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LOK SABHA DEBATES

(Fifth Session)



(Vol. XX contains Nos. 21-30)

**LOK SABHA SECRETARIAT
NEW DELHI**

CONTENTS

No. 21.—Monday, 8th September, 1958.

COLUMNS

Oral Answers to Questions—

Starred Questions Nos. 1009, 1011—1017 and 1019 to 1022 . . . 5133—68

Written Answers to Questions—

Starred Questions Nos. 1010, 1018 and 1023 to 1054 . . . 5168—86

Unstarred Questions Nos. 1632 to 1696 . . . 5187—5222

Motion for Adjournment—

Alleged food crisis in Uttar Pradesh . . . 5222—46

Arrest of two Members . . . 5246—47

Conviction of two Members . . . 5247—48

Papers laid on the Table . . . 5248

President's assent to Bills . . . 5249

Correction of Answer to Starred question No. 80 . . . 5249

1. Supreme Court Judges (Conditions of Service) Bill . . . 5250

2. International Finance Corporation (Status, Immunities and Privileges) Bill. } Introduced 5250

Public Premises (Eviction of Unauthorised Occupants) Bill—

Motion to consider, as passed by Rajya Sabha . . . 5251—5366

Clauses 2 and 3 . . . 5329—66

Statement *re* : informal meeting to discuss food situation . . . 5366—72

Daily Digest . . . 5373—78

No. 22.—Tuesday, 9th September, 1958.

Oral Answers to Questions—

Starred Questions Nos. 1055, 1056, 1058, 1059, 1061, 1063, 1065, 1067 to 1069, 1071 to 1074, 1076, 1078 and 1079 . . . 5379—5414

Short Notice Question No. 8 . . . 5414—17

Written Answers to Questions—

Starred Questions Nos. 1057, 1060, 1062, 1064, 1066, 1070, 1075, 1077, 1080—1089 and 565 . . . 5417—27

Unstarred Questions Nos. 1697 to 1755 . . . 5428—64

Motions for Adjournment—

Calling of armed constabulary in U.P. Assembly to restore order . . . 5465—85

Papers laid on the Table . . . 5486, 5489

Statement by Shri S. L. Saxena . . . 5486—89

Message from Rajya Sabha . . . 5490

Public Accounts Committee—

Ninth Report . . . 5490

Public Premises (Eviction of Unauthorised Occupants) Bill . . . 5490—5568

Clauses 4 to 14 and I . . . 5490—5562

(i)

197A LSD—9.

	COLUMNS
Motion to Pass	5562—68
Motion <i>re</i> : Food Poisoning in Kerala and Madras States	5567—5614
Daily Digest	5615—20

No. 23.—Wednesday, 10th September, 1958.

Oral Answers to Questions—

Starred Question Nos. 1090 to 1100 and 1103 to 1108	5621—56
---	---------

Written Answers to Questions—

Starred Questions Nos. 1101 and 1102	5656—66
Unstarred Questions Nos. 1756 to 1814 and 1816 to 1830	5666—6721

Resignation of a Member	5721
-----------------------------------	------

Re : Motion for Adjournment—

Absenteeism by Opposition Members from U. P. Assembly Session	5721—31, 5731—36
---	------------------

Committee on Private Members Bills and Resolutions—

Twenty-sixth Report	5731
-------------------------------	------

Indian Medical Council (Amendment) Bill—

Motion to consider	5736—66
------------------------------	---------

Clauses 2 and 1	5761—66
---------------------------	---------

Motion to pass	5766
--------------------------	------

Delhi Rent Control Bill—

Motion to refer to Joint Committee	5766—5800
--	-----------

Discussion <i>re</i> : Rehabilitation of Displaced Persons from East Pakistan	5800—50
---	---------

Parliament (Prevention of Disqualification) Bill—

Report of Joint Committee	5850
-------------------------------------	------

Business Advisory Committee—

Twenty-ninth Report	5850
-------------------------------	------

Daily Digest	5851—56
------------------------	---------

No. 24.—Thursday, 11th September, 1958.

Oral Answers to Questions—

Starred Questions Nos. 1140 to 1145, 1147, 1150, 1183, 1151 to 1154, 1156 to 1159, 1162 to 1164, 1166, 1168, 1169, 1171 and 1172	5857—94
---	---------

Written Answers to Questions—

Starred Questions Nos. 1138, 1139, 1146, 1148, 1149, 1155, 1160, 1161, 1165, 1167, 1170, 1172 to 1182 and 1184	5894—5910
---	-----------

Unstarred Questions Nos. 1831, 1903, 1905 to 1913 and 1915 to 1918	5909—56
--	---------

<i>Re</i> : Motion for Adjournment	5955—57
--	---------

Papers laid on the Table	5957—58
------------------------------------	---------

Messages from Rajya Sabha	5958—59
-------------------------------------	---------

Petition <i>re</i> : Liability of State in Tort	5959
---	------

Statement <i>re</i> : Explosion of Ammunition packages in Pathankot	5959—61
---	---------

Business Advisory Committee—

Twenty-ninth Report	5962—63
-------------------------------	---------

Delhi Rent Control Bill—

Motion to refer to Joint Committee	5963—6090
--	-----------

Daily Digest	6091—98
------------------------	---------

No. 25.—Friday, 12th September, 1958.

Oral Answers to Questions—

Starred Questions Nos. 1185 to 1188, 1190 to 1196, 1198 to 1203, 1207 and 1208	6099—6136
Short Notice Question Nos. 9 and 10	6136—43

Written Answers to Questions—

Starred Questions Nos. 1189, 1197, 1204 to 1206 and 1209 to 1222	6143—53
Unstarred Questions Nos. 1919 to 1072 and 1974 to 1999.	6153—97
Death of Sardar Sampuran Singh	6197-98
Papers laid on the Table	6198-99
Message from Rajya Sabha	6199-6200
Calling Attention to Matter of Urgent Public Importance—	
Results of talks held between Prime Ministers of India and Pakistan	6200—10
Correction of answer to Starred Question No. 913	6211
Correction of answer to Starred Question No. 232	6211
Business of the House	6212
Statement <i>re</i> : oil exploration	6212—14

Election to Committee—

Estimates Committee	6214-15
High Court Judges (Conditions of Services) Amendment Bill—Introduced	6215

Delhi Rent Control Bill—

Motion to refer to Joint Committee	6215—35
------------------------------------	---------

Merchant Shipping Bill—

Motion to consider, as reported by Joint Committee	6233—52
--	---------

Committee on Private Members' Bills and Resolutions—

Twenty-sixth Report.	6252-53
Resolution <i>re</i> : Formation of a National Council of India Youth—withdrawn	6253—61
Resolution <i>re</i> : Exclusion of certain tribunals from the jurisdiction of High Courts and Supreme Court— <i>Negative</i>	6261—6317
Resolution <i>re</i> : Commission to adjudicate Boundary Disputes between the States of Orissa, Madhya Pradesh and Bihar	6318
Daily Digest	6319—26

No. 26.—Monday, 15th September, 1958.

Oral Answers to Questions—

Starred Questions Nos. 1223 to 1225, 1227, 1228, 1230, 1232 to 1235, 1237 to 1241, 1243 to 1246 and 1253	6327—67
Short Notice Questions Nos. 11 and 12	6367—70

Written Answers to Questions—

Starred Questions Nos. 1226, 1229, 1231, 1236, 1242, 1249 to 1252 and 1254 to 1263	6371—84
Unstarred Questions Nos. 2000 to 2089	6384—6435

Motion for Adjournment—

Statement by Finance Minister in Washington <i>re</i> : Quemoy and Marsu	6435—45
Point <i>re</i> : Adjournment Motion	6445—55

	COLUMNS
Papers laid on the Table	6455-56
Message from Rajya Sabha	6456-57
Arrest and Conviction of a Member	6457
Arrest of a Member	6457
Merchant Shipping Bill—	
Motion to consider, as reported by Joint Committee	6458—6515
Discussion <i>re</i> : Report of Advisory Committee on Slum Clearance	6515—72
Daily Digest	6573—80

No. 27.—Tuesday, the 16th September, 1958.

Oral Answers to Questions—

Starred Questions Nos. 1265 to 1267, 1269, 1271 to 1276, 1278 to 1281, 1283, 1284, 1287 and 1288	6581—6619
Short Notice Question No. 13	6619—22

Written Answers to Questions—

Starred Questions Nos. 1264, 1268, 1270, 1277, 1282, 1285, 1286 and 1289 to 1305	6622—34
Unstarred Questions Nos. 2090 to 2176	6634—79

Arrest of two Members	6679-80
Papers laid on the Table	6680—82
Calling Attention to Matter of Urgent Public Importance—	
Reduction in commission to Insurance Agents	6681—84
Merchant Shipping Bill—	
Motion to consider, as reported by Joint Committee	6684—6826
Daily Digest	6827—34

No. 28.—Wednesday, 17th September, 1958.

Oral Answers to Questions—

Starred Question Nos. 1306 to 1310, 1312, 1315 to 1317, 1321 to 1328 and 1330	6835—73
Short Notice Question No. 14	6873—75

Written Answers to Questions—

Starred Questions Nos. 1311, 1313, 1314, 1318 to 1320, 1329 and 1331 to 1349	6875—6939
Unstarred Questions Nos. 2177 to 2263	6889—6942

<i>Re</i> : Motion for Adjournment	6942-43
Point of Information	6943
Papers laid on the Table	6943-44

Committee on Private Member's Bills and Resolutions—

Twenty-Seventh Report	6945
---------------------------------	------

Calling Attention to Matter of Urgent Public Importance—

Cholera epidemic in Kalahandi district of Orissa State	6945-46
--	---------

Poisons (American)—Bill Introduced	6946
--	------

Merchant Shipping Bill, as reported by Joint Committee—

Clauses 2 to 20, 22 to 100, 102 to 149, 21, 101, 103 to 461, the schedule and 1	6947—7068
---	-----------

Motion to pass as amended	7059—68
-------------------------------------	---------

Motion <i>re</i> : Appraisal and Prospects of the Second Five Year Plan	7069—94
---	---------

Daily Digest	7095—7100
------------------------	-----------

No. 29.—Thursday, 18th September, 1958.

Oral Answers to Questions—

Starred Questions Nos. 1350, 1351, 1354, 1356 to 1365 and 1367 . . . 7101—35

Written Answers to Questions—

Starred Questions Nos. 1352, 1353, 1355, 1366, 1368 to 1379 and 1381 to 1395 . . . 7135—52

Unstarred Questions Nos. 2264 to 2376 . . . 7152—7223

Papers laid on the Table . . . 7223—25

Conviction of a Member . . . 7225

Motion re: Appraisal and Prospects of the Second Five Year Plan . . . 7225—7394

Daily Digest . . . 7395—7404

No. 30.—Friday, 19th September, 1958.

