra: This question precisely does not relate to the distribution of land amongst landless labourers. This is for the re-settlement of landless labourers. So, I cannot give that figure just now.

Shri Jadhav: May I know the nature and personnel of the boards that have been set up for this purpose?

Shri S. N. Mishra: They have not yet been set up

Shri B. K. Gaikwad: May I know whether such lands will not be disposed of unless and until such boards are set up?

Shri S. N. Mishra: No. As the Minister has said, the work is already in progress. But so far as these lands are concerned, as and when they are available, the resettlement programme is undertaken

Shri Tyagi: In view of the fact that there is already a lot of pressure on agricultural land, have Government thought of any alternative schemes for the resettlement of landless labourers by way of cottage industries and other things?

Shri Nanda: That is the obvious alternative course on which there is a great deal of emphasis. But I must acknowledge that our intentions regarding making provision for landless labour have not materialised to the extent that we thought they should.

Shri Shree Narayan Das: May I know whether in the Centrally-administered areas, steps have been

taken to fix ceilings, and whether the appointment of the boards is under the consideration of Government?

Shri S. N. Mishra: In some of the Centrally administered areas, the fixation of ceiling was undertaken, just as in Himachal Pradesh. I cannot say about all the Centrally administered areas that fixation of ceilings has been done.

Manufacture of Streptomycin

*394. { **Shri Subodh Hansda:**
Shrimati Renu Chakravartty:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 2066 on the 7th May, 1958 and state:

(a) whether the plan for the construction of the new Plant for the manufacture of Streptomycin is ready;

(b) whether the land for the Plant has been obtained; and

(c) whether the construction work has since been started?

The Minister of Industry (Shri Manubhai Shah): (a) A preliminary project estimate has been prepared and tentative plans for the lay-out of the roads, buildings, etc for the plant have been drawn up. An engineer of Hindustan Antibiotics is at present in U.S.A., working out the detailed specifications for the machinery required and the lay-out of the plant with the assistance of the foreign consultants.

(b) The Streptomycin plant can be accommodated in the existing premises of the Pimpri factory. Acquisition of additional land for the purpose is therefore not required

(c) Not yet.

Shri Subodh Hansda: May I know whether Government had entered into an agreement with the American firm for the construction of the plant, and if so, the terms of the agreement?

Shri Manubhai Shah: As I indicated, the agreement is for the technical know-how and for securing the technical assistance and consultancy. It is not that they are going to supply us the plant. We shall issue the tenders in the United States and purchase what costs the lowest and is the best for us.

Shrimati Benu Chakravartty: May I know the consultation fees that we shall be paying to this U.S. firm, and also whether the terms of the U.S. Export-Import Bank make it necessary that we have to tender only in the U.S.A.?

Shri Manubhai Shah: As far as the first part of the question is concerned, there has been no fee as such for the consultation agreement. But they will charge us for the actual cost of drawings etc. not exceeding 25,000 dollars which works out to less than one per cent. as far as the equipment and plant is concerned. For the technical know-how and the process, there will be no royalty, but there will be $2\frac{1}{2}$ per cent. on the sales, for the research fee to be given for continuous flow of research between India and the U.S.A., as far as Streptomycin is concerned.

Regarding the Export Import Bank loan, the terms are standard and all the projects, whether in the public sector or in the private sector, follow these terms.

Shri S. M. Banerjee: May I know the quantity of streptomycin manufactured in the country at present and the quantity imported and its value?

Shri Manubhai Shah: No streptomycin dihydro or single is manufactured now and we are importing it and bottling it through some importers and processors—about 30,000 to 40,000 kgs. of the value of Rs. 1.2 to Rs. 1.4 crores.

Shri N. R. Munisamy: May I know whether it is a fact that even after the installation of the new plant for the manufacture of streptomycin we will fall short of the requirements of

our country; and, if so, to what extent we shall have to supplement?

Shri Manubhai Shah: We shall be wholly self-sufficient. And with increasing production we may be able to export also.

Shri Bimal Ghose: Do I understand that there is no proposal to manufacture anti-biotics in collaboration with the Russians?

Shri Manubhai Shah: The actual situation is this. The present estimates of the Health Ministry go to show that the manufacture at Pimpri both of penicillin and streptomycin should be sufficient for the next five years in this country. However, there is also another estimate which goes to show that, perhaps, a larger production may be desirable. If the available resources, both internal and external, provide us the necessary funds, then, we may go for a second plant. But the matter is still under consideration with the Russian experts.

Housing of Labourers

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

(a) whether the State Governments have conducted any special survey to find out the magnitude of the housing problem for labourers; and

(b) if so, the main features of the survey report?

The Deputy Minister of Labour (Shri Abid Ali): (a) Most of the State Governments are conducting special surveys to find out the magnitude of the housing problem for industrial workers.

(b) Survey reports are awaited from most of the State Governments.

Shri Ram Krishan: May I know whether any report has been received from any State by this time?

Shri Abid Ali: We have received from Bombay and Rajasthan; and the

reports from other States were not complete.

श्री भवः बर्न : श्री माननीय मंत्री जी ने बताया कि इस सम्बन्ध में राज्य सरकारों से रिपोर्टें मांगी गई हैं। मैं जानना चाहता हूँ कि क्या केन्द्र शासित प्रदेशों में, जैसे कि दिल्ली है, केन्द्रीय सरकार अपनी सीधी जिम्मेदारी महसूस करती है ? और अगर करती है तो जो यहाँ के बड़े बड़े मकान बनाने वाले मजदूर हैं उन के लिये क्या सुविधाएँ दी जा रही हैं ?

श्री आबिद अल : जी हाँ, दिल्ली स्टेट गवर्नमेंट से भी रिपोर्टें मांगी गई हैं।

Shri Supakar: May I know if the problem of providing housing for agricultural labourers is also under survey?

Shri Abid Ali: No, Sir.

Shri B. K. Gaikwad: How many homeless labourers are there in the Bombay State for whom Government have to provide houses?

Shri Abid Ali: According to the estimate of the Bombay Government 1,10,060 houses are necessary to meet the present requirements. But when these houses are built the present houses will be rendered useless and more workers would be coming in.

Shri S. M. Banerjee: Certain decisions were taken in the Fifteenth and Sixteenth Labour Conferences regarding quarters for the labourers. May I know whether there are mill-owners who agreed unanimously to construct quarters for the labourers and whether they have initiated any schemes for the same?

The Minister of Labour and Employment and Planning (Shri Nanda): In pursuance of requests made to the State Governments, we have information in our possession that they invited employers' representatives and had

talks with them. In certain cases, certain understandings were arrived at; and, as has been pointed out, surveys are being made regarding the requirements in other cases.

Shri Bose: May I know whether any State Government has already built up labour houses with Central subsidy or loan?

Shri Abid Ali: About 98,006 houses have already been built; and out of these 14,000 are built by the employers.

'Jehad' Campaign by Pakistan against India

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*396. { Shri Harish Chandra Mathur:
Pandit D. N. Tiwary:
Shri Hem Barua:

Will the Prime Minister be pleased to state:

(a) what steps, if any, have been taken by the Government of India to meet the danger arising out of 'Jehad' campaign by Pakistan against India;

(b) whether any notes have been exchanged with the Pakistan Government on this subject during the last three months,

(c) if so, what is the nature of these notes,

(d) whether any note has been circulated to the Security Council in this connection; and

(e) if so, what is the nature of that note?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) No special steps have been taken.

(b) and (c). Protests have been lodged with the Government of Pakistan requesting them to take steps to put a stop to such propaganda.

(d) and (e). While no special communication has been sent to the President of the Security Council on the subject, the Government of India have referred to the propagation of

Jehad in Pakistan in almost all their communications to the President of the Security Council which have been circulated by the U.N. Secretariat to the members of the Security Council.

Shri Harish Chandra Mathur: In view of the fact that this stage-managed propaganda by the Press and politicians of Pakistan undermines the very basis of the 1948 resolution the implementation of which Pakistan is insisting on, may I know what steps are being taken by Government to get that resolution rescinded?

Mr. Speaker: That is a suggestion for action.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I do not understand what the hon. Member means by rescinding the resolution. What resolution or agreement was arrived at in 1948 to which the hon. Member refers—I do not know.

Shri Harish Chandra Mathur: As a matter of fact, that resolution had stated certain conditions to be fulfilled if that was to be implemented.

Shri Jawaharlal Nehru: The hon. Member has referred to the entire Kashmir issue. How can I deal with that in a question like this?

Shri Harish Chandra Mathur: Is it a fact that this campaign has created a strong reaction in the State of Jammu and Kashmir also and may I know whether any counter-campaign is being organised there and have Government any information about it?

Shri Jawaharlal Nehru: We have no counterpart for Jehad here.

Shrimati Mafta Ahmed: About two or three months ago Russia sent a note to Pakistan calling for an explanation for making Jehad preparations with the assistance and guidance of U.S.A. May I know whether such notes were sent by our Government either to Pakistan or to U.S.A.?

Shri Jawaharlal Nehru: The hon. lady Member has given us information about the note sent by the Soviet Union. Presumably, they sent that note. But, I do not know quite fully as to what we are to do about it.

Mr. Speaker: The hon. Member wants this Government also to send a note.

Shri Jawaharlal Nehru: We have said that we have referred to this matter repeatedly.

Pandit D. N. Tiwary: In answer to part (b) of the question, the Parliamentary Secretary has said that the Government of India has written to Pakistan Government asking them to refrain from such activities. May I know whether Government is aware that even responsible Ministers of Pakistan are doing this sort of propaganda and making speeches for Jehad? If so, what is the use of writing to the Government there?

Mr. Speaker: It is an argument. If hon. Members have access to newspapers Government must have greater access to them. Therefore, there is no use asking them whether they are aware of this or that. I am not able to follow what the hon. Member wants to elicit.

Pandit D. N. Tiwary: My intention was this. What is the use of the Government of India writing to those who are responsible for making this propaganda? Other steps should be taken to prevent this.

Shri Tyagi: Will this item of Jehad also form part of the discussions which our Prime Minister is going to have with the Prime Minister of Pakistan next month?

Shri Jawaharlal Nehru: There is no agenda; we are going to deal with border disputes specially.

Shri Tyagi: It is also a border matter.

Shri Jawaharlal Nehru: It is not a border dispute; it is connected with

all these matters—of course, the background. And, no doubt, reference will be made to this background because if the background is not clear the foreground also gets rather muddy

Coir Industry

*398. { Shri Vasudevan Nair:
Shri Easwara Iyer:

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

(a) whether it is a fact that the Government of Kerala have submitted a scheme for the reorganisation and rehabilitation of coir industry in that State;

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

(c) the extent of financial assistance, if any, sought under the above scheme; and

(d) the action taken thereon?

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

(b) to (d). A statement is laid on the Table of the House. [See Appendix II, unannexure No. 99.]

Shri Vasudevan Nair: In the statement it is said that for the development of the industry Rs. 150 lakhs is allotted in the Second Five Year Plan. May I know what part of this amount has already been spent?

Shri Manubhai Shah: This is the enhanced allocation. The original allocation was Rs. 45 lakhs and out of it, during one year, they have spent about Rs. 26 lakhs.

Shri Easwara Iyer: The statement says that the scheme submitted by the State Government for the development of the coir industry costs Rs. 2.46 crores. Further the statement says that details of the schemes are awaited. May I know what Government means by saying details of the schemes are being awaited?

Shri Manubhai Shah: If the hon. Member will look into the statement, he will find that the total demand was for Rs. 246 lakhs. We have requested the Kerala Government to recast the scheme and bring it to Rs. 150 lakhs. Those details are awaited.

Shri Easwara Iyer: In answer to starred question No. 929 dated 13th March, 1958, the hon. Minister stated that a Committee was being set up to examine the achievement of coir development schemes in the country and that their report was expected by the end of May, 1958. May I know whether the report has been obtained?

Shri Manubhai Shah: As the Chairman of the Committee requested that the Committee had to go elaborately into the working of co-operative societies, we gave them extension of time for further three months. During this week or fortnight, it is expected that the report will be received

Hydrogen Bomb Test in the Pacific

*399. { Shri Shivananiappa:
Shrimati Ila Palchoudhuri:
Shri Rameshwar Tantia:
Sardar Iqbal Singh:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Government of the U.S.A. had invited India to send Scientist observers to witness a Hydrogen Bomb test in the Pacific this summer;

(b) if so, whether the invitation was accepted; and

(c) the number of Scientists sent?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) to (c). An invitation to send qualified national Scientists to witness experimental nuclear explosion was sent by the Government of the United States of America through the Secretary-General of the United Nations to all Member-States who are represented

on the United Nations Scientific Committee on the Effects of Atomic Radiation. India is a member of this Committee and we received this invitation. However, we did not accept it.

Shri Shivananjappa: What are the reasons which actuated our Government in not accepting this invitation?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): We felt that this association with these tests would not be in keeping with the general policy we have adopted in regard to them.

Shri Joachim Alva: There is a report that during three months this year, over 30 tests took place in the Pacific, while the Japanese say that there are only 15 or so. May I know whether we have any data as to the exact number of tests that took place?

Shri Jawaharlal Nehru: I am not aware of it. There must be some data. But as the hon. Member has said, there is a difference of opinion among the various countries about the number of tests. I believe the Soviet Union has stated that a certain number—which is bigger—took place, and the Japanese have indicated some other number. So I cannot be precise about it.

Shri Dasappa: Is it a fact that the U.S.A. is going to suspend these tests?

Shri Jawaharlal Nehru: There is some indication in the newspapers of that good news. But I am not sure; it is only a newspaper account thus far.

Export of chutney

*400. **Shri Supakar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the annual average export of chutney to foreign countries from India and the amount of foreign exchange earned thereby; and

(b) the steps taken by Government to promote the export of chutney as foreign exchange earner?

The Minister of Commerce (Shri Kanungo): (a) and (b). A statement is laid on the Table of the House. [See Appendix II, annexure No. 100.]

Shri Supakar: May I know if the foreign exchange we earn is as appetising and as sweet as the chutney we export?

Mr. Speaker: Next question

Shri Tangamani: The statement says that the foreign exchange earned is Rs. 12.25 lakhs and a sub-committee was set up to suggest measures for improving this industry and for increasing export. That committee has also submitted its report. As a result of its recommendations, how much will be the increase by way of export from 700 tons, and what will be the value thereof?

Shri Kanungo: Efforts were made early this year. So it can be judged only after a while, possibly two years.

Shri Tangamani: Will there be an increase in export?

Mr. Speaker: That is what is sought

Sindri Fertilizers and Chemicals (Private) Limited

*402. **Shri Jbullan Sinha:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that workers in the Sindri Fertilizers and Chemicals (Private) Ltd. have been for some time past and are even now made to work for 56 hours a week instead of the statutory 48 hours without over-time payment;

(b) whether representations on the subject have been made by the workers; and

(c) if so, the steps proposed to be taken in the matter?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 101.]

Shri Jhulan Sinha: From the statement, it appears that in consultation and agreement with the workers there, some arrangement was made for putting in more hours of work than those statutorily fixed till 1st June 1956. May I know what is the amount of extra hours put in by the workers and what is the amount paid therefor?

Shri Manubhai Shah: That would really not arise out of this question because under section 59 of the Factories Act, such an arrangement is possible with the agreement of the workers union and also the State labour authorities. Therefore, anybody working more than 48 hours a week will be given the necessary overtime payment. If the hon. Member is interested in a particular section or particular year or the number of workers, I can certainly supply the information.

Shri Jhulan Sinha: May I enquire if this agreement with the workers was unanimous or merely by majority vote?

Shri Manubhai Shah: The very fact that this arrangement was in the process plant only, where there was shortage of skilled workers, and it went on for three years in agreement with the workers and the State labour authorities shows that there was no discontent or voice of dissent.

Shri Tangamani: After June 1956, there is no overtime work done even by the skilled staff. But may I know whether prior to that overtime wages were paid on the basis of that section?

Shri Manubhai Shah: That is the precise meaning.

Shri Jhulan Sinha: May I enquire how this discontent with the existing arrangement arose suddenly at the end of 1954, as a result of which it had to be changed?

Shri Manubhai Shah: There were, really speaking, two aspects which I have mentioned in the statement. Firstly, the arrangement which was necessary in the early stages of

Sindri were not necessary after three years, because sufficient number of new skilled labour were already trained. Secondly, some of the workers found that the arrangement was rather inconvenient. As soon as representations were received by the Government of India, we looked into the matter and restored the normal shifts under the Factories Act.

Shri P. C. Bose: May I know whether as a result of this arrangement for extra work only skilled workers were made to do extra work or others also?

Shri Manubhai Shah: They were mostly skilled workers, but unskilled labour in the process plant which had to help their skilled partners for one hour or half an hour or more had naturally to work extra. They were also paid on the same basis according to the Factories Act and Payment of Wages Act.

Verification of Claims of Displaced Persons

*403 **Shri D. C. Sharma:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 1846 on the 25th April, 1958 and state the progress made with regard to the 'on the spot' verification of claims of displaced persons?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): In terms of the agreement with Pakistan for exchange of particulars of evacuee properties of the value of Rs 5 lakhs and above, the Government of India received from Pakistan a list of 172 such properties. With a few exceptions, the properties mentioned in the list were so vaguely described that they could not be located. The list was, therefore, returned to Pakistan for supplying full particulars of these properties and a short list of 30 such claims of displaced persons in India was forwarded to them as an indication of the kind of information required to be furnished in the lists.

Shri D. C. Sharma: May I know if any other communication has been received from Pakistan on the subject after that?

Shri P. S. Naskar: I have given the answer to the original question in respect of urban immovable properties and stated that a list of 172 cases of property worth Rs. 5 lakhs and above had been received. We do not have any other list so far as these properties are concerned.

Shri D. C. Sharma: May I know if India has supplied to Pakistan any list of properties worth Rs. 5 lakhs or above? If so, what is the number?

Shri P. S. Naskar: I said in the original answer that a list of 30 such cases has been sent to Pakistan.

Pandit D. N. Tiwary: May I know whether cases have come to the notice of Government where loans sanctioned before verification were cancelled because the verification was not done in time, and after that verification was made?

Shri P. S. Naskar: It is a question different from the original question.

Shri B. K. Gaikwad: May I know how many applicants there are, how many applications remained undisposed of and how long will it take to dispose of all the applications?

Shri P. S. Naskar: The original question was regarding exchange of lists with Pakistan. But the hon. Member is asking a different question.

Shri S. M. Banerjee: May I know the number of priority claims pending verification and also whether the age-limit is being reduced from 65 to 60 in view of the urgency of the cases?

Shri P. S. Naskar: I would request the hon. Member to table a separate question on this.

Manufacture of Sugar Mills Machinery

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

(a) how many plants have been set up for manufacturing sugar mills machinery in the country; and

(b) whether any of these machine manufacturing plants belong to the public sector?

The Minister of Industry (Shri Manubhai Shah): (a) Six firms have been licensed for manufacturing complete sugar plants in collaboration with foreign firms. In addition, there are 8 other firms manufacturing parts of sugar mill machinery against specific orders.

(b) No, Sir.

Shri Panigrahi: What is our total requirement of sugar mill machinery and how far have we been able to meet those requirements?

The Manubhai Shah: The estimated demand for sugar mill machinery in the Second Plan period was about Rs. 35 crores. When all these six firms along with the eight ancillary firms go into production, we hope we will be able to have 14 complete sugar plants in this country by about the beginning of the third Plan.

Shri Panigrahi: May I know whether there is any possibility of setting up any sugar mill manufacturing factory in the public sector out of these eight for which licences have been given?

Shri Manubhai Shah: No, Sir. This is a question about how many factories are working or are licensed to manufacture sugar mill machinery; there is no question of any of these being established in the public sector because when so many firms are coming forward and they could manufacture from A to Z the entire sugar plant, there is no need to have any sugar mill machinery manufactured in the public sector.

Shri Hoda: May I know whether the Government had fixed any target date by which the complete machinery for a sugar mill would be manufactured in the private sector?

Shri Manubhai Shah: That is exactly the question. This licence stipulates practically the entire sugar plant. It may not be manufactured by one firm but by the combined total engineering capacity in the country and the other eight firms who are going to make different parts of sugar mills excepting the milling machine which has a very heavy cast forging capacity and which we hope to produce at the foundry and forging to be set up at Ranchi, all the other parts will be made by these factories. This will be done in another two or three years.

Shri Jaipal Singh: May we know which are the foreign firms that are associated in the manufacture of the machine because each country has its own different technique? May we know which are the countries at least?

Shri Manubhai Shah: We have one combination with a German firm, another with a Czechoslovakian firm, one with a Holland firm, another with a French firm, another with a Scottish firm and another with a British firm in London.

संठ अबल में ह क्या माननीय मंत्री यह बताने की कृपा करेंगे कि जब देश में खाद को इतनी कमी है तो क्या जंगम मिला को बढ़ाना आवश्यक है ?

अ: मन्त्र हैं जह : शगर का बढ़ना आवश्यक ही है, क्योंकि जब प्रामपैरिटी बढेगी, तो लोगों का हस्तेमाल भी बढेगा और हम सब को एक्स्पोट भी करेंगे ।

Shri Jadhav: I want to know whether there is any likelihood of manufacturing small scale units?

Shri Manubhai Shah: These are all economic units that will be manufactured. But when a factory can manufacture big plants, if necessary, it can also manufacture small plants.

Shri Dasappa: May I know how the cost will compare with the imported cost?

Shri Manabhai Shah: We think it will be reasonable and competitive but in the early stages all heavy machineries always tend to be more expensive to some extent than the mass production in other countries which have started this production before 40 or 50 years.

Shri Panigrahi: May I know the total amount of foreign exchange that these private licencees have asked from the Government of India to fulfil their programme?

Shri Manubhai Shah: That varies from factory to factory and from what stage of production they will undertake in a particular year.

Mr. Speaker: The total amount.

Shri Manubhai Shah: It is not worked out as such. Somebody makes a boiler machine and somebody makes a milling machine.

Shri Panigrahi: My point is whether we have no separate allocation for the private licencees so far as the foreign exchange is concerned

Shri Manubhai Shah: As the hon. Member are aware, all these licences, whenever they are issued, are looked into from the point of view of the availability of foreign exchange and to the extent they are export-earning or import-saving with deferred payments, they are permitted.

Second Five Year Plan

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- *410. { **Shri S. M. Banerjee:**
Shri Tangamani:

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

(a) whether Government propose to arrive at an agreement with all the Central Trade Union Organisations and other All India Unions on some of the issues confronting the working class of this country for the success-

ful implementation of the Second Five Year Plan; and

(b) if so, when this is likely to materialise?

The Deputy Minister of Labour (Shri Abid Ali): (a) There is no such proposal under consideration.

(b) Does not arise.

I may add that by the code of discipline and other decisions and agreements reached in the Indian Labour Conference an attempt is made to establish happier industrial relations which would ensure success of the Plan.

Shri S. M. Banerjee: May I know whether the Government would like to have an industrial truce during the Second Plan and, if so, whether to achieve this they are going to call a conference of the Central Trade Union and other All India Unions?

The Minister of Labour and Employment and Planning (Shri Nanda): This objective has been settled and is constantly in view. All these measures which have been taken over a period of the last few months and more are to achieve the same result.

Shri S. M. Banerjee: May I know what positive steps are taken to induce the workers to work wholeheartedly for the success? What are the positive incentives—such as wage increase, bonus etc.?

Mr. Speaker: Positive incentives apart from money incentives?

Shri Nanda: I will have to say all the things that have been done through legislation and otherwise.

Mr. Speaker: Patriotism must be the primary incentive

Shri Tangamani: During the 16th Indian Labour Conference in Naini Tal held on the 18th to 20th May, 1958, after the Conference was over, a special meeting of the representatives of the Central Trade Union Organisations was held and a code of conduct was evolved. May I know from the

hon. Minister when he is going to call the next meeting of all the Central Organisations to take up that question further?

Shri Nanda: A department has been specially created for the purpose of looking after the implementation of the code of discipline and other allied matters. This department has been receiving reports and complaints from all sides and has already started action with regard to these representations and I think in a month or so a meeting is going to be held to look into the progress.

Mangla Dam

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*411. { **Shri N. R. Munisamy:**
Shri M. R. Krishna:
Pandit D. N. Tiwary:
Sardar Iqbal Singh:

Will the Prime Minister be pleased to state

(a) whether it is a fact that the Pakistan Government have abandoned their scheme of construction of Mangla Dam, and

(b) if so, whether the construction of this dam has permanently been given up or whether it has been stopped for short period?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) According to a report in a Pakistan newspaper, the Government of Pakistan have denied that the Mangla Dam project is being abandoned

(b) Does not arise.

Shri N. R. Munisamy: May I know whether it is not obligatory on the part of Pakistan to obtain the prior consent of the Government of India as regards the catchment areas which are likely to be affected by this dam?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I did not follow the question.

Mr. Speaker: Is it not obligatory on the Government of Pakistan to

obtain prior consent of the Government of India as regards the areas likely to be affected?

Shri Jawaharlal Nehru: That is our opinion.

Shri N. R. Munisamy: May I know further whether it is a fact that they have evolved a different plan to construct the dam on a different site with the collaboration of U.K. and U.S.A. and, if so, whether any protest has been made by our Government?

Shri Jawaharlal Nehru: I do not know all these details but according to our information some firms abroad have been given some kind of a contract to do this work.

Shri Joachim Alva: We have just had a controversy in Pakistan about a major agreement entered into in 1948 regarding the canal water dispute. May I know why we have not put out our case so strongly and in such a manner as will show that according to the 1948 agreement, we are right. In India people do not seem to know about the 1948 agreement nor does the world—an agreement which was sealed and approved by Quaide Azem?

Shri Jawaharlal Nehru: Which agreement does the hon. Member refer to? Is he referring to the agreement arrived at in regard to canal waters in May 1948?

Shri Joachim Alva: Yes, Sir.

Shri Jawaharlal Nehru: So far as publicity is concerned, that agreement has been brought into picture repeatedly; there is no lack of publicity about it. Everybody knows about it. The question is not about the content of that agreement. But Pakistan repudiated that agreement. Nobody doubts as to what the agreement was but Pakistan subsequently repudiated it.

Pandit D. N. Tiwary: In view of the fact that the construction of this dam is being opposed by the local population in the Pakistan held Kashmir area, may I know whether the Government of India have taken any

steps either in the Security Council or otherwise to prevent the construction of this dam?

Shri Jawaharlal Nehru: We have recorded our protest with the Security Council and drawn their attention to this matter.

Underground Fire in Coal Mine

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*413. { **Shri Ajit Singh Sarhadi:**
Shri Tridib Kumar Chaudhary:
Shri Sadhan Gupta:
Shri Bose:

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

(a) whether it is a fact that an underground fire is slowly approaching the Coal pillars below the Jotimutuk railway siding near Asansol and that very soon the railway track nearby may collapse and some 12 collieries as well as the present site occupied by the Aluminium Corporation of India may have to be abandoned due to this mine fire;

(b) if so, the facts of the case and the present position in this regard; and

(c) the safety measures, if any, taken to check the impending disaster?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c). There is underground fire on either side of the Jotimutuk railway siding and the fire is likely to advance further and endanger the stability of the siding. The collieries and the Aluminium Factory served by the siding may be affected unless the siding is diverted. Steps for this purpose are being taken.

There is no danger to the collieries or to the factory due to the underground fire.

Shri Ajit Singh Sarhadi: Is it a fact that the owners of the collieries in question have offered to pay for the siding expenses, but still no siding has been constructed so far?

Shri Abid Ali: No, Sir. They have paid only the survey charges. As far as the information here is concerned,

the cost of the siding has not been paid by the collieries.

Shri Ajit Singh Sarhadi: May I know when it is likely that the siding would be constructed in order to safeguard the transport of coal from these collieries?

Shri Abid Ali: Yes; a siding should be constructed to continue transport of coal, but the parties concerned have to pay the cost.

Shri Joachim Alva: In view of the numerous accidents that have taken place in the collieries, may I know whether the Labour Ministry constantly examines the credentials of the inspectors and other supervisors regarding their experience and training?

Shri Abid Ali: These are very scrupulously examined; but this fire has nothing to do with the question put by the hon. Member as, I think, this particular fire is on for the last 20 years.

Shri Ajit Singh Sarhadi: Is it not a fact that the owners of the collieries in question are ready to deposit the amount which would be required for the construction of the siding?

Shri Abid Ali: I suggest, Sir, that this question may be addressed to the Railway Ministry.

Mr. Speaker: Next question: **Shri H. N. Mukerjee:**

An Hon. Member: He is not present.

Pandit D. N. Tiwary: This is a very important question, Sir, and I request that this may be taken up.

Mr. Speaker: I will pass on to the next question.

State Trading Corporation in Kerala State

*420. **Shri Easwara Iyer:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Kerala State Government have forwarded to the Controller of Capital Issues the Articles

and Memorandum of Association of the Kerala State Trading Corporation (Private) Ltd., for his sanction;

(b) if so, the date on which the documents were received by the said Authority; and

(c) the reason why the sanction applied for has not been granted so far?

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

(b) The application was received in the office of the Controller of Capital Issues on 25th January, 1958.

(c) The implications of the proposed Corporation in relation to the country's foreign trade are being studied in consultation with the State Government.

Shri Easwara Iyer: May I know within what time the sanction, if any, will be given?

Shri Kanungo: Recently we have had a discussion with the representatives of State Governments, and we hope a decision will be taken soon.

Shri C. D. Pande: May I know if the Government have taken care to state the scope of work that they propose to take, so that there may not be clash between the interests of the State Trading Corporation of the Government of India and the State Trading Corporations in the States?

Shri Kanungo: That is exactly what we are studying.

Nuclear Tests

*421. **Shri Shivananjappa:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that an East-West Conference on nuclear tests detection was held in Geneva recently;

(b) if so, whether India also participated in the Conference; and

(c) the main decisions arrived at in the Conference?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) to (c). The Conference is in session at Geneva and has not announced any decisions so far. India is not represented at this Conference.

Shri Joachim Alva: It has been reported that the effect of nuclear tests in rice eating countries is six times more than in countries where mere calcium is taken out of milk. May I know, in view of the geographical position of countries between Japan and India, whether we are doing any special effective propaganda on the line that these rice-eating countries suffer six times more than the western countries?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The hon. Member has raised a very interesting point which bears no relation to this question. For my part, I am prepared to deal with it, but I will have to deal with it at some length; I can hardly deal with it in one or two sentences.

Shri Joachim Alva: What about an effective campaign on this line?

Shri Jawaharlal Nehru: This is a question about a Conference in Geneva, not on the effects on those eating rice or wheat or anything else.

Shri Dasappa: May I know whether it is not a fact that the scientists who had assembled there have been able to come to a decision on this matter and they have been fairly successful in their efforts?

Shri Jawaharlal Nehru: We have not received any official information, but reports in the newspapers say that, happily, they have succeeded in their endeavours and they have come to some agreement—but this is very much unofficial.

Work and Orientation Centres

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

(a) the number of persons who have so far received training at the Work and Orientation Centres; and

(b) how the trainees have been employed after completion of their training?

The Deputy Minister of Labour (Shri Abid Ali): (a) 900.

(b) Information is not available.

Shri Tangamani: May I know whether it is not fact that no special arrangement has been made for following up the trainees who have undergone training in these Work and Orientation Centres, as it is being done in the case of the Administrative Training Centre in Bombay?

Shri Abid Ali: Necessary Employment Exchange facilities will always be available for helping these trainees.

Shri Tangamani: My point is, there is a school in Bombay for training teachers for training other students in the training school. Such students who are now undergoing training are assured of a job after training. What I would like to know is whether there is such a scheme for those people who are receiving training under the Work and Orientation Centres?

Shri Abid Ali: I will have to obtain the information. If the hon. Member will give a separate notice, I will be able to furnish that information.

Shri Tangamani: My point is simple.

Mr. Speaker: He wants notice; what is the meaning of saying it is simple or complex?

Shri Tangamani: Is there any scheme at all for providing jobs for those who get training under the Work and Orientation Centres?

Shri Abid Ali: That is what I have replied earlier. For that the Employment Exchanges are always helpful.

Shri Tangamani: Before any new centre is started, will the Government at least make sure that those who have received training are adequately provided for?

Mr. Speaker: That is a suggestion for action.

Export of Engineering Goods

*423. **Shri Subbiah Ambalam:** Will the Minister of Commerce and Industry be pleased to lay a statement showing:

(a) the value of exports of the

following items in the year 1957-58:

1. Electric fans
2. Sewing machines
3. Electric bulbs
4. Diesel engines and pumps; and

(b) whether any steps have been taken to supply and make available spare parts for these items and also to do after sales services?

The Minister of Commerce (Shri Kanungo): (a) The value of the exports of the items during 1957-58 are as follows:—

Item	Value in Rupees
1. Electric fans (complete)	21,53,788
Electric fans (parts)	7,712
2. Sewing machines (complete)	6,76,502
Sewing machines (parts)	1,68,157
3. Electric Bulbs	8,500
4. (a) Diesel engines	10,33,989
(b) Pumps (centrifugal)	1,17,170

(b) Yes, Sir.

Shri Subbiah Ambalam: May I know how these figures compare with the figures for previous years, and whether exports during the current year are on the increase or decrease?

Shri Kanungo: It is too early to assess current year's figures, but they are likely to be on the increase and there has been an improvement compared to previous years.

मेठ अखल सिंह वग मंत्री महोदय
बतवाने की कृपा करेंगे कि इन इन्स्टीट्यूटों को एनकरेजमेंट देने के लिये उनकी किन किन तरीकों से मदद की जा रही है ?

श्री कानूनगो : रा-मैटोरियल सप्लाय करने में तथा रिफ्लेक्शंस देने के लिये बहुत सी एक्सपोर्ट प्रमोशन प्रोपोजम्स बहुत अम्बनार माबित हुई हैं ।

Government Residential Colonies in Delhi

*424. **Shri Bhakt Darshan:** Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No 1446 on the 3rd April, 1958 and state:

(a) the progress so far made in their work by the Advisory Committee which was appointed to advise Government in connection with giving more facilities to the persons living in the colonies for the Government employees in Delhi and New Delhi;

(b) the details of the facilities given or proposed to be given in the colonies as a result of these recommendations; and

(c) the names of the colonies where such facilities have been provided?

Shri Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (c). A statement is laid on the Table of the House. See Appendix II, annexure No. 102.]

श्री भक्त बर्बन : श्रीमान, यह जो विवरण सभा पटल पर रखा गया है इसमें बताया गया है कि इस समिति ने कुछ इलाकों का जा कर के निरीक्षण किया और जो सिफारिशें आ सुझाव दिये हैं उनको नई दिल्ली म्युनिसिपल कमिटी, दिल्ली प्रशासन एडमिनिस्ट्रेशन या जो विभिन्न मंत्रालय इत्यादि हैं उनके पास भेज दिया गया है। मैं जानना चाहता हूँ कि क्या कोई इस बारे में खानबीन की जा रही है या पता लगाया जा रहा है कि उन पर कुछ प्रभल भी हो रहा है या केवल सिफारिशों तक ही वह सीमित है ?

Shri Anil K. Chanda: Some of the amenities which are to be provided are already in existence in some form or other. The various authorities who are to execute these works have been informed about the recommendations of this Committee and those authorities, in due course, will report to this Committee about the work which has already been done.

श्री भक्त बर्बन : सभी माननीय मंत्री महोदय ने बताया कि इन इयू कोर्स यह काम हो जायेगा। मैं जानना चाहता हूँ कि इन्हीं इयू कोर्स की क्या परिभाषा है और देर से देर कब तक यह काम पूरा होने की आशा है जा सकती है ?

Shri Anil K. Chanda: As I said, it is for certain different authorities to carry out certain different types of works. These authorities are to report to this Committee after they have executed the works and this Committee is still sitting and from time to time will report to Government about what action has been taken.

श्री भक्त बर्बन : श्रीमान, इस विवरण में एक-दो चीज़ें हैं कि अगर इस तरह की

सुविधाएँ यानी एमिनिटीज इन बस्तियों में दी जा चुकी हैं या हो जाने वाली हैं। उन में से एक सुविधा लिखी गई है 'बाने को'। मैं जानना चाहता हूँ कि यह वहाँ के निवासियों के लिये कौन सी सुविधा प्रदान करेगा ?

Shri Anil K. Chanda: Yes, Sir. In one or two localities, I believe it has recommended that a police outpost should be there. For instance, for the Moti Bagh colony, there is a recommendation that there should be a police station. A site has already been selected and the matter is being processed by the Chief Commissioner of Delhi. With regard to Vinay Nagar, the recommendation is that the site for the police station will be considered on receipt of the demand for the same. Evidently, that is not immediately before the Committee. With regard to West Vinay Nagar, there does not seem to be any provision for a police station.

Raja Mahendra Pratap: May I know what amenities have been provided for the workers of the electric power house? I saw that their quarters have no facilities at all.

Shri Anil K. Chanda: This question refers to the amenities in the Government colonies. I am not quite sure which the hon. Member has in mind.

Shri Tangamani: From the statement we find that the Standing Advisory Committee has dealt with the amenities which are to be given for those two or three new colonies which have come up, namely, Moti Bagh, Vinay Nagar and East Vinay Nagar. May I know whether it is not a fact that in the new colonies that have been set up, especially in Moti Bagh, there is not even a permanent shop for getting groceries and even vegetables? That is one of the recommendations. May I know whether that will be given at least priority and whether those shops will be opened?

Shri Anil K. Chanda: Yes, Sir. In Moti Bagh, the lay-out and the plan of the colony provides space for 86 shops approved by the Committee.

Out of this, one on the ground-floor shops has been earmarked for a flour mill and two for coal depots. The time specified for the construction of the shops is about eight months.

Shri Tangamani: The colony has already come up.

श्री भक्त दर्शन : मेरे प्रश्न का उत्तर नहीं दिया गया है। मैं यह जानना चाहता था कि इस सूची में जो बाना लिखा हुआ है तो क्या सरकार उसे भी बहा के लिये एक सुविधा समझती है, या कि वह उन की रक्षा के लिये है ?

Shri Anil K. Chanda: I believe that a police station is considered a necessity in certain areas.

U.N. Committee on Effects of Atomic Radiation

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*425. { **Shri Shree Narayan Das:**
Sardar Iqbal Singh:

Will the Prime Minister be pleased to state:

(a) whether the U.N Committee on Effects of Atomic Radiation has submitted its report to the General Assembly of the United Nations;

(b) if so, whether the same has been considered by the Assembly; and

(c) with what results?

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

(b) No.

(c) Does not arise.

Shri Shree Narayan Das: May I know whether the report is available with the Government of India and, if so, whether it has been studied and whether the Government of India are in full agreement with it?

Shri Sadath Ali Khan: The report was made public on August 10, 1958. Only one copy so far has been received

by the Department of Atomic Energy. When additional copies are received, one set will be sent to the Library of the Lok Sabha and to the Rajya Sabha.

Shri Shree Narayan Das: I wanted to know whether the report has been studied by the Government of India and whether the Government of India are in full agreement with the report or whether there is any difference of opinion?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The report is by an expert committee of scientists. It is not for the Government of India to criticise them. But, broadly speaking, we think that that report would carry great weight.

Shri Shree Narayan Das: May I know whether the report is unanimous one or whether there is some difference of opinion among the members?

Shri Jawaharlal Nehru: So far as I remember, Sir, it is a unanimous report.

Shri Joachim Alva: During the vital stage of the discussions, is it true that India will submit a draft paragraph which is accepted by the United States and France? May we have that paragraph and will it be circularised?

Shri Jawaharlal Nehru: I do not remember. I do not know what stage, because, constantly these discussions are going on; suggestions are being made on the wordings, phraseology, etc. I do not know to what particular paragraph the hon. Member refers.

Hindustan Salt Company (Private) Limited

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*426. { **Shri Harish Chandra Mathur:**
Shri Raghunath Singh:

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

(a) what necessitated the constitution of the Hindustan Salt Company (Private) Ltd.;

(b) what scheme has been outlined for the working of the organisation; and

(c) what provision has been made to preserve and maintain the rights of the Rajasthan State in its salt resources?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 103].

Shri Harish Chandra Mathur: May we know what are the terms of the lease under which the Government have taken over the land from the Government of Rajasthan and may I know whether it is not a fact that the salt works are taken over with the entire equipment and thus they have taken advantage of the weak position of that State?

Shri Manubhai Shah: About the first part of the question, the terms probably are that under the treaty rights, when the Government took over for working this salt works, we have to pay about Rs. 8 to 10 lakhs, as annual ground-rent, and about 40 per cent of the sale price which comes to Rs. 12 lakhs to Rs. 14 lakhs a year on the salt production. It is not correct to say that any advantage has been taken of any position. Under the Fiscal Integration terms, up to the 31st March, 1960, this agreement is valid, and we are also negotiating a long term agreement. Recently, a conference has been called for the next week, when the Chief Minister of Rajasthan is coming here, and we are going to discuss the matter with him.

Shri Harish Chandra Mathur: May I know whether the company was formed with the consent of the Government of Rajasthan who are the real owners of the salt works today?

Shri Manubhai Shah: It is not necessary, because, they are the owners of the land, but not the owners of the salt works. The lands are held on lease by the Central Government under the treaty right. Previously, the rulers of Rajasthan had given the lease to the British

Government and consequent on the Independence of India, the Central Government took over the sovereign rights of the central administration, and the princely rights went to the Rajasthan Government. So, there will be no alteration in the status quo between the State Government and the Central Government.

Shri Harish Chandra Mathur: May I know what objection was there to the State Government running this enterprise in the public interest, and for the State Government itself, and what happens to the Pachbhadra salt works?

Shri Manubhai Shah: That question really does not arise because, all along, since the inception of the Sambhar, Didwana and Pachbhadra, these salt works have been managed and run by the Central Government, and it was but natural that that position should continue in the public interest.

संठ जबल सिंह क्या मंत्री महोदय बताना की कृपा करेंगे कि गवर्नमेंट को सांभर साल्ट से जो नेट इनकम होती थी पहले, अब उस से कितनी ज्यादा इनकम होगी ?

अ. मनुभाई शाह : जहां तक इनकम का ताल्लुक है वह दो किस्म की है। एक तो जो डिपार्टमेंट उस को रन करता था उस को जो प्रॉफिट होता था, वह, दूसरे सेन्ट्रल गवर्नमेंट को जो माफ़े तीन ब्रानं मन का मेस मिलता है, वह। दोनों ब्रानं आज भी चालू हैं। जैसे जैसे प्रोडक्शन बढ़ता जाता है वैसे वैसे ग्रामदनी बढ़ती जाती है।

Shri V. C. Shukla: From the statement it appears that some by-products are also going to be exploited. May I know if the plans have been drawn for the exploitation of these by-products and what are the by-products that would be exploited?

Shri Manubhai Shah: With your permission, Sir, I would like to club this question with Question No. 428

which is precisely on the same subject. The Government has under consideration the exploitation of all the by-products of salt industry in the country and particularly of the Rajasthan Salt Works, because, both gypsum and sodium sulphate are largely available from the by-products there.

Shri Harish Chandra Mathur: May I know whether it is a fact that the Rajasthan Government contemplated setting up a factory for the by-products, and, if so, may I know whether, in view of the fact that the Government of India have taken over the works now, the proposal of the Rajasthan Government has now been given the go-by?

Shri Manubhai Shah: No, Sir. It is true that at one stage the Rajasthan Government did propose to establish a sodium sulphate plant. We have also entered into a discussion and negotiations with them and the present proposal which is under consideration is to associate both the Rajasthan Government and Central Government for the exploitation of the by-products.

Sodium Sulphate and Gypsum

*428. { **Shri Vasudevan Nair:**
Shri V. P. Nayar:

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

(a) whether Government have taken any steps for the recovery of by-products like sodium sulphate and gypsum from salt bitters, to meet the demand of the chemical industries of the country;

(b) if so, the nature of steps taken in this direction; and

(c) whether it is proposed to set up a pilot plant in Kerala for the recovery of such by-products?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 104.]

Shri Vasudevan Nair: Am I to understand that the existing production of sodium sulphate and gypsum in the country is sufficient to meet the demands of our chemical industry?

Shri Manubhai Shah: That is not so, and that is why the further exploitation of all the by-products that are available in the salt industry is made.

Sindri Fertilizers and Chemicals (Private) Limited

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

(a) whether the attention of Government has been drawn to the steadily increasing loss of gypsum stored for the manufacture of fertilisers in the Sindri Fertilizers and Chemicals (Private) Ltd.; and

(b) if so, the steps taken or proposed to be taken to check this mounting loss?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House [See Appendix II, annexure No. 105.]

Shri Jhulan Sinha: May I enquire the amount of the gypsum found missing, on a comparison of the book account as well as the physical stock there?

Shri Manubhai Shah: As I have said in the statement, actually speaking it is purely an apparent loss in measurement, because there are no regularly constructed godowns and the gypsum by its weight gets embedded into the ground. Therefore, it was an apparent loss; there was neither factual loss nor book loss. That is why I have mentioned in the statement that a new godown will be constructed and all these apparent losses will be eliminated.

Shri Jhulan Sinha: What is the quantum and magnitude of this so-called apparent loss?

Shri Manubhai Shah: If the hon. Member desires precise information as to what would be the measurement if gypsum is properly stored in one way or another way, I may submit that the labour is not worth taking to find it out.

Shri Jhulan Sinha: May I know if the Government have made sure that this loss is only apparent and not actual as a result of pilfering?

Shri Manubhai Shah: I can assure the House that it is not so much due to pilferage, because there is proper supervision in the factory and gypsum is not much worth pilfering.

Shri S. M. Banerjee: I request that Question No. 414 on "Co-ordination in Ministries" is important and the reply may be given.

Mr. Speaker: No

WRITTEN ANSWERS TO QUESTIONS

Rescue Station at Kothagudium

*397. **Shri T. B. Vittal Rao:** Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No 1612 on the 11th April, 1958 and state:

(a) whether any estimate has since been prepared for the establishment of a Rescue station at Kothagudium, Andhra Pradesh, and

(b) when the construction of the building to house the station will commence?

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

(b) The Coal Mines Rescue Rules are being revised in order to provide for the establishment of a Rescue Station in the Singareni Coalfields and the levy of an excise duty for the purpose. The construction of the building will commence as soon as the necessary funds become available by the above-mentioned levy.

Shops in Lajpatrai Market

*401. **Shri Muhammad Elias:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) how many new shops have been built in the Lajpatrai Market opposite Red Fort;

(b) whether the newly-built shops have been allotted to the shop-keepers; and

(c) if not, the reasons therefor?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) 382 shops and 80 stalls.

(b) Not yet.

(c) Some of the Associations of the Stall-holders of the Old Market had made some suggestions regarding allotments. These had to be examined before arriving at a decision regarding the procedure of allotment.

Plan Projects

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

(a) the total additional cost involved in Government's Plan projects (Public Sector) on account of the increases allowed in Steel prices, during the Second Five Year Plan; and

(b) by what percentage has the cost of projects in the public sector risen from the estimates, on account of the rise in Steel and Cement prices?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). Increases in the estimates of cost of the projects in the public sector are due to several causes affecting the costs of various items including raw materials, wages, machinery and equipment etc. It is extremely difficult to isolate the effect of the rise in prices of one or two items in the additional cost. Moreover, steel used being of various categories, elaborate calculations will have to be made of the quantities used of, and the prices paid for, each of the categories. Prices

paid at different times during the construction of a project have also varied. Detailed information will, therefore, have to be collected for each of the numerous projects in the public sector and the accuracy and utility of the results finally compiled may not be commensurate with the time and labour involved.

Algeria

*406. { Shri Kumaran:
Shri Kalika Singh:

Will the Prime Minister be pleased to state the steps taken by the Government of India recently in pursuance of the five proposals for peaceful settlement of the Algerian dispute which were stated by him in the Lok Sabha on the 22nd May, 1958?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): The proposals were primarily intended to suggest to the parties concerned to restore peaceful conditions in Algeria and to try to settle this question in a peaceful manner by direct negotiations. The Government of India did not, however, desire to canvass support for their proposals, but left it to the parties concerned to take whatever action they wished to take. Because of the Suez and other developments in West Asia, the parties could not apparently come closer.

The question is now before the General Assembly and the efforts of the Government of India are being directed towards a settlement being reached on peaceful lines.

Export Promotion

*407. Shri Damani: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are considering any scheme whereby Banks may be asked to take active part in the promotion of Exports; and

(b) if so, the nature thereof?

The Minister of Commerce (Shri Kanungo): (a) and (b). The need and feasibility of improving credit facilities for export operations are being examined by Government in consultation with banking experts.

Map of India

*408. Shri Rameshwar Tantia: Will the Prime Minister be pleased to state:

(a) whether Government are aware that the Benjamin Electric Limited, London, inserted an advertisement for their "Benzamin" products in the Times of India, Delhi, dated June 13, 1958;

(b) whether it is a fact that in this advertisement a map of India had been shown wherein the area of India has been shown in white and that of Pakistan in black;

(c) whether it is also a fact that in this map Kashmir has been shown in black colour outside the outline of India; and

(d) if so, the steps taken against the firm which has its branches in India to withdraw this advertisement which shows Kashmir as outside India?

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

(b) Yes.

(c) Yes.

(d) The matter has been brought to the notice of the Editor.

Export Promotion Committee

*409. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 154 on the 14th February, 1958 and state:

(a) whether Government have considered the report of the Export Promotion Committee; and

(b) if so, the recommendations accepted by Government?

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

(b) A statement of the decisions as also of the action taken on the recommendations contained in the Export Promotion Committee's report is laid on the Table of the House. [See Appendix II, annexure No. 106.]

Machinery for Cement Industry

*412. { Shri S. C. Samanta:
Shri Rameshwar Tantia:

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

(a) what steps have so far been taken to manufacture machinery for the cement industry in India;

(b) whether it is a fact that M/s. Associated Cement Company Ltd., are themselves manufacturing some parts of cement machinery; and

(c) whether the machinery for the Cement Industry or most of its parts can be manufactured in India during the Second Five Year Plan?

The Minister of Industry (Shri Manubhai Shah): (a) Five firms have been registered or licensed under the Industries (Development & Regulation) Act, 1951, for the manufacture of cement machinery and parts thereof.

(b) Yes, Sir.

(c) Much of the machinery for the Cement Industry is likely to be manufactured in India during the Second Plan Period.

Coordination in Ministries

*414. Shri H. N. Mukerjee: Will the Prime Minister be pleased to state:

(a) whether his attention has been drawn to the anomaly referred to by Shri S. K. Patil, then Minister of Irrigation and Power, in the course of the Budget debate, regarding lack of coordination between the Ministry of Food and Agriculture and the Ministry of Irrigation and Power; and

(b) what steps, if any have been taken to correct the anomaly?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes. The then Minister of Irrigation and Power referred in his speech to the various agencies dealing with or connected in some way with agricultural problems. In particular he referred to the State Ministries of Agriculture also.

(b) The real difficulty in the past has not been so much in regard to coordination between the Central Ministries, but in regard to the Departments of Agriculture of the States. Efforts are continuously being made, in a variety of ways, to coordinate these various activities and these efforts have met with a good deal of success. The Planning Commission and the Central Ministry of Food and Agriculture are keeping in intimate touch with the States in regard to agriculture and food production.

Cement Factory in Orissa

*415. Shri Sanganna: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1681 on the 16th April, 1958 and state:

(a) whether any decision has since been arrived at for setting up a cement factory in Orissa; and

(b) if so, with what result?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The matter is still under consideration.

Import of Cartoon Series

*416. Shri Wodeyar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that cartoon series are increasingly imported by Indian Papers for republication here; and

(b) if so, the estimated Foreign Exchange spent on their import?

The Minister of Commerce (Shri Kanungo): (a) and (b). The cartoons which appear in serial numbers in the various papers are imported in the form of matrices which are reprinted in the local newspapers. These matrices themselves have no commercial value and the foreign syndicates who control and supply them have to be paid for their publishing rights. These matrices are imported by letter mail packets and there has been no increase in their importation.

Exports to U.K.

*418. Dr. Ram Subhag Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the value of our exports to the United Kingdom during the first quarter of 1958;

(b) what was the value of our exports to U.K. during the corresponding period of 1957; and

(c) what were the causes of decline in our exports, if any?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Rs. 3581 lakhs.

(b) Rs. 4525 lakhs.

(c) Exports during January-March 1958 were considerably smaller than in January-March 1957 because there has been a net decline in U.K.'s total imports of tea and to a lesser extent of other commodities such as raw cotton, cotton manufactures, leather, cashew, spices etc. Some decline has also taken place in the export prices of tea and other commodities on account of the general depression in commodity markets.

Long Playing Records of Rabindra Sangeet

*419. Shri Vajpayee: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that Government have a proposal to produce

long-playing records of Rabindra Sangeet on the occasion of centenary celebrations of Tagore in 1961; and

(b) if so, the details thereof?

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

(b) Details have not yet been finalised.

Mining Board

*427. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 1350 on the 31st March, 1958 and state:

(a) whether the particulars required for the constitution of the Mining Board have since been received from Andhra Pradesh;

(b) if so, whether Mining Board has been constituted; and

(c) if not, when it is likely to be constituted?

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

(b) and (c). The Board will be constituted as soon as required particulars are received.

Export of Animal Skins

*430. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Wild Life Board has recommended a new policy regarding the export of wild animal skins;

(b) if so, the main features of these recommendations; and

(c) the steps taken by Government in this regard?

The Minister of Commerce (Shri Kanungo): (a) No, Sir; but the Wild Life Board recommended in February 1958 that the export of certain reptile skins should be banned.

(b) The recommendation was to the effect that the skins and other products of crocodiles and lizards of *Varanus Salvator* species should not be allowed.

(c) The export of these products is not allowed at present but a review of this policy in the interest of export promotion is under consideration.

Employment Exchanges

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

(a) whether the terms of transfer of the Administration of Employment Exchanges from the Centre to the States have been fulfilled by all the State Governments by now; and

(b) if not, the names of the States which have not fulfilled the terms of agreement?

The Deputy Minister of Labour (Shri Abid Ali): (a) The terms of transfer are in the process of implementation in all States.

(b) Does not arise.

Import of Tobacco

*432. **Shri Tridib Kumar Chaudhuri:**
Shri Damani:

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

(a) whether it is a fact that the U.S. Department of Agriculture has authorised the purchase by India of nearly 1200 metric tons of unmanufactured tobacco with rupee currency, a portion of the value of which will be loaned back to India for economic development projects;

(b) the purposes for which this tobacco will be utilised;

(c) whether the loans that are to be obtained through this tobacco deal have been earmarked for any specific project; and

(d) the terms of its repayment?

The Minister of Commerce (Shri Kanungo): (a) to (d). A statement is laid on the Table of the Lok Sabha. [See Appendix II, annexure No. 107.]

Repatriates from Ceylon

*433. **Shri Subbiah Ambalam:** Will the Prime Minister be pleased to state:

(a) whether the Government of India have examined the Report of the Special Officer appointed by the Madras Government to look into the condition of the repatriates from Ceylon;

(b) whether the Government of Madras have approached for assistance or any aid for the rehabilitation of those persons as recommended by the special officer; and

(c) if so, the extent of the assistance asked for and given?

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

(a) Yes.

(b) and (c). The Government of India had received from the Government of Madras the following proposals for the rehabilitation of repatriates from Ceylon:

1. Grant of Rs. 20 lakhs to each of the two spinning mills proposed to be set up in Tirunelveli district on co-operative basis.

2. Proposal to exempt the repatriate businessmen from the export and import restrictions.

3. Proposal to give preferential treatment to repatriates for employment in Railway and P. & T. Departments.

4. Proposal to grant educational concessions to the children of repatriates.

5. Proposal to place repatriates one step above the category of 'Others' ranked last in the list of priorities, for purposes of employment. After a careful examination of the Special officer's report, the Government of

India have come to the conclusion that—

(i) as the Ceylon repatriates are neither destitutes nor homeless;

(ii) they generally come back with their earnings and possessions;

(iii) they are treated exceptionally liberally by the Indian Customs;

(iv) Government of India need not therefore extend any special assistance to the Indian nationals displaced from Ceylon.

Cattle for East Pakistan

*434. **Shri Harish Chandra Mathur:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that a large number of cattle died of severe epidemic in East Pakistan in April and May 1958;

(a) whether the Government of Pakistan has approached the Government of India to allow export of cattle from Assam and Bihar for agricultural operations in East Pakistan; and

(c) whether Government have taken any special measures to see that there is no smuggling of cattle in the peculiar circumstances?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) we have seen reports in the newspapers to this effect.

(b) No. Sir.

(c) The Government of Assam and the Tripura Administration have taken special measures to prevent smuggling of cattle to East Pakistan.

Non-development Expenditure

*435. { **Shri Vasudevam Nair:**
Shri V. P. Nayar:

Will the Minister of Planning be pleased to state:

(a) whether the Planning Commis-

sion has drawn the attention of the State Governments to the desirability of keeping increases in non-development expenditure under check; and

(b) if so, the action taken by various State Governments?

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

(b) This is a consideration which the State Governments have constantly to keep in mind. Departmental proposals for expenditure are scrutinised carefully before they are sanctioned. Some of the State Governments have set up Committees or appointed special officers to undertake a comprehensive review of expenditures and to recommend economy measures. Certain measures for reducing non-development expenditures have already been adopted in a number of States.

Paper Industry

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

(a) whether Government have information about the profits made by the Paper Industry in India; and

(b) if so, what are the percentages of profits on the invested capital in 1956 and 1957?

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

(a) Yes. Information is available for those public limited paper companies which have filed their profit and loss accounts with the Registrars of Companies under Section 220 of the Companies Act 1956. The information for private limited paper companies cannot be given, as, under the Act, they are not required to file their profit and loss accounts with the Registrars.

(b) On the basis of the information available in respect of the public companies in this industry, the relevant figures, expressed as percentages on the total amount of capital employed in the business of these companies, are 9.5 and 7.4 respectively for the years 1956 and 1957.

Employment Exchanges

726. Shri S. M. Banerjee: Will the Minister of Labour and Employment be pleased to state:

(a) whether there are any mobile Employment Exchanges functioning in various States;

(b) if so, their number in each State;

(c) the number of persons registered by these Exchanges during 1957-58; and

(d) the number of persons employed during the same period?

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

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

Textiles Industry in Bombay State

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

(a) whether any amount has been given to the Bombay State for the development and promotion of Textile Industry during 1957-58; and

(b) if so, to what extent?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A loan of Rs. 75 lakhs was given to the Central India Spg. Wvg. and Mfg. Co. Ltd., Nagpur, on 14th June, 1958 by the National Industrial Development Corporation. The Corporation has also approved applications for loans to the extent of Rs. 103.3 lakhs from four other mills in Bombay State. No amount has been given to the Bombay State by the Central Government for the Development and promotion of the Textile Industry.

Sports Goods

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

(a) the various kinds of sports goods produced in India during the year 1958-59 so far; and

(b) the quantity and the value of sports goods exported to the foreign countries during the above period?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). Two statements are laid on the Table of the House. [See Appendix II, annexure No. 108].

Bharat Sevak Samaj

729. Shri Pangarkar: Will the Minister of Planning be pleased to state the amount of financial aid given to Bharat Sevak Samaj in Bombay by the Government of India during 1957-58?

The Deputy Minister of Planning (Shri S. N. Mishra): The Planning Commission did not give any direct financial aid to the Bharat Sevak Samaj in Bombay during 1957-58.

Food Output during Second Five Year Plan

730. Shri Pangarkar: Will the Minister for Planning be pleased to state the projects which have been approved by the Planning Commission in Bombay State to increase the food output during the Second Five Year Plan?

The Deputy Minister for Planning (Shri S. N. Mishra): A statement showing the names of the various food production schemes, together with the financial provision thereof, approved for Bombay State during the Second Five Year Plan period is placed on the Table of the House. [See Appendix II, annexure No. 109.]

Labour Awards

731. Shri S. M. Banerjee: Will the Minister of Labour and Employment be pleased to state:

(a) number of Awards pending for implementation in the various States as on the 1st July, 1958; and

(b) the steps Government propose to take to get those implemented?

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

is not available and the time and labour involved in collecting it will not be commensurate with the object to be achieved.

(b) When cases of non-implementation are brought to the notice of the Industrial Relations Organisation of Government, appropriate action is taken.

Low Income Group Housing Scheme

733. **Shri Karni Singhji:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the funds allotted to the Railway Board yearwise, during the past three years under the Low Income Group Housing Scheme;

(b) allotment of the aforesaid funds by the Railway Board to the various Railways with particular reference to the Bikaner Division of the Northern Railway;

(c) whether the rules governing the grant of these loans are same as those outlined by the Ministry of Works, Housing and Supply; and

(d) the number of applications received and disposed of during the past three years by the various railways with particular reference to the Bikaner Division of the Northern Railway?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (d). The Low Income Group Housing Scheme is administered through the State Governments and Union Administrations, to whom annual allocations of funds are made. No separate allocations

are made to the Northern Railway or any Division thereof.

Bharat Sevak Samaj

734. **Shrimati Sacheta Kripalani:** Will the Minister of Planning be pleased to state:

(a) whether any funds have been allotted for the Second Plan period and for each year of the Second Plan to Delhi State Bharat Sevak Samaj under the following heads:—

- (i) Organisational and administrative set-up;
- (ii) Execution of public utility works;
- (iii) Performance of socio-cultural activities;
- (iv) Propaganda of the Plan programmes; and
- (v) Efforts for inculcating spirit of self-help, patriotism and democratic thinking amongst the people;

(b) if so, the details thereof; and

(c) the progress of work made under each head?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). The Planning Commission have not allotted any fixed funds for the Second Plan period or for each year of the Second Plan for any type of activity of the Bharat Sevak Samaj, Delhi Pradesh. They have, however, sanctioned the following grants-in-aid to the organisation for specific schemes of Public Co-operation:—

Nature of Scheme	Amount of grant-in-aid sanctioned.	Remarks.
(1) Pilot Project of Public Cooperation for social and economic welfare of slum dwellers in some areas of Delhi	Rs. 53,000	Only two instalments totalling Rs. 30,000 have so far actually been released.
(2) Pilot Project of Public Cooperation for Youth activity in urban areas of Delhi	2,240	
(3) Pilot Project of Public Cooperation for Youth activity in rural areas of Delhi	500	

(c) Under Scheme (1), the Bharat Sevak Sangh, Delhi Pradesh, have opened 4 Centres called "Apna Ghar" in Manekpura, Sebsimandi, Paharganj and Turkman Gate. The working of these centres has been found to be satisfactory so far and the participation and co-operation of a large number of slum dwellers have been enlisted.

Under Scheme (2), 10 Youth Plan Clubs have been started in different parts of Delhi. The clubs have attracted a number of youth, who, besides utilising the available sports and other recreational facilities, are also actively taking part in discussions, symposia and other cultural activities designed to promote Plan-consciousness and popularise the Plan.

Under scheme (3), the Clubs are yet to be opened.

Handloom Cess Fund

735. **Shri Damani:** Will the Minister of Commerce and Industry be pleased to state:

(a) the amount of Handloom Cess collected from the Textile Mills during 1956-57 and 1957-58; and

(b) in what manner it has been utilised?

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

(a) 1956-57—Rs. 6,28,43,000 net.
1957-58—Rs. 6,59,07,000 net.

(b) A statement is laid on the Table of the House. [See Appendix II, annexure No. 110.]

Court Fees

736. **Shri Shree Narayan Das:** Will the Minister of Planning be pleased to state:

(a) whether the Government of India in consultation with the State Government have applied their minds to observations and suggestions for improvement made by the Taxation Enquiry Commission with regard to Court fees;

(b) if so, with what result;

(c) whether the working of Indian Court Fees Act, 1870 and various modifications made by different States subsequently has been reviewed or is proposed to be reviewed; and

(d) if reviewed, with what conclusions?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). In 1955, the Planning Commission requested the State Governments to examine the recommendations of the Taxation Enquiry Commission with a view to indicating the scope for raising additional resources for the second five year plan. The information furnished by the States in reply to that request was of a general nature and did not exhaustively deal with each measure of taxation. The statement laid on the Table of the House gives the summary of the views of the State Governments in so far as the recommendation of the Taxation Enquiry Commission in regard to Court fees was concerned. [See Appendix II, annexure 111.]

No information is available in the Planning Commission on the action that might have been taken by each State.

(c) and (d) In the Planning Commission no information on these points is available.

Brochure on Bhakra-Nangal Project

737. **Shri Ram Krishan:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether a brochure on Bhakra-Nangal Project has been printed; and

(b) if so, in what languages?

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

(b) English and Hindi.

Bicycle Factories

738. { Shri Ram Krishan:
Sardar Iqbal Singh:
Shri Pangarkar:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 240 on the 14th February, 1958 and state the location of Bicycle factories (Statewise) and their total output during the years 1955-57?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Statements 'A' and 'B' giving information relating to the large scale sector and small scale sector respectively are placed on the Table of the House. [See Appendix II, annexure No. 112.]

Employment Potential

739. { Shri Ram Krishan:
Sardar Iqbal Singh:

Will the Minister of Labour and Employment be pleased to state the employment potential in the following at present:

- (i) Cement Industry;
- (ii) Textiles Industry; and
- (iii) Paper industry?

The Deputy Minister of Labour (Shri Abid Ali): The number of persons estimated to be employed at present in factories in each of the three industries is given below:

- (i) Cement Industry—27,000.
- (ii) Textile Industry—13,00,000
- (iii) Paper Industry—28,700.

Industrial Development

740. { Shri Ram Krishan:
Sardar Iqbal Singh:

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

- (a) whether any decision for the location of remaining industrial

estates, regional institutes and extension centres during 1958-59 has been taken; and

- (b) if so, the nature of decision taken and the location thereof State-wise?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). The Government of India have so far approved 71 Industrial Estates, 4 Regional Institutes, 14 Institutes and Branch Institutes and 62 Extension Centres. These are under different stages of implementation. A statement showing their location is laid on the Table of the House. [See Appendix II, annexure No. 113.]

The decision for location of Industrial Estates is mainly that of the State Governments. More proposals for starting industrial Estates may be approved during 1958-59, but it is not possible to indicate their number and location at this stage.

A proposal for starting a Regional Institute at Kanpur is under consideration. There is no other proposal for new Extension Centres or Institutes under consideration at present.

Indians' Concerns in Pakistan

741. Shri Ram Krishan: Will the Minister of Commerce and Industry be pleased to state the number of industrial concerns owned and run by Indians in Pakistan?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): The number of industrial concerns owned and run by Indians in Pakistan is 15.

State Undertakings

742. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to refer to the list of State Undertakings on page 7 of the Annual Report of his Ministry for 1957-58 and state:

(a) the total investments made in each of these undertakings as on the 31st March, 1958;

(b) the total profits/losses in 1957-58 as against the year 1956-57; and

(c) the total number of persons employed as on the 31st March, 1958?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (c). A statement giving the required information is laid on the Table of the House. [See Appendix II, annexure No. 114.]

Coir Mats and Mattings

743. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state whether any preference has been given in the use of coir floor furnishings (mats and mattings) in (i) the Udyog Bhawan (ii) in buildings and offices under the administrative control of his Ministry?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (i) Yes, Sir. So far as Udyog Bhawan is concerned, 50 per cent. of the amount spent on floor coverings is for coir mats.

(ii) Instructions have been issued to all offices under this Ministry that 50 per cent. of the requirements of floor coverings should be met by coir mats.

Purchase of Cycles by D.G.S.D.

744. Shri Harish Chandra Mathur: Will the Minister of Works, Housing and Supply be pleased to state:

(a) how many cycles were purchased by Directorate General of Supplies and Disposals during the years 1956, 1957, and 1958;

(b) how many of these were purchased from large scale units and how many through small scale industry; and

(c) whether any purchases were made through National Small Scale Industries Corporation?

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

In 1955-56—3,122 cycles. In 1956-57—3,436 cycles. In 1957-58—3,187 cycles.

(b) All cycles were purchased from large scale units.

(c) No.

Buildings in Delhi belonging to the Government of Punjab

746. Shri D. C. Sharma: Will the Minister of Works, Housing and Supply be pleased to state:

(a) which of the buildings in Delhi belonging to the Government of Punjab and former Princes of that State have been taken over by the Government of India; and

(b) whether upto-date payments of rent have been made in respect of these?

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

(a) From the Punjab Government:

(1) Kapurthala House

(2) Jind House

From the former Princes:

(1) Pataudi House

(2) Faridkot House

(3) Patiala House

(4) 1, Sikandra Road (1st floor only).

(b) The rent account in respect of Patiala House and Jind House is up-to-date. Up-to-date settlement of the rent account in respect of the other buildings is awaiting either (i) finalisation or acceptance of the rate of rent or its apportionment between the area occupied by the owner and the area occupied by Government or (ii) adjustment of certain dues.

Displaced Persons in Purana Qila

747. Shri D. C. Sharma: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the

reply given to Starred Question No. 2062 on the 7th May, 1958 and state the further progress made in shifting the displaced persons residing in Purana Qila, Delhi?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Out of 689 displaced families in Purana Qila, 137 families have actually shifted so far 151 families have accepted plots and they have been given six month's time to shift.

Low-income Group Housing Scheme

748. Shri Bangshi Thakur: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the total number of persons in Tripura who have received housing loan under the Low-income Group Housing Scheme in the year 1955-56 and 1956-57 division-wise; and

(b) how many of them belong to Scheduled Castes and Scheduled Tribes?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b) The Low Income Group Housing Scheme was introduced in Tripura in 1956-57. A statement giving the required information for that year is laid on the Table of the House. [See Appendix II, annexure No. 115.]

कीर्तिनगर बस्ती

749. श्री नवल प्रभाकर : क्या पुनर्वास तथा अल्पसंख्यक कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) नजफाद रोड, दिल्ली स्थित कीर्तिनगर बस्ती (कालोनी) में अब तक कुल कितने प्लॉट बिक चुके हैं ;

(ख) प्लॉटों की बिक्री से कितनी राशि प्राप्त हुई ;

(ग) इन प्लॉटों के मालिकों से कितनी राशि लेनी बकाया है ;

(घ) इस बस्ती में विकास कार्य पर अब तक कितना खर्च किया गया है ; और

(ङ) पूर्ण विकास में कितनी राशि खर्च होने का अनुमान है ?