Oral Answers to Questions —

Starred Questions Nos. 1396, 1398 to 1400, 1402, 1404, 1405, 1408, 1409, 1411, 1412 and 1414 . . . 7405—42

Written Answers to Questions—

Starred Questions Nos. 1397, 1401, 1403, 1407, 1410, 1413 and 1415 to 1426 . . . 7442—51

Unstarred Questions Nos. 2377 to 2436 . . . 7452—85

Death of Dr. Bhagwan Das . . . 7486—95

Papers laid on the Table . . . 7495-96

Message from Rajya Sabha . . . 7497

Business of the House . . . 7497—7500

Elections to Committees—

1. Estimates Committee; and . . . 7500-01

2. Public Accounts Committee . . . 7501

Representation of the People (Amendment) Bill—Introduced . . . 7501-02

Motion re: Appraisal and Prospects of the Second Five Year Plan . . . 7502—63

Committee on Private Members' Bills and Resolutions —

Twenty-seventh Report . . . 7553-64

Sterilisation of the Unfit Bill Introduced . . . 7565

Cantonments (Amendment) Bill—

Motion to consider . . . 7566—7605

Companies (Amendment) Bill—

Motion to consider . . . 7605—28

Business Advisory Committee—

Thirtieth Report . . . 7628

Half-an-hour discussion re: Social Security Scheme . . . 7628—30

Daily Digest . . . 7631—38

Consolidated Contents (8th September to 19th September, 1958) . . . (i—v)

N.B.—The sign marked above a name of a Member on Questions which were orally answered indicates that the Question was orally asked on the floor of the House by that Member.

LOK SABHA

Friday, 12th September, 1958

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Export of Manganese Ore

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*1185. { Shri Rameshwar Tantia:
 Shri V. C. Shukla:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 3374 on the 7th May, 1958 and state the reasons for the shortfall in fulfilling the Manganese Ore tonnage contracted by the State Trading Corporation of India (Private) Ltd., both directly and through its Agents upto the 31st March, 1958?

The Minister of Commerce (Shri Kanungo): There is no question of shortfall, Sir. I presume the Hon'ble Member is referring to extension of delivery dates, which, as is generally known, has been necessitated by the temporary slackening of demand in the consuming markets.

Shri Rameshwar Tantia: It was stated in reply to a question on the 7th May, 1958 that the total sales were about 5,66,000 tons while the deliveries totalled about 1,34,000 tons. May I know whether the balance has been delivered by this time or whether there is still some outstanding?

Shri Kanungo: As you will realise, two sets of contracts, one ending in

March and the other beginning from April ran into each other and all the contracts are existing and shipping has been going on.

Shri Rameshwar Tantia: May I know whether any penalty or difference has to be paid by the buyers?

Shri Kanungo: No, Sir. The delay has been permitted according to the desire of the buyers.

Shri Panigrahi: May I know whether the S.T.C. invites tenders when selecting business associates for export of manganese ores?

Shri Kanungo: This has nothing to do with business associates and tenders are not invited. Market information is taken and contracts are given to the persons who offer the lowest rates.

Shri Panigrahi: What is the price paid for the manganese purchased by these people?

Shri Kanungo: It would not be in the interest of the corporation to disclose that.

Pandit D. N. Tiwary: How much has been delivered till now and what is the remaining?

Shri Kanungo: I am not in possession of the exact figure but I suppose about 230 or 240 thousand tons have been delivered.

Shri Jaipal Singh: Is the Government in a position to tell us whether there is any stock-piling and if so what is the quantity?

Shri Kanungo: We have been compelled to stock-pile because shipments have not been effected according to the desire of the shippers.

Shri Jaipal Singh: What is the quantity?

Shri Kanungo: Roughly about three lakh tons.

Shri Damani: The hon. Minister has stated that the delivery was to have been given in March-April. May I know whether at that time we have actually produced that quantity or we were able to produce this quantity only afterwards and if we have produced that quantity on that date, have we charged any compensation for the late delivery?

Shri Kanungo: Our sales were covered by our purchases. As I have said just now, we have got stock-piling in our hands pending shipments. There was no question of asking for any compensation or penalty because, the world market conditions being what they are, we had to accommodate the buyers.

Shri Damani: Our sales are for a particular period and on that basis we have had to purchase. At the request of the buyers we have extended the time. There must be some clause whereby we can get some interest or the expenses incurred on the godowns.

Mr. Speaker: The hon. Member is discussing the whole matter; he is not eliciting information.

Shri Damani: Was any interest or any other amount charged or not?

Shri Kanungo: I have already replied. We have not asked for or claimed any penalty because we want to accommodate our buyers.

Shri Birendra Singhji: May I know whether the stock-piling is due to the shortage on the part of the railways?

Shri Kanungo: The shortage of the railways is known but the delay in shipment is not due to shortage of railway transport but it is mainly to accommodate the wishes of the buyers.

Shri V. P. Nayar: In answer to a previous supplementary question, the hon. Minister has said that it would not be in the interest of the S.T.C. to divulge the figures. But could I know whether the entire supply was purchased at the same price or if there was a difference in prices paid, what was the highest price and what was the lowest price?

Shri Kanungo: I would not like to give these figures because the prices can be calculated from these.

Shri V. P. Nayar: I want to know the difference; I do not want the exact prices.

Mr. Speaker: He has already answered; the hon. Member puts a question leading to the same answer.

Shri V. P. Nayar: He has misunderstood. I wanted the difference in prices. I do not want how much was paid for a ton as the highest price or the lowest price.

Shri Kanungo: I have said that the value of the total exports and the quantity of the total exports are available in the published documents and if I give these figures, the prices could intelligently be calculated from them.

Shri Ranga: May I know whether the manganese ore producers are themselves given a major share of the exports?

Shri Kanungo: No, Sir. Quotas for exports independently of S.T.C. are given on past performance whether they are mine-owners or shippers.

Third Five Year Plan

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 *1186. { **Shri Bangshi Thakur:**
Shri Abdul Salam:
Shri Damani:
Shri Sanganna:

Will the Minister of Planning be pleased to refer to the reply given to Starred Question No. 644 on the 5th August, 1957 and state the progress so

far made in regard to the formulation of the Third Five Year Plan?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 48.]

Shri Bangshi Thakur: In view of the transport difficulty in Tripura may I know whether the construction of the inland railways in Tripura and also a railway link with Assam will be given top priority in the Third Plan?

Shri L. N. Mishra: It is too early to think of individual projects.

Shri Bangshi Thakur: May I know whether any medium or big industry or industries would be established to cope up with the unemployment problem in Tripura during the Third Plan period?

Shri L. N. Mishra: The same reply applies to this also.

Mr. Speaker: The Second Plan is not yet over.

Shri Bimal Ghose: May I know whether the Third Plan is being framed within some framework made available by the Planning Commission or by some outside body or whether the Ministries and the State Governments are independently making plans of their own without reference to any targets?

The Deputy Minister of Planning (Shri S. N. Mishra): At the moment, some of the basic studies are underway. Some kind of a general outline would be there and both the Central and the State plans will have to fit into it. But that will come later.

Shri Bimal Ghose: May I know whether there is any plan framework as was the case in connection

with the Second Plan and as it is mentioned here that there is a perspective planning for 15—20 years, may I know whether any targets for the perspective planning had been fixed?

Shri S. N. Mishra: The hon. Member would appreciate that it would also require a number of studies, investigations and all that and all those things are underway at the moment. It would take some time even to build up a perspective plan of 15 to 20 years.

Mr. Speaker: We have not yet concluded the Second Plan. Next question.

Enquiries into Dalmia Concerns

*1187. **Shri Ram Krishan:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Government have decided to appoint a Commission to enquire into the affairs of the Dalmia concerns;

(b) if so, the constitution and terms of reference of this Commission; and

(c) whether the above Commission will also enquire into affairs of the Dalmia Dadri Cement Limited?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir. This was decided some time ago.

(b) A copy of the Notification indicating the constitution and terms of reference etc. of the Commission is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 49.]

(c) The matter is under consideration.

Shri Ram Krishan: In reply to my question on 22nd April, 1958, the hon. Minister has said that he will be glad if this concern is also included in the list. May I know why this firm has not so far been included in that list?

Shri Satish Chandra: Mr. Justice Vivian Bose has been appointed as the Chairman of the Commission only in

the last week of August. As soon as that Commission meets, Government will move that this company should also be taken up for enquiry.

Shri Ram Krishan: In view of the recent move of Seth Ramkrishna Dalmia to transfer his remaining public companies into private companies, may I know what special steps Government propose to safeguard public interests?

Shri Satish Chandra: The hon. Member is perhaps referring to certain transfers that have been made under section 395 of the Companies Act, and I have given detailed answers to his specific questions on that subject. As I have said, Government itself has no power to take any steps in that connection, but if more than 10 per cent. of the shareholders so desire they can move the court in that matter under the provisions of the Companies Act.

Shri S. M. Banerjee: From the schedule which is attached to the notification, it is found that Rottas industry, which is the biggest industry under Dalmia, is not included for investigation. May I know what are the reasons due to which this industry has not been included; whether everything is good there?

Shri Satish Chandra: There are numerous companies in Dalmia Group. Only those companies against which there were specific complaints were included in the schedule, but the Commission is authorised, under clause 2 of the terms of reference, to take up any other company within its purview, provided some illegalities come to its notice in connection with the enquiry.

Shri S. M. Banerjee rose--

Mr. Speaker: The question has been answered. There is a Commission. Hon. Members who have some information may place that information before the Commission instead of bringing it up here. **Shri V. P. Nayar:**

Shri V. P. Nayar: Sir, am I called upon to put a supplementary on this question?

Mr. Speaker: No, no; he may put the next question.

Graphite

*1188. **Shri V. P. Nayar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the present position of production and demand of Graphite in India; and

(b) the annual requirement in value of graphite and graphite-made articles?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) The present output of graphite in India is of the order of 1,600 tons per annum, while the demand is about 2,500 tons per annum.

(b) the value of the annual requirements of graphite is about Rs. 30 lakhs and of graphite-made articles about Rs. 103 lakhs.

Shri V. P. Nayar: May I know whether Government are aware that from 1900 to 1912 Travancore alone raised about 35,000 tons of graphite through M/s. Morgan Crucibles Ltd.?

Shri Satish Chandra: Sir, I do not know what happened as far back as 1900 and 1912. But, as I said, 1,600 tons of graphite is being produced in our country per annum today in the mines located in Bihar, Orissa, Andhra and Mysore. I am not aware of any mines in Travancore.

Shri V. P. Nayar: May I know whether Government are aware that in the Travancore area graphite is one of the most widely distributed economic minerals?

Shri Satish Chandra: If that is so, the Ministry of Steel, Mines and Fuel will certainly look into that matter.

Shri V. P. Nayar: I want to know whether there are any graphite-based

industries, whether industries which make products out of graphite exist in India; and, if so, may I know what is their annual turnover?

Shri Satish Chandra: A start has been made recently, and graphite crucibles are being manufactured in the country. A small start has also been made to produce carbon brushes, electrodes, arc lamp carbons and other things.

Shri Warrior: May I know how much graphite is imported into this country annually?

Shri Satish Chandra: I said that 900 tons of graphite is imported. Apart from that, graphite articles costing about Rs. 1 crore have to be imported at present.

Shri V. P. Nayar: In view of the varied use of graphite in paints, crucibles, lead pencils, carbons etc., may I know whether Government have any plans to exploit indigenous resources of graphite so as to meet the entire requirements of the country?

Shri Satish Chandra: Private parties being fully encouraged by Government, it is expected that the industry will gradually grow.