पुनर्वास उपमंत्री (श्री यू० डी० नास्कर) :
(क) कीर्तिनगर के सब प्लॉट जिन की संख्या १५३६ है, बेच दिये गये हैं।

(ख) ५४,१०,६४० रुपये।

(ग) १५,३८,३८५ रुपये व्याज सहित।

(घ) ३१-१२-५७ तक ११,२३,२५२ रुपये ७१ नये पैसे।

(ङ) २२,६८,७०० रुपये।

दूतावासी में अनुसूचित जाति के व्यक्तियों का नियुक्ति

750. श्री नवल प्रभाकर : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि

(क) विभिन्न देशों के भारतीय दूतावासी में अनुसूचित जातियों के कितने कर्मचारी काम कर रहे हैं

(ख) प्रत्येक देश में कितने-कितने कर्मचारी हैं, और

(ग) इनमें से कितने अफसर हैं ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) नीचे दिये गये मिशनों में उनकी कुल संख्या ४७ है। अभी पाच मिशनो से सूचना आने वाली है; यह सूचना मिलने पर सदन की सेवा पर रख दी जायेगी।

(ख) अनुसूचित जातियों के अफसरों की संख्या इस प्रकार है :—

बर्मा (रंगून)	.	.	४
श्रीलंका (कोलंबो)	.	.	२

संयुक्त धरम गणराज्य (काहिरा)	२
मलय (कुआला लम्पुर)	१
पोर्टे नुई (मारिसस)	१
पाकिस्तान (कराची)	५
(ढाका)	१०
नेपाल (काठमांडू)	१७
सिक्किम (गंगटोक)	१
थाई देस (बैंगकाक)	१
युनाइटेड किंगडम (लंदन)	३
कुल	४७

(ग) गजेटेड अफसर :

युनाइटेड किंगडम (लंदन)	२
संयुक्त धरम गणराज्य (काहिरा)	१
कुल	३

उत्तरावन केन्द्रों के लिये स्थायी समिति

७५१ श्री खुसबख्त राय : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या उनके मंत्रालय के अन्तर्गत कोई स्थायी समिति केन्द्रीय समाज कल्याण बोर्ड द्वारा खोले गये राज्याश्रमों में उत्पादन केन्द्र स्थापित करने के लिये नियुक्त की गई है ;

(ख) उक्त स्थायी समिति के अध्यक्ष और सदस्य कौन कौन हैं तथा उनकी क्या योग्यताएँ हैं ; और

(ग) क्या केन्द्रीय समाज कल्याण बोर्ड स्वयं इस कार्य को नहीं कर सकता ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : एक विवरण समाप्त पर रत्न दिया गया है। [देखिये परिकल्प २ अनुबन्ध संख्या ११६]

Export of Jute Goods

752. { Sardar Iqbal Singh:
Shri Ram Krishan:

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

(a) the total volume of Indian Jute Goods Trade with Australia in the last five years;

(b) whether there is any decline in the trade; and

(c) if so, the steps taken by Government to check it?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) A statement is laid on the Table of the House. [See Appendix II, annexure No. 117.]

(b) Yes, Sir.

(c) The decline in 1957 was mainly due to drought in Australia. The Indian Jute Mills Association may sponsor a Delegation to Australia to study the market.

Indian Documentaries on Ships

753. Sardar Iqbal Singh: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Indian documentaries are shown on ships also.

(b) if so, the names of the ships which have entered into agreement in this regard; and

(c) the names of documentaries shown in different ships during the last one year?

The Minister of Information and Broadcasting (Dr. Keshkar): (a) and (b). Yes, Sir. An Agreement has been executed with Messrs. Dawlat Corporation (Private) Ltd., Bombay, for the exhibition of documentary films on ocean going liners. Our films are also exhibited on Indian Naval Ships when they are on cruise or at anchor.

(c). Two lists of documentaries supplied to Messrs Dawlat Corporation and the Indian Naval Ships are laid on the Table of the House. [See Appendix II, annexure No. 118.]

Import of Watches

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

(a) the amount of foreign exchange spent on the import of watches in the year preceding the imposition of ban on their import; and

(b) the amount of customs duty realised during the same period on the import of watches?

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

(a) The import of watches has been completely banned since July—September, 1957. The total value of licences issued for watches and parts during July, 1956—June, 1957 comes to Rs. 3.08 crores.

(b) No separate statistics of import duty collected on watches alone are maintained by Custom Houses. The statistics recorded by the Custom Houses are in respect of watches, clocks and parts thereof not otherwise specified classifiable under item 78 of the Indian Customs Tariff and the amount of duty collected thereon during the period July, 1956 to June 1957, comes to Rs. 2.76 crores.

Emporium for Assamese Handicrafts

755. Shrimati Mafida Ahmed: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received any request from the Government of Assam for requisitioning of a premises in a suitable shopping centre in New Delhi to open a sales emporium for marketing handicrafts and handloom products of Assam; and

(b) if so, the action taken thereon?

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

(a) Yes, Sir.

(b) The matter is being considered.

काम-बिलाऊ दफ्तर

७५६. { श्री भक्त दर्शन :
श्री रामेश्वर टांडिया :

क्या श्रीम. श्रीर. रोजगार मंत्री २ सितम्बर, १९५७ के प्रतारकित प्रदन संख्या ११०६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) १९५७-५८ में इस बीच किन-किन स्थानों में काम-बिलाऊ दफ्तर खोले गये हैं।

(ख) १९५८-५९ में अन्य किन-किन स्थानों पर उन्हें खोलने का निश्चय किया गया है ; और

(ग) प्रश्न के भाग (ख) में वर्णित स्थानों के प्रतिरिक्त श्रीर. किन-किन स्थानों में ऐसे दफ्तर खोलने के प्रस्ताव आये हैं ?

कम उपसंगी (और आधिक्य अस्ती) (क) से (ग), जानकारी नीचे दी गई है

क्रमांक	राज्यो के नाम	वे स्थान जहा ३-६-५७ से ३१-३-५८ तक नियोजन कार्यालय खोले गये है	वे स्थान जहा नियोजन कार्यालय खोलने की मंजूरी दी जा चुकी है/ खोले जा चुके हैं ; और जहा १९५८-५९ में नये नियोजन कार्यालय खोलने का प्रस्ताव है	वे स्थान जहा नियोजन कार्यालय खोलने के प्रस्तावों पर विचार हो रहा है
		(क)	(ख)	(ग)

१	आन्ध्र प्रदेश	आदिला बाद, निजामा- बाद, नालगोडा और नागार्जन-सागर	करीमनगर स्वाम्माय्य	
२	अरुणाचल प्रदेश	तेजपुर, धुबरी	तूरा अय्यल और डिफू	शिप मागर
३	बिहार		..	सरिया
४	बम्बई	बड़ीदा, नासिक, वर्धा, अहमदनगर, अकोला, चादा, भंडारा, कोयना		
५	जम्मू और काश्मीर		श्रीनगर और जम्मू	
६	केरल		एलप्पी, पालघाट, कन्नूर	
७	मध्य प्रदेश	बिलासपुर, शाहडोल, छिन्दवाड़ा, कटनी, उज्जैन, रतलाम ।		..
८	मद्रास	कन्याकुमारी
९	मैसूर		गुलबर्गा, कोलार- गोल्डफील्ड और दावनगिरि	..
१०	उड़ीसा	बैहरमपुर	बालासर, भवन्ती, पटना	..
११	पंजाब	फगवाड़ा, नारनौल
१२	राजस्थान	पाली, भीलवाड़ा

कमाक राज्यों के नाम	वे स्थान जहाँ ३-६-५७ से ३१-३-५८ तक नियोजन कार्यालय खोले गये हैं	वे स्थान जहाँ नियोजन कार्यालय खोलने की मंजूरी दी जा चुकी है/ खोले जा चुके हैं; और जहाँ १६५८-५९ में नये नियोजन कार्यालय खोलने का प्रस्ताव है	वे स्थान जहाँ नियोजन कार्यालय खोलने के प्रस्तावों पर विचार हो रहा है
	(क)	(ख)	(ग)

१३ उत्तर प्रदेश मथुरा, मुजफ्फरनगर, बिजनौर, सीतापुर, मिर्जापुर, इटावा, फर्रुखाबाद, बुलन्दशहर, टेहरी-गढ़वाल, बांदा, रिहन्द-बांध क्षेत्र और पौड़ी

१४ पश्चिम बंगाल

पुरुलिया, नदिया, मालदा, रानीगंज

१५ हिमाचल प्रदेश चम्बा

शिमला

३६

२०

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Vigilance Section

757. **Pandit D. N. Tiwary:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether there is any delay in disposing of all the petitions, complaints and appeals received by the Vigilance Section of the Ministry; and

(b) if so, whether any special efforts are being taken to dispose of the arrears?

The Minister for Works, Housing and Supply (Shri K. C. Reddy): (a) Not generally. Some delays do occur in complicated cases.

(b) With a view to dispose of complaints etc. more expeditiously the following special steps have been taken from time to time:—

- (i) Augmentation of the staff in the Vigilance Units of the Attached and Subordinate Offices of this Ministry;
- (ii) Constant review of procedures and their streamlining where necessary, with a view to securing greater expedition;
- (iii) Constant review of progress of disposal at meetings of Vigilance Officers in the Ministry.

*१६५८-५९ में नये नियोजन कार्यालय खोलने के बारे में राज्य सरकारों के सुझाव अभी बाकी हैं।

Servants Quarters for M.Ps.

753. **Shri Surendranath Dwivedy:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether sweepers are authorised to construct their huts in the compounds of the servants quarters for Members of Parliament; and

(b) if not what steps Government propose to take to remove unauthorised constructions?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) No.

(b) As the present Public Premises (Eviction) Act 1950, has been declared ultra vires by some High Courts, Government cannot, at present, get the unauthorised constructions removed. Necessary action to remove the unauthorised constructions can be taken only when the Public Premises (Eviction of Unauthorised Occupants) Bill, 1958, which has already been introduced in Parliament, becomes an Act.

Indian Killed at Bolapara

759. **Shri Shivananjappa:** Will the Prime Minister be pleased to state:

(a) whether an Indian national, by name Asharaf Ali, was killed by a party of nine Pakistanis in the Indian enclave of Bolapara on the 30th May, 1958; and

(b) if so whether compensation has been demanded from East Pakistan Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Yes Sir.

The Pakistani party which included policemen and civilians trespassed into the Indian enclave of Bolapara Khagrabari in Distt. Cooch Behar and shot Asharaf Ali and looted his cash amounting to Rs. 320/-.

The Government of West Bengal and the Indian High Commission at Karachi have lodged strong protests with the Government of East Pakistan

and the Government of Pakistan respectively and have asked for the punishment of the culprits and for payment of adequate compensation to the family of the deceased Indian national.

Export of Mica

760. **Shri Jaganatha Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of mica exported in the year 1957 and in the first half of 1958;

(b) the amount of foreign exchange earned thereof; and

(c) whether Government have formulated any schemes to intensify the export of mica?

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

(a) and (b). 4,45,169 cwts. of mica valued at Rs. 9.68 crores were exported in 1957 and 2,37,888 cwts. valued at Rs. 5.53 crores were exported during January to June, 1958.

(c) Yes, Sir. The following are the more important measures that are being taken by the Export Promotion Council set up by Government to enlarge the exports of mica:

(i) Fixation of export targets for mica exporters and giving them necessary incentives under export promotion scheme to fulfil these targets.

(ii) Developing exports to new buyers by surveying foreign markets, sending out trade delegations, participating in exhibitions, arranging for publicity etc.

(iii) Increasing exports to new customers

(iv) Devising ways and means of increasing production of mica and mica manufactures.

(v) Suggesting measures for some processing of mica before

export which will secure increased value for mica exported from India.

(vi) Drawing up comprehensive pre-shipment inspection Scheme for mica.

Ambar Charkhas

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

(a) what is the actual number of Ambar Charkhas working at present; and

(b) the quantity of yarn produced therefrom during 1957-58?

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

(a) About 1,43,200.

(b) 2.54 million lbs.

Coal Mines

762. **Shrimati Parvathi Krishnan:** Will the Minister of Labour and Employment be pleased to state the number of cases of suspensions, dismissals or other forms of disciplinary action taken against Overmen Mining Sardars and shot firers in coal mines under regulation 26(1) of the Coal Regulations, 1957 during the year 1957?

The Deputy Minister of Labour (Shri Abid Ali): During the year 1957, ninety Sirdar's and 11 shot firer's certificates were suspended and 3 Sirdar's and one shot firer's certificates were cancelled. The question of proceeding against Overmen under Regulation 26(1) of the Coal Mines Regulations does not arise as the grant of Overman's certificate envisaged in Regulation 12 has not yet begun.

International Labour Organisation

763. **Sardar Iqbal Singh:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the International Labour Organisation has adopted a convention and a Recommendation

concerning conditions of employment of Plantation Workers; and

(b) if so, whether Government will lay a copy of this on the Table?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes, at the 42nd session of the International Labour Conference held in June, 1958.

(b) Yes, in due course.

Nagas

764. **Sardar Iqbal Singh:** Will the Prime Minister be pleased to state the quantity of arms and ammunition and explosives recovered from Nagas in 1957 and 1958 so far?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): A statement is laid on the Table of the House. [See Appendix II, annexure No. 119.]

Foreign Scientists for Training in India

765. **Sardar Iqbal Singh:** Will the Prime Minister be pleased to refer to the reply given to Starred Question No 1217 on the 26th March, 1958 and state the number of students from each country who are to undergo training in the Indian Atomic Centre?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): No student from any foreign country is at present receiving training at the Atomic Energy Establishment, Trombay.

Commonwealth Broadcasting Conference

766. **Sardar Iqbal Singh:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the Commonwealth Broadcasting Conference will be held in India; and

(b) if so, when and where?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). The next Commonwealth Broadcasting Conference is being held in Delhi in January-February 1959.

Technical Training Centres

767. **Sardar Iqbal Singh:** Will the Minister of Labour and Employment be pleased to state the names and number of places where technical training centres were started in

Punjab during 1954-55, 1956-57 and 1957-58 and are proposed to be opened in 1958-59?

The Deputy Minister of Labour (Shri Abid Ali): The information is furnished below:-

Year	Number of places where technical training centres were started or are proposed to be started	Names of places where technical training centres were started or are proposed to be started.
1954-55	Nil	Nil
1956-57]	1	Yamunanagar
1957-58]	2	Ludhiana and Ambala
1958-59	As the administrative control of the Training Centres is with the State Governments, it is not possible at this stage to state what centres will be opened during 1958-59.	

Diesel Trucks

768. **Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of diesel trucks produced and assembled in 1958 so far, and

(b) the steps which are being taken to meet the requirement of the Second Five Year Plan?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):
(a) 3518 diesel trucks have been produced during the first six months of 1958.

(b) The existing capacity for the manufacture of trucks is being augmented wherever necessary and considered possible within the limitations of the existing foreign exchange difficulties before the country.

Handloom Industry in Punjab

769. { **Sardar Iqbal Singh:**
Shri Daljit Singh:

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

(a) the amount spent in Punjab for the development of handloom industry during 1958-59 so far; and

(b) the items on which the expenditure has been incurred?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):
(a) Rs 22,832.73

(b) A statement is laid on the Table of the House. [See Appendix II annexure No. 120.]

Cho Oyu Expedition

776. **Sardar Iqbal Singh:** Will the Prime Minister be pleased to state:

(a) whether the Cho Oyu Expedition Team surveyed a large area of the Himalayas; and

(b) if so, details of the survey?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The Cho Oyu Expedition did not include any survey as such among its objects. However, one officer each from the Zoological and Botanical Survey accompanied the Expedition and carried out field investigations along the route from Kathmandu to Namche Bazar and in the valleys of Inja Khola, Bhute Kosi and Dudh Kosi.

(b) Botanical and Zoological investigations along the route from Kathmandu to Namche Bazar ranged between the altitudes of 3000 ft. to 12000 ft. and covered sub-tropical, temperate, sub-temperate and sub-alpine types of flora & fauna. In the valleys of Inja Khola, Bhute Kosi and Dudh Kosi investigations ranged between 12000 ft. to 19000 ft. and covered alpine vegetation. Over 4000 botanical specimens of 600 species and 543 zoological specimens were collected. The material collected is being processed and examined and a detailed account will be prepared in due course.

Export of Iron Ore

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

(a) the quantity of iron ore which the State Trading Corporation of India (Private) Ltd. has contracted to export during the period from 1st July, 1958 to 31st March, 1959; and

(b) the quantity that has already been exported?

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

(a) 19.52 lakh tons.

(b) 1.52 lakh upto 14th August, 1958.

Small-Scale Industries

772. **Shri L. Achaw Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the amount of money allotted by the Centre to each State for assistance to small-scale industries under the respective State Aid to Industries Act during the year 1958-59; and

(b) the amount disbursed up to date?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is laid on the Table of the House. [See Appendix II, annexure No. 121].

Border Firings

773. { **Shri Assar:**
Shri N. B. Munisamy:
Shri Raghunath Singh:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that Pakistan Army Police fired on the Indian Police post at Charhan, in Sri Nagar Division, on the 20th/21st June, 1958;

(b) if so, number of casualties, if any; and

(c) action taken by Government in the matter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, Sir. On the night of 21st June 1958, a party of armed men from Pakistan Occupied Kashmir crossed the Cease Fire Line and opened unprovoked fire on our police post at Charhan

(b) Nil.

(c) A complaint was lodged with the United Nations Field Observers' Team.

Displaced Persons in Tripura

774. **Shri Dasaratha Deb:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of schemes sanctioned by the Central Government for

purposes of economic rehabilitation of displaced persons of Tripura, during the last two years;

(b) the total amount of money allotted for these schemes;

(c) the number of schemes sanctioned but not yet implemented;

(d) the number of schemes not yet sanctioned, though recommended by Tripura Administration; and

(e) the reasons for non-implementation of schemes sanctioned and non-sanctioning of schemes recommended?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) to (e). The information is being collected and will be placed on the Table of the Sabha when available.

Educated Unemployed in Tripura

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

(a) whether the number of educated and semi-educated persons registered with the Employment Exchange in Tripura is increasing everyday; and

(b) if so, what new opportunities are being created to provide them with employment?

The Deputy Minister of Labour (Shri Abid Ali): (a) the number of educated persons (matriculates and above) on the live register of Employment Exchange at Agartala has increased from 389 in June, 1957, to 720 in June, 1958. Statistics relating to semi-educated persons are not available.

(b) It is expected that they would be absorbed in employment as the economy develops.

Land in Delhi

776. Shri Jadhav: Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No. 3402 on the 7th May, 1958 and state the number of tenants who have voluntarily surrendered their land in the Delhi Territory since 1954?

The Deputy Minister of Planning (Shri S. N. Mishra): Voluntary surrenders of land by tenants in favour of land owners have occurred in—

(a) rural areas to which the Delhi Land Reforms Act applies; and

(b) urban areas to which the Land Reforms Act does not apply.

The Delhi Land Reforms Act came into force on 20th July, 1954. There were surrenders of land by 76 tenants covering 234 acres in the rural areas between March 24, 1955 and April 6, 1956, the period during which the implementation of the Delhi Land Reforms Act was stayed under the orders of the High Court. The surrenders of land made since the enforcement of the Act are not, however, taken into consideration in the process of conferment of *bhumidhari* rights which are made on the basis of the revenue records of 1953-54. Thus, such tenants who have surrendered their lands after the commencement of the Act are being declared *bhumidhars* under the Land Reforms Act.

In the urban areas to which the Delhi Land Reforms Act does not apply, 121 tenants have surrendered land covering 118 acres from 20th July, 1954 upto *rabi* 1957-58.

Conference of Settlement Commissioners

777. Sardar Iqbal Singh: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether any conference of the Settlement Commissioners of Western Region was held at Srinagar; and

(b) the decisions of this conference?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). The conference was convened to elicit views of the Regional Settlement Commissioners on various problems. The Government is examining the views expressed by the Regional Settlement Commissioners and will take decisions on the various questions involved.

Indo-Pakistan Agreement

778. Sardar Iqbal Singh: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether any agreement has been reached between India and Pakistan regarding the land which was acquired under Land Acquisition Act before partition for Government purposes;

(b) main features of this agreement; and

(c) steps taken for the implementation of this agreement?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). No separate agreement has been reached between India and Pakistan regarding the land acquired before partition under Land Acquisition Act for Government purposes. It has, however, been agreed between the two Governments that claims for compensation for land acquired under the Land Acquisition Act before partition, and where the compensation had been assessed and actually deposited in the treasuries would be processed like claims of "revenue deposits" which are settled through the Claims Organisations set up in the two countries in terms of the Press Note issued on 15th May, 1955. If, however, the compensation had not been assessed in a particular case or had not been paid into the treasury after assessment, there are no arrangements for settlement of the claim.

(c) In pursuance of the above arrangements, 80 claims of Indian nationals of the value of about Rs. 6 lakhs have been received by the Central Claims Organisation (India) and passed on to Pakistan for verification and issue of payment authorities. 42 claims of the value of Rs. 1.34 lakhs of Pakistan nationals have been received from Pakistan authorities and these are under verification.

International Cotton Advisory Committee

779. Sardar Iqbal Singh: Will the Minister of Commerce and Industry pleased to state:

(a) whether India was represented in the meeting of the International Cotton Advisory Committee held recently in London;

(b) if so, the names of the persons who attended the meeting on behalf of India;

(c) whether anybody from the Indian group represented the cotton growers' interests;

(d) if not, the reasons therefor;

(e) whether Government have since received the report of the meeting of the International Cotton Advisory Committee; and

(f) if so, the main features thereof?

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

(a) Yes, Sir.

(b) Shri S. Krishnamurthi, First Secretary (Economic), High Commission of India, London represented India at the meeting.

(c) and (d). India's delegate, Shri S. Krishnamurthi, was deputed to represent all cotton interests including cotton grower but actually no question of any importance affecting the cotton growers was discussed in the meeting.

(e) Yes, Sir.

(f) A note giving information is attached II. annexure No. 12

Export of Cashew Kernel

780. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1817 on the 31st March, 1958 and state the quantity and value of Cashew kernel exported country-wise during the last three years?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): A statement showing the quantity and value of Cashew Kernel exported country-wise during the years 1955, 1956, 1957 and for the period January-April, 1958 is laid on the Table of the House. [See Appendix II, annexure No. 123.]

State Plan of Orissa

781. Shri Panigrahi: Will the Minister of Planning be pleased to state whether the Government of Orissa State has submitted its estimates of financial resources for the remaining years of the Second Plan period?

The Deputy Minister of Planning (Shri S. N. Mishra): Yes; the estimates are under examination in the Planning Commission.

Nangal Fertilizers and Chemicals (Private) Ltd.

782. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the total number of employees working in administrative, technical and supervisory posts in the Nangal Fertilizers and Chemicals (Private) Ltd.;

(b) how many out of them are from the regular cadres of the Central Government services;

(c) how many from non-Government sources; and

(d) the number of the oustees and scheduled castes among them in each cadre separately?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (d). A statement is laid on the Table of the House [See Appendix II, annexure No. 124.]

Indian Films in Russia and China

783. Shri Daljit Singh: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that some Indian films are popular in Russia and China; and

(b) if so the names of films exported to Russia and China during 1957-58?

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

(b) Since statistics of import and export of Cinematograph films are maintained by footage and not by names and numbers, it is not possible to specify the names of the films exported to a particular country in a particular period. However, 1,29,000 feet of exposed films were exported to U.S.S.R. and 82,000 feet to China, during 1957-58.

Ambar Charkhas

784. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of Ambar Charkhas produced in various Centres during 1957-58; and

(b) the number of Ambar Charkhas distributed during the same period?

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

(a) 1, 15, 652.

(b) 98,849

Import of Watches

785. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) what has been the criterion for grant of import licences in respect of watches during the last four years;

(b) the number of parties granted import licences in regard of watches during 1957-58; and

(c) the number of newcomers among them?

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

(a) Import of watches falling under S. No. 308 (d)/IV of the Indian Trade Control Schedule was allowed under Liberal Licensing Scheme from January-June 1955 upto January-June 1956 licensing period and during July-December 1956 import was allowed to established importers only on 50 per cent. General and 100% Soft quota basis. During January-June 1957 the quota was reduced to 25 per cent general and 50 per cent soft. From July-September 1957 the import of watches has been completely banned.

(b) The number of parties to whom import licences were granted during this period is not available as the licensing statistics are maintained according to the individual licences and not according to the individual parties. The total number of licences granted for import of watches and parts during 1957-58 (January 1957 to March 1958) was, however, 694.

(c) The number of newcomers licences amongst them was 4 only

Small Scale Industries

786. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of steel demanded by the Punjab State as requirements of the Small-Scale Industries during 1958-59 so far; and

(b) the quantity of steel allotted exclusively during the same period?

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

(a) I Quarter (April-June 1958) 18,000 tons.

II Quarter (July-September 1958) 15,272 tons.

(b) I Quarter (April-June 1958) *3,392, tons.

II Quarter (July-September 1958) †3,364 tons.

Labour Cooperative Societies

787. Shri Daljit Singh: Will the Minister of Labour and Employment be pleased to state:

(a) whether there are any labour cooperative societies in Tripura;

(b) if so, the names of the labour cooperative societies which have been granted subsidy so far; and

(c) the details of the work done by them so far?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes. Two Forest Labour Cooperative Societies.

(b) (i) Muhuripur Forest Labour Cooperative Society Ltd.

(ii) Garzi Forest Labour Cooperative Society Ltd.

(c) These societies were formed and registered only in February 1958. They propose to do the following work:—

"Extract & process forest produce and materials, arrange for their storage and sale where necessary, create plantations on contract and help in construct of forest roads."

As regards the actual work done no details are available.

*Includes 75 tons for construction of buildings in Industrial Estates.

†Includes 47 tons for construction of buildings in Industrial Estates.

Films on Dam Projects

788. **Shri Daljit Singh:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether some films have been produced regarding Dam Projects which are under progress in India; and

(b) if so, the details thereof?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). A list of films already produced about the Irrigation and Power Projects and those under production at present is placed on the Table of the House. [See Appendix II, annexure No. 125.]

Import of Films from England

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

(a) the total number of films imported into India from England during last three years; and

(b) the total number of films exported to England during the same period?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). Import and export of cinematographic films either exposed or raw, are not expressed in numbers, but in footage. A statement showing imports of cinematographic films (exposed) from and exports to the United Kingdom in footage during last three years is laid on the Table of the House [See Appendix II, annexure No. 128.] Export statistics of these films are shown separately from January, 1957 when the new trade classification came into force. Thus figures of exports of films prior to that date are not available.

12 hrs.

PAPERS LAID ON THE TABLE

WORKING JOURNALISTS (FIXATION OF RATES OF WAGES) RULES.

The Minister of Labour and Employment and Planning (Shri Nanda): I beg to lay on the Table a copy of the 572 Working Journalists (Fixation of Rates of Wages) Rules, 1958, published in Notification No. G.S.R. 572, dated the 4th July, 1958. [Placed in Library, See No. LT-844/58.]

SECOND ANNUAL REPORT OF ASHOKA HOTELS LIMITED

The Minister of Works, Housing and Supply (Shri K. C. Reddy): I beg to lay on the Table, under sub-section (1) of section 639 of the Companies Act, 1956, a copy of the Second Annual Report of the Ashoka Hotels Limited for the year ended 30th September, 1957 alongwith the Audited Accounts. [Placed in Library, See No. LT-845/58.]

REPORT OF TARIFF COMMISSION

The Minister of Industry (Shri Manubhai Shah): I beg to lay on the Table, under sub-section (2) of Section 16 of the Tariff Commission Act, 1951, a copy of each of the following papers:—

(1) Report (1958) of the Tariff Commission on the grant of protection and/or assistance to the Para-Aminosalicylic Acid Industry.

(2) Government Resolution No. 2(2)-T.R./58 dated the 20th August, 1958. [Placed in Library, See No. LT-846/58.]

12-03 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 week commencing 25th August, 1958 will consist of:

(1) Consideration of any item of business carried over from today's Order Paper.

[Shri Satya Narayan Sinha]

(2) Shri Braj Raj Singh's resolution seeking disapproval of the Sugar Export Promotion Ordinance, 1958.

(3) Consideration and passing of—

(a) The Sugar Export Promotion Bill, 1958;

(b) The Trade and Merchandise Marks Bill, 1958, as reported by the Joint Committee.

(c) The Central Sales-Tax (Second Amendment) Bill, 1958, as reported by the Select Committee; and

(d) the Industrial Disputes (Banking Companies) Decision Amendment Bill, 1958.

(4) Discussion on Chaudhury Committee's Report on Port and Dock Workers and the Government's Resolution thereon on a motion to be moved by Shri Asoka Mehta and others on Wednesday, the 27th August, at 3 P.M.

Shri Naushir Bharucha (East Khadesh): May I know whether, as decided by the Business Advisory Committee, a No-Day-Yet-Named Motion might be taken up on Wednesday?

Mr. Speaker: It was understood that this motion will be taken up on Wednesday.

Shri Satya Narayan Sinha: Chaudhury Committee's Report will be discussed on Wednesday.

Mr. Speaker: If it cannot be taken up on Wednesday, it will be taken up on some other day.

12-05 hrs.

BANARAS HINDU UNIVERSITY (AMENDMENT) BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF SELECT COMMITTEE

Sardar Hukam Singh (Bhatinda): I beg to move:

"That the time appointed for the presentation of the Report of the

Select Committee on the Banaras Hindu University (Amendment) Bill, 1958, be extended upto the 27th August, 1958."

In this connection, I might also refer to an amendment a copy of which has just been handed over to me. Pandit Govind Malaviya has put in the following amendment:

"That in place of "27th August" the words "15th September" be substituted and at the end of the motion the following be added:—

"With further instructions to proceed to the University, study the situation there; if necessary, ask for further information and examine witnesses and report whether the purpose underlying the Bill can be satisfactorily achieved by this Bill or in any other way."

At this stage, I think this will not be permissible. We have been assigned a certain task by this august House and we have to present our report to the House. The Select Committee has only come up here with a request to the House that the time given to it may be extended. An amendment such as this could be made when this Bill was being considered here, but that time had gone and the amendment was not made at that time. We have almost completed the work so far as the constitution of the executive committee and the selection committee are concerned and we have taken decisions. The screening committee only remains and we are meeting today. I think with the co-operation of Members and with their assistance, we may be able to finish it this evening. At this stage, to go over the whole thing and say that the committee should go to the spot and find out the situation with their own eyes, etc. may not be advisable. So far as the committee is concerned, I have only got this objection that this would be out of order at this stage when we have come up for the extension of time by a day for the presentation of the report.

Pandit Govind Malaviya (Sultanpur): My amendment was only meant to be helpful. As the committee is doing its work here, the situation there at Banaras has become rather very bad.....

Mr. Speaker: Apart from the merits, how is this amendment in order? The original motion is that time be extended for presenting the Select Committee report, but other things are being added in the amendment. This is out of order. The scope of the amendment is entirely different from the scope of the original motion. I can only put to the House the first part of the amendment, namely, for "27th August", substitute "15th September." That is in order. The rest is out of order.

Pandit Govind Malaviya: I have no objection. As I said, I only want to be helpful. I included the second part because....

Mr. Speaker: We do not go into the merits of it. I rule that this is out of order. The motion is for extension of time for the presentation of the report by the committee as originally appointed. It is for the Select Committee to find out whether it is necessary to go to any particular place or examine any more witnesses. Indirectly Pandit Govind Malaviya wanted here to authorise the Select Committee to say that the Bill is useless and it ought not to be proceeded with. Then he says in his amendment, "whether the purpose underlying the Bill can be satisfactorily achieved... in any other way". Both the matters that are referred to in the second part of the amendment are out of order.

So far as the first part is concerned, if he insists on my putting it to the vote of the House, namely, for "27th August" substitute "15th September", I have no objection to do so.

Pandit Govind Malaviya: I have no objection to only a portion being put. But unless the Government wishes to accept that, there is no point in my

pressing it before the House. As I said, I have suggested this because I feel that the work will be better done that way.

Mr. Speaker: We are going into the merits of it.

Sardar Hukam Singh: The committee do not want any further time beyond this. Can another hon. Member who is not a member of the Select Committee say that the time should be extended to a particular date, when the committee say that they do not want any more time?

Pandit Govind Malaviya: When this Select Committee was appointed here, you were pleased to say that the various things could be gone into by the Select Committee....

Mr. Speaker: I am not ruling the first portion out of order. It is open to any hon. Member of the House to write to the committee to enable the committee to go into all these matters. The Member may say that the time may be extended, though the committee may not feel it is necessary. It is up to the House to decide. But normally the House will not depend on the opinion of an individual member, when the committee does not want more time. But it is for the House to decide.

Pandit Govind Malaviya: As you have suggested, I will write to the committee suggesting that they may take more time and do all those things.

Mr. Speaker: Very well. The question is:

"That the time appointed for the presentation of the Report of the Select Committee on the Banaras Hindu University (Amendment) Bill, 1958, be extended up to the 27th August, 1958."

The motion was adopted.

12.10 hrs.

MANIPUR AND TRIPURA (REPEAL OF LAWS) BILL

The Minister of Co-operation (Dr. P. S. Deshmukh): On behalf of Shri Ajit Prasad Jain, I beg to move for leave to introduce a Bill to provide for the repeal of certain laws in force in the Union Territories of Manipur and Tripura.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the repeal of certain laws in force in the Union Territories of Manipur and Tripura."

The motion was adopted.

Dr. P. S. Deshmukh: I introduce the Bill.

12.11 hrs.

WORKING JOURNALISTS (FIXATION OF RATES OF WAGES) BILL—Contd.

Mr. Speaker: The House will now take up the further consideration of the following motion moved by Shri Abid Ali on the 18th August, 1958, namely:

"That the Bill to provide for the fixation of rates of wages in respect of working journalists and for matters connected therewith, be taken into consideration."

Shri Abid Ali will continue his speech.

The Deputy Minister of Labour (Shri Abid Ali): The other day I had only moved the Bill. Now Shri Nanda will speak on the Bill.

Mr. Speaker: I cannot allow this. Whoever moves the Bill, if he does not want to make any further speech, I shall place the motion before the House. Then Shri Nanda will get an opportunity to speak.

The Minister of Labour and Employment and Planning (Shri Nanda): At that time I had asked the Deputy-Speaker whether I could go away and I was told that I was not required as there was only the formal moving of the Bill.

Mr. Speaker: I cannot allow this.

Sardar Hukam Singh (Bhatinda): Since my name has been mentioned may I submit something? The only enquiry made from me was whether there was time for him to move his Bill before the Adjournment Motion could be taken up, and I said there was no time, as up till 4 P.M. we will have to consider the previous item on the agenda paper. That is what I said. Therefore, at the last hour Shri Abid Ali moved his Bill for consideration. Now he can only say that he has moved it. The motion may be placed before the House and the discussion may begin. Shri Nanda shall have the right to speak on that.

Shri Abid Ali: I moved the Bill when I was called upon by you to do so. I did not speak a word even. Then the further discussion was postponed.

Mr. Speaker: He need not have spoken a word. Even then I have to put it to the House. Hon. Members are aware that when once a motion is moved by a Member, if it is to be continued and if the Member is not present, it cannot be continued by another Member. There are precedents in the matter. Shrimati Parvathi Krishnan had moved a motion and she was not able to be present here when it was taken up again. Shri Gopalan wanted to continue that speech. I said: "No, I will place the motion before the House". So, I will now place the motion before the House and then immediately call upon Shri Nanda to speak.

Shri Naushir Bharsucha (East Khandesh): Will he have a right of reply again?

Mr. Speaker: Yes, any number of times. It is in the discretion of the Chair. Hon. Members may kindly go through the rules. Government has got the right of reply once and intervening another time.

Motion moved:

"That the Bill to provide for the fixation of rates of wages in respect of working journalists and for matters connected therewith, be taken into consideration."

There is an amendment to this motion tabled by Shri Mahanty, but he has since written withdrawing the notice. Now Shri Nanda,

Shri Nanda: Mr. Speaker, I am grateful to you for your indulgence. The Working Journalists (Fixation of Rates of Wages) Ordinance was promulgated on the 14th of June 1958. It is now proposed to replace this Ordinance by an Act of Parliament. The course that has been adopted appears to be so self-evident and obvious that I thought there will be no need for me to explain at length here the reasons which impelled Government to take this step. I then thought that if I had failed to do so, I would have been called upon to explain why I had not done my duty properly.

This House is fully familiar with the background of this case and the various developments which have occurred in this connection. The House would have certainly expected me to take the promptest action that was open to me in the circumstances. But other circumstances have arisen which make me feel that I should furnish to this House some justification for the step that has been taken.

Sir, I received a letter from the President of the Indian and Eastern Newspapers Society, along with the copy of certain resolutions which were passed at the All India Conference of Newspaper Publishers. This Conference was held on the 30th July 1958.

The President of the Conference also wrote to me and very kindly supplied copies of some of the speeches which were made on that occasion. Having regard to the importance of this body and the importance of this occasion, having regard also to the fact that some eminent persons were associated with this Conference, I naturally have given very earnest consideration to the resolutions and to the proceedings of this Conference. I find that the issues before the Conference were discussed in terms of survival of the newspaper industry as if there was some kind of a threat to its existence. Maybe, many things have got to be done by many people in order to ensure that this industry's existence is not jeopardised. For my part, I may assure the House that I realise fully the importance of the newspaper industry in the life of the community, and its vital role in society. Therefore, I would not like that impediments should arise in the way of the growth of this industry on healthy and sound lines, consistently with its great responsibilities.

But among the various factors which might help the industry I think the most significant one is that there should be an atmosphere of harmony, of goodwill, of co-operation among all the sections participating in it. Going through the resolutions, a feeling grew in my mind that this particular approach and outlook which I indicated are not reflected sufficiently in the contents of the resolution and the other proceedings, and I began to doubt whether the needs and demands of the time did receive proper consideration in this conference. It is not my business to criticize or to say anything about what was done at that conference, but it is my business, however, to consider the bearings that it has on the business before this House. Objections had been raised in the resolution and in the proceedings of the conference to the promulgation of this ordinance and the action of Government has been denounced in strong terms. I have, therefore, to enter into some detail regarding the

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considerations which led us to the step that has been taken. It cannot be again said that the issue of an ordinance is not an ordinary matter. We have recourse to it only in special circumstances. If it had been a fresh claim on the part of the working journalists, certainly nobody could have thought of an ordinance. Even if the matter had taken a year or two, still we would have been reluctant to have recourse to such special procedures. Let us see what the history of this case is. The history of the matter goes so far back as the year 1952, if not earlier. Therefore, it is six years old, if not more.

As the first event in the series I should refer to the resolution passed by the Indian Federation of Working Journalists at its session held in April 1952 in Calcutta. It asked for an enquiry into the conditions of the Press in India. The appointment of the Press Commission was announced on 23rd September, 1952, and as its terms of reference the Commission was asked among other things to enquire into various matters connected with the conditions of working journalists. The Commission completed its enquiry and submitted its report on the 14th April, 1954. The report devotes a chapter covering nearly 60 pages to the conditions and problems of the working journalists. There are other chapters dealing with the employment position and association of newspapermen. It was recommended that industrial relations legislation which was then being contemplated should include the working journalists within its purview. The Commission also recommended legislation being undertaken for the regulation of newspaper industry which should embody their recommendations with regard to various matters affecting the conditions of working journalists including the schedule of minimum wages. A Bill to regulate conditions of service of working journalists and other persons employed in newspaper establishment was introduced in the Rajya

Sabha in November, 1955. This was finally passed in December, 1955. Section 8 of that Act authorises the Central Government to constitute a Wage Board for fixing the rates of wages in respect of working journalists. On the 2nd May, 1956 the Central Government constituted the Wage Board for this purpose. The decisions of the Wage Board were published on the 11th May 1957. It was found that the industry, for reasons known to itself was not willing to implement the decisions of the Board. A number of newspapers filed petitions before the Supreme Court challenging these decisions as well as certain provisions of the Working Journalists Act. So, action in pursuance of these decisions was therefore stayed. In the judgment given on the 19th March, 1958, the Supreme Court set aside the decision of the Wage Board on the sole ground that the capacity of the industry had not been taken into consideration. This is the chequered story of the hitherto unfruitful efforts of Parliament and Government to secure for the working journalists some settlement of their scale of remuneration.

This is one part of the picture. There is another. Efforts were also made from time to time to resolve this tangle in less formal ways. Immediately after the decision of the Wage Board became known and it was found that the newspaper employers were in no haste to carry out those decisions I took the step to invite the employers' representatives and the representatives of the working journalists to a conference and efforts were made to bring about some kind of mutual adjustment of the differences. At one stage I was hopeful that something would come out of this effort. It was agreed by the parties that a committee might be set up which in the course of a month would make a report after having endeavoured to bring about an amicable settlement of the points of difference. It happened otherwise. The Indian and Eastern Newspapers Society said that on

reconsideration they had come to the conclusion that no useful purpose was likely to be served by the committee and that a petition had already been filed in the Supreme Court. I received a letter to this effect the next morning. Another series of meetings was arranged in October 1957. This had also borne no fruit.

After this another series of events later on culminated in the judgment of the Supreme Court. Then there was another opportunity and we tried to take advantage of that and again we requested the parties to come together and meet us. With a view to bringing about better understanding and to settle any differences that might have then come in the way, parleys continued for a whole month or more and in this case also at one time we felt that the matters had been cleared up to an extent and that it would be possible to have an agreement. But, soon after, to our very keen regret, we were informed that it was not possible to accept certain suggestions which had been then broached in the course of those meetings.

Shri Feroze Gandhi (Raj Bareilly): May I know whether these suggestions were acceptable to the working journalists but not to the proprietors? From what the hon. Minister has said it appears that both might not have been willing; so it is necessary to clarify which side was willing and which side was not.

Shri Nanda: I feel a little delicacy in answering that question. Then I would be asked as to what matters were not accepted and what were the suggestions. But since the hon. Member has asked the question, I think I am in duty bound to give some inkling of the actual position. The working journalists did not come in the way of any settlement.

This is the story of our informal efforts. There is another aspect also and that is the attitude of the working journalists themselves. Pervaded by the

long delays, at one stage they also started talking in militant language. They had their meetings and they thought in terms of struggle and token strike and all that just about the time of the Supreme Court judgment and after that. But, I must take it clear here that whatever action was taken was not at all influenced by that. Whether it was justifiable or not, because of irritation, resentment, frustration—whatever it may be—they started talking in those terms. But the action that we have taken has nothing to do with that because it is fully justified on other grounds. This Government has a certain obligation. In the matter of industrial disputes, it has adopted a certain line, a certain policy. It is not to let the parties wage a war, bring about stoppages and keep up tension, but to intervene in order to bring about a settlement so that the interests of the parties, the industry and the community do not suffer. Having adopted that line, it is certainly the duty of the Government to see that delays do not occur, that just arrangements are made in good time and promptly. Occasions have arisen when we have been called upon to study why it is that a certain matter has taken such a long time and therefore the workers got impatient and something which was not very desirable ensued.

In this case, having given full thought to the situation, it was our obligation to find out the speediest way of dealing with the matter, consistently of course with the requirement of remedy deficiencies disclosed by the Supreme Court's judgment. What were the courses open to us? First, to try to settle by negotiation and mediation. I have given to the House an account of all the efforts that have been made in this behalf. They were not successful. They were infructuous. Then, there was another course. We may have an enquiry *de novo* as has been repeatedly suggested another wage board or tribunal. We applied our mind to that; we considered that

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and weighed the pros and cons of this and other courses. We felt that, in the circumstances, with all the long delays which had already occurred and also knowing that these judicial proceedings may take their own course and their own time—they are subject to certain other risks also—it was incumbent on us to think of some other speedier course.

We had open to us another course which I had not thought of when this Ordinance was promulgated and that course has been indicated in the resolution of this conference. According to them, what I should have done has been indicated here. It is said that "the Conference brings to the notice of the Government that the Press Commission had recommended only a minimum wage leaving other matters like scales of pay to be settled by collective bargaining and negotiation on the capacity of each unit to pay and that its proposals were accepted by the Federation of Working Journalists". In the view of the Conference the best method of settling the wage question is for the Government to refer wage determination to the State Governments under the Industrial Disputes Act to fix minimum wages for journalists and other employees in newspaper offices on a regional basis and other matters relating to scales and grades should have been left for negotiation or adjudication on the basis of the capacity of each unit to pay. This is the judgment of the Newspaper Publishers Conference. First, not the minimum wage scale which the Press Commission itself had laid down in its report, but each State to settle minimum wage for itself through a certain judicial procedure. We are told that for the scales of wages, there should have been other procedure adopted, each unit again to have a dispute and adjudication. This would have meant hundreds of disputes. Every establishment, in order to settle the scale of wages, must have a dispute and

must have, therefore, a tribunal. How many tribunals, how many years? I think nobody living now among the journalists or their employers would have survived the long ordeal. Till then, nothing would have been available in the way of minimum wage or scale of wages.

Shri D. C. Sharma (Gurdaspur):
Who would have gone earlier?

Shri Nanda: Those who would starve will go earlier, of course.

Regarding minimum wages also, every State should have procedures. I might ask those who are so meticulous about the very letter, the very words of the Press Commission's recommendations, what came in their way, what prevented them from implementing that part of the recommendation of the Press Commission which related to minimum wages. They could have done that. Nobody could have come in their way. But, the thing is that the decision of the Wage Board placed the minimum wages a little lower than what the Press Commission had suggested. So, neither this nor that. The only alternative for me in the circumstances was to have this Ordinance.

I might give the House some idea of what are the main provisions of the Ordinance. The essential part is clause 3, the constitution of a Committee.

"For the purpose of enabling the Central Government to fix rates of wages in respect of working journalists in the light of the judgment of the Supreme Court... and in the light of all other relevant circumstances, the Central Government shall, as soon as may be.....constitute a Committee consisting of the following

The functions of the Committee are to—

"call upon newspaper establishments and working journalists and other persons interested..... to make such representations as they may think fit as respects the Wage Board decision and the rates of wages which may be fixed under this Ordinance in respect of working journalists".

Representations shall be made within such period not exceeding thirty days stating

"the rate of wages which, in the opinion of the person making the representation, would be reasonable, having regard to the capacity of the employer to pay the same or to any other circumstance, whichever may seem relevant to the person making the representation....., the alterations or modifications....".

I am reading all this because it has a bearing on certain objections which have emanated from the same source. The Committee

"after examining the materials placed before the Wage Board and such further materials as have since been made available to it under this Ordinance, make such recommendations, as it thinks fit...whether by way of modification or otherwise, of the Wage Board decision; and any such recommendation may specify, whether prospectively or retrospectively, the date from which the date from which the rates of wages should take effect."

It also provides that—

"The Committee may.....take up for consideration separately groups or classes of newspaper establishments, whether on the basis of regional classification or on any other basis....".

This recommendation having been submitted to the Central Government,

"Central Government shall make an order in terms of the recommendations or subject to such modifications, if any, as it thinks fit,"

such modifications as do not effect important alterations in the character of the recommendation. The other course is to make such modifications in the recommendation, not being modifications of that character, that is, modifications of a substantive character. In that case, before making any such modifications, the Central Government—

"shall cause notice to be given to all persons likely to be affected thereby in such manner as may be prescribed, and shall take into account any representations which they may make in this behalf in writing, or

"refer the recommendations or any part thereof to the Committee, in which case the Central Government shall consider its further recommendations and make an order either in terms of the recommendations or with such modifications

as are not of a substantive character I have read all this in order to bring out the fact that the apprehensions which have been expressed regarding the nature of the provisions of this Ordinance, are unfounded. They have no foundation.

But I will come to that now

I have also to state that the Bill that is before the House makes certain alterations, but I need not go into those alterations; they are not of any such character that they may in any way change the essence or the important provisions or the character of this

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proposed legislation. I do not want to take the time of the House for that.

Now I come to the objections. I might have otherwise just concluded my observations here, because the proposals are so patent and there is nothing at all about them to which exception could be taken, but since objections have been raised, I have to deal with them.

I have again to refer to this resolution because this comprises those objections in its various parts. They are of two kinds: objections on constitutional, legal or technical grounds, and others based on considerations of propriety and justice.

The resolution passed by the conference states that the ordinance is objectionable, unconstitutional and unprecedented. These are the words of this resolution, part (a) of it. This word "unconstitutional" has a very ominous ring. I hope nothing very serious is meant.

Then the resolution further says that it was unjust on the part of the Government to direct the committee appointed under the ordinance to regard the wage board decision as the basis of enquiry, particularly when the Supreme Court had already declared that the wage board had ignored the mandatory provision contained in section 9(1) of the Working Journalists Act. Further they say: "This conference feels that the appointment of a purely official committee is contrary to the accepted judicial procedure under the Industrial Disputes Act. It is not proper to determine wages of journalists on an all-India basis." Then it goes on into other details.

So, taking the grounds as urged in this resolution, I have to give a brief answer to these, and my answer in essence is that a very unsound line of argument has been followed, and these objections are based on a misreading of the judgment of the Supreme Court.

In some of these speeches, very great stress was laid on this first part, that is the decision of the wage board having been taken as the basis for this committee's work, and we were told that it is tantamount to circumventing the judgment of the Supreme Court. I do not see what is wrong with adopting the decision of the wage board as the basis, that means, as a starting point. As the House must have seen from the provisions of the ordinance and the Bill now which I have read out, there is no restriction on the committee. It is not bound to accept or adopt the decisions of the wage board. It is fully free to reject them, accept them, vary them, and that has been made abundantly clearly in the provisions of the Bill. It may be that the decisions, the terms of those decisions, were not perfect. It was an incomplete decision because, according to the Supreme Court, some factor had not received due consideration, and the Court found that certain steps had not been taken, certain procedures had not been followed which would have created the assurance that the capacity of the industry was being taken into consideration as it should have been. They have said in the course of their judgment, I am reading from the text of the judgment:

"Even though the wage board came to the conclusion as a result of its having collected the requisite data and gathering sufficient materials after receiving the answers to the questionnaire and examining the witnesses, that a certain wage structure was a better one in its opinion, it was necessary for the wage board to communicate the proposal in that regard to the various newspaper establishments concerned and invite them to make their representations, if any, within a specified period. It was only after such representations were received from

the interested parties that the wage board should have finalised its proposals and published its decisions. If this procedure had been adopted, the decision of the wage board could not have been challenged on the score of its being contrary to the principles of natural justice. It would have been, no doubt, more prudent for the wage board to have followed the procedure outlined above."

This is the key to the understanding of the nature of that judgment. If the wage board had exercised that caution, taken that precaution, well, the decision would have been there valid and good, but because something was missed it had been called into question, and had not stood the severe tests which are applied in the Supreme Court.

Now, in taking up this matter at the point where the wage board left it, what is wrong? The Supreme Court required that some examination had to be carried out which had not been carried out, and this committee will do that, and this committee is already doing it, as I shall explain. So far the wage Board is concerned, it was not a complete enquiry and therefore the decision was not perfect. After that enquiry, the decision might have been still left in tact, because the decision was good from other considerations, and after a fuller enquiry and after having received more data about the condition of the industry, well, the board might have still remained of the opinion that the decision based on other grounds was also good enough from this point of view. Of course, so far as data is concerned, that is not with the working journalists, that is with the employers, and even in a *de novo* enquiry, it is quite possible that the same data might have been supplied. Of course, there are ways of getting more, and those ways are now being adopted.

At any rate, this board had collected a lot of valuable material. Why throw it away? This material, apart from

the other things which were not complete which had not been taken to the point where it would have satisfied the Supreme Court, is certainly useful and good material.

Then there is another aspect of it. I have got the decisions of the wage board before me. I find that a number of decisions are unanimous, that is, there is no disagreement. Why should that part of the work of the board which brought out after effort certain agreements also be thrown overboard? There is agreement regarding classification of areas, classification of working journalists, and there are several other matters on which there is no difference of opinion. So, all this could not have been entirely irrelevant to the work of the committee. I have also explained that it does not hurt any interest if the committee takes up the decision of the wage board as its starting point, it is just a starting point. That was one part of the objection which was raised in the course of this resolution. Then, there is another objection about the official committee, about the procedure. The point made is that Here is the Industrial Disputes Act, and there are certain procedures such as adjudication etc. Why were they not followed? And why have this special committee? I might answer this. Government are not bound to follow only one particular procedure. Even the Supreme Court had made it abundantly clear that it is open to follow several courses for the purpose of wage fixation; that is, it may be adjudication; i.e. judicial procedure, or it may be by legislative procedures; there may be various ways of doing the same thing, and they are all quite legal and constitutional. I have with me various instances, precedents from other countries, the UK and other countries, where the final act of determining the wages is by the Minister or by the Government. Here also, we have our Minimum Wages Act, and that also makes similar provision; where it is not a judicial procedure, but commit-

[Shri Nanda]

tees come in, and ultimately Government decide; Government take the responsibility. If this Parliament accepts a certain line of action, if it invests Government with the power—the proposal is now before Parliament in the form of this Bill—to fix wages in terms of the Wage Board decision with such modifications as may be needed, and in accordance with the procedure laid down here to finally settle this matter, I do not think it remains for anyone to question the discretion of Parliament in that matter. So, as regards the other objection that we are following a course which is unprecedented, in setting up an official committee for this purpose, I do not think there is anything very much to say to counter that. It is not necessary. It is so obvious that Parliament has the power.

So far as propriety is concerned, so far as fairness is concerned, I think, having gone over the whole ground, having given the whole history of the case, the period of delay, the various stages covered and so on, the sense of fairness and the sense of justice could have operated in different ways much earlier and all this prolonged sequence of steps would not have arisen if we had applied the tests of fairness to settle this matter.

12.54 hrs.

[SHRI BARMAN in the Chair]

I should just add for the information of the House that this committee has taken up this matter very seriously, of course, and it has appointed a number of officers, I think, about twenty-three or so, of the Income-tax Department to go and look into the accounts and other material relevant to the inquiry which they have undertaken, and this is being done very thoroughly.

I was charged, I am charged, in these speeches and in the earlier utterances of persons connected with the newspaper industry that I had

committed some kind of a heinous offence in giving the answer at the press conference regarding the period which might be taken by this committee to finish its work. I think I said that considering what the situation was, it might take three months or near about that period. Now, that was not limiting the time of the committee. There was no limitation in this Ordinance, and as a matter of fact, the committee finds that the period is not enough, and therefore, it has been given another two months or so; the committee will take as much time as it wants in order to reach a proper decision on the matters referred to them.

I have just one more thing to say about the speeches that were made on that occasion. I thought there was something in them which might be brought to the notice of the House. It was in the course of a speech made by the chairman or the president of the Indian and Eastern Newspapers' Association. It was said that the newspaper industry should not find itself to be so helpless against the onslaughts that were being made against it and if it becomes necessary, they will be able to defend themselves. That was the kind of thing that was said. I would request the employers as well as the journalists not to have recourse needlessly to militant language. It is not necessary. We are having a rule of law; we are having a Constitution; we are having legislation, and things will be settled certainly.

Shri Khadlikar (Ahmednagar): May I know in this connection whether while forwarding the proceedings to the Minister, even more militant language has been used by Shri Diwakar who presided over the conference that they are not going to take it lying down? The Minister referred to that letter. I would like to have the letter read out here.

Shrimati Sucheta Kripalani (New Delhi): Yes, we would like to have that.

Shri Nanda: The hon. Member wants to have the letter read out?

Shri Feroze Gandhi: Since the Minister has referred to it, it should be laid on the Table of the House.

Shri Nanda: Does the hon. Member want me to read the whole of it?

Shri Khadlikar: The last part, the threat part of it.

Shrimati Sucheta Kripalani: Let us have the whole of it.

Shri Nanda: The unfortunate thing is that I am not able to find it at the moment. But if the House is so keen about it, it will certainly be shared with the House later on. I think it may not be necessary to do so just now.

Shri Khadlikar: I just want to get one clarification. Does not the concluding portion contain an open threat?

Shri Nanda: I have not given out in full measure whatever has been said, I have just given an indication of the kind of things that have been said.

Shri Feroze Gandhi: The Minister may place the letter on the Table of the House later.

Shri Nanda: I shall do that, if required.

I do not want to take more time of the House about this. I have explained the reasons which prompted us to proceed with this course of action, that is the promulgation of the Ordinance. I have also tried to explain to the best of my capacity the considerations we have in mind, we had in mind then, and the considerations which effectually prevented us from adopting another course which would have been more dilatory and less speedy than this. I have also tried to answer the various objections that have been raised in various quarters.

Mr. Chairman: As the House is aware, six hours have been allotted for all the stages of this Bill. I would like to take the sense of the House as to how much out of these six hours should be devoted to the various clauses of the Bill?

Shri Naushir Bharucha: May I suggest that 5 hours may be devoted to the first reading and 2 hours to the clause-by-clause reading?

An Hon. Member: There are only six hours for this.

Shri Naushir Bharucha: May I explain? One hour in the discretion of the Chair may be added to that.

Shri D. C. Sharma: We can have 4 hours for the first reading, 1 hour for the second reading and 1 hour for the third reading.

Shri Naushir Bharucha: Let us have one more hour. Let us have 5 hours for the first reading and 2 hours for the other stages.

Mr. Chairman: The Speaker is not present here. Let us first confine ourselves to six hours, that is, 4 hours for the first reading, and 2 hours for other stages. In the meantime, if the House be disposed in any other way....

Shri Goray (Poona): If I may submit, the Minister has taken nearly an hour. And he will take another half an hour to reply perhaps.

Mr. Chairman: Let us see whether 6 hours are sufficient or not. For the present, let us have 4 hours for the first reading, and 2 hours for the other stages.

13 hrs.

Mr. Chairman: Any new proposal that Members may have to make can

[Mr. Chairman]

be made to the Speaker. So, let us for the present decide that four hours will be taken for General Discussion and two hours for clause by clause consideration. Any extension of time may be considered afterwards.

Shri Prabhat Kar (Hooghly): Sir, I welcome the Ordinance and also the Bill. While welcoming the Ordinance and the Bill I am sorry to say that the alternatives those were put forward by the hon. Labour Minister to this Ordinance do not exhaust the full attempts for the settlement of this dispute and there could have been another alternative which would have not only settled the dispute, but also put a stop to all the bickering that has been going on since 1952. It would have at least ensured that in future after the Committee had reported and the Government had come to a decision, there are no further proceedings in the Supreme Court.

The hon. Minister observed that the speeches made in the Conference of IENS need not be taken very seriously. But knowing the minds of the employers and knowing particularly the way the newspaper magnates have tried to sabotage the attempts of the Government and have misread the very accommodative attitude of the working journalists, they will take advantage of any lacuna in the Act. We know also that there will be ex-Governors to come to their aid to see that the findings of the committee are torpedoed. That alternative was to legislate the wage structure of the working journalists. It was within the competence of the Government and I would say that Government having understood the minds of the leaders of the newspapers during the various negotiations that they had after the Wage Board decision, after the Supreme Court decision, should have come out with a legislation enacting the wage structure of the working journalists.

The hon. Labour Minister while giving the reasons for the ordinance has

given out certain facts. But he was not very critical of the attitude of the representatives of the IENS. He has not told the House how on various occasions having agreed to the suggestion of Government not only that on one occasion having signed a joint statement, they violated their own statement and went back on it to take up a completely different attitude. It is a fact that after the decision of the Wage Board there was a conference and in that conference it was agreed that a committee should be appointed to go into the matter. In that connection a joint statement was signed. It was published and it was made clear at that meeting that they would not go before the Supreme Court. Having signed that statement, the next day they filed a petition before the Supreme Court. I do not know if the Federation of the Working Journalists had acted in this manner how strongly Government would have condemned their action for having violated an agreement that was entered into. But the fact that the employers signed a joint statement and in violation of it went before the Supreme Court has not even been brought to the notice of the House.

Now after the Supreme Court's decision there was a meeting in which the Labour Minister, the Law Minister, the Finance Minister, the Home Minister and also the Minister in charge of Information and Broadcasting were present. There the Government came in with a suggestion. That suggestion was based on a letter sent by the employers. The Home Minister suggested to the employers that the modification that they originally suggested in their letter to the Government before the Supreme Court gave its verdict should form the basis of the negotiations and negotiations were carried on that basis. The representatives of the newspaper interests agreed. The Home Minister after discussion with both sides made some tentative proposals and in the tentative proposals there was reduction in the wage than what was given by the

Wage Board. The representatives of the Federation of the Working Journalists agreed even to sacrifice. Thereafter the employers informed Government that it was not possible to come to such an understanding or agreement. Having seen the way in which IENS has been functioning, and how all honest attempts on the part of the Working Journalists' Federation and the Government have been torpedoed what was the harm in Government's coming forward with a piece of legislation which they were competent to do. Instead of coming forward with such a piece of legislation which would have solved the problems they have come with an ordinance, thereafter with a Bill and they proposed to have an enquiry after that. They are thus giving scope to the IENS and the newspaper magnates to go before the Supreme Court to torpedo the whole scheme evolved after so many months and so many years.

The Supreme Court held that there was nothing in the Wage Board decision to show that the capacity of the industry to pay has been taken into consideration. There were so many other charges levelled. It has been said to be an encroachment on the freedom of the Press, violation of articles 14 and 19.

So far as the paying capacity is concerned, I would say that Government were in the know of it. I will bring before you only one or two items to show how these newspapers tried their level best to put a spoke in the wheels of the Wage Board. They did not want to co-operate with it. Not only that. Though they were warned, they tried their level best not to place any accounts before the Board.

Take, for instance, the Express Group. When the Wage Board was sitting in Madras, they said that their head office was in Bombay and the papers were in Bombay. When the Wage Board went to Bombay, they said that the head office had been transferred to Madras and they were

not in a position to place their accounts before the Board.

As regards the Amrita Bazar Patrika, the director who appeared before the Board, said: 'Please do not look into our accounts; we are willing to pay a living wage'. Another instance concerns the Chairman of the IENS's Conference, to which reference has been made, Shri Diwakar. There is the Samyukt Karnataka of Hubli. It is a Trust and the representative said: 'Please do not look into our accounts. You decide whatever you like, and we will pay'.

If this be the attitude of the employers before the Wage Board, how can it be said that the Wage Board did not take into consideration the paying capacity; if this be the attitude of the employers before any court, how will it be possible for any court to go into the paying capacity of these newspaper? It is the newspaper magnates who are to produce the accounts. If they do not naturally in the ordinary course of the law, the court will have the right to decide what should be the wage for the working journalists. The court did so. These facts are known to Government. Government also know that under no circumstances are the newspapers going to place before any court their accounts, because the accounts are kept in such a manner that once they are brought under scrutiny, they will show how these people exploit not only the working journalists and others in their concerns but also how they are minting money and building resources.

Let me refer to the Saurashtra Trust, of which the hon. Labour Minister of Bombay was the managing trustee. The auditor made a report to the effect that the accounts of the Trust were being fraudulently manipulated with a view to cover up embezzlement and other frauds. Then the auditor was sacked.

[Shri Prabhat Kar]

Then take the *Hindu*. The man has been given the title of *Padma Bhushan*. They say they have not the capacity to pay. Knowing fully well the financial resources of these people, say, 20 or 40 years ago and now, knowing fully well how many buildings they possess—they are in the names of Kasturi Estates Ltd. and Kasturi and Sons Limited—they come before the Wage Board and before the public saying that they do not have the paying capacity to meet the demands of the working journalists and cannot implement the decisions of the Wage Board.

Then there is the *Bombay Chronicle*. They say they are running at a loss. The remuneration of the Cama Group is as follows: Commission Rs. 41,000, Over-riding commission Rs. 41,000 and along with that sale commission 5 per cent. Having grabbed this much from the newspaper they say that the paper is not running at a profit and they have not the capacity to pay. This being so, I do not know how the Government would agree that the paying capacity of these institutions is not taken into account and they cannot come before Parliament with legislation regarding the wage structure of working journalists.

There is another paper in *Rajkot Jai Hind*. The Editor draws Rs. 2,000. His son, who is a student, who is also called Editor, draws Rs. 600. Then their own brothers run a Press where the paper is published. The proprietors of the managing and advertising agency—which gets 15 per cent—are the brothers, and yet they come before the Wage Board and the public and say that they have not the paying capacity.

Then there is something abnormal which has been given by *Working Journalists*:

"The wage bill of the editorial staff of *Daily Jagran*, Kanpur, will make interesting study.

Mr. P. C. Gupta, Editor, Rs. 800 p.m.; Mr. Narendra Mohan (son of Mr. P. C. Gupta), Sub-editor, Rs. 250 p.m.; Mr. Sohanlal (son of Mr. P. C. Gupta who is studying in the Medical College, Lucknow), Staff Correspondent, Lucknow, Rs. 200 p.m.; Master Mahendra (son of Mr. P. C. Gupta aged about 15 years), Sub-editor Rs. 150 p.m.; Master Syam (son of Mr. P. C. Gupta; aged about 5 years) Rs. 125 p.m.....

Shri D. C. Sharma: What for?

Shri Prabhat Kar: Editorial staff. Still they have the guts to come before the Wage Board and say that they have not the paying capacity. I welcome this Ordinance and the Bill. But, as I have said, Government have failed to take proper steps at the particular moment. They should have come before this House with legislation regarding the wage structure of working journalists. It is the working journalists who have all the time co-operated with Government; it is they who, in spite of these ways of the employers, did not at the time create a situation by which the whole Press would have been stopped. It is because of their goodness that they are suffering. Because they have not taken up the same attitude as the employers have, they are suffering today. We do not know whether even the recommendations of this Committee are going to be implemented because already they are preparing to go before the Supreme Court to torpedo these recommendations.

Instead of the Ordinance and the Bill, the Labour Minister would have done very well by coming before Parliament with legislation regarding the wage structure of working journalists. I do not know where the weakness is. The Government, knowing fully well that these monopolists and proprietors have been

doing not only injustice to working journalists but have been indulging in black-marketing in newsprint, knowing fully well that they are trying to amass vast resources for themselves and their families, do not care to caution them; they do not care to take stronger steps. They simply promulgate an Ordinance and ask working journalists to await the decision of this Committee and allow the employers to go before the Supreme Court. I do not know why this is so. One of the men who has been granted Rs. 55 lakhs loan by the Reserve Bank of India and about whose income-tax a question has been raised and it is being said that he has not paid a single pie for the last three or four years—somebody has said that he has not paid any since independence—is, I am very sorry to say, the anti-social person with whom one of our Ministers stays when he goes to Madras. Naturally, this type of men will get encouragement because they know fully that if they hob-nob with the Cabinet Ministers they would be strong, that no steps whatsoever would be taken against them even if they go wrong.

I will request the hon. Labour Minister to go to Mathura Road over here and see how many buildings have been erected by them or to go to Churchgate, Bombay and see exactly who are the people that come and plead before their country that they have not got the capacity to pay.

The Amrita Bazar Patrika, belongs to Ghosh and Co. The Ananda Bazar Patrika, with a view to circumvent the decisions of the committee have already divided themselves into the Ananda Bazar Patrika and Hindustan Standard of Calcutta and the Ananda Bazar Patrika and Hindustan Standard of Delhi. They have done that so that they may be reduced from class I to class II and thus circumvent the recommendations of the committee. This is going on here itself, when the hon. Minister has promulgated the Ordinance and come

before the House with a Bill. The decision may take six months and by that time the newspapers concerned will reduce most of themselves from class I to class II and will come before the Labour Minister to say that they are class II papers and are losing and therefore this kind of Wage Bill need not be implemented in their cases.

I would have given more information about this type of people who have been misusing and fraudulently using the money. I do not want to do this at this moment. But I want to draw the attention of the House to the fact that these are the persons who, unless and until we check them in proper time—will commit further crime which will not only sabotage the object of this Bill but will create a situation to check which we may have to take stronger measures. It is time we do it.

The Bill if it is passed as it is will need some changes later. I think those changes should be made now by the Labour Minister. Credit should be given to the Working Journalists who, in spite of provocation—their Secretary-General and President have been victimised and it has been held by Tribunals that it has been done because of their trade-union activities—have, as yet, shown no irritation. They have tried to solve the problem through negotiation. They have cooperated with Government and even today they are expecting that Government will give them all help. This is not the way in which they can be helped. For that much more is necessary. Certain amendments are necessary. Considering the part played by the leadership of the working journalists, their Federation, and considering also the nefarious activities carried on by the INS and the other group, Government should do something to give the full quota to these deserving men. That can be done only if some amendments are accepted to the Bill, for which I would plead with Government.

[Shri Prabhat Kar]

Along with this I would submit one thing. Rampant victimisation is going on. When the committee is asked to decide what should be the wage structure this victimisation is going on in Calcutta, Bombay and Madras and Delhi and everywhere. This has been brought to the notice of the Labour Ministry. Unless they take strong action and deal with it, by the time the Wage Board decision is given, many of the leaders of the working journalists may find themselves in the streets. No useful purpose would be served by a solution of the disputes if the leaders and working journalists have been thrown out of employment. That danger is there.

I would appeal to the Labour Minister that along with the proceedings of the committee for the fixation of the wage structure it will be necessary to go into the question of the complaints of the Federation of Working Journalists about victimisation so that these working journalists may not be forced to change their attitude and create a situation which nobody would welcome.

I appeal to the hon. Minister to accept certain amendments to the Bill.

13.26 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Khadilkar: Let me at the outset express our sense of appreciation from this side of the House for the efforts made by the Labour Minister, Shri Nanda and the Home Minister Pantji in settling this disputes, bringing the parties together and at last, when their efforts failed, in promulgating this Ordinance.

The Labour Minister has given the genesis of the dispute that is pending for the last six years and which has taxed, as nothing else in this country has taxed, the patience of our Labour Minister—and it seems he has abundance of it. At last, when there

was no settlement between the parties, Government had to take action by promulgating the Ordinance; and now, they have come before the House with a Bill.

As we all know the dispute is pending for the last six years. Since 1952 the Working journalists and their organisation formulated their demands. In 1954, the Press Commission accepted in general the claims of the working journalists and supported their demands and suggested a machinery to implement them. This Government set up a Wage Board and the Wage Board made recommendations. But these Lords of the Fourth Estate, in this land where we are supposed to have democracy and a socialist society, even after six years are courageous enough to threaten the authority of Government. And the Labour Minister, with all his perseverance and patience—who is evolving a certain pattern of labour policy which should be applied uniformly to all sections—has failed to discipline this industry. And the Home Minister who is in charge of law and order has failed to at least remove some disorder that evidently prevails in the industry and in the conduct of the proprietors.

What is the position at the present juncture? Let us take it. As we all know, when the Supreme Court set aside the decision of the Wage Board, it was set aside on one ground only. All the other contentions of the proprietors were not accepted by the Supreme Court. Only one contention—capacity to pay was not taken into consideration—was accepted and so it set aside the wage board decision. Even before the wage board decision was taken to the Supreme Court, efforts were made to bring round the parties and as I mentioned just now, the last act on behalf of the proprietors, of openly defying the decision of the Government or of the threat to defy the decision of the Government is committed by the

President of the Conference, Shri R. R. Diwakar, a great Gandhian, an ex-Governor and the present President of the Gandhi Memorial Trust and the sole trustee of *Samyuktha Karnataka*, sole proprietor, trustee and editor of that paper. He has given that threat.

An Hon. Member: Is that not the movement?

Shri Khadlikar: He has a paper of that name. He was leader of that movement though he would perhaps now disown it; I do not know. Therefore, we will have to go into the genesis of the various aspects of the dispute. Are we really building up socialist pattern of society with democratic methods? What is our experience for all these six years in this particular field? Government should give serious thought to one question. The question is whether legislation of a social welfare nature, labour legislation or other legislation which is going to benefit a certain section of our society which does not get a fair deal should be kept within the purview of the Supreme Court or should be taken out of the purview of the Supreme Court? We have reached a stage when those who are working in the labour field have realised fully well that a time has come to do this if at all we want to build up and show some results to the people. Under the present Constitution, Supreme Court is not an independent body; it is subordinate to the sovereign body, that is, Parliament. This aspect will have to be seriously considered.