Manganese Ore Trade

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*1199. { **Shri Rameshwar Tantia:**
Shri Wodeyar:
Shrimati Renu Chakravarty:

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

(a) whether it is a fact that India is losing its long established overseas markets of manganese ore;

(b) whether it is also a fact that the State Trading Corporation of India (Private) Limited have not lifted all the manganese ore which it has contracted to purchase;

(c) if so, the quantity of manganese ore involved; and

(d) the reasons for not lifting the same and the steps taken or proposed to be taken in the matter?

The Minister of Commerce (Shri Kanungo): (a) to (d). A statement is placed on the Table of the Lok Sabha. [See Appendix V, annexure No. 50.]

Shri Rameshwar Tantia: In the statement it has been said that competition from those countries which are nearer the consuming market is keen. May I know whether Government is considering the question of keeping up the target of our manganese ore export, even losing something as we have done in the case of sugar and cement?

Shri Kanungo: Loss will be of the exporters and shippers; Government can't do anything about it.

Shri Rameshwar Tantia: In view of the statement made by the Director of Foreign Export Trade that negotiation is being made with the United States of America in respect of manganese ore, may I know whether that negotiation has been finalised; if so, how much manganese ore will be exported?

Shri Kanungo: It has not been finalised yet.

Shrimati Renu Chakravarty: May I know the reason why the quota for manganese ore was suddenly dropped in 1957, when there was still a good demand in the world market?

Shri Banga: Quota for export?

Shrimati Renu Chakravarty: The S.T.C. quota for iron ore was increased, but in respect of manganese ore it was reduced. May I also know how much has been actually lifted by S.T.C. against the 1957 quota?

Shri Kanungo: S.T.C. quota increased from 33 per cent. to 50 per cent., and the performance has been almost near about the total quota.

Shrimati Renu Chakravarty: That is not my point.

Mr. Speaker: The hon. Member says that the quota was reduced, whereas the hon. Minister says that it was increased.

Shrimati Renu Chakravarty: The point is, even though the quota may have been increased, there was a much bigger off-take in the earlier year. Why was it when S.T.C. came into existence there was immediately a reduction in the quota?

Shri Kanungo: It is not correct; 1957 exports were the highest in the last ten years.

Shri Wodeyar: May I know what steps the State Trading Corporation of India has taken to step up the trade in Mysore State?

Shri Kanungo: Sizeable quantities were purchased from mine-owners and shippers in Mysore State; but Mysore is at a disadvantage because it is away from the ports.

Shri Viswanatha Reddy: May I know whether it is a fact that while the State Trading Corporation is able to arrange export of only high grade manganese ore, sufficient efforts are not being taken to export low grade ore also along with the high grade ore?

Shri Kanungo: The whole pattern of manganese export from India for the last 20 years has been of high grade ore, and in the world market low grade ore is going out of use. Lately, the steel manufacturing process in other countries, particularly U.S.A., has eliminated the use of low grade manganese ore. All the same, in our negotiations we always try to make a 'package deal' including some low grade manganese ore also.

Shri Tyagi: Have the Government examined the possibility of exporting ferro-manganese in place of manganese ore; because it would, on the one hand, save shipping space and, on the other, give employment to our people here?

Shri Kanungo: Yes, Sir. A ferro-manganese plant is only going into operation; therefore, we are not considering the question of offering ferro-manganese to our overseas buyers. It all depends upon what the cost of manufacture here would be.

समाचार-पत्रों के लिये मूल्यानुसार पृष्ठ-मूची

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{ श्री भक्त वर्शन :
श्री स० चं० सामन्त :
*११६१. श्री बी० चं० शर्मा :
श्री बाजपेयी :
सरदार इकबाल सिंह :

क्या सूचना और प्रसारण मंत्री ११ फरवरी, १९५८ के तारांकित प्रश्न संख्या १३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि ।

(क) क्या समाचार-पत्रों के लिये मूल्यानुसार पृष्ठ-मूची इस बीच लागू कर दी गई है ;

(ख) यदि हां, तो क्या इस बारे में जारी किये गये आदेश की एक प्रति सभा पटल पर रखी जायेगी ; और

(ग) यदि प्रश्न के उपरोक्त भाग (क) का उत्तर नकारात्मक हो, तो अन्तिम निर्णय कब तक हो जाने की आशा है ?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (c). No final decision has been taken regarding the question.

श्री भक्त वर्शन : इस सम्बन्ध का जो अधिनियम है, उस को बने हुए दो वर्ष के लगभग हो गये हैं और आज से एक वर्ष पहले—१५ अगस्त, १९५७ को—माननीय मंत्री जी ने कहा था कि दो तीन सप्ताह में आदेश जारी हो जायेंगे । मैं जानना चाहता हूँ कि क्या माननीय मंत्री जी कृपा कर के बता सकेंगे कि ऐसी कौन सी परिस्थितियाँ हैं, जिन के कारण इस सम्बन्ध में देरी हो रही है ?

Dr. Keskar: It will be difficult for me, Sir, to detail the reasons why this delay has occurred. A number of factors came in at a particular time when a suit was pending in the Supreme Court regarding the Working Journalists Act. It was thought that certain fundamental points regarding the freedom of Press and other related matters were being taken up there. We are waiting to see as to what decision the courts take about it. There is also the question of taking the views of all the different groups of newspapers into consideration. An additional factor that has now come is also the shortage of newsprint and all these things have led to delay.

I might also inform the hon. Member that even after finally deciding upon a schedule, it will take quite a considerable time in order to promulgate it because the specific schedule would have to be put before the interests concerned for consultation and their opinion taken before it can be promulgated.

श्री भक्त दर्शन इस समाचार में कहा
तक मृत्युता है कि बड़े बड़े समाचार-पत्रों
के मालिकों ने इस आशय की चेतावनी केन्द्रीय
सरकार को दी है कि यदि इस शैड्यूल को जारी
किया गया तो और मामलों की तरह में वे
फिर से सुप्रीम कोर्ट की शरण लेंगे? मैं जानना
चाहता हूँ कि वास्तविक कारण क्या है ?

Dr. Keskar: Nobody has written to the Government that they are going to the court; but we have read in some papers. But Government is not at all concerned about the matter. If the matter goes to the court the court will decide what it considers proper.

Shri D. C. Sharma: May I know if there are any newspapers which have been responsible, directly or indirectly, for delaying a decision on this matter?

Dr. Keskar: It is obvious that certain groups of papers are against it and a still bigger group is in favour of it. But if any group of papers tries to stop it, it can only do so by putting it before Government and we have received certain representations to which we give careful consideration as we give to the other groups also.

Shri Mahanty: In view of the fact that the well-being of these small newspapers is completely dependent on the price-page schedule, may we know how long the Government will take to implement the recommendations of the Press Commission in this regard?

Dr. Keskar: The enunciation of the principles of the hon. Member cannot be accepted in their entirety. It is a matter for discussion and thinking whether the well-being of newspapers depends entirely upon the price-page schedule.

Shri V. P. Nayar: He meant small newspapers.

Shri Mahanty: Yes; small newspapers.

Dr. Keskar: Yes; small newspapers also. Whether the entire well-being of all newspapers will depend on this and whether this will affect them to a great extent is a matter to be considered. We are quite aware of the fact and, as I said, we have to take a number of factors into consideration, and I hope that the matter would not be unduly delayed.

Shri Mahanty: The hon. Minister stated that the shortage of newsprint is one of the reasons why the implementation of price-page schedule has been delayed. May we know whether it is not a fact that the newsprint shortage has operated against the interests of the small newspapers as different from the big newspapers and chains?

Dr. Keskar: I have not understood the latter part of it.

Mr. Speaker: Has not the shortage affected the smaller newspapers as different from the bigger ones?

Dr. Keskar: The question of price page schedule, from the point of view of conserving newsprint, is not at all the same thing as a price-page schedule for protection from unfair competition which is the main objective of the Act that was passed by Parliament. Naturally there will be a schedule and the schedule might be different according to different objectives. Whether both can be combined and brought about together is a question to be considered.

Shri Khadilkar: May I point out that once the hon. Minister himself had stated that the schedule was complete and that it would be announced very soon. From his reply now, it seems that the veto is exercised by certain interests in the newspaper industry. Is it a fact that so far as the delay is concerned, a certain amount of recalcitrant attitude from a section of proprietors is responsible for it?

Dr. Keskar: No, Sir. It is not any proprietor or group of proprietors which is responsible for any delay. As I said, the question of schedule, what sort of schedule is to be promulgated, etc. is not such an easy matter. It is an important matter which might affect the future of the press as a whole. When I said that the schedule was nearly ready, I meant that a number of draft schedules were nearly ready. They have been sent to the various interests and their views have been ascertained. But, as I said also last time, the views are very conflicting, and therefore, we have to be very careful as to the sort of schedule that we promulgate.

Shri Prabhat Kar: Having said just two years ago that a decision will be taken and a notification will be issued, the subsequent reason that was given is there is a case pending in the Supreme Court, on the point whether the freedom of the press is also being violated or not, because of some employers having challenged the working

journalists. So, what are the reasons today that it cannot be implemented, since the Government had decided to issue the notification two years ago?

Dr. Keskar: The Government have taken no decision that at a particular moment they will issue a notification on the price-page schedule. It was decided that they would issue it at the appropriate moment. As I said, there are one or two important matters that came up. So we thought we had better see how the principle regarding the freedom of the press is decided and whether any such decision affects what we are going to do, and then take any further decision in the matter.

श्री भक्त बह्मन : माननीय मंत्री महोदय नें पिछले दो वर्षों में जो उत्तर दिये हैं उन से क्या यह अनुमान लगाया जा सकता है कि यह प्रश्न सदा के लिये समाप्त कर दिया गया है या कुछ छाशा अभी बाकी है ?

Dr. Keskar: The hon. Member can draw any conclusion he likes. I am unable to satisfy him.

Rehabilitation of Displaced Persons in Mysore

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*1192. { Shri Shivananjappa:
 { Shri Wodeyar:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state the progress made in connection with the work of rehabilitating displaced families from East Pakistan in Periyapatna town in Mysore?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): A scheme has been sanctioned for the rehabilitation of East Pakistan displaced person in Periyapatna taluk and not Periyapatna town. The progress made by the scheme is as follows:—

- (1) The work of enumeration and felling of trees in the area has already started.

- (2) A detailed survey for the reclamation and development of the area is in hand.
- (3) The Central Tractor Organization, who are being entrusted with the job of reclamation, are making necessary arrangements for the movement of their machinery to the site.

Shri Shivananjappa: May I know what is the number of refugees who are proposed to be settled there?

Shri P. S. Naskar: About 800 agriculturist families.

Shri Shivananjappa: May I know the financial aid that is proposed to be given to the Government of Mysore in this behalf?

Shri P. S. Naskar: It will cost about Rs. 4,000 per family. The cost of the entire scheme is borne by the Central Government.

Shri Shivananjappa: May I know the extent of jungle that is proposed to be cleared just to provide land for agricultural purposes. to those refugees?

Shri P. S. Naskar: The State Government, for the moment, has offered about 5,000 acres of land, and we are told that the area is covered with forests. But I cannot exactly say how much will be cleared.

Shri Wodeyar: May I know whether the opinion of displaced families has been taken in this regard and also the public opinion of people from the Periyapatna taluk?