The Labour Minister with all his limitations is trying to evolve a certain pattern of wage structure from industry to industry. We find generally that the policy of statutory wage board and the determination of wage structure is considered by all the advanced States to be the best policy but in the editorials of the papers that are owned by the proprietors who have gathered recently

in a Conference they are raising a fundamental objection to this policy so far as their industry is concerned. What is this? You want to set up a wage board? What for? they ask. They want that the old relation of master and servant, employer and employee, should continue and they should continue giving all the prestige and power to the proprietary class commanding an industry which is vitally affecting the general interests and an industry which is supposed to educate the people and keep them informed. That is a very strange position that the proprietors have taken. If labour had taken such a recalcitrant attitude or such a threatening or uncompromising position for six years, I am confident that Members sitting on the opposite side of the House would have come out with all abuses not only on the labour but also on those who take up their cause with a view to discharge a social responsibility and who sponsored their cause. But not a word was said about this recalcitrant attitude on the part of the Newspaper proprietors; nor a word of praise for the working journalists.

The struggle of the working journalists in these six years is for a status of a profession; they want that the master-servant relationship should be abrogated and a new relationship should be established in this industry which is vital. It is not a mere pittance of a little wage here and there; that is a secondary issue but the primary consideration is this that those who wield the pen must have some status like lawyers or doctors or academicians and that alone would keep up the standard of the Indian Press which is going to serve the needs of the people in these changing circumstances. But that is being resisted. The other day we discussed Mundhra. The poor man had not perhaps yet got into his control some chain of newspapers....

An Hon. Member: He was about to take some.

Shri Khadlikar: He was trying. But if you study what has appeared in the Press Commission Report, you will know. I will give you a few instances and you will find that there are better qualified people who would give some lessons to even Mundhras in manipulating accounts, creating artificial situations wherein the helpless poor employee is at the mercy and dictation of the master. I can give you one instance. In Poona a paper is published. The editor is a foreign educated man and he takes pride in that. He is probably very adamant about the rights of the proprietors. What is the state of affairs? He makes lakhs of rupees. It is more or less a proprietary concern though in name it is a limited concern. He draws Rs 2,000. His wife—non-Indian, foreign, draws about a thousand.

An Hon. Members: Does she write articles?

Shri Khadlikar: How can she? I do not think she has mastery over Marathi language. The man who actually writes and conducts the paper does not get 400 chips a month. That is the position.

About Diwakar, as I said before, he is now considered to be a man of Gandhian tradition and is such a respected man that he was selected to be the President of the Gandhi Memorial Trust. What did he do? He told the wage board people: "This is trust property; why do you bother about accounts? Whatever you decide I am prepared to pay to my staff." I do not know what has happened. But the man who is controlling the Gandhi Trust is not prepared to disclose accounts of his own trust. Now, I learn, under some duress he has asked his men on the staff to come to some understanding with him and wants to preclude them from joining with the other fellow journalists in getting a fair deal. I am surprised. What has happened? Men who are supposed to be capable

of holding office like the Governorship of Bihar, men who were adorning Cabinet ministership before and now in the Gandhi Trust....

Mr. Deputy-Speaker: Why should these things be associated with it?

Shri Khadlikar: We plead that Gandhian morality is something which we are supposed to honour, and this is the morality shown in actual practice a man who is the proprietor of a paper in his own region.

Another gentleman, a great man belonging to the other House, Pandit Kunzru—I have got the proceedings of the conference, and I would recommend everyone to read it—asks why working journalists should be separated from the technical staff in the press. Argument sounds quite all right. But, at the same time, he does not plead that working journalists should get a fair deal, their structure should be determined. Because the others are excluded, that is an excuse to confuse the issue. And the man belonging to the Servants of India Society, the President of the Servants of India Society, forgetting that one of his former associates in the society, who was formerly an illustrious Member of this House, Shri N. M. Joshi, who played such a leading role in the labour movement, has come out with statements which I need not repeat; many people have read it.

Mr. Deputy-Speaker: Views might be criticised. If the hon. Member differs from them, he may criticise their views. But it is possible that they may honestly believe like that, and the hon. Member may have his own views. Why should the hon. Member connect that by saying one is a President of the Gandhian Trust, the other is a President of the Servants of India Society and so on? Why lay so much emphasis on that?

Shri Khadlikar: I have only one point, that double morality should not prevail in this land. That is the

only point and I will stop here so far as this part of my speech is concerned.

While coming to the Act itself, as I welcomed it before, I would like to point out certain things which are really coming in the way of its implementation all over India. Under the Act, inspectors were to be appointed to see that this Act is properly implemented. In the State of Bombay, which has now become quite well known, the Labour Minister, Mr. Shantilal Shah, has said that he would not do it, and it is known that, he is closely connected with a group of papers. That is known to all, and so far he has not appointed an inspector.

Shri Abid Ali: By way of clarification, Sir, I would like to say that Shri Shantilal Shah resigned from that Board long ago; he has no connection with that now.

Shri Khadiolkar: I know. formal resignation was there.

Shri Abid Ali: No, no; he had resigned long ago

Shri Khadiolkar: Therefore, only a few days back there was one day's protest strike in Bombay to protest against his partisan attitude, and one of the demands of the workers was that inspectors should be appointed. I would appeal to the Labour Minister that he should at least see that Bombay State is not discriminated in this particular way, leaving the appointment of an inspector to the sweet will of a Labour Minister. This has happened

Another lacuna that has come to light is—the Madras Government has pointed it out—that the powers of the inspectors, it seems, are not enough to enable the inspectors to go and inspect the working conditions and report. They have said that

unless the powers are extended or brought on par with the powers of factory inspectors, these inspectors will be prevented from entering offices and gathering information. So I would like the Labour Minister to take note of this criticism which has been made after certain events that took place in Madras. The Madras Government has also pointed out that this lacuna should be removed

The third thing is, while determining the wage structure there was a category of 'E' class papers. So far as the 'E' class papers are concerned, they were considered to be not on par with the other upper class category wherein a definite wage-structure could be laid down. I know that proprietors of 'E' class papers are proprietors and editors at the same time. Though bifurcation has taken place in the big industry, in the papers of this category it has not taken place. The proprietors of these 'E' class papers build up their fortunes by telling their people: "What can we do? The Wage Board has not decided anything for you. Therefore, depend on the conditions that we offer. If you give service well and good, otherwise there are many people who have been now rendered jobless by the big proprietors and we shall get them on lower scales." Therefore, there is this lacuna as far as the 'E' class papers are concerned. I would also suggest that the financial position of 'E' class papers should be carefully gone into, and a scale for journalist working on these establishments be fixed

So far as this industry is concerned, I would like the Government, as I said at an earlier stage of my speech, to keep certain legislations out of the purview of the higher judiciary. If at all this Bill is going to create a certain status by giving a fairly good wage structure to the working journalists so as to attract better people as other professions do, then along with this measure an attempt should be made to evolve a new pattern of

[Shri Khadilkar]

ownership that would add to the status and dignity of this profession. Therefore the present pattern of ownership must be studied and serious consideration should be given to evolve a better pattern of ownership—that would be free from the present evils. It has already been studied by the Press Commission—just now somebody pointed it out—and I will read out just a small extract. From that it would be very clear how the pattern of private proprietorship in this industry is really affecting not only a couple of hundred or thousand working journalists, but as the organs of publicity are being controlled by this small coterie, not only the big organs but even language press is now attracting more capital from big financiers because literacy is growing, Government is giving every facility, Government patronage by way of advertisement has increased to these big papers—because Government are afraid of these big papers—and therefore, with all this, they are reaping big profits. The proprietors must be made to realise their responsibility. We knew when it comes to the showing of accounts, it has been pointed out that hardly—out of their rough calculation there is about Rs 7 crores investment in this industry, and now the capital investment must have gone up because they over-capitalise so that the profits are less—one per cent profit is earned by the proprietors. I will only mention one or two instances and then finish.

The hon. Member who spoke before me pointed out how the relations—I also pointed out one instance of a paper in Poona—are paid. It has also been pointed out in the Press Commission's Report how relatives are employed in the management and how they absorb a major share of the profits by way of handling the distribution agency, the advertising agency etc. and leaving the management to the near relations. All the profits are distributed in such a way that ultimately when the accounts are

settled, very little return would be shown. That has been pointed out here. So, with all this, I would only say that the contentions put forward in the recent conference that took place show that as if all their pleas were admitted by the Supreme Court. As I said, no plea was admitted, except that the capacity to pay was not considered. Therefore, I would humbly plead that while enacting on the basis of the Ordinance, it would be the duty of the Government now to see that it is properly enforced and really, after six years of struggle, when the working journalists are hoping to get some benefit out of it do really get a fair deal. During this period, I know many instances where there was a sort of wage freeze on some plea or the other. The dispute is pending. So, there is no further increase or allowance. Therefore, what I would very strongly urge is that while enacting this legislation, the Government should consider this aspect, as the previous speaker has pointed out, they are planning to go to the Supreme Court to nullify it and keep the dispute pending. That is one aspect. Another aspect is, they would try to nullify it by making pleas that they cannot afford to pay so much and that therefore retrenchment should be effected. That is bound to come. From these two sides, the working journalists are likely to be victimised again.

Therefore, while welcoming the measure and the part that the Labour Minister and the Home Minister played in bringing about a settlement, in which unfortunately, I should say, they have failed. Personally, looking to the nature of the industry, I would like, as was said by the Labour Minister and the Home Minister, that every unit ought to have come to terms on the basis of the Wage Board's award and on their conditions, frankly, some sort of understanding and settlement with the employers, some sort of family type of relationship, would

have been better for this industry. But, unfortunately, the proprietors have taken an attitude as if the journalists have no rights. Therefore, this situation has developed. So, as far as possible, these defects that are likely to be seen later on and the after-effects that I can see just now must be removed. With these words I conclude.

Shri Ansar Harvani (Fatehpur): Mr. Deputy-Speaker, Sir, I congratulate the Government on coming forward with this much-awaited measure. But we have known the proprietors of newspapers, the way in which they have been exploiting from generation to generation the working journalists. We have seen them going to the Supreme Court and expressing their inability to pay and saying that they have no capacity to pay. On the one side, that is the picture. On the other side, we have seen that while the newspaper proprietors have been going before the highest tribunal of this country and saying on oath that they have no capacity to pay, during the same period, they have been building huge mansions in the streets of Madras, in the streets of Bombay and even in the capital city of Delhi. We have seen these newspaper-owners and these newspaper proprietors, magnates, who have been going to the Supreme Court and saying on oath that they have no money to pay, also going to their newspaper offices and abducting the newspaper editors from the staff and starving their own poor reporters and sub-editors. We have seen these newspaper-owners, while expressing their inability and approaching the Government that they should get certain reliefs, going here and there and treating the income-tax authorities and making them not to ask them to pay the income-tax.

Sir, we should realise that we are going to deal in this matter of wages of the working journalists with a class of proprietors who are probably the worst class of proprietors in this

country. We should remember that in the L.I.C. deal, we had to deal with one Mundhra. Here is a pack of Mundhras who have been allowed during the last two years to control the newspaper industry and to live on the sweat and toil and blood of the working journalists. Therefore, while I congratulate the Government

Shri Naushir Bharucha: On a point of order. I would like to know whether it is proper, notwithstanding one's sympathies with the journalists, to call the newspaper proprietors as a pack of Mundhras. I think that is very wrong.

Shri Ansar Harvani: I hope I have not injured the feelings of any of my fellow-Members.

Mr. Deputy-Speaker: I agree with the hon. Member that it is not proper to damn the whole class of them. There may be black-sheep, but it is not fair to paint all of them black. I agree there. But I have no authority to restrict the speech of an hon. Member or do anything like that.

Shri Mahanty (Dhenkanal): May I submit that there are newspaper proprietors and newspaper proprietors. Therefore, to club them all together as one class and snub them as a sort of Mundhras is not correct. I think.

Mr. Deputy-Speaker: I have said it is not fair, but so far as I can see, I have no authority to check any Member expressing his opinion. I can only advise him that it is not fair. I can only say this much, that it is not good and that the hon. Member should avoid such remarks.

Shri Ansar Harvani: I quite concede that they have some white sheep also. I proceed further. I have only to point out this much: that while dealing with these people, the Government should be more firm, should be more determined and should be more definite about this Bill. The Bill needs certain modifications also. I

[Shri Ansar Harvani]

know it will take some time. The proprietors will go on with their heavy purse, will create difficulties for the permanent employees and go on pressing the matter in the Supreme Court and would like to delay the matter. I know that these proprietors, with their huge pockets and with a lot of money, will again go to the court and try to hamper the implementation of this Bill. Therefore, Government should be ready for the eventuality. We must realise that for many years, under the pretext that the Wage Board is yet to decide, under the pretext that the matter is under fire and under consideration, they have not given our working journalists any increment. Their wages have already been frozen. I have known people working for the last six to seven years on the same salary.

I have heard some friends from that side of the House pointing out that in recent years there have been victimisations also. Some of the prominent working journalists have been sacked in Bombay, in Delhi and in Madras and even in Calcutta. Therefore, I would like the Government to come out with some measure so that this victimisation could stop. I would like the Government to come forward with some measures so that the proprietors do not victimise the leaders of the working journalists. If this victimisation continues, I am afraid that the working journalists will lose confidence in parliamentary democracy. Therefore, while welcoming this Bill, I would most humbly and respectfully urge upon the Government to have a more definite attitude and make a more definite attempt to set right this matter.

As far as the capacity to pay is concerned, it has been said that auditors and inspectors will go into the accounts of the newspaper concerns. I would urge upon the Government in this connection that they should be more strict, because the proprietors

are likely to cheat the Government. So, the Government should have a more definite attitude on this also.

Mr. Deputy-Speaker: I shall call Shri Mahanty now because he has to go away.

Shri Mahanty: I thank you for giving me the chance to speak now, because I will have to leave the House on another piece of work.

My only regret is that this Bill provides me an occasion to welcome an Ordinance. I am sorry that the intransigence of the big newspaper proprietors and chains created a situation in which the Government had to take recourse to issue an Ordinance. So far as the merits of the Bill go, I agree with the objects of the Bill. I am in full agreement with them. I wish the Committee godspeed.

But some of the features of this legislation cannot but give rise to serious differences of opinion. Sir, before I submit my observations on these aspects of the Bill, I would like to present before the House an analysis of the pattern of this Bill. In that context, I would invite the attention of the House to the provisions of the Working Journalists (Conditions of Service and Miscellaneous Provisions) Act, 1955. Under clause 10 of that Act, the decision of the Wage Board which was constituted under clause 8 of that Act, was final and binding. But under the present legislation, Government will have the power to review the conclusions and the recommendations of the committee. Then, the date with effect from which the decisions will come into operation was entirely within the jurisdiction of the Wage Board. But this has been taken away and vested in the Government.

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Under the Act of 1955, the Wage Board's decisions were mandatory and the Government had no power of

any review. It had been pointed out that, under the Industrial Disputes Act, the tribunal's conclusions, recommendations and orders were subject to review. Under the present Act (of 1955), that opportunity was non-existent. So, that mandatory character of the Wage Board's decisions has been taken away and now the Government has been vested with the authority of review.

Then, the committee of officers which will merely review the Wage Board's decisions as per the terms of reference enumerated in sub-clauses (3) and (4) of clause 4, will make recommendations which will be merely of an advisory character. Under clause 6, the Government is empowered to review and modify the recommendations if considered necessary. I believe that if the Government's intention was really to come to the aid of the working journalists, then they ought to have referred this question to the same Wage Board, which was constituted in a more respectable manner. They could have merely expanded the terms of reference. There is no doubt about the fact that the Wage Board considered this question in isolation. It did not take into account the aspect of the paying capacity of the various newspaper units. I will come to it shortly. If this question would have been referred to the same Wage Board, then I am sure it would have evoked not only confidence, but also respect, both among the public and newspaper owners and also among the working journalists. Why I say so, I will offer my reasons presently.

Before I come to that, I would like to invite the attention of the House to the fact that the Wage Board, in considering this very delicate question, did not confer that much attention, which was due. I would not like to offer my own observations. I would rather quote what the Chairman of the Wage Board himself had stated in the note that was appended to the report. The Chairman says:

"In fixing the rates of the wages, we have based them on the conditions of the newspaper industry as a whole and not only the effect which they will produce on a particular newspaper . . . with the extremely divergent conditions obtaining in both English as well as Indian language newspapers, it is impossible to try to avoid any small or medium newspaper being adversely affected."

This brings out a matter of considerable moment. The finance unit attached to the Press Commission investigated the returns of 127 newspapers in this country, out of which according to the Press Commission, 68 newspapers sent returns of losses of the order of Rs. 29.65 lakhs as against a total profit of Rs. 35.60 lakhs of the remaining papers. Therefore, my submission is, the Wage Board should not have clubbed all kinds of newspapers under one category and considered the entire question from one point of view. I am sorry that a responsible body like the Wage Board had to say in a callous manner that if on account of implementing their recommendations, certain small and medium newspapers were closed down, they cared a twopence for it and Newspaper establishments without capacity to implement the minimum requirements had no business to be in the newspaper industry. I am sorry, today the newspaper has been equated with an industry.

But it has to be borne in mind that it is the small and medium newspapers which have built up the newspaper industry in this country. All are not proprietors of chains and of big newspapers. Only the small newspapers had kept aloft the flame of the independence of this country through privation, through negation and through untold kinds of suffering. I am sure the journalist members represented on this Board certainly did not entertain any such kind of feeling. Its effects will be dangerous. I am amazed why these big newspapers

[Shri Mahanty]

are kicking up this row. It really affects the small newspapers. It has to be borne in mind that small newspapers are owned by a group of persons who subscribe to a particular opinion, which may or may not be palatable. It is the small newspapers who have the temerity to challenge the acts of omission and commission of the Government. I would like to know from this House whether in *Hindu*, *Statesman*, *Amrit Bazaar Patrika* or in any such big newspaper you can find any tone of criticism, even a soft under-tone of criticism. No; it is only the small newspapers who, through untold kinds of sufferings and privations, have kept that freedom of thinking and freedom of expression of opinion alive. I regret, I strongly protest, that the Wage Board which consisted of eminent journalists should have been a party to that kind of statement. I will fail in my duty if I do not bring that quotation from the Chairman's note to the notice of the House. The House can judge for itself in what isolation the Wage Board's decisions were arrived at.

Shri C. K. Bhattacharyya (West Dinajpur): Why? You suggested just now that the same Wage Board should be revived!

Shri Mahanty: I am coming to the composition of the Wage Board. That is another aspect of the question.

Shri C. K. Bhattacharyya: It must be one way or the other.

Shri Mahanty: I am coming to that. That is immaterial. That does not take away my point. The Wage Board can consider the question *de novo* with enlarged terms of reference, but that is not the only important aspect of it. So, from the quotations I have cited from the note of the Chairman of the Wage Board, I think the House should have been satisfied by now that, the Wage

Board did not take into account the problem of the small newspapers at all. By the implementation of these decisions of the Wage Board, the existence of the small newspapers is now at stake.

Coming to another aspect of the question, namely, the composition of the committee, as proposed under clause 3 of the present Bill, this also raises a very serious question. Under the Working Journalists Act of 1955, the Wage Board was to consist of an equal number of representatives of newspaper owners, proprietors and working journalists, to be presided over by an independent person to be appointed by the Government, who was of the rank of a High Court Judge. Under the scheme of the present Bill, we find the committee is being staffed with the junior officers of the Ministry of Home Affairs and the Ministry of Information and Broadcasting, to be presided over by a junior officer of the Law Ministry. They will be junior officers; not as senior as Secretary or Joint Secretary.

An Hon. Member: Question.

Shri Mahanty: Kindly go through the Bill. I invite your kind attention to clause 3. It says that only the Chairman will be of not less than the rank of Joint Secretary.

Shri C. K. Bhattacharyya: It may be higher.

Shri Mahanty: If you can interpret the clear wording of English language like that, I have no objection. But so far as my limited understanding of the language goes, so far as I can make out of clause 3, I think it will be presided over by an officer of the cadre of Joint Secretary of the Law Ministry. Whether he will be a Joint Secretary or Secretary, that is very immaterial for my purpose. I would like to know from the hon. Minister why he is creating a precedent whereby it is being established

that decisions arrived at by a competent authority presided over by a High Court Judge will be subject to review by a body consisting of junior officers. I would like to ask in all humility what practically he wants to achieve by it. What precedents is he going to establish today? What principles is he going to enunciate? In future, if the judicial officers have any sense of prestige, certainly they would not like to be associated with any such body; they would not touch it with a pair of tongs. It is unfair that the decision of the Board, presided over by a High Court Judge, is now going to be reviewed by a pack or body of junior officers.

I would have liked reference of the question to the same Wage Board. The Wage Board, as has been stated by the Chairman, did not take into account certain aspects. They have also admitted that they were faced with paucity of materials and all that. I am afraid this Committee will practically, according to its terms of reference, cover the entire ground once again and it will be in the nature of a *de novo* enquiry. So, it has to be seen whether this will not be more time-taking than what was taken by the Wage Board. Had this limited issue, namely, the capacity of the newspaper units to bear the brunt of the Wage Board's decisions, had been referred to the Wage Board, if sufficient data and material had been furnished to the same Wage Board, then there would have been no occasion for constituting this kind of Committee which is certainly revolting. Let me take the House into confidence and say that not only as an humble citizen, not only as a Member of Parliament, but also as a person who has spent the most part of his life in the newspaper industry, some time or other a complaint is going to be raised, and that too possibly in a far bigger scale, if this Committee is going to adjudicate upon the fairness or otherwise of the Wage Board, which was presided over by a High Court Judge.

Mr. Deputy-Speaker: I was told that the hon. Member was in a hurry. I thought he would take less time.

Shri Mahantv: My engagement is at 2.45.

An Hon. Member: So you will speak for 30 more minutes?

Shri Mahantv: No, I do not wish to take much time of the House. I shall finish soon.

Another question which raises doubt and misgivings is this. The other day during Question Hour I asked a question to the hon. Minister why this Committee is being staffed with Government officers, why this question is not being referred to the same Wage Board, what stood in the way. The hon. Minister was pleased to reply that it would expedite matters. To-day in course of his speech he said: it may take three months, it may take one month or a fortnight. This kind of step of appointing a committee consisting of officials, with the hope that they will expedite matters, certainly leaves a sense of injustice; it certainly anticipates certain conclusions. Well, I have no quarrels with the conclusions. My quarrel about that will come later. But so far as the principle is concerned, so far as the question of upholding the purity of our administration is concerned, so far as the purity of examining public questions by tribunals is concerned, let me say with all respect and with all humility, it is certainly reprehensible.

Sir, I do not suggest that the officers who will be represented on this Committee will divest themselves of their independent thinking or they will kotow to a particular way of thinking. No. That is far from my suggestion or insinuation. I only meant to suggest that after all the human element cannot help creeping in and it will affect the objectivity and impartiality of the decision. The sense of expediency is also there. So, I

[Shri Mahanty,

once again urge upon the hon. Minister to revise the composition, to abolish this committee and refer this question to the same Wage Board, by merely co-opting a chartered accountant, as has been provided for in this Bill, and they may be asked to reconsider the matter. I, therefore, appeal to the good sense of the House and I hope that the House will consider the amendment that I have proposed, so that the composition of this committee is based on a respectable level, which will evoke confidence and trust and also the respect among the people at large.

Another question I want to raise is this. I really fail to understand why this particular Minister is sponsoring this Bill. This question ought to have been taken up by the Minister of Information and Broadcasting. I do not mean to suggest that I question the competence of the hon. Minister, for whom I have the greatest regard. But it has to be borne in mind that though the condition of the working journalists, is a very important aspect, it is not the whole of it. Let me quote from the Wage Board Chairman's note. He said:

"It has to be remembered that the Press Commission's recommendation regarding the minimum wage was one among the many intended for the betterment of the economic condition of small and medium newspapers such as price page schedule, telescopic rates for Government advertisements and their fair distribution among newspapers, statutory restrictions on malpractices so as to eliminate cut-throat competition and fixation of news agency tariffs. In their view, these other recommendations, if implemented, should enable them" (that is to say, the small newspapers; I want to underline those words) "especially language papers, to meet the expenditure involved in paying the minimum wages suggested by them. Most of these recommen-

dations are still to be implemented. Even the price-page schedule, on which so much depends, has yet to be worked out. There has been no stability in the price of news-print which constitute a considerable proportion of the expenditure of a newspaper. Those circumstances have necessitated the fixing of a minimum wage lower than that recommended by the Press Commission."

Therefore, my humble submission to you is that the Government has been unfair, both to the working journalists and to the small newspapers. Had the Government implemented all these directives of the Press Commission, possibly the working journalists today would have got a better fair as was recommended by the Press Commission, and the small and medium newspaper owners would have had no quarrel about it.

Sir, I will finish now. I am not going to tax your patience any more. I have no time to quote from the observations of the Press Commission. But it is not one-way traffic. I would appeal to the hon. Minister, the working journalists and everybody concerned to consider this aspect, that it cannot be a one-sided affair. After all, if the small and medium newspapers, who constitute the largest percentage, are closed down tomorrow on account of their inability to implement these recommendations in full, then what will happen? Hundreds and hundreds of working journalists will overnight be turned into walking journalists. Apart from the injury that is caused to the industry, the working journalists are converted into walking journalists. Therefore, it cannot be a one-way traffic.

Mr. Deputy-Speaker: How would they remain journalists then?

Shri Mahanty: Free lancing, Sir.

Mr. Deputy-Speaker: Then they will not be journalists, walking gentlemen they may be.

Shri Mahanty: They will be gentlemen at large. But what I have been trying to humbly submit is that had the hon. Minister of Information and Broadcasting piloted this Bill, I would have asked him—what has happened to all these recommendations, why have they been today shunted to the archives of the Government of India. I am sure the hon. Labour Minister will not give me a reply to that. He will say that he is only interested in the safe delivery of his baby and therefore he does not mind if other babies are hit.

Shri Nanda: I hope the hon. Member will be present when I give the reply.

Mr. Deputy-Speaker: That would be difficult.

Shri Mahanty: I am sorry, I have got an engagement at Supreme Court, but I would like to come back as soon as I can.

The second thing is that Press Commission's recommendations were that advertisements must be issued to smaller newspapers. The Chairman of the Wage Board had made it emphatically clear that if some small and medium newspapers are going to be closed on this account, then the Government should come to their rescue. Can I take you into my confidence? It is not in good taste to tell you my personal case. Though the hon. Member was pleased to call all newspaper owners or persons connected with it as Mundhras, still in our own humble way we have fulfilled to the best of our ability, the recommendation of the Wage Board.

Shri C. K. Bhattacharyya: He referred to big papers.

Shri Mahanty: He did not qualify at least, he had not the courtesy to qualify it like that. It is in the proceedings. It is not big like Ananda Bazar Patrika.

Shri Anwar Harvani: Are you a white sheep among the black sheep?

Shri Mahanty: Well, I have never been a sheep. Therefore I am on this side. About my nature, I know far better than you do.

So, my humble submission is that though we have implemented to the last word the Wage Board's recommendations, the State Government of Orissa has stopped all advertisements. Why? Because we had the temerity to challenge the many acts of omission and commission of the present Government in power. That means a net loss of Rs. 5,000 per month. If it is said you implement the Wage Board's recommendations whether you beg, borrow or steal, we will be elsewhere—behind the prison bars, certainly not outside to run these small papers. Let him make a clear demarcation between the big newspapers run by Chains, and public limited companies, those who have equated newspapers production with fertiliser production. I have no quarrel with him on that. My only quarrel with him will be that it must be according to the recommendations of the Press Commission and not this truncated recommendation of the Wage Board. So far as we are concerned, we are certainly entitled to a different consideration and the Government must also consider it a two-way traffic. The Government must also come to the aid of small and medium newspaper owners so that they are enabled to fulfil and implement the Wage Board's decisions in full.

Shri Basappa (Tiptur): Mr. Deputy-Speaker, Sir, speaking on this Working Journalists Bill most of the hon. Members have referred to some of the newspaper publishers and proprietors. Of course, we cannot condemn the newspaper proprietors and publishers as a whole, but when Shri Khadilkar said 'these lords of the fourth estate', probably he referred to some of those new proprietors of newspapers who have taken up such strong cudgels against the Ordinance

[Shri Basappa]

and the present Bill. Therefore it is no wonder that hon. Member after Member has to say something about some of these newspaper proprietors who have taken up this attitude.

They speak of the freedom of the Press. Nobody wants that the freedom of the Press should be curtailed in any way. The Constitution has given a guarantee that freedom of the Press should be maintained and we also know that the Press has played a very important part not only in the past but also it is to play a wonderful part in the future. Therefore it should be the duty of one and all to see that the freedom of the Press is maintained. But who is responsible for the freedom of the Press? Press consists of many factors and when there is freedom of the Press, the credit should not only go to the few proprietors but also to the various parts of the newspaper industry. Therefore, when we talk of the Press we are quite aware of the great part that it has played in the past and in the present and it should not be mistaken that anybody is here to condemn the Press as a whole. But the attitude adopted by some of the newspaper owners is such that we cannot but condemn their action.

So far as this Bill is concerned, though the question is a burning question, the way in which it is being tackled and the way in which great obstacles are put in the way shows that we are not aware of the real problem in the case. This burning question of the working journalists has been agitating our minds from a very long time and somehow some delay is being caused and again for another two or three years how can one go on having this problem? So, I feel somehow that these newspaper proprietors are trying to prolong the whole issue for a further time which should not be allowed. Of course, they talk of the working journalists and there are also other workers in the industry. This is only lip sympathy—some sort of crocodile tears.

When we talk of the working journalists, the other workers are also concerned, but their question may come a little later on. But they want to try to discriminate between worker and worker and try to see that they disrupt the whole thing. When I see from the proceedings of their big conference some time back, it looks as if they want to inspire all other friends of theirs to a capacity to resist. They talk of their capacity to resist not only the working journalists but also the Government as a whole. This attitude is certainly wrong and therefore we must see that they do not behave in that fashion.

They are not only misrepresenting the facts when they say that the freedom of the Press is in jeopardy, but they are also discrediting this Government. They feel that this Government and even this Parliament is trying to circumvent the decision of the Supreme Court. Only the other day when the Supreme Court building was opened by our great President, we all felt how big our judiciary is. The Chief Justice spoke on that occasion that the portals of that big building were open to one and all. That is the high esteem in which we have regarded the Supreme Court and the judiciary in this country.

Shri Rajendra Singh (Chapra): I want to say that the portals of justice are open only to those who can pay their way.

Shri Basappa: I do not know the individual that that hon. Member has in mind, but I know this much . . .

Mr. Deputy-Speaker: It only opens to those who can knock.

Shri Basappa: I know this much that the judiciary is held in high esteem and it is the duty of one and all in this Parliament to see that that position is maintained. It is with that idea, it is to respect that idea and to correct the mistakes noted and the defects pointed out by that body that

something is done by this Parliament and by this Government. I do not think it is circumventing the decision of that Court. It is only to rectify the mistakes and the defects at some stage or other. So, there is no disrespect. It should not be regarded as disrespect to the Supreme Court. And after all, what does the Supreme Court say? They raised all sorts of grounds and all kinds of arguments, but the Supreme Court has rejected most of their arguments and most of their grounds. They talked of the freedom to trade, the fundamental rights—as if the working journalists have not got fundamental rights at all. When they talk that the capacity of the newspapers was mainly not before this Wage Board, what they probably mean is that the capacity to pay on the part of the newspaper people was there but that it was not kept in the forefront. That probably is what they mean, and probably that has arisen on account of the wording of that report by the Chairman or some people there. But I cannot for a moment understand how the Wage Board never took note of the capacity to pay on the part of these newspapers at all.

Mr. Deputy-Speaker: Is the hon Member likely to take some more time?

Shri Basappa: A few minutes more, Sir

Mr. Deputy-Speaker: Then he might continue on the next day. It is now time to take up the Private Members' Business.

14-31 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Twenty-fourth Report

Sardar A. S. Saigal (Jangir): I beg to move:

"That this House agrees with the Twenty-fourth Report of the Committee on Private Members'

Bills and Resolutions presented to the House on the 20th August, 1958."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Twenty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 20th August, 1958."

The motion was adopted.

PREVENTION OF HYDROGENATION OF OILS BILL

Shri Jhulan Sinha (Siwan): Sir, I beg to move for leave to introduce a Bill to provide for prevention of hydrogenation of oils in India and for matters connected therewith.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for prevention of hydrogenation of oils in India and for matters connected therewith"

The motion was adopted.

Shri Jhulan Sinha: I introduce the Bill.

INDIAN DIVORCE (AMENDMENT) BILL

(Amendment of section 3 and substitution of sections 10 and 11 etc.)

Shri Geray (Poona): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Divorce Act, 1869.

Mr. Deputy-Speaker: The question is:

"That leave be granted to

[Mr. Deputy Speaker]

Introduce a Bill further to amend the Indian Divorce Act, 1869".

The motion was adopted.

Shri Goray: I introduce the Bill.

INDUSTRIAL DISPUTES (AMENDMENT) BILL

(Amendment of section 13 and second schedule)

Shri Ghosal (Uluberia): I beg to move for leave to introduce a Bill further to amend the Industrial Disputes Act, 1947.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Industrial Disputes Act, 1947."

The motion was adopted.

Shri Ghosal: I introduce the Bill.

WORKMEN'S COMPENSATION (AMENDMENT) BILL

(Amendment of Schedule I)

Shri Ghosal (Uluberia): I beg to move for leave to introduce a Bill further to amend the Workmen's Compensation Act, 1923.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Workmen's Compensation Act, 1923."

The motion was adopted.

Shri Ghosal: I introduce the Bill

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

(Amendment of section 115A)

Shri Keshava (Bangalore City): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

The Deputy Minister of Law (Shri Hajarnavis): Sir, before the hon. Member makes his motion, I might place certain information before the House and the hon. Member. I must make it clear that I do not propose to, and I am not going to oppose the motion if the hon. Member insists on his motion for introduction of the Bill.

Shri Tangamani (Madurai): If he is not going to oppose it. . . .

Shri Hajarnavis: There is certain information which I am placing before him.

Shri Easwara Iyer (Trivandrum): Sir, on a point of order. Are we now at the stage of getting information from the hon. Minister?

Mr. Deputy-Speaker: What I could understand was that the hon. Minister wanted to persuade the hon. Member not to persist with the introduction of his Bill.

Shri Braj Raj Singh (Ferozabad): Then that should have been done outside.

Mr. Deputy-Speaker: What I understood was that if the hon. Mover persists with his motion, the Minister would not oppose it. But now he is going to make an effort

Shri Hajarnavis: Sir, we are grateful to the hon. Member for pointing out this apparent defect in the law, but on examination we found that so far as his own amendment was concerned, it is already covered by Rule 140, which I have already brought to the notice of the hon. Member. But

People (Amendment)

Bill

we thought actually that certain further provisions were necessary in that behalf. So that, in the mean time we have actually amended that rule. That rule came into force on the 26th June, 1958 by G.C.R. 527. What he wanted was that every time the Election Tribunal or the High Court passed an order, that should be brought to the notice of the Election Commission. A provision to that effect is already made in Rule 140. But we have made a further provision, by which we have said that every litigant appealing before a High Court should give notice of the memorandum of appeal or any application he might make, to the Election Commission. If an interim order is passed, that also should be brought to the notice of the Election Commission. So that, we have covered a larger area than what the hon. Member had in view. But all the same, we are grateful to him for bringing to our notice the necessity to do so. We have already done it. If after this explanation the hon. Member still insists... ..