Shri P. S. Naskar: I could not follow.

Mr. Speaker: He wants to know whether the opinion of the displaced persons and the opinion of the people in Periyapatna taluk has been taken before this scheme is sought to be launched.

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): As far as the displaced

persons are concerned, before we launch upon any scheme outside West Bengal, we take the officers of the West Bengal Government and their advice is generally sought before any area is selected. As far as the people of that particular area are concerned, I deal with the State Government.

Shrimati Ha Faichoudhari: May I know how much land is going to be given to each refugee, and what is the fertility so that the land given will be enough for their subsistence?

Shri P. S. Naskar: Six acres of land will be given to each family and, according to the State Government, it will be quite sufficient for any agriculturist family.

Shrimati Renu Chakravarty: May I know whether this land falls in the category of marginal or sub-marginal land?

Shri Mehr Chand Khanna: I can assure the hon. Member that this land that is going to be reclaimed will be one of the very fertile areas.

Common Market for Asia

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- *1193. { **Sardar Iqbal Singh:**
Shri N. R. Munisamy:
Shri Daljit Singh:
Shri Ram Shankar Lal:
Shri Damani:
Dr. Ram Snnbhag Singh:

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

(a) whether there is a proposal to set up a Common Market for Asia along the lines of the customs and tariff union sought to be established in Western Europe; and

(b) if so, the details thereof and the reactions of the Government of India thereto?

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

(a) No, Sir.

(b) Does not arise.

Sardar Iqbal Singh: May I know whether the Government have received any suggestion from any country in this regard?

Shri Satish Chandra: No, Sir. Some discussions have taken place in a conference held in Egypt and also in the E.C.A.F.E. Conference about the possibility of increasing trade within the Afro-Asian countries, but no suggestion for the creation of a common market has been made.

Raja Mahendra Pratap: I would like to have a common market for the whole world, but may I know if there is any plan to have a common market for Iran, Afghanistan, Pakistan, India, Nepal and Ceylon?

Shri Satish Chandra: No; there is no such proposal.

Sardar Iqbal Singh: May I know whether the Government of India have explored the possibility of establishing such common markets for Asia?

Shri Satish Chandra: The matter has been discussed and it is thought that due to various reasons it is not practicable to do so. There must be a common political outlook, common economic structure, common social philosophy and so on, before such common markets can operate satisfactorily.

Unsold Stock of Shoes

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 { **Pandit D. N. Tiwary:**
Shri Narayanankutty Menon:
Shri Warior:
 *1194. { **Sardar Iqbal Singh:**
Shri Ram Krishan:
Shri Supakar:

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

(a) whether it is a fact that a huge stock of shoes refused by foreign purchasers is lying unsold with the

National Small Industries Corporation (Private) Limited;

(b) if so, the reasons for their refusal and the amount of capital blocked thereby;

(c) whether the suppliers have been paid the full prices for these shoes; and

(d) the steps taken to dispose of these shoes?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (d). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 51.]

Pandit D. N. Tiwary: What is the value of the shoes that have not been taken delivery of?

Shri Satish Chandra: These shoes which have not been delivered so far are expected to go out in the next consignment and price negotiations are taking place. So, perhaps the hon. Member would not like me to disclose the value.

Pandit D. N. Tiwary: The shoes were refused because of their low quality. May I know on what basis these shoes are going to be taken delivery of again?

Shri Satish Chandra: It is not so. In the case of Russia, the original order was for 3 lakhs pairs of shoes. Because they could not be supplied on the due dates, the order was reduced by 50,000 shoes. So, there is a balance of 54,000 shoes against the order of Russia. We think in the next consignment these shoes would go. It is not due to bad quality that they have not been delivered.

Sardar Iqbal Singh: May I know whether it is a fact that these shoes were rejected because according to the Polish representative who inspected these shoes were not according to specification?

Shri Satish Chandra: This is in regard to the other 14,000 pairs. They are also quite good shoes. When they

had been manufactured, a sample was displayed at the Poznan Fair and a large order was received from Poland. Later on they said that they wanted certain modifications in the shoes. As it was a new market, we arranged for fresh production and supplied the complete order according to their specifications. But these 14,000 pairs are also good and they will go to some country in the future consignments.

Sardar Iqbal Singh: May I know whether it is a fact that these shoes were offered to the Delhi shoe traders and they also rejected the shoes because they were not of better quality?

Shri Satish Chandra: I am not aware of it. I am told that they are of good quality and are being inspected now for being supplied to other countries. Buyer's inspectors are inspecting these shoes.

Shri Tyagi: Has it come to the notice of Government that in some of the leftist countries of Europe, the pairs were found to contain left foot shoes only?

Mr. Speaker: Is there any truth in that?

Shri Satish Chandra: Lakhs of pairs of shoes were supplied. Maybe inadvertently in some cases, two right shoes or two left shoes might have been placed in one box. There have been a few cases—a dozen or so. But even then, they could be exchanged by the buyer, these might have been packed like that by mistake.

Some Hon. Members rose—

Mr. Speaker: The hon. Minister has said that the quality is not bad and they are negotiating for the sale. If further questions are going to assist us in seeing those shoes, I would allow them. But I am afraid every further question would only make the shoes deteriorate further, whether they are really bad or not.

Shri S. M. Banerjee: These shoes were manufactured by the British

India Corporation and they have been doing it intentionally....

Mr. Speaker: This question may be renewed sometime later.

Textile Mills, Bombay

*1195. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are aware of the poor returns of some of the textile mills in Bombay State; and

(b) if so, whether Government contemplate setting up an enquiry committee to investigate into the working of these textile mills?

The Minister of Commerce (Shri Kanungo): (a) Government are constantly watching the results of working of the textile mills in the country including the mills in Bombay State. Related to 1956, the working results of some mills have revealed a reduction in profits.

(b) Government do not contemplate setting up any enquiry committee for this purpose. An Enquiry Committee was only recently appointed to look into the various problems of the cotton textile industry in the country, the Committee have already submitted their report, which is under consideration.

Shri Pangarkar: May I know if any textile mills have been closed in Bombay State due to poor returns?

Shri Kanungo: There have been some closures mostly due to uneconomic working and accumulation of stocks.

Shri Rameshwar Tantia: May I know whether on account of growing competition from China, our textile goods export has been less and may I know whether Government are considering steps to increase our export?

Shri Kanungo: May I submit that this question is about the profit earnings of Bombay mills? I can answer that question if you allow it.

Mr. Speaker: That does not arise out of this question.

Shri Damani: May I know whether Government is aware of the continuous rise in D.A. figures and due to that coarse and medium counts mills are adversely affected? If so, may I know whether Government has issued any direction to the Wage Board to enquire into this matter?

Shri Kanungo: That is asking for an opinion. As far as the Wage Board is concerned, it is there enquiring into the wage structure.

Shri Damani: My question is whether as a result of the increase in the D.A. figures the working of coarse and medium mills is affected.

Shri Kanungo: That is asking for an opinion.

Shri Hem Barua: May I know how many of these textile mills are yielding poor returns due to the bad condition of machinery? Lack of proper attention, repairs and replacement are some of the reasons pointed out by the Textile Enquiry Committee as responsible for poor returns of the textile mills.

Shri Kanungo: I cannot give the exact figures of mills which are having out-dated machinery, because there are 479 mills and we do not have reports of the whole lot of them. They are being inspected by rotation and it will take a long time to have data regarding all the mills.

Shri Khadlikar: In view of the fact that Narasinghji Mills which was closed after it was taken over by Government and worked on a co-operative basis is now yielding good results, as the Textile Enquiry Committee have pointed out, will Government consider setting up a small board to take over mills which are closing down because of uneconomic management?

Shri Kanungo: As I said in the answer, the report of the Textile

Enquiry Committee is under consideration and I cannot anticipate the conclusions.

Shri S. M. Banerjee: May I know whether at the XVI Labour Conference, a decision was taken that two committees will be appointed for Indore and Kanpur? May I know whether this matter is being considered after the submission of the report of the committee?

Shri Kanungo: No, Sir; the recommendations of the Textile Enquiry Committee presided over by Mr. Joshi are being considered.

Shri S. M. Banerjee: A decision was taken that two committees will be appointed for Indore and Kanpur. I want to know whether those committees are being appointed.

Shri Kanungo: I am not aware of any such decision.

श्री रा० क० वर्मा : क्या माननीय मंत्री यह बतलाने की कृपा करेंगे कि कपड़ा उद्योग में मिसमैनेजमेंट होने के कारण मिलों का जो नुकसान हो रहा है और वे बन्द होती हैं उस को रोकने के लिये गवर्नमेंट ने कुछ विचार किया है ?

श्री कानूनगो : हर जगह मिसमैनेजमेंट होता है। टेक्सटाइल में भी होता है, दूसरी जगह भी होता है और उस के सम्बन्ध में जहाँ से कोई शिकायत आती है, उस की एन्क्वायरी की जाती है।

श्री रा० क० वर्मा : मैं यह जानना चाहता हूँ कि जो मिसमैनेजमेंट होता है, जिस के कारण देश को नुकसान पहुँचता है, उस को कैसे ही चलने दिया जायेगा या उस पर कोई कंट्रोल लगाया जायेगा ?

श्री कानूनगो : इंडस्ट्रीज डेवलपमेंट एंड रेगुलेशन एक्ट के मातहत बराबर उसकी एन्क्वायरी की जाती है और कुछ कदम उठाया जाता है।

वी रा० क० बर्वा : इन्क्वायरी कमेटी
न की अपनी रिपोर्ट के अन्दर.....

Mr. Speaker: What is the good of putting general questions? He has stated that under the Industries (Development and Regulation) Act, proper action is being taken.

वी रा० क० बर्वा : अध्यक्ष महोदय, मैं यह निवेदन करना चाहता हूँ कि मैनेजमेंट के बारे में मैं समय समय पर जो टेक्स्टाइल इन्क्वायरी कमेटियाँ यहाँ कायम की गई हैं और उस कमेटी की रिपोर्टें मैं स्पष्ट तौर पर यह बताया गया है कि मिस्मैनेजमेंट के कारण मिलें नुकसान कर रही है उस सम्बन्ध में मुसफिका कोई ऐक्शन गवर्नमेंट की तरफ से कानून के अनुसार नहीं लिया गया और मैं जानना चाहता हूँ कि क्या वह ऐक्शन लिया जायेगा ?

अ. क. नूनो : अगर यह सवाल पुछा जायगा कि कितनी इन्क्वायरी हुईं और क्या क्या कदम उठाये गये तो उसका जवाब दे दिया जायगा ।

Mr. Speaker: Hon. Members should avoid general questions. If necessary, he can put a separate question regarding any mill which has come to his notice and which is being mismanaged. He can ask what action is being taken in particular matters.

Employees' State Insurance Scheme

*1196. { Shri Sanganna:
Shrimati Renu Chakravarty:

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

(a) whether it is a fact that workers have to undergo inconvenience and delay in receiving cash benefits under the Employees' State Insurance Scheme; and

(b) if so, the steps taken in the matter?

The Parliamentary Secretary to the Minister of Labour and Employment

and Planning (Shri L. N. Mishra): (a) No.

(b) Does not arise.

Shri Sanganna: May I know whether this scheme is going to be extended and, if so, to what extent?

Shri L. N. Mishra: This is for a specific purpose and it cannot be extended for any other purpose.

Shrimati Renu Chakravarty: May I know whether it is a fact that in Delhi itself workers have to stand from 5 o'clock in the morning till 9 o'clock and still go without the cash benefit?

Shri L. N. Mishra: Some complaints like that have appeared in the newspapers also. But on enquiry it was found that they were not correct at all.

Shri S. M. Banerjee: May I know whether any final decision has since been taken to extend this scheme to the families of workers?

Shri L. N. Mishra: The question of extending this scheme as far as possible is under consideration.

Small Tea Growers of Punjab

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*1198. { Shri Hem Raj:
Shri Anirudh Sinha:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1771 on the 22nd April, 1958 and state:

(a) whether the scheme for the rehabilitation and reorganisation of the Small Tea Growing Plantations in the Punjab has been received from the Punjab Government; and

(b) if so, the nature thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):
(a) No, Sir.

(b) Does not arise.

Shri Hem Raj: May I know whether recently a trade agreement has been signed and, if so, whether any attempt has been made by the Government to sell green tea to Afghanistan?

Shri Satish Chandra: The purchase of an article depends on the will of the buyer. An agreement has been entered into under which our purchases in Afghanistan will be paid in Indian rupees and Afghanistan will utilize those rupees for purchase of Indian goods. We expect that it will improve the position of green tea also.

Shri Hem Raj: May I know whether the report which has been submitted by the Green Tea delegation to the Government has been examined by Government and, if so, what are its recommendations and which of them have been implemented by Government?

Shri Satish Chandra: This agreement itself is the result of the study of those recommendations.

Shri Rameshwar Tanti: It has been stated on several occasions on the floor of this House, and also outside, that green tea has become costly and the tea gardens of Punjab have become uneconomic. May I know whether Government is doing something to improve the position, as this is a very good foreign exchange earner?

Shri Satish Chandra: That is an entirely different question, which is being examined, not only with reference to Kangra scheme of the Punjab Government but with respect to the gardens in the whole of India. No final decision has so far been taken.

Shri Hem Raj: Last time when this question was being answered, the hon. Minister told the House that the Central Government is giving some aid to the Punjab Government for helping this industry. May I know the amount of grant that was given to the Punjab Government during the last three years?

Shri Satish Chandra: The Central Government offered to the Punjab

Government a loan for setting up a factory to manufacture black tea. But there are some difficulties. We have not heard from the Punjab Government about the progress of their scheme, nor have they demanded the money from us.

Shri Hem Raj: May I know whether in respect of the scheme which was submitted by the Punjab Government and which was returned back by the Central Government any attempt has been made by the Central Government to call for a further scheme from the Punjab Government?

Shri Satish Chandra: The scheme originated from the State Government. We offered some aid in the implementation of that scheme. But there are some difficulties, because the Punjab Government now feel that it is not possible to have the tea factory in the co-operative sector. Many people are not coming forward to form co-operative societies.

Supply of Cotton to U.S.A.

*1199. **Shri Raghunath Singh:** Will the Minister of Commerce and Industry be pleased to state whether it is a fact that Pakistan is gradually replacing India as a major supplier of short staple varieties of cotton to the U.S.A.?

The Minister of Commerce (Shri Kanungo): Imports of short staple cotton by U.S.A. have been gradually decreasing. Imports from India and Pakistan into U.S.A. have also been decreasing since 1955-56. It is not a fact that Pakistan is replacing India as a major supplier of short staple varieties. Our exports, however, depend on the availability of a surplus after meeting the internal requirements.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूँ कि पाकिस्तान में और हिन्दुस्तान में जो शार्ट स्टेपल कौटन होता है, तो पिछले तीन वर्षों में इन दोनों देशों ने अमरीका को कितनी कितनी सप्लाय की है ?

Shri Kanungo : The imports into USA from India are as follows :

1954-55	..	17.41	(in thousand) bales
1955-56	..	5.80	"
1956-57	..	3.70	"
1957-58	..	3.20	"

(August to March)

Exports from Pakistan to USA are as follows :

1954-55	..	11.27	(in thousand) bales
1955-56	..	22.80	"
1956-57	..	16.10	"
1957-58	..	10.30	"

(August to March)

श्री रघुनाथ सिंह : इसमें साफ जाहिर होता है कि पाकिस्तान ने हिन्दुस्तान की अपेक्षा अमेरिका को ज्यादा रुई दी है। मैं यह जानना चाहता हूँ कि आखिरकार हमारी जो यह शार्ट स्टेपल कोटन है, इसके एक्सपोर्ट के बास्ते अगर हमने अमेरिका के मार्केट को नूज कर दिया तो हमारे मार्केट का क्या होगा और उसको नूज न करने और बनाये रखने के लिये सरकार क्या प्रयास कर रही है।

श्री कानूनगो : उसके लिये प्रयास किया जा रहा है लेकिन उसमें रुकावट यह है कि हमें अपनी घटती जरूरत को पहले पूरा करना होता है।

Shri Damani: May I know whether our export of short staple cotton to other countries is also affected and, if so, to what extent? What steps are being taken to improve the position?

Shri Kanungo: The general consumption of short staple cotton all over the world has decreased, because man made fibre has replaced it, to a great extent, and is replacing it.

Shri A. C. Guha: May I know whether it is not a fact that there is still a surplus of short staple raw cotton in India?

Shri Kanungo: In the lower varieties there is always a surplus and we have to keep track of it, because, according to the nature of the monsoons, the crop may be more or less. There-

fore, we have to allow export after meeting the internal demands.

Shri A. C. Guha: Is it also not a fact that our export is going down?

Shri Kanungo: As I said, the total consumption of raw short staple cotton is going down all over the world.

Shri Tyagi: What is the explanation for the fact that while Pakistan is gaining the market, in the same commodity we are losing it in the USA. From the figures it is evident that while we have gone down to 3.70 thousand bales from 17.41 thousand bales within three years, Pakistan has gone up from 11.27 thousand bales to 16 thousand bales. They are increasing it still for that commodity. Why could we also not increase our exports?

Shri Kanungo: The point is that the internal consumption of short staple cotton in Pakistan is much lower than that in India.

Shri A. C. Guha: That does not explain our reduction of export.

Shri Raghunath Singh: We are losing the market.

Shri Ranga: May I know whether our consumption of short staple cotton has gone up during these three or four years?

Shri Tyagi: No.

Shri Ranga: What is the idea of this?

Shri Kanungo: Short staple cotton ranges between $\frac{1}{2}$ inches and below. The lowest is Bengal Desi and the highest is certain Gujerat varieties. We classify short staple cotton as $\frac{1}{2}$ inches and below and amongst them the lower qualities are usually exported and the higher qualities are not permitted for export.

Shri Raghunath Singh rose—

Shri A. C. Guha rose—

Shri Banga: The answer is not satisfactory.

Mr. Speaker: I cannot allow 50 supplementaries over a question.

Shri Raghunath Singh: We are losing the market all over the world as far as cotton is concerned.

Mr. Speaker: By a few supplementary questions you are not going to increase the market. (Interruption) Hon. Members evidently want to know whether the export has gone down or whether the internal consumption has gone up or whether there is a reduction in both. That is exactly what they want to know.

Shri Kanungo: I have not got the exact figures of internal consumption for all the years, but I can say the internal consumption is also going up.

Shri Tyagi: But he says that there is surplus of this cotton in India

Shri Raghunath Singh rose—

Shri A. C. Guha: There is a surplus of raw cotton in India.

Shri Prabhat Kar: The hon. Minister said that internal consumption in Pakistan is less than that in India and that is why Pakistan is exporting more. Now, the question was whether in India the internal consumption has gone up during this period.

Mr. Speaker: He has not got the figures. He said that.

Shri A. C. Guha: Moreover we want to know whether the export of the

same variety of cotton which was being exported previously has gone down or not.

Shri Kanungo: I have tried to explain that the export of cotton is not free. It is regulated according to the size of the crop and according to the anticipation of internal demand. Internal demand is also increasing. Therefore, we are not releasing as much as we should do.

Mr. Speaker: Next question.

श्री रघुनाथ सिंह: हमको इस पर बहम करने के लिये एक घंटे का समय मिलना चाहिये। उत्तर से हम लोगों को संतोष नहीं हुआ है।

Mr. Speaker: Not orally. The hon. Member can write to me.

Shri Raghunath Singh: Yes, Sir.

Mr. Speaker: I understand that a number of hon. Members want to take part in this. If it is such an important matter certainly I would allow discussion over the matter.

Taj Glass Factory Ltd.

*1200. **Shri Nagi Reddy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any proposal from the Government of Andhra to the Central Government asking them to take over the management of Taj Glass Factory Ltd. under Industries (Development and Regulation) Act, 1951;

(b) if so, when the proposal was made; and

(c) the action taken by Government so far?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). A statement is laid on the Table of the Lok Sabha.

Statement

A suggestion was received in October, 1956 from the late Government of Hyderabad that the management of Taj Glass Works, Sanatnagar, Hyderabad, may be taken over by the Central Government under Sections 15, 16 and 18-A of the Industries (Development and Regulation) Act, 1951, as the factory was lying closed over long periods. After preliminary examination of the case, the Central Government informed the Government of Andhra Pradesh that it could take action under the Industries (Development and Regulation) Act, 1951, only when it was satisfied that the trouble was entirely due to mismanagement. The State Government could not establish this fact, and did not press the previous request of the Hyderabad Government.

Shri Nagi Reddy: May I know whether the factory is now working and if so, if that is the reason why the Government does not want to take it over?

Shri Satish Chandra: The factory is not working. It has been lying closed for quite a long time.

Shri Nagi Reddy: May I know whether this factory has been given loans by the industrial trust funds and the State Bank of Hyderabad and if so, how much?

Shri Satish Chandra: That is true. The Andhra Government is vitally interested in this factory. They are looking into that matter. I do not know how far they have subscribed to it, but they hold substantial stake in this factory.

Shri Nagi Reddy: In the statement it is said that the factory will be taken over only if it was entirely due to mismanagement. May I know whether the factory has been closed down because of mismanagement or otherwise?

Shri Satish Chandra: The factory has been closed down due to large

losses which were incurred while it was entrusted by the old Hyderabad Government to some private industrialist for management. It is not possible for the Government of India to take over a factory where losses exceeding the share capital of the company have accumulated.

Shri Prabhat Kar: In view of the fact that lots of money have been advanced to this company by the State Bank of Hyderabad and the Industrial Corporation, may I know whether Government takes the responsibility to see that these amounts are recovered by the Bank and the Corporation?

Shri Satish Chandra: The Andhra Government is at liberty to run this factory. It is technically a sound proposition and it can be run if the Andhra Government wants to do so. If some assistance is required from the Centre, the matter will be looked into.

Shri Prabhat Kar rose—

Mr. Speaker: All these are suggestions. The hon. Members are anxious that it may be taken up. It is left to the Hyderabad Government to do it or not to do it.

Handicraft Association in India

*1201. **Shri Jadhav:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Handicraft Board is undertaking a survey of the Handicraft Association in India;

(b) if so, the progress made so far in conducting the survey; and

(c) how much money is likely to be spent on the survey?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):
(a) Yes, Sir.