Mr. Deputy-Speaker: Let us see what his reaction to this greatfulness is.

Shri Keshava: The very fact that this rule was in existence and it was not at all followed shows, as I have explained in the Statement of Objects and Reasons

Mr. Deputy-Speaker: What is his reaction?

Shri Keshava: That will be at the consideration stage. If that amendment is covered, I will withdraw it on the next day.

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 Keshava: I introduce the Bill

SALARIES AND ALLOWANCES OF MEMBERS OF PARLIAMENT (AMENDMENT) BILL.

(Amendment of section 6)

श्री जगदश अग्रणी (विन्नीत) : श्रीमान जी, मैं मदन के सम्मुख संसद-सदस्यों के बतन तथा भत्ता अधिनियम, १९५४ में प्रागं मशोषन करने सम्बन्धी विधेयक को प्रस्तुत करने की अनुमति चाहता हूँ ।

Mr Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill.

Shri N. R. Munisamy (Vellore): I could not follow what the hon. Member said.

Mr. Deputy-Speaker: That is why I am reading it. Does he follow me or not?

The question is:

"That leave be granted to introduce a Bill further to amend the Salaries and Allowances of Members of Parliament Act, 1954."

The motion was adopted.

श्री जगदश अग्रणी मैं तत्सम्बन्धी विधेयक को मदन के सम्मुख प्रस्तुत करता हूँ ।

BAN ON EXPORT OF CATTLE FEED BILL

Shri Jhulan Sinha (Siwan): Sir, I beg to move for leave to introduce a Bill to provide for a ban on export of cattle feed in the country.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for a ban on export of cattle feed in the country."

The motion was adopted.

Shri Jhulan Sinha. Sir, I introduce the Bill.

REHABILITATION OF DISLOCATED PERSONS (FROM NATURAL CALAMITIES) BILL

Shri Rajendra Singh (Chapra): I beg to move for leave to introduce the Rehabilitation of Dislocated Persons (from Natural Calamities) Bill.

Mr. Deputy-Speaker: Which one is he reading? He has to read the one at No. 10.

Shri Rajendra Singh: I beg to move for leave to introduce a Bill to provide for relief and rehabilitation of persons losing their land and property as a result of erosion by rivers.

Mr. Deputy-Speaker: That is only one calamity, not all.

The question is:

"That leave be granted to introduce a Bill to provide for relief and rehabilitation of persons losing their land and property as a result of erosion by rivers."

The motion was adopted.

Shri Rajendra Singh: I introduce the Bill.

SIKH GURDWARAS BILL

Sardar A. S. Saigal (Janjgir): I beg to move for leave to introduce a Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith.

Mr. Deputy-Speaker: The question is . . .

Shri M. L. Dwivedi (Hamirpur): May I say something before leave is granted: whether matters pertaining to religion can be dealt with by us and if so. . . .

Mr. Deputy-Speaker: Yes.

Shri M. L. Dwivedi: We are having a secular State and we do not interfere with the religious affairs of any sect. . . .

Mr. Deputy-Speaker: Already we have got the Gurdwaras Act and the Muslim Wakf Act and other things.

Shri Easwara Iyer (Trivandrum): They may relate to the economic and social welfare of any religious institutions.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the better administration of Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith."

The motion was adopted.

Sardar A. S. Saigal: I introduce the Bill.

MONOPOLIES AND UNFAIR BUSINESS PRACTICES (INQUIRY AND CONTROL) BILL

Shri Tangamani (Madurai): I beg to move for leave to introduce a Bill to make provision for inquiry into the existence and effects of, and for dealing with mischiefs resulting from, any condition of monopoly or restrictive or unfair business practices of other analogous conditions prevailing as respects the manufacture, import/export, trade or internal distribution of any goods.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to make provision for inquiry into the existence and effects of, and for dealing with mischiefs resulting from, or arising in connection with any condition of monopoly or restrictive or unfair business practices or other analogous conditions prevailing as respects the manufacture, import/export, trade or internal distribution of any goods."

The motion was adopted.

Shri Tangamani: I introduce the Bill.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

Shri Tangamani (Madurai): I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

Shri Tangamani: I introduce the Bill

Mr. Deputy-Speaker: Shri Subiman Ghose absent.

CONSTITUTION (AMENDMENT) BILL

Shri Balkrishna Wasnik (Bhandara-Reserved-Sch. Castes): 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 Balkrishna Wasnik: I introduce the Bill.

14.43 hrs.

PREVENTION OF CORRUPTION (AMENDMENT) BILL—Contd.

Mr. Deputy-Speaker: The House will now resume further discussion of the month moved by Shri Jhulan

Sinha on the 2nd May, 1958 that the Bill further to amend the Prevention of Corruption Act, 1947, be taken into consideration.

Out of 1½ hours allotted for discussion of the Bill, 9 minutes were taken up on the 2nd May, 1958 and 1 hour and 21 minutes are now available.

Shri Jhulan Sinha may continue his speech

Shri Jhulan Sinha (Siwan): Sir, while moving for the consideration of the Bill in the last session, I was just pointing out the purpose behind this Bill. The only purpose that I have in my mind is to expedite the trial of cases under the Prevention of Corruption Act, so that not only the time of the parties may be saved—by parties, I mean the persons who are accused and prosecution as also the Government—but also a lot of money may be saved and a filip may be given to the attempt to eliminate corruption. That is the only idea in my mind in moving for the consideration of the Bill.

I was pointing out in the last session and quoting certain figures to show—I would not repeat them again—how tardy and leisurely the disposal of cases under this Act has been. The House is aware of the long time taken in the that famous case of Shri Venkataraman of the Commerce and Industry Ministry. They took, I think, more than three years in finally disposing of it. All the parties concerned were put to a good deal of avoidable loss of time and money. I know the difference between an ordinary trial and a summary trial because I happen to have read the Criminal Procedure Code in the course of my studies. I quite admit that the summary procedure was intended to dispose of cases of minor offences. So far as I can remember, these trials were meant for trying cases where the punishment extended up to probably six months. But, I have reasons to hold that while dis-

[Shri Jhulan Sinha]

posing of minor offences in a summary way, the framers of the Criminal Procedure Code had in mind as much the doing of justice to the parties there as to other parties in the case of more serious offences. If justice can be done in certain minor cases by proceeding under the provisions for summary trial where evidence is taken in a summary way and only a certain stage is fixed beyond which the case cannot go, so that the time and the money of the parties concerned may be saved and justice may be fully done to them, the same provisions may be followed here also. That is my idea underlying this Bill. Therefore, I have thought it fit to commend it for the consideration of the House and for the consideration of the Government which usually undertakes such measures.

I know the position of a public servant. All of us are aware that a public servant in this country as elsewhere, is put in a special position. He has certain duties and responsibilities enjoined by law. He has also a moral duty to be faithful to the people who pay him, and who enable him to carry on his own existence and the existence of those who depend on him. If he misbehaves, certainly, the State and the people are entitled to treat him in a different way. When I say that he is to be treated in a different way, I do not mean that justice has not to be done to him. Certainly he is entitled to justice as much as any other citizen in this land. As I have already said, the main purpose behind this Bill is to expedite the trial of these offences as much as possible under the law. I am not able to find out any other law under which this can be expedited except under the procedure provided in the Criminal Procedure Code for summary trial of offences. This is one of the reasons why I am particular about this.

Another reason that has weighed with me is the general feeling in the country which has got practically not only fed up but also disgusted with the prevalence of corruption in this

country. I know the Government and I, most of us, I think, differ on this point. Our idea is that corruption has practically reached its peak. It has not got down even if it has not got up.

Mr. Deputy-Speaker: When it has reached the peak, now it must come down.

Shri Jhulan Sinha: It has got to be brought down. We must find out the ways and means for bringing it down and this is one of the means I am suggesting. In this state of things, I think, all our talks of making this Five Year Plan a success and bringing confidence in the people to be self-reliant and self-exerting for the purpose of not only bringing about a social moral and political revolution—political revolution has already been achieved—for bringing about a social and moral revolution in this country, all our attempts will not succeed unless the atmosphere is cleared and it is clear that the people will have confidence in the Government they have established if the State is able to give the people a feeling in their mind that full justice is being done to them in a way that is above suspicion. What I intend to plead before this House is that the trial of offences under the Prevention of Corruption Act may be held in such a way as to entail the least time and expenditure to all the parties concerned. As I have just said, I feel this is the only way of getting out of this impasse. I shall, however, be content if the Government can find out a more expeditious way and a cheaper way of bringing justice to this land by a trial of the offences under the Prevention of Corruption Act. I know this Bill is not intended to create, nor is there any scope for creation of, a new offence under the Act. The Act, as I have already said, is sufficiently comprehensive and there is hardly an offence that can be committed by public servant that is not covered by this Act. But I have thought it fit to bring in this complementary measure to the one already existing on the statute-book. I

hope the Government will not only read the lines of the Bill that I have proposed, but will also read between those lines and see my intentions, and agree with me to find out something that may help matters to improve in this land of ours.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Prevention of Corruption Act, 1947, be taken into consideration."

Shri Kaswara Iyer (Trivandrum): Speaking generally, one has to agree with the intention of the Mover of this Bill, but one has to examine the provisions introduced in this Bill to see whether the intentions are carried out by the amendments proposed.

I always feel, speaking personally, that crimes cannot be diminished by imposing more severe or more deterrent punishment. Particularly in the case of corruption among public servants, it is the society, the building up of the society that is responsible for increase in corruption among the public servants. Crimes cannot be diminished unless there is proper education, proper environments for the society to understand the national requirements of the country. If the hon. Mover of the Bill feels that corruption among public servants is at a peak or on the increase, I feel it is certainly because of the pattern of society that we are trying to build. We must see why this corruption is there. Corruption is a disease, and proper treatment must be given for this disease, either preventive treatment or curative treatment. I am not going to elaborate on the penology of crimes, but I would certainly say that looking at the very basis of corruption, so long as there is difference between the exploiter and the exploited, so long as there is concentration of wealth in the hands of the few, so long as there are monopoly holdings, there is always the temptation being offered for corruption

among public servants. So, we must educate society, we must do away with this difference, the disparity between the exploiter and the exploited, and bring about a society wherein there is always the feeling in every citizen that he is working for the country, to do away with the evil of corruption.

Coming to the Bill, I certainly agree with the intention, as I said, but examining it as a lawyer, I am rather unhappy.

Section 165 of the Indian Penal Code says:

"Whoever being a public servant, accepts or obtains, or agrees to accept or attempts to obtain, for himself, or for any other person, any valuable thing without consideration, or for a consideration which he knows to be inadequate,

from any person whom he knows to have been, or to be, or to be likely to be concerned in any proceeding or business transacted or about to be transacted by such public servant, or having any connection with the official functions of himself or of any public servant to whom he is subordinate,

or from any person whom he knows to be interested in or related to the person so concerned,

shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both."

So, we find that the punishment prescribed is three years imprisonment, that is the maximum punishment. Now, the hon. Mover of the Bill has introduced an amendment to the effect that the provisions of Chapter XXII of the Criminal Procedure Code will apply to proceedings taken against a public servant. But under

[Shri Easwara Iyer]

this Chapter we find that section 262 states:

"In trials under this Chapter, the procedure prescribed to summons-cases shall be followed in summons-cases, and the procedure prescribed for warrant-cases shall be followed in warrant-cases, except as hereinafter mentioned.

No sentence of imprisonment for a term exceeding three months shall be passed in the case of any conviction under this Chapter."

So, if the proposed amendment is accepted, we are left with this condition that we cannot impose a punishment of more than three months imprisonment. If the hon. Mover intends that corruption should be removed, then the eradication of corruption cannot be achieved by the amendment that is introduced, because the deterrent punishment of a minimum of three years which is prescribed by the Penal Code is taken away if proceedings are taken under Chapter XXII of the Criminal Procedure Code.

So, although I may agree with the intention, although I am also a believer with him that justice should not be delayed, I am also saying that hurried justice must also be dispensed with. Since this amendment, if accepted, will tend to reduce the term of imprisonment for corruption cases, I must certainly oppose it.

I would request the hon. Mover to bestow his anxious consideration on this matter and see whether a correct amendment could be proposed to the Prevention of Corruption Act, or a better Bill could be brought in so that we could deal with it in *extenso*, so that his intention is brought out in clear and unambiguous language. I would request the hon. Minister also to bring forward another Bill which is comprehensive enough, which will prescribe the procedure to be adopted in respect of corruption cases

against public servants, a special procedure to be adopted in which the time taken in the ordinary trials before the criminal courts may be shortened. With this suggestion to the hon. Minister, I would request the hon. Mover also to bestow some thought on this matter to see whether the proposed amendment does bring out the spirit and intention that he wanted to bring out.

Pandit K. C. Sharma (Hapur): I am sorry for the anxiety of my friend for a hurried punishment of a public servant. I beg to submit that the offences by public servants are major offences, that is punishable with three years imprisonment or something like that, and it is an ordinary principle of criminal jurisprudence that a man charged with a serious offence should be given every facility to defend himself. Therefore, it is in the very nature of things that when a man is charged with a major offence, he should be given all facilities for defence, all facilities for argument, and he should be tried under the usual procedure. These summary proceedings are pertinent to the small or minor offences punishable with three months or so, not major offences like the taking of bribe or of illegal gratification.

15 hrs.

The point that I want to make is that it is rather an exaggerated view that a public servant as such is solely responsible for corrupting the society or for bringing into disrepute the administration. Every student of criminology knows that the modern criminal is a social criminal; he is a big man in the society, not the poor administrator here and there. Therefore, it is wrong to choose only the Government servant, simply because he is employed by Government, and say that he has gone astray and he has done something which he should not have done. The social structure

is not corrupted by his misdoing; it is corrupted by the misdoing of those who lord over the social structure. This is the simple proposition of modern criminology. There is a term 'big criminal' today, which never existed before. The term 'big criminal' is a creation of the after-war conditions. 'Big criminal' means the person is on the higher rungs of the ladder in society. So far as we are concerned, we are very fortunate. We are working under the shadow of a saint, who radiated his influence, and that influence still counts. But, if you go the other democracies, you will find criminals adorning the Ministerial benches. Lord Mayors of big cities, which dispose of a sum which would be twice as much as the Government of India do in the Central budget....

Mr. Deputy-Speaker: Does the hon. Member anticipate that here also?

Pandit K. C. Sharma: I am submitting that we are very fortunate.

The modern criminal who lords over the society is the corrupting source of the social structure, and not the poor Government servant, as my hon. friend tries to make out.

Sir, I oppose the Bill.

श्री बुधराज सिंह (फिरोजाबाद) : उपाध्यक्ष महोदय, मुझे दुःख है कि इस बिल का जिस शकल में कि यह है, मैं समर्थन नहीं कर सकता। लेकिन मैं महसूस करता हूँ कि जो उद्देश्य भ्रष्टाचार कम करने का है और जिस को दृष्टि में रख कर कानून बनाये गये हैं वह उद्देश्य उन से कतई पूरा नहीं हो पा रहा है और इस बास्ते देश में धाम तोर से यह चिन्ता पाई जाती है और यह बिल्कुल स्वाभाविक भी है कि इसके लिये कुछ और ऐसे ठोस कदम उठाये जाने चाहिये जिस से भ्रष्टाचार चाहे जिस शकल में भी क्यों न हो, वह दूर हो सके। मुझे लगता है कि नूर महोदय, जिन्होंने ने इस बिल को

पेश किया है, उन का मंशा भी यही है कि कोरप्शन को जिस शकल में भी चाहे वह हो, उस को दूर किया जाना चाहिये। लेकिन वह इस बिल के पास कर देने से ही दूर नहीं हो सकती है। एक कानूनी दिककत की धोर भी मेरे मित्र श्री ईश्वर अय्यर ने आप का ध्यान खींचा है और वह यह है कि जब आप तीन साल तक का दण्ड प्रिवेशन आफ कोरप्शन एक्ट के अन्तर्गत देते हैं तो उन को आप समरी ट्रायल किस तरह से बना सकते हैं जब तक कि आप क्रिमिनल प्रोसीजर कोड में संशोधन नहीं करते हैं। इस के साथ ही साथ क्रिमिनल प्रोसीजर कोड में संशोधन तीन साल तक की सजा देने के लिये किस तरह किया जा सकेगा, यह भी एक ऐसा सवाल है जिस पर विचार किया जाना चाहिये। आसानी से उसे करना सम्भव बात नहीं होगी। या नो आप उस में जो तीन साल की सजा देने की व्यवस्था की गई है उस को कम कर सकते हैं और कम करने का मतलब यह होगा कि भ्रष्टाचार और भी बढ़ जायेगा या फिर आप कुछ इस तरह में कदम उठा सकते हैं जिस से भ्रष्टाचार जो बढ़ रहा है, वह खत्म हो सके।

भ्रष्टाचार को खत्म करने के लिय सब से बड़ी आवश्यक बात जो है और जिस को मैं आप के सामने रखना चाहता हूँ, वह है कि समाज का जो ढांचा है, इस को हमें बदलना चाहिये और जब तक समाज का ढांचा नहीं बदलेगा भ्रष्टाचार दूर नहीं हो सकेगा। लेकिन यह तो एक बहुत बड़ी बात है जिस को करने में समय लग सकता है लेकिन जो आप आसानी से कर सकते हैं वह यह है कि जो लोग शासनायुक्त हैं, जो बुने हुए व्यक्ति हैं वह तो ऐसे आदर्श कायम कर सकते हैं, इस तरह का अपना जीवन बना सकता है जिस से लोगों के दिलों में यह भावना पैदा हो कि यदि उन्होंने ने कोई गलती

[श्री: ब्रजराज सिंह]

कोई भ्रष्टाचार किया किसी ऐसे कार्य में अपने आप को फंसाया जोकि गैर-कानूनी है, तो उन्हें नुकसान हो सकता है, बहुत हानि उन को उठानी पड़ सकती है तथा उन से उन की नीकरी तक भी छीनी जा सकती है और सजा भी हो सकती है। हमारे समाज में तथा हमारे प्रशासन में इस तरह की बात धमती नहीं धा पाई है। मैं यहां पर कोई खास केस आप के सामने रखना नहीं चाहता हूं लेकिन धाम तौर से जनता में जो भावना है इस भ्रष्टाचार के बारे में उस को आप के सामने रखना चाहता हूं। भ्रष्टाचार न सिर्फ पब्लिक सर्वेंट्स में है बल्कि उन में भी है जो लोग चुन कर आते हैं और जिन को जनता की सेवा करनी होती है। इस बात की वैसे धाशा की जा सकती है कि पब्लिक सर्वेंट्स में से तो भ्रष्टाचार खत्म हो जाय लेकिन ऐसे लोगों में से यह दूर न हो। पब्लिक सर्वेंट्स भ्रष्टे नहीं हैं जो भ्रष्टाचार करते हैं या जो कोरुप्ट हैं। कोरुप्शन से मेरा केवल यह मतलब नहीं है कि वही कार्य कोरुप्ट है जो धार्मिक लाभ के लिये किये जाते हैं। लेकिन इस में वे कार्य भी शामिल हैं जो दूसरी तरह के लाभ उठाने के लिये किये जाते हैं, जो पसपातपूर्ण होते हैं या जो इस उद्देश्य से किये जाते हैं कि अपने नजदीकी रिश्तेदारों या दोस्तों को लाभ पहुंचाया जाय। ऐसे कार्य करने से यह भावना फैलती है जनता में तथा पब्लिक सर्वेंट्स में भी, कि वे भी इस तरह के कार्य कर सकते हैं और लाभ उठा सकते हैं। ऐसी सूरत में प्रशासन अगर कोई अनुचित कार्य करेगा तो उसे पता होगा कि उस के खिलाफ कोई कार्रवाई नहीं होगी लेकिन अगर जो शासक वर्ग है वह कोई भी अनुचित कार्य नहीं करेगा तो जो निचले वर्ग के लोग हैं उन में यह हिम्मत नहीं होगी कि वे कोई अनुचित कार्य कर सकें।

इस बास्ते मैं निवेदन करूंगा कि भ्रष्टाचार को मिटाने के लिये क्या केवल कानून

बना देने से अथवा कानूनों में संशोधन कर देने मात्र से ही हमारा जो उद्देश्य है वह पूरा हो सकता है और अगर नहीं हो सकता है तो हमें सोचना होगा कि इस के लिये कौन से दूसरे कदम उठाये जा सकते हैं। या कौन से दूसरे तरीके अपनाये जा सकते हैं। मैं समझता हूं कि प्रचार कर के तथा यह भावना फैला कर तथा अपने व्यवहार द्वारा हम इस काम को और भी अच्छी तरह से कर सकते हैं।

आज जरूरत इस बात की है कि समाज का जो ढांचा है, उस को बदला जाय, जो ना-बराबरी इस समय दृष्टिगोचर हो रही है वह कम हो, समाज में समता आये, बराबरी आये। इस के साथ साथ यह भी जरूरी है कि जिन लोगों ने बहुत पहले अपने सामने उच्च आदर्श रखे थे, उन्हीं पर आज भी आचरण करते हुए वे जनता को दिखा दें कि चाहे आज शासन का भार उन के कंधों पर है लेकिन फिर भी वे इस तरह के लोग नहीं हो गये हैं जोकि जनता से दूर चले गये हैं, या जिस तरह का पहले वे जीवन व्यतीत किया करते थे, उस तरह का जीवन अब वे व्यतीत नहीं कर सकते हैं। मैं निवेदन करूंगा कि जब तक यह भावना नहीं आयेगी और हमारा इस तरह का व्यवहार नहीं होगा तब तक आप चाहे जितने कानून बना दें उस से कोई खास काम होने वाला नहीं है। फिर भी कुछ इस तरह की कमियां हो सकती हैं जिन की तरफ मूबर महोदय आप का ध्यान दिलाना चाहते थे। इस तीन साल की सजा को अगर बढ़ा भी दिया जाय तो भी जो भ्रष्टाचार को दूर करने का उद्देश्य है वह मेरे विचार से पूरा नहीं हो सकता है। मैं कहता हूं कि सरकार इस समस्या पर गम्भीरतापूर्वक विचार करे। अगर भ्रष्टाचार को कानून बना कर ही दूर किया जा सकता है या कानून में परिवर्तन कर के दूर किया जा सकता है तो आप कानून बना दें

या कानून में परिवर्तन करें। लेकिन मैं समझता हूँ आज सब से जरूरी बात यह है कि हम समाज के डाँचे को बदलने की कोशिश करें, अपने दृष्टिकोण में परिवर्तन आने की कोशिश करें। जब तक आप अपने दृष्टिकोण में परिवर्तन नहीं लायेंगे तब तक प्रशासकीय मशीनरी के दृष्टिकोण में परिवर्तन नहीं हो सकेगा, भ्रष्टाचार दूर नहीं हो सकेगा। अगर आप ने यह नहीं किया तो मुझे डर है कि कहीं लोगों का जनतंत्र में जो विश्वास है वह उठ न जाये और उन को यह विश्वास न हो जाय कि जनतंत्र चल नहीं सकता है, बोट से चून कर जं। सरकार कायम होती है वह अपना कार्य नहीं कर सकती है और यह बड़ी भयानक बात होगी। इस प्रकार की मनोवृत्ति भविष्य के लिये बहुत खतरनाक साबित हो सकती है।

इस वास्ते में आप से प्रार्थना करता हूँ कि आप इस मामले पर गम्भीरतापूर्वक विचार करें तथा ऐसे कदम उठावें जिस से लोगों के दिलों में विश्वास की भावना पैदा हो और उनमें यह भावना विकसित हो कि सरकार नहीं चाहती कि भ्रष्टाचार हो या पक्षपातपूर्ण कार्रवाइयाँ हों तथा एक दूसरे को लाभ पहुँचाने की मनोवृत्ति बनी रहे। जब तक यह भावना बनी रहेगी तब तक जिन्हें आप हायर-अप्स कहते हैं उनमें से भी भ्रष्टाचार की जो भावना है वह दूर नहीं हो सकेगी। आप एक कानून में परिवर्तन करें, दूसरे में करें, कुछ नहीं होगा। आपको अपने दृष्टिकोण में परिवर्तन साना होगा, जल्दी से जल्दी हिन्दुस्तान में बराबरी आनी होगी, समता सानी होगी, पक्षपातपूर्ण कार्रवाइयों पर संकुश लगाना होगा, और जब आपने ये सब कार्य किये तभी कुछ अच्छे नतीजे आपके सामने आ सकेंगे।

क्योंकि मैं कोई कानूनी विशेषज्ञ नहीं हूँ और न ही यह बतला सकता हूँ कि अगर इस विधेयक को मान लिया जाय तथा यह सबन इसको मंजूर कर ले तो जो बीमारी है वह सही तौर पर दूर हो जायेगी या उसका भ्रष्टाचारी तरह से इलाज होगा या नहीं। लेकिन इस बिल को जिस उद्देश्य को ध्यान में रख कर पेश किया गया है, उसमें मैं उनसे साथ हमदर्दी रखता हूँ और मैं भी उनसे इस बात में सहमत हूँ कि सरकार को पूरी कोशिश करनी चाहिये कि राज-कर्मचारियों के अन्दर जो भ्रष्टाचार है, वह खत्म हो।

अभी मेरे कुछ साथियों ने कहा कि भ्रष्टाचार का होना या न होना इस बात पर मुनहसर करता है कि हम किस किस्म का वायुमंडल तैयार करना चाहते हैं या किस किस्म का समाज बनाना चाहते हैं। मैं आपको बतलाना चाहता हूँ कि कुछ भर्सा हुआ, इस सदन ने एक प्रस्ताव पास किया था जिस में कहा गया था कि हम इस देश के अन्दर समाजवादी समाज व्यवस्था कायम करना चाहते हैं। तो जिस तरह की समाज की स्थापना हम करना चाहते हैं उसका भाव्य उस प्रस्ताव में साफ तौर पर जाहिर किया गया है जो हम ने पास किया था। लेकिन इस बात को मैं मानता हूँ कि समाज में से भ्रष्टाचार दूर हो लेकिन इस बात से मैं सहमत नहीं हो सकता कि राज-कर्मचारियों में जो भ्रष्टाचार है उसका कोई बहुत ज्यादा भ्रष्ट समाज के ऊपर नहीं पड़ता है तथा दूसरे जो नान-आफिशल्स होते हैं उनका बहुत अधिक भ्रष्ट पड़ता है। यह ठीक है कि भ्रष्टाचार चाहे कहीं भी हो वह बुरा है तथा अगर कहीं पर चुने हुए व्यक्तियों में भ्रष्टाचार होता है तो वह और भी अधिक बुरा है। लेकिन आज जिस किस्म का राज्य का डाँचा है और जिस ढंग पर हम चल रहे हैं उसमें ६० फीसदी, और मैं तो यहां तक कहता हूँ कि ६६ फीसदी, काम की जिम्मेवारी राज-कर्मचारियों के ऊपर है जिन को चुना हुआ व्यक्ति कहा जाता है या जो यह सबन है यह तो

श्री० रत्नचरित सिंह (रोहतक) : उपाध्यक्ष महोदय, मैं इस विधेयक के कानूनी पहलु के बारे में कोई बात नहीं कह सकता हूँ

[बी० रणवीर सिंह]

पालिसी डिस्मिशन ही कर सकता है, नीति ही निर्धारित कर सकता है, रास्ता ही दिखावा सकता है तथा उस रास्ते को जो चलाने वाले हैं वे राज कर्मचारी ही हैं और उस पालिसी को कार्यान्वित करने वाले राज कर्मचारी ही हैं। इस वास्ते जब तक राज्य कर्मचारियों के भ्रन्दर से भ्रष्टाचार नहीं जायेगा उस वक्त तक देश के भ्रन्दर बहुत ज्यादा सुधार नहीं हो सकता है।

15-11 hrs.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

अभी कुछ सदस्यों ने कहा कि देश में वायुमंडल ऐसा बनना चाहिये जिस में कि भ्रष्टाचार न हो सके। मेरी समझ में नहीं आया कि वे किस ढंग का वायुमंडल चाहते हैं तथा जो वायुमंडल उनके खयाल में है, तखैऊल में है वह बन भी सकता है या नहीं। अगर वायुमंडल से उनका मतलब यह है कि ऊँच नीच कम हो तथा जो फर्क इस वक्त पाया जाता है वह कम होना चाहिए तो वह करने की तो कोशिश कर रहे हैं लेकिन उसको बिल्कुल मिटा दिया जाये यह मुम्किन है या नहीं, यह शक की बात है।

मे मानता हूँ कि हिन्दुस्तान में एक आमदमी की आमदनी २५० रुपये सालाना है। किसानों की कई जगहों पर इससे भी कम आमदनी हो सकती है और है। इसके विपरीत छोटे से छोटा जो राज्य कर्मचारी है उसको भी ७५ रुपये मासिक मिलता है और उसकी तीन महीने की आमदनी उनके एक साल की आमदनी के बराबर है। इसका क्या यह मतलब है कि सरकार हाथ पर हाथ रख कर बैठ जाये और कुछ न करे? अगर बिरला को एक चपड़ासी के बराबर हम नहीं ला पाते हैं तो क्या इसका यह अर्थ है कि भ्रष्टाचार को कम करने के लिए हम कोई कानून ही न बनायें।

ईश्वर अश्वर साहब ने कहा कि वायुमंडल बनने से काम ठीक होता है, सच्चा से नहीं होता है। एक तरफ सच्चा देने को यह नहीं समझा जाता कि इससे कोई बात ठीक होती है। दूसरी तरफ इस बात पर एतराज किया जाता है कि तीन महीने की सजा कर ही जायेगी तो इस से भ्रष्टाचार बढ़ेगा। तो इस तरह से जो उन के तर्क हैं मुझे उन में कंटाडिक्शन मालूम होता है और उन के तर्क को मैं समझ नहीं पाया। मैं तो यह मानता हूँ कि जहाँ तक तीन महीने की सजा का ताल्लुक है, चाहे तीन महीने की सजा हो, चाहे तीन साल की सजा हो उस से कोई फर्क पड़ने वाला नहीं है। असल बात यह है कि जो भ्रष्ट राज्य कर्मचारी हैं अगर उन को तीन महीनों की सजा होती है तो वह सिर्फ तीन महीनों की सजा नहीं हुई, उन की नौकरी जाती है, पेन्शन का हक जाता है और दूसरी सरकारी नौकरी करने का जो हक है वह भी जाता है। आज तीन महीनों की सजा को सिर्फ तीन महीनों की सजा नहीं समझा जाना चाहिये। मैं तो यह समझता हूँ कि आप चाहे उस को एक दिन की सजा न दें लेकिन अगर एक ऐसा कानून हो कि जिस ने भी भ्रष्टाचार किया है, और यह साबित हो जाय कि उस ने भ्रष्टाचार किया है, तो यह सारे हक छिन जायेंगे, तो भले ही आप उस को एक दिन की भी सजा न दें, वह कहीं ज्यादा उस भ्रष्टाचार को रोकने का रास्ता होगा। इस लिये मैं इस कारण विधेयक के खिलाफ नहीं हो सकता कि उस में सजा थोड़ी रखी गई है, और सजा को ज्यादा ही रखना है तो कोई दूसरा प्रमॉडिंग बिल हमारे कानून मंत्री ला सकते हैं। लेकिन एक बात बिल्कुल सही है कि आज जो मुकदमों का लम्बा चौड़ा तरीका है, साल हा साल जो मुकदमे चलते हैं, उन का नतीजा हम ने देखा है और जो बात छद्मी तरीके पर हम चाहते हैं वह नहीं होने पाती।

यही नहीं आप ने एक कानून बनाया था कि रिश्वत का लेना तो जुर्म है ही, रिश्वत देने वाला भी मुनसिब माना जायेगा। इस का नतीजा यह हुआ है कि आप कोई भ्रन्दाचा नहीं लगा सकते कि किस ने रिश्वत ली है क्योंकि अगर कोई यह हौसला करता है कि वह भाये और आप की उस की इत्तिला दे, मान लीजिये कि उस का कोई काम पूरा नहीं हुआ और वह राज कर्मचारी की गलती को बतलाना चाहता है तो भी उस का काम पूरा नहीं होता है। मेरा कोई यह खास मतलब नहीं है कि जो रिश्वत देता है उस को छोड़ दिया जाय लेकिन मैं एक बात जरूर मानता हूँ कि जो रिश्वत देने वाले हैं, उन में कई दफ़ा ऐसे भ्राममी होते हैं—कुछ खास बड़े भ्राममियों की बात में नहीं कहता, जो बड़े बड़े कारखानेदार हैं जो कि रिश्वत देते हैं—लेकिन भ्राम भ्राममी जो होते हैं ऐसे हालात में होते हैं कि उन का काम नहीं चलता। आप भ्रदालतों के ही काम को देखिये। किसान बाहर से भ्रदालतों में जाता है, उस को अपनी तारीख लगवानी है क्योंकि अगर वह शाम तक वहां रहेगा तो उस को घर वापस जाने के लिये सवारी नहीं मिलेगी और कम से कम ४ रुपये वहां खर्च करने पड़ेंगे। अगर उस की तारीख जल्दी लग जाय और उस के लिये उस को सिर्फ २ रुपये ही खर्च करने पड़ें तो भी वह २ रुपये के खर्च से बच सकता है। इस लिये ऐसा खयाल उस के दिमाग में आ सकता है कि भ्रदालत के चपरासी को १ रु० और दूसरे कर्मचारी को १ रु० दे कर तारीख लगवा ले और २ रु० बचा ले। इस तरह के जो भ्राममी होते हैं वह एक तरह से मजबूर हो कर ऐसा काम करते हैं। जो सरकारी भ्राममी हैं, जो पद पर धारू हैं, जिम्मेदार भ्राममी हैं, कानून को समझे हुये हैं, एक तरह तो वह हैं, दूसरी तरफ वह भ्राममी हैं जिन को कानून का पूरा ज्ञान भी नहीं है, जिन को यह भी पता नहीं है कि वह किस तरह से राज्य कर्मचारी के खिलाफ जा सकते हैं,

जो कि रिश्वत लेते हैं। मैं दूसरे किस्म के भ्राममियों को बहुत ज्यादा कसूरवार नहीं समझता। वहीं नहीं मैं ने कई दफ़ा सुना कि कई बड़े बड़े धाफिसर्स हैं जिनके लिये धाफिसर्स और मंत्री लोग जानते हैं कि वह कसूरवार हैं, लेकिन उन के खिलाफ कोई कार्रवाई नहीं की जा सकती। मुझे ५,६ है एक बार छवि मंत्रालय का एक सवाल आया, पता नहीं भ्रण्टर सेक्रेटरी या डिप्टी सेक्रेटरी का मामला था, उस वक़्त मूबी जी बजीर होते थे। उन की राय थी कि उस भ्रण्टर का इस्तीफ़ा ले लिया जाय तो ज्यादा प्रबलमंदी की बात होगी, वरना अगर भ्रदालत में मामला गया, इस संघट में हम फंसें तो न तो हम उस को साबित कर सकेंगे और न उस का कुछ बिगाड़ सकेंगे। वह छट जायेगा, उस की तन्वाह भी देनी पड़ेगी और एक खराब भ्राममी को रखने के लिये हम मजबूर होंगे।

इसलिये हम को इस कानून में इस तरह से संशोधन करना चाहिये कि भले ही हम ऐसे भ्राममियों को भ्रदालत में सजा न करवा सकें, क्योंकि यह कोई बहुत बड़ी बात नहीं है, लेकिन जो करप्ट भ्राममी हैं, वह राज-कर्मचारी न रह सकें और उस ने जो घन भ्रष्टाचार कर के प्राप्त किया है उस को उस से ले सकें। इस के होने के बाद सजा एक साल की हो, तीन महीने की हो, एक महीने या एक दिन की हो, उस से कोई ज्यादा फ़र्क पड़ने वाला नहीं है। मैं समझता हूँ कि अगर यह विधेयक इस काम को पूरा नहीं करता है तो कोई दूसरा विधेयक हमारे कानून मंत्री से आये ताकि जो भ्रष्टाचार की बहुत बड़ी हुई बीमारी है वह दूर हो सके। क्योंकि पहले जो सा एंड ग्रांडर वाला राज्य था वह आज नहीं है। आज हमारे सरकारी भ्राममी कारखानों के भी मालिक हैं और ऐसे कारखानों के मालिक बनते जा रहे हैं जिन से जनता का सीधा सम्बन्ध है। देशों के मालिक बनने जा रहे हैं, मोटरों के मालिक

[श्री० रणवीर सिंह]

बनने जा रहे हैं, बन नहीं रहे हैं, वह मालिक हैं। एक एक चीज जिस की जीवन के अन्दर ज़रूरत होती है उस के राज कर्मचारी मालिक है और उन के अन्दर से भ्रष्टाचार का दूर होना बहुत ज़रूरी है। अगर इनका मुकाबला चुने हुये भ्रातृमियों से किया जाय तो यह लोग ज्यादा नुकसान पहुँचा सकते हैं। जो भ्रातृभी एलेक्ट्रेड होते हैं, अगर वह कोई भ्रष्टाचार करेंगे तो पांच साल के बाद लोग उन को उठा कर फेंक देंगे। लेकिन अगर सरकारी कर्मचारी लोगों के लिए कोई भ्रष्टाचार दूर करने का कानून नहीं होगा तो उस से बड़ा नुकसान होगा क्योंकि उन की नौकरी भी सुरक्षित है, और कई चीज़ें हैं जो सुरक्षित हैं। चुने हुये भ्रातृमियों के लिये कोई सुरक्षा नहीं है, अगर वह गलती करता है तो लोग उसे झगली दफा समझेंगे और उसे रास्ता दिखायेंगे, सही रास्ता कि किस तरह से उसे चनना चाहिये और देश की सेवा किस तरह से होनी चाहिये।

Shri Keshava (Bangalore City): I heartily congratulate the Mover of this Bill on his having introduced it and the intention with which he has done so. I am second to none in seeking to root out corruption entirely—any corruption that may prevail in this country. In fact I do not agree with the observations made by hon. friend, the mover that corruption is in its peak in our country and things of that kind. I have heard from the top most level that in comparison with other countries corruption that prevails in our country is almost nothing. Whatever that be, we are interested in rooting out corruption altogether. But this is not the method.

The desire to avoid the delay occasioned by these trials and also the harassment of the parties is certainly a very laudable object. These have got to be avoided. Everybody agrees with that intention. But to generalise the whole thing and say that all trials in

corruption cases must come under the summary procedure is a very large order and it is likely to lead us into very serious confusion.

In fact, we cannot have a hastening of the disposal of cases at the cost of fair trial. Summary procedure is meant for very trivial types of cases and corruption is not a trivial offence and that too the trial of corruption by a public servant. If only we agree to an amendment of this kind and allow all corruption cases to be tried under the summary procedure, I have no doubt that it will lead to a good lot of abuse. It is very easy for us to abuse a matter connected with the corruption of a public servant. He can be very easily put before a court and if he is tried in a summary way and punished without a fair trial, I am sure, more injustice than justice would be done and the entire morale in the cadre of public servants would be lost altogether.

Naturally, the other consequence would be a reduction of the punishment. In an offence tried under the summary procedure the punishment would be lesser than the punishment in an offence tried under the usual procedure. Corruption is a very serious offence and we cannot play with it and allow it to be tried in a summary way and allow a man who has been charged with corruption and found guilty to go away with a slight punishment and a light sentence.

On several grounds, I have very serious objection to the method by which my friend is seeking to remedy the evil. My friend seems to be under an illusion when he says that justice is equally dispensed in a summary procedure as in the ordinary procedure. It is not so. I do not say that justice is denied in a summary procedure. But what cases are to be tried under the summary procedure? Only trivial ones.

Under these circumstances, I feel that the law as it stands is quite good. A man who has committed an offence of corruption and is put under trial should undergo the trial. The inevitable has got to be endured. Otherwise, I think, we are perpetuating almost the way in which the Government, perhaps I may not be wrong in saying so, is trying to conduct itself in matters connected with offences of this type.

In fact, if a poor chaprasi commits corruption, it is taken notice of immediately; but, if the Minister is suspected of corruption, perhaps, notice is not so easily taken.

Shri S. M. Banerjee (Kanpur): Wait till the next election.

Shri Keshava: There may be several instances in which it may not even see the light of day. When we are labouring under such difficulties, I feel this is not a very salutary amendment that has been sought to be made under this Bill, that is, to make the whole trial a summary one. It is very highly objectionable.

With these words, I oppose this Bill

Shri S. M. Banerjee: Mr. Chairman, Sir, I welcome the essence of the Bill. The intention of the mover is really a matter for all of us to be happy about. I think corruption has become a sort of cancer in our country and I do not know whether at this stage even radium treatment will cure it.

After independence what do we see? Our national income has increased by 11 per cent. Our productivity and production have also increased. But nobody has cared to know the extent to which our national character has gone down. This is a matter to be seriously examined by all. After all, what has happened to our country? Our countrymen are the same. We have our old traditions of this country. People may now say we are

proceeding with the times and we have to keep pace with the times; industrialisation will bring certain occupational diseases and, at the same time, some corruption. How is it that we have forgotten all our old traditions? It is a matter for all of us to search our hearts and think very seriously about.

The question is whether corruption in government departments and services can be rooted out. I was a government employee myself and I was working in the Defence Department. I worked there for about 14 years. There is a department called the M.E.S. under the Defence Ministry. Its actual name is Military Engineering Service. But people usually call it Money Eating Service or the Money Earning Service.

Shri Easwara Iyer: M-E-SS!

Shri S. M. Banerjee: From the very inception of the trade union movement, I and my other friends have been pleading that the contract system in the MES and the CPWD should be abolished. People thought that we were demanding something new. We said this thing in the hope that in case the contract system is abolished the question of middlemen coming in between Government and the workers would vanish. We were many times assured that Government was not in favour of the contract system but sometimes contract labour was cheap. I appreciate it is cheap because it is sweated labour. I will give figures which will reveal how this contract system is at the root of corruption in the Defence Department and how it is increasing day by day.

In 1955-56, the work done by departmental labour was of the value of Rs. 374.73 lakhs. Through the contractors it was Rs. 1,263.58 lakhs. In 1956-57, through the department it was Rs. 381.20 lakhs and through the contractors, Rs. 1,408.30 lakhs.

We agree that through these contractors, even our biggest officers are becoming corrupt. There are very

[Shri S. M. Banerjee]

serious charges against very responsible officers of the MES. But we are unable to remove the root cause of this corruption. Because contract labour is cheap, so corruption is cheap. We cannot possibly say, after having had experience of certain scandals in the Defence Department, that this contract system should still continue. When we talk about class III or class IV employees, may hon. friend, Shri Keshava has said that if a chaprasi does something, he gets a sack but if an Under Secretary or a Deputy Secretary or even a Superintendent of an ordnance factory does something that is not called corruption but that is a sort of an irregularity.

My respected friend, Shri Kripalani, was on a committee called Anti-Corruption Committee which was appointed to root out corruption on the railways. When he visited Kanpur, I wanted to place certain views before him. I asked him: "what is your impression about corruption on the railways?" He told me sarcastically and in a joking mood: "It is bad. Thank God that I am not corrupted; if I remain in this Committee for a year more I may be corrupted." This was the impression or opinion which he gave me at Kanpur.

So, our problems are Himalayan; our blunders are also Himalayan; our corruption is also Himalayan. The employees of class III and Class IV service are accused of taking one rupee or two rupees. I will give you some figures as to what people are getting. On 1-1-1957, the total number of Central Government employees getting Rs. 100 and less is 13,75,742; persons getting more than 100 number 2,43,605 and the persons getting Rs. 250 and above are 46,637. You can imagine the condition of 16 or 17 lakhs of employees; about 14 lakhs are getting less than Rs. 100. If they take one or two rupees, it is not as a sort of a bribery, not because he wants to encourage corruption, but

simply because these two rupees or so may help him.... (Interruptions)

An Hon. Member: Call it a tip.

Shri S. M. Banerjee: It is not that. The economic condition and appalling poverty of the class III and IV employees of the Central Government are there; it is due to them these things are happening. But there are corruptions at the national level. For instance, this LIC scandal was corruption at the national level. That is the sort of thing that we want to root out. We are discussing only about the public sector. What about the private sector? They want to pollute even the politicians by giving them Rs. 10 lakhs for election fund. These things are serious matters. We have to consider this.

I am only requesting that these things may be considered. I do not support this Bill because it says: summary trial and three months' punishment. I know the intention of the Mover is that at least three months may mean something because he knows all fish will go out of the net if it takes three years because the case will continue. I know the worry of the Mover. But the hon. Minister may consider whether a Committee can be appointed to consider the cases of corruption among the employees of the various departments of the Central Government.

I know what is happening in the Defence Ministry. I am happy with what Shri Krishna Menon has done. When he got certain reports he did something about these auctions. In Kanpur, stocks of the value of about Rs. 80,000 were auctioned at Rs. 16,000. I sent a telegram that this was what was happening and he immediately instituted an enquiry. I am happy that it has been decided that not a single thing is to be auctioned in ordnance depots unless it is

properly examined by a group of technicians whether the thing can be used. The commandant of that particular depot is of the rank of a Colonel; mind it. That enquiry is going on. What is happening is that the contractor is trying to corrupt that officer and he wants to get that thing for Rs. 18,000 but when the same thing is needed by us, that will perhaps be sold to us again at Rs. 80,000 or even a lakh of rupees. So, a committee of this House should be appointed to consider this matter. We should also search our hearts and see to what extent our national character has gone down because if the national character does not go up, the success of the Second Plan is not guaranteed. That is my submission.

Pandit D. N. Tiwary (Kesaria): I support this Bill wholeheartedly. My friends have said that the punishment provided here is three months only in summary trials. I wish to say that it is not the quantum of punishment that counts. It is the moral effect that counts. If an officer is charged with corruption, he loses his face in society. He will lose his service, his pension and he will also lose the prestige that he had in society even if he is convicted for a day. So, that is the real thing to be considered. The anxiety of my hon. friends that the sentence will come down from three years to three months is not very relevant to my mind. The relevant point to be considered is whether by resorting to summary trials, the trials would be speeded up and the dictum that 'justice delayed is justice denied' will not be applied here.

I am not here to tell this House as to what is the extent of corruption; everybody knows it. Today we have not to search for corrupt officials or corrupt men; we have to search for honest men, taking a searchlight. If you go to the railways, the P.W.D. or other services, you will find more corrupt men than honest people. So, the discussion on corruption or its extent is not relevant or important;

we all know about it. The problem is: how to do away with it.

Ordinary trials take years and years. Within that period the officers put their ingenuity and enlist the support of their brother officers and try to get out of the case and they get out. If you look to the figures, you will find that though a number of public servants were charged with corruption, very few of them resulted in punishment. So, the delay goes in favour of the culprit. It is a very bad thing that when some officer is out on trial, the other Government servants try to help him. If there is an enquiry, they try to influence the trying officer. It is my experience in my State and elsewhere also that officers do favour officers. So, if there is speedy and summary trial, such malpractices will be lessened. I would appeal to my friends not to consider the quantum of the punishment; that is not very important but a speedy trial which may have some effect is the important consideration. I am sure that if this Bill is accepted and if a summary trial is resorted to, much of the corruption will be eliminated. Because, even if you dismiss one officer, that has its moral effect on the other officers who are corrupt; they are greatly afraid of this. So, I beg to support this Bill.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr. Chairman, we have seen that except one hon. Member who gives his whole-hearted support to this Bill and another who gave half-hearted support, all the hon. Members who took part in the debate have, while appreciating the intention behind the Bill, opposed the provisions thereof for very strong and sound reasons.

In this connection, Sir, I am inclined to agree with my friend opposite, Shri Easwara Iyer, so far as his opposition to this Bill is concerned. He gave some very good reasons—of course, as usual, he brought in some exploitation and certain other things

[Shri Datar]

as well. Apart from that, I am happy to find that there is a general opposition so far as the provisions of this Bill are concerned. Even the hon. Mover while moving the Bill was more apologetic than strong when he dealt with this Bill. That is quite a correct approach.

What we all desire, what the hon. Mover himself has in his mind is the rooting out of corruption altogether. How that can be done is a matter which all of us have to consider, and I am afraid the remedy that he has suggested is worse than the disease itself. What he wants us to do is that all offences under the Prevention of Corruption Act etc. ought to be treated as summary cases. So far as this question is concerned—some hon. Members have made a reference to it—summary trials are to be had only in cases where the offence is not of a serious nature or where, even though the offence is serious, the value of the property involved is very small. Therefore, you will see, Sir, that summary trials are to be resorted to only in certain cases and not in serious cases in particular. You will also see that in Chapter XXII, in Section 260 it has been laid down that it would be open to a magistrate, not incumbent upon a magistrate, to have resort to summary procedure. Therefore, it will be seen that where the offences are more or less of a light nature—not very serious, but ordinary criminal offences—then summary procedure has to be followed. Summary procedure also involves certain difficulties so far as the accused is concerned. Where, for example, the amount of fine is less than a certain amount the accused has no right of appeal at all. That is one side of the picture.

Now let us take into account the offences under the Prevention of Corruption Act. The Prevention of Corruption Act made certain offences under the Indian Penal Code cognizable offences. Further—this is a point

which has to be very carefully noted—a new offence known as 'criminal misconduct' was specially created with a view to meet those cases where there was habitual corruption and corruption on a larger scale. When this new offence was created, two things have been done. The hon. Member's intention was that there should be no delay at all. I fully agree with him that there should be no delay. But I further agree with my friend, Shri Easwara Iyer, when he says that just as justice delayed is bad, hurried justice is perhaps worse. Therefore, what was done when this Prevention of Corruption Act was passed was to have a trial which would not involve inordinate delays. That is the reason why special Judges were appointed. Under that it is perfectly possible to eliminate any delay that is inordinate, that is unwarranted. Therefore, the object that the hon. Mover has in view has been met to a certain extent.

I may also point out that in such cases delays occur where investigation has to be carried on over a number of transactions. Then, naturally delays do occur. If the matter is fully investigated, it will be found that the investigation is not easy at all, because all those cases relating to corruption naturally require a greater amount of labour, a greater amount of investigation, and it is only then that all information relating to these matters are brought out. That is the reason, Sir, why sometimes there are delays. But so far as the courts are concerned, I have found that generally the disposal is fairly satisfactory and there are no such delays as the hon. Member has in view.

Then, Sir, another other aspect of this question may also be taken into account and, in this connection, may I invite your attention to what was done by this hon. House only a few months ago when we had brought,

what is known as, the Criminal Law (Amendment) Bill of 1958. It has become law after it was passed in both the Houses of Parliament. So far as 'criminal misconduct' is concerned, two departures were made in that Bill. One was to the effect that there ought to be a minimum punishment. There are only a few cases where a minimum punishment has been prescribed by Parliament. Parliament thought that when an officer commits an offence of corruption then, naturally, he ought to be dealt with as severely as possible, provided the offence has been proved.

My hon. friend, Shri Easwara Iyer, was perfectly right in pointing out the two aspects of the Penal Law: one was the preventive aspect and the other was the curative aspect. May I point out to him the third aspect, which has also to be taken into account when we deal with persons of high intelligence but, naturally, perverted intelligence like those who deal in corruption? That is the deterrent aspect. It is not my view, it is not the view of Government alone, it is the view of this hon. House, because this House laid it down, when this amending Bill was passed, that, provided the offence was proved, the minimum punishment ought to be one year. It has been stated here:

"Any public servant who commits criminal misconduct in the discharge of his duties shall be punished with imprisonment for a term which shall not be less than one year."

So, Sir, this is a departure, to a certain extent, from the Criminal Law. Ordinarily they leave this matter to the discretion of the trying Judge or Magistrate, as the case may be, but here the legislature wisely took this fact into account that the punishment ought to be deterrent, and the man should not be let off only with fine or punishment which is not commensurate with the gravity of the offence

that he has committed. Secondly, so far as fine is concerned, it is open to the Special Judge to award a fine of any amount. It has been laid down that the fine ought to be commensurate with the amount that the man has misappropriated, with the amount which is the subject matter of corruption and, naturally, commensurate with the moral side of the whole question. Therefore, the fine also should not be a small amount; the fine ought to have some proportion to the amount that that particular man has made by illegitimate means and thus rendered himself guilty of corruption.

You will also find, especially so far as 'criminal misconduct' is concerned, the highest punishment is now seven years. Therefore, if all these circumstances are taken into account, if you take into account the purpose as also the scope of trial according to the summary procedure, if you take into account, on the other hand, by way of contrast, the serious nature of offences that have to be tried under the Prevention of Corruption Act, especially the offence of 'criminal misconduct', naturally you would agree that what the hon. Member has in mind, namely, that all trials should be under the summary procedure, is not the correct approach. It is perhaps a very wrong and objectionable approach.

Some hon. Members suggested that the quantum of punishment is entirely immaterial. I am afraid it is not. There are classes of persons who, after they go a wrong way, become more or less habituated to that particular course. They become habituated to it and naturally, their conscience is hardened. If, for example, they are not punished in an adequate and effective manner, the small punishment of a few days or less than three months will be entirely lost upon them. Therefore, we should take into account also the deterrent aspect of punishment as has been done by this hon. House.

[Shri Datar]

Therefore, I feel that this Bill would be highly objectionable if it is accepted. It would not be possible for the Government to accept such a Bill which goes counter to what has been laid down by Parliament only in a recent amendment and to what is the underlying objective of the Prevention of Corruption Act. It is not that the punishment should be necessarily heavy, but it ought to be proportionate to the gravity of the offence. That point has to be taken into account. In view of what I have pointed out that such cases do not take so long as the hon. Member thinks, I hope after this elucidation, he will kindly withdraw the Bill. Otherwise, I would request this House to oppose this Bill.

Shri Dasappa (Bangalore): What about greater vigilance?

Shri Datar: I have answered that point a number of times. I have stated that in addition to the special police establishment that we have, in addition to the Anti-Corruption Departments that the various State Governments are having, we are keeping a very vigilant eye not only upon those persons who actually commit offences but we want to see to it that all temptations are removed as early as possible and as effectively as possible. That is the reason why, as the House is aware, we have got a Vigilance Organisation and branches of it are attached to all the departments. What is to be done immediately is, we want to remove those circumstances as a result of which or by virtue of which there is an effective temptation to the commission of corruption. We are taking into account that factor also. It has a preventive and to a certain extent a curative side also. But when it is found that an offence is committed, then action is to be taken either under the disciplinary provisions of the Government Servants Conduct Rules or prosecution also would be launched.

I want to make one point clear and that is in relation to a statement made by Shri Keshava. He made a certain statement which is not correct. Government are no respecter of offenders whether the offenders belong to Class IV, Class III, Class II or even to Class I, whatever they are. I may point out only one instance where in the case of a very high officer, only recently, the special judge had given him a punishment of only six months. The Government appealed to the High Court and the High Court enhanced the punishment to two years. That is what we have done. You will find that we are no respecter of persons. If a man commits an offence, he must be visited with punishment, but while doing so, it is necessary that he should pass through a procedure and the procedure should not be unfair to him also. We have got a procedure laid down in the Criminal Procedure Code and that is a very fair one both to the accused as also to the prosecution. Therefore, in all such cases, we should not do anything that would take away the right of the accused to a proper trial.

I would appeal to my hon. friend to withdraw this Bill.

Mr. Chairman: According to the provisions of the Prevention of Corruption Act, offences in regard to criminal misconduct are triable not by a magistrate of the first class but by a sessions judge, special judge or assistant sessions judge. That is the amendment which we made while we enacted that provision.

Shri Datar: Yes. It is by special judge. A provision has been made to that effect.

Shri Jhulan Sinha: I am afraid I have been very much misunderstood. But I do not wonder. I ceased to be a legal practitioner about 30 years ago and so I am not the least sorry for having been misunderstood by my

lawyer friends whom I have been trying to convince. When I drew up this Bill I had absolutely no idea in my brain that some of my supporters as well as opponents would be interpreting what I never meant as anything like lessening the penalty provided for in the Prevention of Corruption Act.

श्री जलान (मालेगांव) : मान ए प्वा-
यंट चाक चाईर, सर। इस बिल पर मेरे
अर्नेइमेंट्स थे। इन के बारे में मैंने चिट दी
थी कि मेरे अर्नेइमेंट्स हैं और मैं उन पर
बोलना चाहता हूं, लेकिन मुझे ताऊजुब होता
है कि....

Mr. Chairman: There is no amendment to the motion for consideration. The question of other amendment would arise when the Bill is taken up for consideration. How can that arise at this stage?

Shri Jhulan Sinha: My own idea was that this House has got the supreme authority to pass any law which it thinks fit and from the general trend of things in this country as well as in this House, I had reason to believe that the House was convinced about the moral aspects of the problem of rooting out corruption from this country and giving it as good a blow as possible for killing it. From that point of view, I thought that I would be giving one such blow by making the offences under the Act triable summarily so that the offender might be brought to his senses and brought to book and might be given punishment as quickly as possible and so that the others might learn a lesson and be deterred in the way in which the hon. Minister in the Ministry of Home Affairs has just mentioned—that is, the punishment was going to be deterrent. Anyway, that proposition of mine has been taken to mean that I was intending to lessen the punishment provided for in the Prevention of Corruption Act by quoting chapter 22 of the Criminal

Procedure Code. Had I any intention of lessening the penalty provided in this Act, I would have given a straight amendment to that in that way. But that was not my intention. I think this House is competent to provide any penalty and any procedure for any offence in this land. My lawyer friends Pandit K. C. Sharma and Shri Easwara Iyer who practise in the Supreme Court have misunderstood this position of mine.

Shri Easwara Iyer: There is no misunderstanding. Unwittingly that interpretation of it has come in. I agree with your intention.

Shri Jhulan Singh: I am glad that he has not misunderstood me in that respect. That was the intention in my mind and I drew up the Bill in that way. If, however, this House is of the opinion that this Bill is not intended or is not likely to serve the purpose that I have in mind and now that the hon. Minister in charge of the Bill feels that it will not be doing justice to the cause so dear to all of us here, I request the permission of the House to withdraw the Bill.

Mr. Chairman: Has the hon. Member leave of the House to withdraw the Bill?

Several hon. Members: Yes.

The Bill was, by leave, withdrawn.

15-59 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

Shri Raghubir Sahai (Budaun): Mr. Chairman, I beg to move:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration".

In moving this Bill for consideration I would like to say at the outset that my Bill does not relate to a procedural change here and there only, but it relates to a matter of

[Shri Raghunath Sahai]

fundamental importance, because the object of my Bill is to eliminate perjury from law courts and to encourage in the litigant public the habit of speaking the truth. The House may well remember that in the year 1954, the then Home Minister, Dr. Katju brought forward a comprehensive amendment of the Criminal Procedure Code with three avowed objects, namely, to do away with dilatoriness in the trial of criminal cases, to reduce the cost of litigation in criminal cases and lastly to do away with perjury which, according to him, was rampant in law courts. There may be two opinions amongst lawyers and public men who visit law courts as to whether, after this amendment was carried out in the Criminal Procedure Code, the time taken by law courts in deciding criminal cases has been cut short or not. Also, there may be two opinions with regard to the question whether the money now spent in criminal cases is less or not; but, I am sure there can be no two opinions with regard to this fact that there has been no abatement in perjury in law courts after this amendment of the Criminal Procedure Code was carried out.

16 hrs.

Judging about the extent of the prevalence of perjury in law courts, I will rest content with quoting opinions of one or two distinguished persons. I remember sometime back there was an English Judge of the Allahabad High Court. I forget his name now. From the Bench of the Allahabad High Court, he stated that throughout his tenure of life as a High Court Judge in Allahabad and in India, he has not come across a single truthful witness. Now that statement created a lot of furore in Allahabad and in the country. I remember our distinguished friends, the late Pandit Kapil Dev Malaviya, Mr. Sri Prakash and others took part in that controversy, because they thought that that was perhaps a remark made by an English Judge, traducing the entire

Indian character. But now in 1958, everybody recognises that perjury is rampant in law courts. The other opinion that I am quoting is that of Dr. Katju himself. While moving his motion for reference of the amendment of the Criminal Procedure Code in this House on 3rd May, 1954, to a Joint Committee, Dr. Katju observed thus:

"One thing which has struck everyone of us, each lawyer, to our greatest sorrow is that the law court, instead of being an incentive to the people of this country to go and assist the administration of justice by giving true evidence before the judges and magistrates, does not seem to exercise that function nor generate that incentive. The common feature, as every lawyer and everyone who has to deal with law courts, feels is that perjury flourishes.... I appeal to this House, to this sovereign Parliament to take the utmost possible measures that they can for the purpose of purifying the administration of the law courts.

These are Dr. Katju's observations. I am really sorry that such a distinguished lawyer as Dr. Katju, while making these observations, did not put forward any helpful suggestions to eliminate perjury, besides only making a penal provision which was modified by this House to a very great extent.

To my mind, it appears that there may be very many causes for the prevalence of perjury, but one main cause for this widespread prevalence of perjury is the system of administration of justice as is in vogue in India at the present moment. It may be good in many other respects, but so far as its forms, procedure, and rules of evidence go, which we have borrowed from the British, they undoubtedly encourage... speaking untruth rather than speaking the

truth, because everyone now, especially the lawyers, want to win their cases and secure acquittal for their clients.

For instance, take section 342 of the Cr. P. C. about which there is an amendment of mine in this Bill that certain words should be deleted. On the one hand everyone of us is anxious that perjury should be eliminated. On the other hand, in section 342, sub-clause (2), it is definitely stated that

"An accused shall not render himself liable to punishment by refusing to answer such questions or by giving false answers to them."

To my mind, it appears that this is a contradiction in terms. We cannot swallow these words. We give statutory permission to the accused to make a false statement. If we are really earnest about this matter, then truth should be encouraged in law courts. At least, statutory permission should not be provided in this law to make a false statement. As things stand at present, an accused is free to make any statement before a magistrate or a judge. He can refuse to make any statement and he cannot be run in for it. Then, why give him statutory permission to tell an untruth?

I have not come across a single provision anywhere else in any civilised country about giving this kind of facility or permission as is provided in the Indian Criminal Procedure Code. I came across certain rulings of the United States of America. One of them goes on to say:

"One could be convicted of perjury for testifying falsely in his own behalf on his trial for a crime of which he was acquitted."

This case is *Young Blood v. U.S.A.* 266, Federal Court, page 795. Here is a proviso:

183 L.S.D.—7.

"Provided the statement was made by an accused while in the witness box and had been administered an oath."

Another ruling of the U.S.A. says:

"Verdict of acquittal of a criminal charge was not res judicata of the issue of perjury by the defendant so as to bar a prosecution therefor."

So, even after a person has been acquitted of a charge, if it comes to the notice of the court that he has made a perjured statement, he can be prosecuted for that perjured statement. This is provided in the U.S.A. So, when an accused comes as a witness, the courts expect that he should tell the truth and nothing but the truth. Now, in the amendment of the Criminal Procedure Code that was adopted in 1955 such a provision has been made in section 342, that the accused can offer himself to enter the witness-box and depose for himself, although this is a very belated addition that we have made. It is also provided in section 342, sub-section (4) that no oath shall be administered to the accused when he is examined under sub-section (1). So, there is no cause for any apprehension whatsoever that if an accused makes a false statement in reply to a question put by the court, he can be prosecuted for that false statement. I am in entire agreement with all those who say that the accused should not be placed in a disadvantageous position. That is the correct position that everyone ought to take. And the object of my Bill is not certainly to put the accused in a disadvantageous position. Let him adopt any course he pleases to protect his interests. But why should he be encouraged to make a false statement. Either by keeping quiet or making any reply he wants to make, he can guard his own interest. It is not certainly the duty of the law to encourage him to make a false statement.

I am concerned with the notions about the administration of justice

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which are prevalent at the present moment. The current notion among the lawyer and the litigant public is that the law should be so manipulated as to secure the acquittal of the accused, whether he is guilty or not, either resorting to *suppressio veri* or *suggestio falsi*. Is that conducive to the administration of justice for which courts exist? Every lawyer, at the present moment, reveals in securing acquittal of his client by hook or crook. This is certainly not a very desirable state of affairs.

In this connection, with your permission, I am going to quote the views of a very eminent public man and a member of the Servants of India Society, Shri P. Kodanda Rao. Shri Rao in a pamphlet entitled "Law versus Justice", after discussing how the present system of administration is unjust, how better justice is expected by higher courts than by lower courts and that higher courts can only be resorted to by those who can afford to pay and not by those who cannot afford to do so and their number is very large, he goes on to say:

"In the more sophisticated higher courts, there is reason to believe that very often justice is subordinated to law, substance to procedure, common sense to technicalities. Instead of procedural law being subordinated to substantive justice, it often prevails over, and defeats justice."

This is what Shri Kodanda Rao says. Thereby we are reducing these law courts to a mockery, because people resort to law courts not with a view to secure justice but to achieve their heart's desire. Justice means punishment to the wrong doer and satisfaction to the one whom wrong has been done. In the present system of administration of justice truth has in fact, no place. Everyone of us is familiar with the very common saying:

"सर बोली, यह ब्यादलत नहीं है"

Certainly you can speak the truth if you are not inside the court. In this connection, Shri Kodanda Rao gives

some very effective illustrations. On one occasion a Judge of a High Court, a judge of a District Court and a District Magistrate agreed in saying that a judge sometimes invited the parties to a dispute to his chamber and assured them that it was not the court and asked them to tell the truth. And he got it. This was confirmed on a subsequent occasion by a retired Chief Justice of a Supreme Court, two Judges of the same Court in office and the Dean of a Law School. Kodanda Rao goes on saying:—

"It would seem that law is administered in the court and justice in the Chamber."

"It would seem that the court has become more an arena for forensic duels between the lawyers representing the two parties to a dispute with a view to win, rather than a place where justice is sought and rendered. For few take the oath seriously and coaching of witness to give false evidence is pretty common. The court, with its oaths and procedure and lawyers, seems to be the last place to discover justice. It may secure the rule of law but not necessarily of justice."

This is a very regrettable state of affairs, which should be pondered over in all seriousness."

I cannot suggest very effective remedies, but I have tried to suggest some remedies for combating this evil. To begin with, I would suggest that the words "by giving false answers" in section 342, sub-clause (2) of the Criminal Procedure Code should be deleted. Then, in section 562, where a number of extenuating circumstances have been stated, we have to and the words "and the offender making a completely true statement without concealing anything." Here, with your permission, I may quote section 562 of the Cr. P. C. It says:

"When any person not under twenty-one years of age is convicted of an offence punishable with imprisonment for not more than seven years, or when any person under twenty-one years of age or any woman is convicted of an offence not punishable with death or transportation for life, and no previous conviction is proved against the offender, if it appears to the Court before which he is convicted, regard being had to the age, character or antecedents of the offender".

Here I would like to add the words "the offender making a completely true statement concealing nothing". Then the section will read:

"...and to the circumstances in which the offence was committed, that it is expedient that the offender should be released on probation of good conduct, the Court may, instead of sentencing him at once to any punishment, direct that he be released on his entering into a bond, with or without sureties, to appear and receive sentence when called upon during such period (not exceeding three years) as the Court may direct, and in the meantime to keep the peace and be of good behaviour:"

This is a permissive clause, in which the Court can exercise its discretion one way or the other. After having considered all those circumstances, the age, the antecedents, circumstances etc., the court may come to the conclusion that an offender is to be let off on probation or he may be straight away sentenced to a certain term of imprisonment. I say that when the court considers all these circumstances, let it also consider that an offender has made a completely true statement, concealing nothing.

Shri Tangamani (Madurai): Does it also deal with perjury?

Shri Raghubir Sahai: Now, some lawyer friends of mine think that by

making this provision perhaps the accused would be tempted to make a clean breast of the whole thing in the hope that his entire offence would be condoned. Far from it; that is certainly not my intention.

I have read out the provisions of section 562. They are not mandatory provisions. So, even if he has made a clean breast of the whole thing, even if he has made a completely true statement it does not necessarily follow that he deserves an acquittal. But I would wish that if he has made a completely true statement, at least a lenient view may be taken. It may not be taken and it should not be taken as a matter of course but it can be taken. According to me it is much better to convict an offender and after having convicted him to show mercy to him in whatever manner possible if he has told the entire truth rather than to acquit an offender after he has pleaded not guilty or put forth a patently and blatantly false defence. That makes justice a mockery and reduces law courts to a farce.

There are other countries in the world **Shri Tangamani:** Does section 562 provide for acquittal?

Shri Raghubir Sahai: I am not referring to 562. I have finished with that. It concerns with taking a lenient view.

There are other countries in the world where some importance is attached to truth-speaking in a law court. On one other occasion I quoted from a book "Crime, Courts and Probation", which is said to be the latest book on the subject by Chute and D.J.I., in which the experience of a United States of America Judge, Goldstein, have been quoted. With your permission I would like to quote a few lines from his observations. Trying a case of six burglars and robbers, he sentenced one, supposed to be the leader of the gang, to a sentence of

[Shri Raghubir Sahai]

five to ten years which he felt he richly deserved. He let others go on probation. In the case of the former, to whom he awarded a sentence of five to ten years, the judge remarked:

"This was a reduction from the seven and a half to fifteen years which he could have got and I explained to him that I felt that was justified by virtue of the fact that he finally, albeit haltingly, had made a confession and I wanted to show him that truth, or even a reasonable facsimile thereof, helps more than it hurts."

In the case of the other five after the period of probation was over he invited all those to a dinner along with the Probation Officers who supervised them and congratulated them on their acquitting themselves so creditably through the period of probation.

I am not concerned with probation here, but it is extremely remarkable that Judge Goldstein of America gave the fullest importance to a truthful statement made by a dangerous robber in an American court of law.

Lastly, I would submit that the present trials of perjury are more or less a farce. Although there is a penal provision in the Criminal Procedure Code that whoever makes a false statement in the court of law either before a magistrate or before a judge can be prosecuted and can be awarded punishment of imprisonment, we find from statistics from 1952 upto 1956 or 1957 that every year in every State the number of offences of perjury are rising and at the same time although so many prosecutions are sanctioned for perjury the number of acquittals is very, very large. There are rarely cases of convictions. On the other hand, if we look to figures of perjury in England—I have observed them for ten years—we find that in England the cases of perjury are few

and far between. But whatever cases of perjury are sent up to court, most of them end in conviction, rarely in acquittal. This is the tragedy of the whole thing. So, this penal provision is no solution for the elimination of perjury. I would only wish that we should be able to create an atmosphere for speaking the truth in law courts. I do not claim that this is the last remedy for eliminating perjury, but this is some remedy and it should be tried. I hope the Government and specially the hon. Home Minister, Shri Datar, would be in an indulgent mood to accept the Bill which I have placed before the House

Mr. Chairman: Motion moved:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

I find that there are two notices of amendments. May I know if they are to be moved.