(b) The Survey Team sponsored by the All India Handicrafts Board has completed the collection of data in

regard to associations of workers engaged in handicrafts and the dealers of handicrafts in Rajasthan, Bombay, Uttar Pradesh, Madhya Pradesh, Bihar, Orissa, Bengal, Andhra, Madras, Kerala and Pondicherry.

(c) The estimated cost of the survey is Rs. 40,000.

Shri Jadhav: May I know whether the report of this survey will be placed on the Table of the House?

Shri Satish Chandra: The survey is still going on and the Handicrafts Board has obviously received past reports. The Handicrafts Board has entrusted this work to Indian Co-operative Union. They have received some reports. When they are submitted to the Government by the Handicrafts Board, we shall examine them as also the desirability of placing them on the Table.

Import of Foreign Films

*1202. **Shri Chandak:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total Foreign Exchange (Sterling, Dollars and other Currencies) spent on the import of foreign films during 1956-57 and 1957-58;

(b) whether any attempt has been made to make payments for foreign films in Indian Currency; and

(c) if so, with what result?

The Minister of Commerce (Shri Kanungo): (a) to (c). A statement is laid on the Table of the Lok Sabha.

Statement

(a) A statement showing currency-wise value of imports of exposed films during 1956-57 and 1957-58 is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 52.]

(b) and (c). The attention of the hon. Member is invited to Agreement referred to in reply to Starred Question No. 9 answered in the Lok Sabha on the 11th August, 1958. The Rank

Film Distributors of India (P) Ltd., Bombay, also approached the Government of India with a request to accord similar treatment to import of exposed films from the U.K. made by them. The request was accepted and necessary instructions were issued to the Licensing Authorities to issue licences to this firm also on the same basis as applicable to the issue of licences to the member companies of the Motion Picture Export Association of America.

Shri Chandak: May I know whether any attempt has been made to import foreign films on barter against export of Indian films? If not, do Government propose to explore this possibility?

Shri Kanungo: To the first part of the question, the answer is in the negative. To the second part, the answer is that recently we have set up a committee to explore the possibility of export of Indian films.

Shrimati Renu Chakravarty: In view of the fact that our news reels now also cover the international field, what is the reason for allowing the import of foreign news reels still?

Shri Kanungo: I have only knowledge of films which are permitted. The permission in respect of films is given by the I. & B. Ministry.

Shri Ranga: Is any effort being made to study the possibility of restricting as far as possible the import of foreign films in view of the fact that we have no choice but to import quite a lot of film raw materials in order to help our own film industry?

Shri Kanungo: Yes, Sir. Under the import regulations, restrictions have been put. Also, at present import of exposed films is permitted on rupee basis to a great extent.

Jute Mills

*1203. **Shri Aurobindo Ghosal:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government has made any assessment regarding the increase

in profit capacity of Jute mills which have modernised their machineries by loans from the Central Government; and

(b) if so, what is the percentage of increase?

The Minister of Commerce (Shri Kanungo): (a) and (b). Presumably the reference is to loans advanced by the National Industrial Development Corporation. As these loans have been granted only recently, it is too early to assess profits.

Shri Aurobindo Ghosal: May I know if the Government are contemplating that any extra profits that will be earned by nationalisation and modernised machines will also be shared by the employees?

Shri Kanungo: No, Sir. The Corporation collects its interest.

Shri Ramanathan Chettiar: What is the amount?

Shri Kanungo: The amount so far sanctioned is Rs. 2.95 crores out of which the debtors have drawn up only Rs. 1.36 crores.

Evacuee Property in Delhi

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*1207. { Shri S. M. Banerjee:
Shri Tangamani:

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

(a) whether evacuee properties were allotted in New Delhi without auction;

(b) if so, the number of such properties; and

(c) whether this practice still continues?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). At the time of the partition, when evacuee properties came under the control of the Custodian, New Delhi, the properties were either already in the possession

of the old tenants or, if vacant, were subsequently allotted.

(c) According to our information, there is no vacant evacuee properties in New Delhi.

Mr. Speaker: Next question.

Shri S. M. Banerjee rose—

Mr. Speaker: The hon. Member did not rise in his seat earlier.

Shrimati Renu Chakravartty: He has given an answer regarding allotment. I just want to know whether any evacuee property has been given without auction.

12 hrs.

Shri Mehr Chand Khanna: The question is whether evacuee properties were allotted in New Delhi without auction. After partition, evacuee properties came under the control of the Custodian and they were allotted in the years 1947 and 1948. There was no question of auction then.

Synthetic Rubber Factory in Assam

*1208. **Shrimati Mafida Ahmed:** Will the Minister of Commerce and Industry be pleased to state whether Government have approved the proposal of the Government of Assam to set up a synthetic Rubber Factory in Assam?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): A proposal from a private party to manufacture synthetic rubber from natural gas at Nahorkatiya has been received through the Assam Government. It will be considered only after a proper study about the best possible utilisation of Nahorkatiya gas has been made.

Short Notice Question

Indo-Pak. Canal Waters Dispute

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S.N.Q. { Shri Raghunath Singh:
No. 9. { Shri Harish Chandra
Mathur:

Will the Minister of Irrigation and Power be pleased to state whether it

is a fact that Pakistan has repudiated the Canal Water Pact agreed into by India and Pakistan in 1948?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): In August, 1950, more than two years after the "Inter-Dominion Agreement of the 4th May, 1948, on the Canal Water Dispute" was signed, the Government of Pakistan, for the first time, intimated that Pakistan had accepted this agreement under duress, that if the agreement was ever binding upon Pakistan it had long since expired and that it should be regarded as "without present effect". In our reply we informed the Pakistan Government that there had no suggestion of compulsion at the time the agreement was reached, nor was any such suggestion made in the note that was submitted 3 weeks later by the West Punjab Government to the Punjab Partition Committee, or at any time thereafter. We were therefore unable to accept the contention that the Agreement was accepted by Pakistan unwillingly and under compulsion and informed the Pakistan Government that we could not recognise any unilateral repudiation of an international agreement.

After some further correspondence the Government of Pakistan were informed in September, 1951 that, in case they had any doubt about the validity of this Agreement, the proper course would be for that Government to seek a judicial decision from an impartial international authority and that, in case it desired to follow this course, the Government of India would be willing to discuss the procedure for such adjudication. No reply to this offer has so far been received.

As far as the Government of India are concerned, the Agreement is in operation. It is the only basis under which Pakistan canals are being supplied with water through works in Indian territory.

Shri Raghunath Singh: May I know whether in spite of the repudiation of this agreement by Pakistan, we are

going to continue supply of water to Pakistan?

Hafiz Mohammad Ibrahim: That is true as we have said in the answer.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The reply is, yes.

Shri Raghunath Singh: There were three *ad hoc* agreements to supply water to Pakistan. May I know the date of the last *ad hoc* agreement to supply water to Pakistan and the payment fixed therein?

The Deputy Minister of Irrigation and Power (Shri Hathl): The last *ad hoc* agreement terminated on 31st March, 1957, and the amount has to be specified for each quarter by the Prime Minister of India.

श्री रघुनाथ सिंह : जब वह एग्रीमेंट १९५७ में समाप्त हो गया, तो उस के समाप्त होने के बाद क्या हम ने इस बात की कोशिश की कि हम पाकिस्तान से कोई एग्रीमेंट कर के उस को पानी दें ?

Hafiz Mohammad Ibrahim: Afterwards there was an agreement on the basis of which supply was continued.

Shri Tyagi: From the statement it looks that up to 30th September, 1957, Pakistan was regularly paying undisputed water charges. As regards disputed ones, I understand that up to June, 1950, they deposited the dues in the Reserve Bank. Now disputed and undisputed—both these charges have not been paid. The statement says that Rs. 97 lakhs and odd is disputed and the amount undisputed is not known. May I know what is the total due in all from Pakistan?

Hafiz Mohammad Ibrahim: As far as non-payment of charges is concerned, it must have been referred to in the question concerned. It is because there is some dispute between the parties in regard to the calculation of the amount due or not due. That matter is going on between the two.

As soon as it is settled, that payment will be made.

Shri Tyagi: Am I to take it that there is no difference of opinion and it is only the mathematical calculations that are standing in the way?

Hafiz Mohammad Ibrahim: Certainly.

Shri A. C. Guha: In view of the fact that Pakistan has repudiated the agreement of 1948, does it not also imply that Pakistan has repudiated its obligation to make any payment for water? On what basis, in the future, we shall ask for payment of dues?

Hafiz Mohammad Ibrahim: No, no. As far as repudiation is concerned, it is only in words, not in deed. That agreement has been in operation and payments have been continuing and supply of water has been continuing. Only in words it was repudiated.

Sardar Iqbal Singh: May I know what is the constitutional position regarding these dues when they have repudiated that agreement?

Mr. Speaker: The hon. Minister said that the repudiation is only oral.

Shri A. C. Guha: The compliance is only on our part. We have been supplying. They have not paid.

Sardar Iqbal Singh: The question is this. According to that agreement, we have to take about Rs. 1 crore and 19 lakhs. What is the position at present when the Pakistan Government has repudiated that agreement?

Hafiz Mohammad Ibrahim: After repudiation they have been admitting the validity of the agreement by payment.

Shri A. C. Guha: Is it not a fact that the World Bank suggested that our obligation to supply water should end after five years i.e. in 1959—the World Bank suggested in 1954? On what ground we have been supplying particularly when they have repudiated the agreement and when they have not been making any payment?

Shri Hathi: So far as the period of five years is concerned, in 1954, when the Bank made the proposals, it was thought or estimated that it may take about five years for Pakistan to be ready, to arrange for supplies of water by link canals and other things. That was the period roughly estimated then in 1954. Subsequently matters went on. In 1957, these proposals could not be proceeded further. The Bank suggested a further co-operative approach. At that time we thought that while we are going on supplying water to Pakistan, we cannot indefinitely wait when we are ready to receive water. We have made it clear that by 1962 we shall be ready with Rajasthan canal and then it may not be possible for us not to utilise the water for which we would be ready.

श्री रघुनाथ सिंह : जब पाकिस्तान १९४८ के समझौते को नहीं मानता है, तो क्या फिर भी आप वर्ल्ड बैंक के द्वारा उस के साथ समझौता करने के लिये तैयार हैं और वर्ल्ड बैंक के सामने जो प्रपोजल है, उन को मानने के लिये तैयार हैं ?

श्री जवाहरलाल नेहरू : मेरी समझ में नहीं आता कि इस पेचीदा सवाल को इस तरह सवाल-जवाब से हल करना तो दूर है, समझा भी सकना कैसे मुमकिन है। निहायत पेचीदा सवाल है, जिस में दो मुल्कों में बात हो रही है। तीसरा फ़रीक उस में पड़ा हुआ है। हम बात-चीत कर रहे हैं। उस में न हम कोई इस तरह से धमकी दे कर सवाल को हल कर सकते हैं, न और जरिये से। बात-चीत हो रही है। उस के बीच में हम ज्यादा दूर तक नहीं जा सकते हैं। जो वाक्यात अब तक हैं, वे बता दिये गये हैं। जाहिर है कि हमारी कोशिश है और शुरू से १९४८ के एग्रीमेंट में हम ने जो कहा है, वह यह है कि हम चाहते हैं कि इस पानी से दोनों मुल्कों को फ़ायदा हो, जितना कि हो सकता है। जाहिर है कि अपने मुल्क की हमें फ़िक्र करनी है, लेकिन दूसरे मुल्क का हमें नुक़सान नहीं करना है—दूसरे मुल्क से मतलब है लोगों का। इस ढंग से

हम देखते हैं और देखते रहेंगे। जो लाखों आदमी वहाँ हैं, हम उन को कोई नुकसान नहीं पहुँचाना चाहते हैं। लेकिन जाहिर है कि हम अपने मुल्क का नुकसान नहीं पहुँचा सकते हैं। पानी, वरियाओं और नहरों के ये सबाल पेचीदा होते हैं, फिर भी उन को हल करने की कोशिश हो रही है। जो यह सिलसिला है, जो यह बात-चीत हो रही है, यहाँ पर जवाब में हम कोई ऐसी बात नहीं कहें कि जिस से बात-चीत बन्द हो जाये, तो उस से कोई खास फायदा नहीं होगा।

Circulation by Post of Magazines and Periodicals

S. N. Q. No. 10. ⁺
 { Shri Goray:
 Shri Nath Patil:
 Shri Jadhav:

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

(a) whether the attention of the Government has been drawn to the fact that the strict enforcement of the clause 74 of the Post and Telegraph guide is causing great hardship in the circulation by post of magazines and periodicals in the country; and

(b) if so, what steps the Government are contemplating to remove these difficulties and to ensure that the facilities available at present would be continued?

The Minister of Transport and Communications (Shri S. K. Patil):
 (a) Government has received certain complaints in this connection.

(b) The matter is under consideration.

Shri Goray: Is the Government aware of the fact that the circulation of magazines has dropped by nearly three lakhs of copies during the last year?

Shri S. K. Patil: We have no information on that.

Shri Jadhav: May I know whether the major part of these magazines consists of Hindi and other regional language magazines?

Shri S. K. Patil: The question asked is whether the enforcement of that particular rule has created any hardship. The rules are meant to be enforced.

Shri Goray: For the last so many years they were not enforced. Why is it the Government is enforcing them now after so many years?

Shri S. K. Patil: The fact that for some time they were not enforced is no justification for their not being enforced in future.

Mr. Speaker: Hon. Members are anxious to know why they were not enforced so long, and why they are enforced now.

Shri S. K. Patil: When we knew that we were making colossal losses on this particular score, the time came for the rules to be enforced. There have no doubt entailed some difficulties now, and it is under our examination as to how we shall meet the situation.

Shri Hem Barua: May I know whether the enforcement of the rule has adversely affected the circulation of the journals and magazines? The circulation of journals and magazines is very poor in this country. Does the hon. Minister think that the people should be deprived of the benefit of these journals and magazines?

Shri S. K. Patil: That question will arise in future. The enforcement has not yet started even, and therefore, if last year the circulation has been affected, it is not due to this rule which has not yet been enforced.

Shri Jadhav: Does the hon. Minister know that when this rule was brought into force in U.P., it was challenged in the High Court and that the High Court has given a ruling that the rule should not be strictly enforced?

Shri S. K. Patil: Yes, Sir, but not exactly that. Some periodicals have gone to the court of law and an injunction has been issued and therefore that question remains yet there under the supervision of the court.

WRITTEN ANSWERS TO QUESTIONS

Acetylene

*1189. **Shri T. B. Vittal Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) the latest position of indigenous manufacture of Acetylene and the share of the Indian Oxygen and Acetylene Co. in it; and

(b) the estimated total requirement of Acetylene for the purpose of welding when the three new steel plants go into full production?

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

(a) The present annual production of Dissolved Acetylene Gas in the country is about 67 million cubic ft. and the share of Messrs. Indian Oxygen Limited Calcutta (previously Messrs. Indian Oxygen and Acetylene Company) in this production is about 80 per cent.

(b) About 130/140 million c.ft. per annum.

All India Radio

*1197. **Shri Kumaran:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 284 on the 26th July, 1957 and state:

(a) whether the scheme to constitute Advisory Committees at selected stations of the All India Radio for selection of scripts of plays, songs etc. and advising on programme matters has since been implemented; and

(b) if so, at what stations?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). Not yet, Sir.

Silk Processing Factory in Andhra Pradesh

*1204. **Shri Subodh Hansda:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that silk processing factory will be set up in Andhra Pradesh;

(b) if so, whether the details of the project have been worked out;

(c) the total amount to be spent to set up the factory; and

(d) whether this factory will be run in public sector or private sector?

The Minister of Commerce (Shri Kanungo): (a) to (d). A statement is placed on the Table of the Lok Sabha

Statement

A scheme for the setting up of a silk processing factory in Andhra Pradesh was approved in February, 1958 and a total sum of Rs. 49,754 was sanctioned to the Andhra State for the purpose. The State Government have subsequently sent a revised scheme for approval, the cost of which is Rs. 1,12,510. The details of the project are under scrutiny of the Handloom Board.

Power Projects in Andhra

*1205. **Shri Rami Reddy:** Will the Minister of Planning be pleased to state:

(a) whether the ceiling limit for Power Projects of the Second Five Year Plan in Andhra Pradesh has been increased;

(b) if so, by what amount; and

(c) whether any additional funds have been provided for rural electrification in Andhra Pradesh during 1958-59?

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

(b) Does not arise.

(c) No, Sir.

Requisitioning of Houses in Delhi

***1206. Shrimati Sucheta Kripalani:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that some houses in New Delhi which were requisitioned by Government during war time and subsequently handed over to foreign Embassies have not been so far derequisitioned and possession thereof given to their owners; and

(b) if so, the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) In some cases the foreign Missions have not yet been able to lease or construct alternative accommodation for themselves. In other cases they are negotiating with the landlords for the purchase of the property or conversion of the requisitioning into a lease.

Jute Mills in Calcutta

***1209. Shri Ajit Singh Sarhadi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the jute mills in Calcutta are not working to their full capacity for want of adequate raw materials; and

(b) if so, what steps are being taken in the matter?

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

(b) Does not arise.

Remittances to India from Heads of Indian Missions Abroad

***1210. Shri Dinesh Singh:** Will the Prime Minister be pleased to state whether the Ministry of External

Affairs is considering a proposal to do away with statements regarding remittances to India which are required to be submitted by Indian personnel serving abroad?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Yes, Sir.

Price of Bidi Tobacco and Leaves

***1211. Shrimati Renu Chakravartty:** Will the Minister of Commerce and Industry be pleased to state:

(a) the extent to which the price of bidi tobacco and leaves has increased from 1956-58;

(b) how far the rise in excise duty has been responsible for this;

(c) whether many small businessmen and manufacturers have closed down their establishments; and

(d) if so, the extent of unemployment caused thereby?

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

(a) to (d). A statement is laid on the Table of the Lok Sabha.

Statement

(a) The price of bidi tobacco has increased by Rs. 20 approximately per manund from 1956 to 1958. Information regarding the price of "bidi" leaves" is not available.

(b) The increase in the price of bidi tobacco is mainly due to the increase in excise duty on bidi varieties of tobacco.

(c) and (d). No information has been received about the closure of any small business and manufacturing establishment consequent upon the increase in excise duty on bidi tobacco.

Tin Plates for Packing

***1212. Shri Shree Narayan Das:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the requirements of the food packing indus-

try for cans and containers are not being met fully;

(b) what is the present position of demand and supply of tin plates to this industry;

(c) whether any representations and suggestions on behalf of this industry have been received and considered; and

(d) if so, with what result?

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

(a) to (d). A statement is laid on the Table of the Lok Sabha.

Statement

Tinplates for the food-packing industry are required mainly for packing *vanaspati*. The demand of the Vanaspati Industry is 24320 tons per annum. Information is not available regarding the exact demand of other food packers. The requirements are met from indigenous production to the extent possible. Imports are allowed to consumer-fabricators to bridge the gap between the packing requirement or capacity whichever is less and the indigenous production, within the limits of foreign exchange availability.

A suggestion has recently been made by the Vanaspati Industry that all *vanaspati* factories, whether they have their own fabricating plants or not, should be granted quotas for their entire packing requirements, instead of making allotments only to fabricators as is being done now. The suggestion is under consideration.

Asylum Given to Phizo by Pakistan

*1213. **Shri Hem Barua:** Will the Prime Minister be pleased to state:

(a) whether the escapade and present asylum given to the Naga rebel leader, Mr. Phizo, has been brought to the notice of the Pakistan Government; and

(b) if so, with what results?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) No communication has been addressed to the Pakistan Government on this subject. When, however, it was stated in Parliament that Mr. Phizo had been in Dacca, a denial was issued by the Pakistan authorities.

(b) Does not arise.

Automobile Industry

{
Shri V. C. Shukla:
Shri Ram Krishan:
Sardar Iqbal Singh:
Shri V. P. Nayar:
Shri Raghunath Singh:
*1214. Shri Tridib Kumar
Chaudhuri:
Shri P. K. Deo:
Shri N. R. Munisamy:
Shri Hem Barua:

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

(a) whether a meeting of the manufacturers of automobiles and automotive engines was called by his Ministry in June, 1958 to review the import programme for the entire automobile industry in the light of the current Foreign Exchange situation; and

(b) if so, what are the suggestions made in the meeting and the decision taken by Government thereon?

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

(a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 53.]

Indo-Burma Trade Agreement

{
Shri Ram Krishan:
Shri Raghunath Singh:
*1215. Shri Hem Barua:
Sardar Iqbal Singh:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question

No. 22 on the 11th August, 1958 and state:

(a) whether the arrangements agreed upon between India and the Burmese Economic Delegation to promote trade between the two countries have since been ratified by the respective Governments; and

(b) if so, the details of these arrangements?

The Minister of Commerce (Shri Kanungo): (a) Not, yet.

(b) Does not arise.

Anti-oxidant

*1216. Shri T. B. Vittal Rao: Will the Minister of Commerce and Industry be pleased to state:

(a) what are the uses of Butylated-Hydroxy-Toulene in India at present;

(b) how much of this anti-oxidant has been imported in 1957-58; and

(c) what have been the landed costs and sale prices of Butylated-Hydroxy-Toulene?

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

(a) This anti-oxidant is not used in India at present.

(b) It has not so far been imported on a commercial scale.

(c) Does not arise.

Cornering of Shares

*1217. { Shri Rameshwar Tantia:
Shri S. C. Samanta:

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

(a) whether Government contemplate taking any steps to check cornering of shares of public limited companies;

(b) whether any applications for change of directors have been made recently to Government by some majority share holders; and

(c) if so, with what result?

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

(a) Yes.

(b) and (c). A statement is laid on the Table of the Lok Sabha.

Statement

Presumably the Hon'ble Member is referring to complaints made under section 409 of the Companies Act, 1956 with a view to preventing changes in the Board of Directors apprehended from change of ownership in its shares, which, if allowed, would affect prejudicially the affairs of the company. Government has so far received 9 such applications from directors or managing agents in respect of 7 companies.