Shri R. D. Misra (Bulandshahr): I am not going to move my amendment, but I propose to speak on the Bill.

Shri Shree Narayan Das (Darbhanga): Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December 1958."

Mr. Chairman: Now, the Bill as well as the motion of circulation of the Bill are before the House.

श्री श्रीनारायण दास : सम्भाषित
महोदय, श्री हमारे मित्र श्री रघुवर सहाय
जी ने जो विधेयक इस सदन के सामने रखा
है, उसके पीछे जो भावना है वह बहुत ही
सराहनीय है। कोई भी माननीय सदस्य इससे
खिलाफ़ राय नहीं रख सकते हैं। आजकल
हमारी प्रजापतियों में जो ग़ब़ाह जाते हैं वा
दूसरे लोग जिन्हें मैजिस्ट्रेट के सामने बयान

देना होता है या बयान देने का मौका मिलता है बाबजूद इस बात के कि उन्हें सपथ ग्रहण करनी पड़ती है ईश्वर को साक्षी रख कर या दूसरे ढंग से कि वे सत्य बोलेंगे फिर भी कई लोग झूठी गवाही देते हैं। माननीय सदस्य ने कहा कि हिन्दुस्तान में बहुत ज्यादा लोग हैं जो झूठी गवाही देते हैं। उन्होंने इलाहाबाद के एक अज महोदय का हवाला दिया जिन्होंने कहा बताते हैं कि कोई भी गवाह सत्य नहीं बोलता है। इसको तो मैं एक तरह से प्रतिशयोक्ति मानता हूँ। मैं समझता हूँ कि बहुत से ऐसे गवाह भी हैं जो अदालतों में जा करके सत्य बोलते हैं।

Mr. Chairman: This Bill does not relate to perjury as such. It is confined to the statement of the accused and to the questions that were put to him and whether he ought to be punished or not for making a false statement.

श्री बोलारामदास दास क्योंकि माननीय सदस्य ने इस बात पर बहुत अधिक जोर दिया है इस बास्ते में मैं भी यह मुनासिब समझा है कि मैं भी इसके बारे में दो बार शब्द कहूँ।

हमारे देश के अन्दर अदालतों के बारे में जैसा बातावरण है, उसकी घोर माननीय सदस्य महोदय ने इस सदन का ध्यान खींचा है। वह बहुत ही दुःखद है। हमारे देश में कोर्ट में जाकर के लोग जो बातें कहते हैं उसको ठीक बयान करेंगे यह कब होने वाला है, कैसे होने वाला है, यह मेरी समझ में नहीं आता। मैं समझता हूँ कि केवल कानून के बल पर यह बात होने वाली नहीं है। जैसे जैसे समय बीतता जायगा, जैसे जैसे हमारा सामाजिक संगठन बढलता जायेगा, जैसे जैसे शिक्षा का प्रसार होता जायगा, उससे हो सकता है कि धीरे धीरे इस में भी

कमी होती जाये। लेकिन कानून द्वारा इसको किया जा सकेगा, इसमें मुझे शक है। माननीय सदस्य ने कहा कि जो केस हमारे देश में परजरी के होते हैं उनमें से बहुत से लोग छूट जाते हैं। मैं धाशा करता हूँ कि माननीय सदस्य मुझे माफ करेंगे यदि मैं इस सम्बन्ध में वकीलों के बारे में कुछ कहूँ। मैं सब वकीलों के बारे में नहीं कहता हूँ लेकिन वकील भी दोषी हैं। यह जानते हुये भी कि यह परजरी का केस है, उस केस को लेकर उसको डिफेंड करने के लिये अदालत में वकील लोग उपस्थित हो जाते हैं। एक बार परजरी करने वालों की मालूम हो जाय कि उनकी रक्षा करने वाला कोई नहीं है तो हमारे देश में परजरी के केस शायद न हों। लेकिन हमारे देश में जो न्याय व्यवस्था है उसमें वकीलों के लिये भी यह लाजिमी है कि यदि कोई क्लायंट किसी वकील के पास पहुँचे तो वह उसको बिना किसी खास कारण के इन्कार नहीं कर सकता है। किसी खास अवस्था में तो वकील उसको इन्कार कर सकता है परन्तु साधारणतया फीस का खयाल रखते हुये वह उसको इन्कार नहीं कर सकता है। मैं नहीं समझता कि जहाँ तक कोर्ट के सामने झूठ बोलने का सवाल है वह किस कानून से जा सकता है, लेकिन माननीय सदस्य न जो यह विषयक रखा है, उस का स्कोप बहुत सीमित है। अगर प्राप क्रिमिनल प्रोसीजर कोड को देखेंगे तो उस में जो दफा ३४२ है उस में इस बात का ख्याल रखा गया, और जैसा कि कहा जाता है हमारे यहाँ यह सिद्धान्त है, कोशिश यह की जाय, कि भले ही हजार घादमी, जो कि दोषी मान गये हैं, छूट जायें, लेकिन निर्दोष घादमी का कोई सजा न दे सके। हमारे यहाँ न्याय की व्यवस्था इसी सिद्धान्त पर हो रही है। इसी सिलसिले में मैं समझता हूँ कि जो अभियुक्त है उस से किसी भी मुकदमे में या एन्क्वायरी में प्रश्न पूछने का अधिकार किसी मैजिस्ट्रेट को इस धारा के अन्तर्दिया गया है मेरा मत अब यह है कि अगर

[श्री श्रीनारायण दास]

मैजिस्ट्रेट मुनासिब समझे तो वह अभियुक्त से जब उस के खिलाफ गवाही देने वाले लोगों का बयान हो चुके, प्रश्न पूछ सकता है। लेकिन साथ ही साथ इस में अभियुक्त को यह अधिकार भी दिया गया है कि वह प्रश्न का जवाब दे या न दे। जवाब दे दे सब भी काम चल सकता है और न दे सब भी चल सकता है। लेकिन साथ ही इस बात का अधिकार जब धीरे-धीरे को दिया गया है कि अगर अभियुक्त जवाब न दे तो वह इन्कार करे, जब करे कि इस का कारण क्या हो सकता है। यह दो चीजे हैं। अभियुक्त का जो बयान होगा वह शपथ ले कर नहीं होगा, बिना शपथ के ही होगा। इस सम्बन्ध में मैं एक बात कहना चाहता हूँ कि जो भी व्यक्ति प्रदासत के सामने बयान देने जाता है अगर वह सत्य बोलने वाला है तो वह बिना शपथ के भी सत्य बोलेगा और जो असत्य बोलने वाला है वह शपथ लेने पर भी असत्य ही बोलेगा। इसलिये जो शपथ लेने वाला धर्म है कानून का अगर वह हट जाय तो भी कोई हर्ज नहीं है। शपथ लेने का जो ढोंग है अगर वह न रहे तो कोई हानि होने वाली नहीं है। सत्यवादी शपथ ले कर भी सत्य बोलेगा और न ले कर भी सत्य बोलेगा। इसलिये शपथ लेने का जो रिवाज है वह सिर्फ एक फार्मैलिटी ही है। यह बिल्कुल निकम्मी चीज है और उस की कहीं कोई गुजाइश नहीं होनी चाहिये। दुनिया में एक बात चलती आई है कि कानून की नजर में जो बात शपथ ले कर कही जाती, उस को सत्य माना जाता है। लेकिन मैं समझता हूँ कि ऐसी कोई बात नहीं है।

एक बात जो इस विषयक में है जो कि क्रिमिनल प्रोसीजर कोड के संशोधन के रूप में धारा है, कि अगर कोई गलत बयानी करे, गलत उत्तर दे तो भी अभियुक्त को उस के निषे सजा नहीं दी जा सकती। मेरी समझ में नहीं आता कि इस के पीछे क्या सिद्धान्त है। अगर बयान न दे तो ठीक है, वह समझ

सकता है कि सत्य बोलने से वह सब कहेगा या जो अभियोग उस के खिलाफ है उस का समर्थन हो जायेगा, ऐसी स्थिति में उस को अधिकार दिया गया है कि वह बिल्कुल न बोलें, जवाब न दे। इतना ही काफी है उस के बचने के लिये। कानून की नियत अभियुक्त को फांसने की नहीं होनी चाहिये यह ठीक बात है, अगर अभियुक्त यह वेसता है कि मुझमें मैं अपने बयान से वह फंस जायेगा तो उस के लिये इस धारा के अन्दर दिया हुआ है कि वह प्रश्नों का जवाब न दे। प्रश्नों का उत्तर न देने से प्रदासत के अज या जूरी को अधिकार है कि वह जो चाहे इस का मतलब समझ लें। मैं समझता हूँ कि इस विधेयक का यही उद्देश्य है लेकिन चूंकि बहुत दिनों से यह बात चली आई है इसलिये हमारे देश में जो भी न्याय करने वाले लोग हैं, वकील लोग हैं, उन की राय ले कर सदन अपना निर्णय दे तो अच्छा होगा। इसीलिये मैं ने यह संशोधन दिया है कि इस में जो दो बातें रखी गई हैं एक तो क्रिमिनल प्रोसीजर की कोड की धारा ३४२ का संशोधन और दूसरे प्राबेशन आफ् आफ्फेन्डर्स एक्ट की धारा ५६२ का भी माननीय सदस्य ध्यान रखें। अगर कोई आवामी सच्ची बात कह दे, प्रदासत के सामने कह दे तो जो जब है वह उस को प्रोबेशन पर छोड़ सकता है। इस प्रश्न को भी जैसे बहुत सी बातें प्रदासतों के विचार के लिये हैं, ध्यान में रक्खा जाय तो कोई हर्ज नहीं है। इन दोनों धाराओं के सम्बन्ध में हमारी प्रदासतें जो हैं, जब लोग हैं, वकील लोग भी हैं, उन की क्या राय है इस को भी जानने की जरूरत है। जब उन लोगों की राय हम को प्राप्त हो जाय उस वक्त यह सदन इस पर विचार कर सकता है। जो भी राय प्राप्त होगी उस के आधार पर इस सदन को क्रिमिनल प्रोसीजर कोड की धारा ३४२ और ५६२ के संशोधन पर विचार करने का अधिकार मिलेगा। जो भी राय प्राप्त हो उस के आधार पर हम अपनी समझ से जैसा मुनासिब समझें कर सकें।

इस विधेयक की जो भावना है वह सराहनीय है, लेकिन केवल इस के कि हम कमिशन प्रोसीजर कोड का संशोधन करें हम को इस बारे में राय जान लेना चाहिये। इन शब्दों के साथ मैं संशोधन की भावना का समर्थन करता हूँ और अपना संशोधन पेश करता हूँ। मुझे आशा है कि सदन मेरे संशोधन को स्वीकार कर लेगा।

श्री १० वं विध : अध्यक्ष महोदय, जो यह विधेयक इस हाउस के सामने श्री रजुबीर सहाय जी ने रक्खा है, उन के पीछे जो मंशा है, उस से मैं बिल्कुल सहमत हूँ। मैं यह मानता हूँ कि धाजकल घद्दालतों में झूठ बहुत बढ़ गया है और कोई न कोई कार्य-बाही कर के उस की रोक धाम करनी चाहिये। जब जाय्दा फौजदारी का प्रमेंडमेंट हुआ था उस वक़्त भी मैं ने यह प्रज किया था कि जो बहुत सी खराबियां हैं कानून में, वह निकाली जायें। कुछ थोड़ी सी उस में से निकाल भी ली गई, लेकिन मैं यह महसूस करता हूँ कि अभी तक हम ने कोई ऐसा कदम नहीं उठाया है जिस से हमारी घद्दालतों में यह झूठ बोलना खत्म हो जाय। इस के मुतालिक बड़े बड़े जजों की राय, वकीलों की राय, और आम लोगों की राय एक ही है कि घद्दालतों में झूठ बढ़ा हुआ है। उस के लिये कानूनी कार्यबाही हो सकती है, लेकिन हमारे भाई ने जो झूठ को रोकने के लिये यह बिल रक्खा है, उस से मैं नहीं समझता कि वह मतलब पूरा हो सकेगा।

मैंने इस के मुतालिक अपनी एक तरकीब रक्खी थी कि इस बिल को सेलेक्ट कमेटी के सुपुर्द किया जाय ताकि जो जायज बात हो उसे मानकर बफा ३४२ में जो झूठ बोलने वाली बात है उस को किसी तरह से निकाल दिया जाये। किन शर्तों के साथ निकाला जाय, बरा इस वर और कर लिया जाय तो ठीक होगा। लेकिन मेरे भाई श्री श्रीनारायण दास ने इस में एक संशोधन रक्खा है कि इस को राय आम्मा के लिये भेजा जाय। मैं ने भी यह

मुनासिब समझा कि स्टेट मन्नेट्स से, वकीलों से, जजों से और दूसरे लोगों से उन की राय मांगी जाय। जब हर एक की राय इस पर आजाये कि यह झूठ बोलना किस तरह से बन्द हो तब इस पर गौर करना ज्यादा अच्छा होगा। इतोलिये मैं ने अपना प्रमेंडमेंट इस हाउस के सामने नहीं रक्खा। मैं यह मुनासिब समझता हूँ कि इस पर बड़े सेबड़े वकीलों को, बड़े से बड़े जजों की रायमा जाय तो ज्यादा मुनासिब होगा। यह बात जरा अच्छी नहीं मालूम होती है जो कि हम ने बफा २४३ में रक्खा है। असल में इस का मंशा यह है कि अगर किसी मुल्जिम के खिलाफ किसी मुकदमे में कोई बाबयात आये, तो उन को समझाने का मौका मुल्जिम को देना चाहिये। अगर वह यह समझ रहा है कि यह जो हालात हैं वह किसी खास बात से आ गये और उस में वह सब बोल कर, ठीक बात कह कर उसे समझा सकता है, जो दूसरों को समझ में नहीं आये और उस से वह अपनी बरौयत पा सकता है तो वह अपनी बयान में उसे लिख दे।

अगर वह समझता है कि मैं बयान न दूँ, मुझे झूठ नहीं बोलना चाहिये तो वह चुप रह सकता है, लेकिन इस में जो यह बात लिखी गयी है कि अगर वह झूठ बोले तो उस पर कोई मुकदमा नहीं चलेगा यह बात मेरी समझ में नहीं आती। मैं चाहता था कि ये शब्द निकाल दिये जायें। लेकिन इन शब्दों के निकाल देने से इस में फर्क पड़ जाता है जिस से मुझे डर लगता है। इसी लिये मैं चाहता हूँ कि यह सिलेक्ट कमेटी में भेज दिया जाये या इस को पब्लिक प्रोपोनियन जानन के लिये सरकुलेट किया जाय।

मैं ने पहले यह कहा कि जब बफा १६२ के अन्तर तरकीब होने की बात हुई थी तो पहले एक्ट में यह था कि बानेदार के सामने अगर तहकीकात में कोई गवाही देता था तो उस को सब बोलना पड़ता था। अगर कोई किसी कजह से सत्यत नहीं बोलता था

[बी २० २० भिन्न]

उन की सहायत गलत मानी जाती थी तो मुकदमा चलाया जाता था कि उन्होंने बानेदार के सामने सब नहीं बताया। उस वक़्त उस में से यह शब्द "truly" निकाल दिया गया। नतीजा यह हुआ कि जो मुकदमे चले तो उन में भ्रदासतो ने यह मतलब लगाया कि यह शब्द निकाल दिया गया है, इसलिये अब यह झूठ बोलने की खुली छुट्टी है। अब तो वह बानेदार के सामने झूठ बोल सकता है। इसी तरह से इस में लिखा गया है कि अगर वह झूठा बयान देता है तो भी उस पर मुकदमा नहीं चल सकता। इस से भी हम ने एक तरीके से खुला लाइसेंस दे दिया है मुलाजिमान को वे झूठ बोलें उन के खिलाफ कोई कार्यवाही नहीं होगी। अब हम उस को निकाल देना चाहते हैं। कहीं भ्रदासतों इस का यह मतलब न निकालें कि बूक मुलजिम ने गलत बयान दिया है इसलिये उसे जेल भेज दें। इस तरह उसे सजा हो जायेगी। इसलिये मैं चाहता था कि इस को सिलेक्ट कमेटी के सुपुर्द किया जाये लेकिन सिलेक्ट कमेटी के लिये मेरा प्रस्ताव नहीं था। इसलिये मैं चाहता हूँ कि हम राय भ्राम्मा जान कर किसी सही नतीजे पर पहुँचे और कोई ऐसा तरीका निकल सके कि भ्रदासतों में झूठ बोलना बन्द हो जाये। यह जितनी जल्दी बन्द हो जाये उतना ही अच्छा होगा क्योंकि झूठ की बजह से हमारा बहुत नैतिक पतन हो गया है और हम अपना सिर ऊँचा नहीं कर सकते। इसलिये मैं चाहता हूँ कि इस बिल को राय भ्राम्मा जानने के लिये भेज दिया जाये।

Mr. Chairman: Does the hon. Minister want to speak at this stage?

The Minister of State in the Ministry of Home Affairs (Shri Datar): If you will allow, I should like to intervene because I am not going to oppose the amendment so far as circulation is concerned. Shri Shree Narayan Das has moved an amendment. I am going to accept the amendment that

the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1958. I am only pointing out certain circumstances which have also to be taken into account by the public.

Mr. Chairman: He may speak

Shri Datar: While it is true that the purpose or object of this Bill is highly praiseworthy, namely that he desires that perjury should be eliminated from law courts and the habit of speaking the truth should be encouraged amongst the litigant public, there are certain points which have to be noted in this connection.

May I point out that what the hon. the Mover wants is the removal of certain words "or by giving false answers to them", from section 342 of the Cr P C

Shri Tangamani: May I know from the hon. Minister whether this statement under section 342 is not under oath? There is an amendment, section 342-A, which makes the accused himself a competent witness. How does the question of perjury arise?

Shri Datar: That is exactly what I am pointing out. If the hon. Member had waited for some time, I would have explained the whole position.

Shri Tangamani: The amendment is an amendment to section 342.

Mr. Chairman: This is not the way to interrupt the hon. Minister. He is making his points and he has to be allowed to proceed.

Shri Tangamani: I wanted only a clarification.

Mr. Chairman: What is the clarification? The hon. Member himself says that there is section 342A. This amendment is to section 342 and not to section 342A.

Shri Tangamani: Because, section 342A . . .

Mr. Chairman: We are concerned with an amendment to section 342; we are not concerned with section 342A.

Shri Tangamani: The amendment is unnecessary.

Shri Kaswara Iyer (Trivandrum): If I may explain, the only point he has taken up is that the question of perjury under section 342 does not arise.

Mr. Chairman: The question is not about perjury. The question is whether the words complained of ought to be removed.

Shri Kaswara Iyer: Whether these words are there or not, there cannot be any question of perjury as there is no statement on oath.

Mr. Chairman: There is a different section. In section 342, there is no question of perjury. The only question is whether the accused should be allowed to be punished even if he speaks falsehood.

Shri Datar: May I explain, Sir? The hon. Member is pointing out this opinion which is held in many quarters as to whether if an accused gives false answers in a statement under section 342, he will be liable for an offence of giving false evidence under section 191 of the Indian Penal Code. That is a question which I shall incidentally consider also. Before I do so, I might place before this hon. House certain important considerations which have to be taken into account by the hon. Mover as also by the public when we consider the question of amending these two sections.

While it is true that the accused has also to speak the truth, the question that arises in this connection has also to be approached from another point of view. So far as the accused is concerned, he must have a right to defend himself. While defending himself, it is open to him either to make a statement or not to make a state-

ment. In all criminal cases, as the hon. Mover is aware, there are two points which have to be fully taken into account. In all criminal cases, it is the complete duty of the prosecution to prove the case against the accused. That is the first thing. The second point is that the accused is under no obligation at all to make a statement. He may make a statement or he might refuse to make a statement or omit to make a statement. His action or inaction or omission should not in any way prejudice his defence. These are the two underlying principles of criminal jurisprudence. While it is true that morally and to the extent it is possibly legally we should enforce the habit of truthfulness in a court, the question arises as to whether such a right, such a desire, such a moral and ethical desire is likely to prejudice the defence of the accused. So far as the criminal law and procedure is concerned, we have to take into account this fact that the accused's defence should not be prejudiced in any way. That is the reason why these words have been put in more or less by way of abundant caution. As my hon. friend Shri Kaswara Iyer rightly pointed out, the words that are used here are:

"The accused shall not render himself liable to punishment by refusing to answer such questions, or by giving false answers to them."

You will kindly see that section 191 of the Indian Penal Code deals with the offence of giving false evidence. In the section itself as also in the five illustrations that have been given, you will kindly find that the emphasis is on the obligation to make a true statement on oath. Here, the statement is not on oath at all. The section reads:

"Whoever being legally bound by an oath or by an express provision of law to state the truth, . . . makes any statement which is false and which he either knows or believes to be false or does not

[Shri Datar]

believe to be true, is said to give false evidence."

Therefore, the question arises as to whether giving false evidence would make him liable to punishment for the offence of giving false evidence

Without committing myself or committing the Government at this stage, may I point out an opinion that so far as this particular point is concerned, even apart from these words, he will not be liable for conviction for an offence of giving false evidence. Why were these words put in at all? These words were put in in the section 342 of the Cr. P.C. for the purpose of making the accused absolutely safe and secure in his mind—in his mind, it should be noted. In leading defence, naturally, the accused is entitled to acquittal according to him. Now the law allows him a procedure which would not in any way affect adversely or prejudice this right of the accused. Therefore, as I have stated, these words have been specially put in by way of abundant caution for the purpose of giving the accused a feeling,—it is not for the purpose of encouraging falsehood, let my hon. friend understand—a sense of absolute security for leading such defence, for making such a case by way of defence as he thinks fit. Such a right is allowed under the principles of criminal jurisprudence, and therefore, it is only for that purpose that these words have been put in.

So, my submission is that this aspect of the case also will have to be understood by the public. The public should understand why these words have been put in. They have been put in for the purpose of removing from the mind of the accused any vestige of a feeling of insecurity or suspicion that another proceeding would be started for the purpose of verifying the statement and if that statement is false, he is liable again to punishment in a different court. So,

these are the underlying purposes for which these words have been put in.

Then there is another point so far as section 562 is concerned. In fact, two points arise. Section 562 as it is at present is to be understood subject to section 19 of the Probation of Offenders Act. Parliament, only during the last session I believe, passed an Act known as the Probation of Offenders Act, section 19 of which states that section 562 of the Criminal Procedure Code shall cease to apply to the States or parts thereof in which the Act is brought into force. Therefore, in case any change is to be made, it will be not only in respect of section 562 of the Criminal Procedure Code, but also in respect of the provisions of the Probation of Offenders Act. That also will have to be considered.

Then, so far as the merits of this particular amendment are concerned, there is one view that should be taken into account. The hon. Member desires that the words "and the offender making a completely true statement without cancelling anything" should be added. Assuming these words are added, I would request the hon. Member to consider the other side of the case. If he makes a true statement, then he is given a certain concession, or a certain advantage. If we put in these words, the reverse of the case should also be noted. There might be various cases where section 562 of the Criminal Procedure Code and section 18 of the Probation of Offenders Act come into operation, and the offender may be a young man, a youthful offender. If he makes a true statement then the matter is easy, but assuming he does not make a statement, what will follow? What is likely to be considered by the magistrate? The magistrate or the court is likely to take into account the omission to make a statement. That itself is likely to affect him adversely. May I explain it further?

Shri Raghubir Sahai: Far-fetched.

Shri Datar: It cannot be called far-fetched, because when the matter is before a court and when a positive statement has been put in, then the implications of the negative portion also have to be taken into account. If he does not make a fully true statement,—he has used a very ingenious expression, “a completely true statement”; “a true statement” perhaps would have been sufficient—still, according to me, under these provisions he ought to be entitled to the advantages of probation or release on probation etc., as they are allowed under these two Acts. Therefore, taking these circumstances into account I have no objection to the Bill going before the public. Let the public understand the whole implication of the proposed amendments. The object that the hon. Member has in view is praiseworthy, but let them understand also the implications of any change, and if any changes are to be made, they ought to meet the considerations that I have tried to place before the House.

Shri D. C. Sharma (Gurdaspur): Is the hon. Minister opposing it or supporting it?

Shri Datar: The hon. Member has not understood me. Let the public understand both these things.

Shri Kaswara Iyer: That truth should be spoken in law courts is beyond any dispute. If I say so, that everybody should speak the truth whether it is in the law courts or in any sphere of his activity is not open to dispute. Of course, the Mover of the Bill was able to point out several instances where in litigation in law courts the truth was not spoken, and he gave the opinion of an Allahabad Judge or some other person who seems to believe that in no case does a witness speak the truth at all. It is rather cynical, it is a matter of opinion. Still I cannot accept that opinion that in every case before the law courts the

witness is not speaking the truth, however long his experience may be in the law courts.

There is another opinion that has been very rampant, that lawyers are coaching up witnesses to speak untruth, and there was sufficient mud-slinging at lawyers. So, I must take first opportunity, as a member belonging to that noble profession, to say that it is an absolute untruth. There may be exceptions to the rule, but I would certainly say that if any lawyer worthy of his salt indulges in coaching of witnesses to speak untruth, in any case it cannot be accepted. The art of advocacy is not to be pursued in the dark arena of ambushes and surprises, but it must be really a search for truth.

Apart from all those things, so far as the proposed amendment is concerned, I was a little bit shocked when the hon. Minister came forward with the proposal that he had no objection to the Bill being circulated for public opinion. I am not also speaking against that, but is it really necessary? That is the point that I am placing before this House.

Mr. Chairman, you have considerable experience in handling both criminal and civil cases. A reading of section 342 would show what is the effect of the amendment that is being proposed. The amendment proposed is that the words “or by giving false answers to them” be omitted in section 342 of the Criminal Procedure Code. Is it going to help matters?

17 hrs.

The hon. Minister referred to section 191 of the Indian Penal Code. I will certainly say that with respect to section 191, in order to constitute false evidence there are certain elements that are necessary. A person must be legally bound by oath to speak the truth or by any express provision of law to speak the truth. Here it is known as the law of giving false evidence, but in English law it

[Shri Easwara Iyer.]

is known as the law of perjury. There, the insistence is that person must be under a legal obligation to speak the truth under oath and it must be before a competent tribunal and in judicial proceedings. Here, the principle of speaking the truth on oath may be based on the ancient law that we were having, that a person is bound to speak the truth on oath because the wrath or vengeance of the heavens may descend on him if he is not speaking the truth on oath. In the good old days, if you look at the ancient *smriti* texts and other texts, probably it was so. My acquaintance with them may not be as great as that of the hon. Minister sitting there.

But I would certainly believe that in the good old days, so far as the Hindus were concerned, they used to take oath on tulasi and Ganges water. As far as the Mohammedans were concerned, they used to take oath on the Koran. Of course, under the Indian Oaths Act, this has been dispensed with. Now, if any person . . .

Mr. Chairman: I think the hon. Member will take some time to finish his speech.

Shri Easwara Iyer: Yes.
17.10 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 25th August, 1958.

[Friday, 22nd August, 1958]

ORAL ANSWERS TO QUESTIONS

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393.	Resettlement of landless labourers	2329-31
394.	Manufacture of Streptomycin	2332-34
395.	Housing of labourers	2334-36
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398.	Coir industry	2339-40
399.	Hydrogen Bomb test in the Pacific	2340-41
400.	Export of Chutney	2341-42
402.	Sindri Fertilizers and Chemicals (Private) Limited	2342-44
403.	Verification of claims of displaced persons	2344-45
404.	Manufacture of sugar mills machinery	2346-48
410.	Second Five Year Plan	2348-50
411.	Mangla Dam	2350-52
413.	Underground fire in coal mine	2352-53
420.	State Trading Corporation in Kerala State	2353-54
421.	Nuclear tests	2354-55
422.	Work and Orientation Centres	2356-57
423.	Export of engineering goods	2357-58
424.	Government residential colonies in Delhi	2358-61
425.	U. N. Committee on Effects of Atomic Radiation	2361-62
426.	Hindustan* Salt Company (Private) Limited	2362-65
428.	Sodium Sulphate and Gypsum	2365-66
429.	Sindri Fertilizers and Chemicals (Private) Limited	2366-67

WRITTEN ANSWERS TO QUESTIONS

S.Q. No.	Subject	COLUMNS
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401.	Shops in Lajpatra Market	2368

WRITTEN ANSWERS TO QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
405.	Plan projects	2368-69
406.	Algeria	2369
407.	Exports promotion	2369-70
408.	Map of India	2370
409.	Export Promotion Committee	2370-71
412.	Machinery for cement industry	2371
414.	Coordination in Ministries	2371-72
415.	Cement Factory in Orissa	2372
416.	Import of cartoon series	2372-73
418.	Export to U.K	2373
419.	Long Playing records of Rabindra Sangeet	2373-74
427.	Mining Board	2374
430.	Export of animal skins	2374-75
431.	Employment Exchanges	2375
432.	Import of Tobacco	2375-76
433.	Repatriates from Ceylon	2376-77
434.	Cattle for East Pakistan	2377
435.	Non development expenditure	2377-78

U.S.Q. No.

725.	Paper Industry	2378
726.	Employment Exchanges	2379
727.	Textile Industry in Bombay State	2379
728.	Sports goods	2379-80
729.	Bharat Sewak Samaj	2380
730.	Food output during Second Five Year Plan	2380
731.	Labour awards	2380-81
733.	Low Income Group Housing Scheme	2382-83
734.	Bhart Sewak Samaj	2383
735.	Handloom Cess Fund	2383-84
736.	Court fees	2384
737.	Brochure on Bhakra Nangal Project	2385
738.	Bicycle factories	2385
739.	Employment potential	2385-86
740.	Industrial development	2385-86
741.	Indians' concerns in Pakistan	2386
742.	State undertakings	2386-87
743.	Coir mats and matings	2387

WRITTEN ANSWERS TO
QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
744.	Purchase of cycles by D.G., S.D.	2387-88
745.	Buildings in Delhi belonging to the Government of Punjab	2388
747.	Displaced persons in Purana Qila	2388-89
748.	Low Income Group Housing Scheme	2389
749.	Kirtinagar Colony	2389-90
750.	Appointment of Scheduled Castes in Embassies	2390-91
751.	Standing Committee on Production Centres	2391-92
752.	Export of jute goods	2392
753.	Indian documentaries on Ships	2392-93
754.	Import of watches	2393
755.	Emporium for Assamese handicrafts	2394
756.	Employment Exchanges	2394-98
757.	Vigilance Section	2397-98
758.	Servants quarters for M. Ps.	2399
759.	Indian killed at Bolapara	2399-2400
760.	Export of mica	2400-01
761.	Ambar Charkhas	2401
762.	Coal mines	2401
763.	International Labour Organisation	2401-02
764.	Nagas	2402
765.	Foreign Scientists for training in India	2402
766.	Commonwealth Broadcasting Conference	2402
767.	Technical Training Centres	2403-04
768.	Diesel trucks	2403
769.	Handloom Industry in Punjab	2404
770.	Cho Oyu Expedition	2405
771.	Export of Iron Ore	2405
772.	Small Scale Industries	2406
773.	Border firings	2406
774.	Displaced persons in Tripura	2406-07
775.	Educated unemployed in Tripura	2407
776.	Land in Delhi	2407-08

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QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
777.	Conference of Settlement Commissioners	2408-09
778.	Indo-Pakistan Agreement	2410
779.	International Cotton Advisory Committee	2410
780.	Export of Cashew Kernel	2410-11
781.	State Plan of Orissa	2411
782.	Nangal Fertilisers and Chemicals (Private) Ltd.	2411
783.	Indian films in Russia and China	2412
784.	Ambar Charkhas	2412
785.	Import of watches	2412-13
786.	Small-scale Industries	2413-14
787.	Labour Cooperative Societies	2414
788.	Films on Dam Projects	2415
789.	Import of films from England	2415

PAPERS LAID ON THE
TABLE

2416

The following papers were laid on the Table:—

- (1) A copy of the Working Journalists (fixation of Rates of Wages) Rules, 1958, published in Notification No. G.S.R. 572, dated the 4th July, 1958.
- (2) A copy of the Second Annual Report of the Ashoka Hotels Limited for the year ended 30th September, 1957 along with the Audited Accounts under sub-section (1) of Section 639 of the Companies Act, 1956.
- (3) A copy of each of the following papers, under sub-section (2) of section 16 of the Tariff Commission Act, 1951 :—
 - (i) Report (1958) of the Tariff Commission on the grant of protection and/or assistance to the Para-Aminosalicylic Acid Industry.
 - (ii) Government Resolution No. 2(2)-T.R./58 dated the 20th August, 1958.

COLUMNS

COLUMNS

EXTENSION OF TIME FOR
PRESENTATION OF RE-
PORT OF SELECT
COMMITTEE

2417-20

Time for the presentation of the Report of Select Committee on the Banarus Hindu University (Amendment) Bill, 1958 was extended upto the 27th August, 1958

BILL UNDER CONSIDERA-
TION.

2421-75

Further discussion on the motion to consider the Working Journalists (Fixation of Rates of Wages) Bill was continued. The discussion was not concluded.

REPORT OF COMMITTEE ON
PRIVATE MEMBERS' BILLS
AND RESOLUTIONS-
ADOPTED.

2475-76

Twenty-fourth Report was adopted.

PRIVATE MEMBERS' BILLS
INTRODUCED

2476-83

(1) The Prevention of Hydrogenation of Oils Bill, 1958 by Shri Jhulan Sinha.

(2) The Indian Divorce (Amendment) Bill, 1958 (Amendment of section 3 and substitution of sections 10 and 11, etc.) by Shri Goray.

(3) The Industrial Disputes (Amendment) Bill, 1958 (Amendment of section 13 and Second Schedule) by Shri Ghosal.

(4) The Workmen's Compensation (Amendment) Bill, 1958 (Amendment of Schedule 1) by Shri Ghosal.

(5) The Representation of the People (Amendment) Bill, 1958 (Amendment of Section 116A) by Shri Keshava.

(6) The Salaries and Allowances of Members of Parliament (Amendment) Bill, 1958 (Amendment of Section 6) by Shri Jagdish Awasthi.

(7) The Ban on Export of Cattle Feed Bill, 1958, by Shri Jhulan Sinha.

(8) The Rehabilitation of Displaced Persons (From Natural Calamities) Bill, 1958 by Shri Rajendra Singh.

(9) The Sikh Gurdwaras Bill, 1958 by Sardar Amar Singh.

(10) The Monopolies and Unfair Business Practices (Inquiry and Control) Bill, 1958 by Shri Tangamani.

(11) The Code of Criminal Procedure (Amendment) Bill, 1958 (Amendment of sections 107, 129 and 144 and insertion of new section 131A) by Shri Tangamani.

(12) The Constitution (Amendment) Bill, 1958 (Amendment of article 136) by Shri Balkrishna Wasnik.

PRIVATE MEMBER'S BILL
WITHDRAWN

2483-2516

Further discussion on the motion to consider the Prevention of Corruption (Amendment) Bill, 1958 (Insertion of new section 8) moved by Shri Jhulan Sinha, on 2-5-58 was concluded. The Bill was withdrawn by leave of Lok Sabha.

PRIVATE MEMBER'S BILL
UNDER CONSIDERATION

2516-42

Shri Raghubir Sahai moved that the Code of Criminal Procedure (Amendment) Bill, 1958 (Amendment of sections 342 and 56) be taken into consideration. The discussion was not concluded.

AGENDA FOR MONDAY,
THE 25th AUGUST, 1958

Consideration and passing of the Working Journalists Fixation of rates and Wages Bill and the Estate Duty (Amendment) Bill.