Of these, 4 applications were rejected. In the remaining 5 cases, interim orders were issued, directing that no resolution passed or action taken to effect a change in the Board of Directors would have effect unless confirmed by the Central Government. These interim orders were subsequently revoked by Government after they were satisfied that, in the changed circumstances of the cases there was no necessity for making final orders under Section 409 of the Act.

Minor Irrigation Works

1218. { Shri Sanganna:
Shri Mohan Swarup:
Shrimati Renuka Ray:
Sardar Iqbal Singh:

Will the Minister of Planning be pleased to state:

(a) whether it is a fact that the Second Plan allotment of Rs. 63 crores for minor irrigation works is raised to Rs. 83.5 crores following the increased emphasis on their development as one of the steps to increase agricultural production;

(b) if so, what is the allocation to Orissa out of the increased allotment; and

(c) whether the progress of work on minor irrigation in Orissa is satisfactory?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) The allotment for minor irrigation works is at present Rs. 68 crores. As a result of the recent appraisal of the Plan, it has been decided to allocate an amount of Rs. 26 crores for additional expenditure partly on distributory channels for major irrigation works and partly on minor irrigation works.

(b) No decision has been taken.

(c) Yes, Sir.

Indo-Pakistan Trade Agreement

***1219. Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state how far Pakistan is implementing the Indo-Pakistan Trade Agreement of 1957?

The Minister of Commerce (Shri Kanungo): Some difficulties have been experienced, especially in relation to border trade and the export of Indian films. These difficulties are proposed to be discussed at the next six-monthly Review Conference.

Rehabilitation of Displaced Persons in Midnapore

***1220. Shri Ghosal:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether Government have any scheme for rehabilitating displaced persons in the District of Midnapore, West Bengal; and

(b) if so, the nature thereof?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). Apart from the general schemes of rehabilitation, the State Government are exploring the possibilities of settling displaced persons from East Pakistan on waste

lands in Midnapore. A scheme for the rehabilitation of 200 families at Keleghai in Midnapore has already been sanctioned. Another scheme for the rehabilitation of 1,000 families in Garbeta and Salbeni in Midnapore District is under consideration.

Shoes for U.S.S.R.

***1221. { Shri S. M. Banerjee:
Shri Tangamani:
Shri Halder:**

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

(a) whether a fresh order for shoes has been received from the Soviet Union; and

(b) if so, the quantity thereof?

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

(b) It would not be appropriate at the present juncture to disclose further details.

Manufacture of Road Rollers

***1222. { Shri Ram Krishan:
Sardar Iqbal Singh:**

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

(a) the target laid down for the manufacture of road rollers during the Second Five Year Plan;

(b) how many licences have so far been granted for the manufacture of road rollers; and

(c) whether there is any shortage of road rollers in India?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No specific target for road rollers has been laid down for the Second Five Year Plan but the annual demand is expected to be of the order of 400 road rollers by 1960-61.

(b) Three.

(c) No, Sir.

प्रधान मंत्री की पहाड़ यात्रा

१६१६. { श्री अर्जुन सिंह भबौरिया :
श्री यादव :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्होंने अपने अवकाश काल में पहाड़ी प्रदेश में रहने का व्यय स्वयं वहन किया था;

(ख) क्या सारा व्यय भारत सरकार ने वहन किया था और यदि हां, तो उनके सम्पूर्ण अवकाश काल में कुल कितना व्यय हुआ; और

(ग) क्या ऐसी सब सुविधायें अन्य सारे संघ मंत्रियों तथा राज्य सरकारों के मंत्रियों को उपलब्ध हैं ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) जी हां, यह खर्च प्रधान मंत्री ने स्वयं बरदाश्त किया था। इस सम्बन्ध में यह बतलाया जाना जरूरी है कि प्रधान मंत्री उस धरसे में छुट्टी पर नहीं थे और उनके रोज़मर्रा के काम का काफी हिस्सा मनाली से ही होता रहा, जहाँ पर उनके पास कागजात नियमित रूप से भेजे जाते रहे।

(ख) प्रधान मंत्री के मनाली में ठहरने के दौरान में उनके निजी खर्च का कोई हिस्सा भारत सरकार या पंजाब सरकार ने बरदाश्त नहीं किया।

(ग) इस प्रश्न में किन खास सुविधाओं की तरफ इशारा किया गया है यह जाहिर नहीं। केन्द्रीय या राज्य सरकारों के मंत्री वहाँ के विश्राम घर में लागू नियमों के अनुसार अपना निजी खर्च स्वयं बरदाश्त कर यकीनन ठहर सकते हैं।

१६२० { कपड़े का उत्पादन
श्री यादव :
श्री अर्जुन सिंह भबौरिया :

क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में (राज्य-वार) १६४८ से प्रति वर्ष कपड़े का कुल कितना उत्पादन हुआ;

(ख) इसी अवधि में इस उत्पादन में से मिली, हथकरघों तथा अन्य साधनों से (पथक-पृथक्) कितना उत्पादन हुआ; और

(ग) देश में (राज्य-वार) कपड़े की प्रति व्यक्ति खपत १६४८ में कितनी थी और अब कितनी है ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) से (ग). एक विवरण सभा पटल पर रख दिया गया है। [द्वितीय परिशिष्ट ५, अनुबन्ध संख्या ५४]

अम्बर चर्खा कार्यक्रम के संगठन तथा तरीकों सम्बन्धी जांच समिति

१६२१. { श्री अर्जुन सिंह भबौरिया :
श्री यादव :

क्या वाणिज्य तथा उद्योग मंत्री १० मार्च, १६५८ के तारंकित प्रश्न संख्या ८१६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि अम्बर चर्खा कार्यक्रम के संगठन तथा तरीकों की जांच करने के लिये १६५७ में स्थापित की गई जांच समिति की रिपोर्ट पर क्या कार्यवाही की गई है ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : एक विवरण सभा पटल पर रख दिया गया है जिसमें अपेक्षित जानकारी दी गई है। [द्वितीय परिशिष्ट ५, अनुबन्ध संख्या ५५]

Labour Cooperative Societies, Bombay

1922. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state the amount allotted by the Central Government for assistance to Labour Co-operative Societies in Bombay during 1957-58?

Deputy Minister of Labour (Shri Abid Ali): Rs. 1,46,400 for Forest Labour Co-operative Societies and Labour Contract Societies of Nomadic and Semi-Nomadic tribes.

Displaced Persons in Tripura

1923. Shri Dasaratha Deb: Will the Prime Minister be pleased to state:

(a) the number of displaced persons in Tripura who have exchanged properties with Pak-Muslims while migrating to India;

(b) whether these exchanges have been legalised; and

(c) if not, the result of non-legalisation of these properties?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). Thirty-two displaced families in Tripura had exchanged their properties with Pakistani Muslims during the period upto November, 1957. Information about exchange of properties, if any, after November, 1957 as well as details of properties exchanged are not available and have been called for from the Tripura Administration. The required information, when received, will be laid on the Table of the House.

Film on Pahari Paintings

1924. Shri Hem Raj: Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 3186 on the 2nd May, 1958 and state:

(a) whether the colour film on Pahari Paintings (Kangra and other valleys) has been completed; and

(b) if so, when it is proposed to release it on the screen?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). The film has been completed and sent to the United Kingdom for making of colour prints. It is expected to be released next year for exhibition.

Pakistanis' Visit to India

1925. Shri Pangarkar: Will the Prime Minister be pleased to state:

(a) the number of Pakistani nationals from West Pakistan who visited India during the year 1958 so far; and

(b) the number of Indians who visited West Pakistan during the same period?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) 40,042 Pakistani nationals from West Pakistan visited India during the period from 1-1-1958 to 31.7.1958.

(b) 56,430 Indian nationals visited West Pakistan during the same period.

Foreign Trade of India

1926. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state the present position of gap between India's import and export trade?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): The gap between India's import and export trade during January-June 1958 was minus Rs. 128 crores. In this connection the attention of the Hon'ble Member is invited to reply given to Unstarred Question No. 1004, answered in the Lok Sabha on the 27th August, 1958. The position in regard to subsequent months is not yet available.

Small Scale Industries in Marathwada Region

1927. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state:

(a) the names of Small Scale Industries in the Marathwada region of

Bombay which have been benefited so far by the financial aid from the Central Government;

(b) whether Government have recently approved some more schemes for the development of small scale industries in the above region; and

(c) if so, the details thereof?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (c): A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 56.]

Housing Loans in Himachal Pradesh

1928. Shri Daljit Singh: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of persons in Himachal Pradesh whom loans were given for construction of houses during 1957-58;

(b) whether some persons among them already own houses;

(c) whether the amounts given as loan have been actually spent on the construction of houses; and

(d) if not, the action taken by Government in this regard?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) 98 persons were given loans for construction of houses in Himachal Pradesh under the Low Income Group Housing Scheme, during 1957-58.

(b) Yes, 63 out of 98 persons already owned houses. These houses were, however, either too small to meet the family requirements of the individuals or were in a dilapidated condition and not fit for repairs. There is no objection under Low Income Group Housing Scheme to a loan being advanced to an individual even if he already owns a house provided the additional house is intended for his bonafide residential purposes.

(c) Yes.

(d) Does not arise.

Labour Disputes

1929. Shri Onkar Lal: Will the Minister of Labour and Employment be pleased to state:

(a) the total number of labour disputes which have occurred in cement factories during 1957-58 in Rajasthan;

(b) the nature of such disputes; and

(c) the action taken thereon?

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

(b) They generally related to increase in wages, leave, working conditions, retrenchment, etc.

(c) All these disputes have been referred by the State Government to the Industrial Tribunal for adjudication.

Naga Hostiles

1930. Shrimati Mafida Ahmed: Will the Prime Minister be pleased to state the number of Naga Hostiles who surrendered during the period from the 15th May, 1958 to 15th August, 1958?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): 202.

Industrial Development of Orissa

1931. Shri Kumbhar: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1407 on the 18th March, 1958 and state:

(a) the amount spent by the Orissa State Government out of the total allotments made by the Central Government for the development of various industries in that State during the First and Second Five Year Plan period; and

(b) the names of the industries and the places where these have been located?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). Complete information is

not yet available and will be laid on the Table as soon as it is received from the State Government in the desired form.

आकाशवाणी भवन

१६३२. श्री नवल प्रभाकर : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) नई दिल्ली के "आकाशवाणी भवन" में मन्त्रालय के कौन-कौन से कार्यालय चले गये हैं;

(ख) इस भवन पर कुल कितना व्यय हुआ है; और

(ग) इस भवन को वातानुकूलित करने में कितना व्यय किया गया ?

सूचना और प्रसारण मंत्री (डा० केसकर) (क) सूचना तथा प्रसारण मन्त्रालय के जो दफ्तर आकाशवाणी भवन में ले जाये गये उनके नाम यह हैं :—

प्रसङ्ग, रमेशन व्यूरो, गवेषणा तथा संदर्भ विभाग, फांटो यूनिट और भाल इण्डिया रेडियो के मेटेनेस इन्जीनियर, रिसर्च इन्जीनियर और सेंट्रल प्राजेक्ट सकल के प्राजेक्ट आफिसर के दफ्तर और डाइरेक्टरेट जनरल आफ भाल इण्डिया रेडियो का कुछ हिस्सा ।

(ख) इस भवन के बनाने पर कुल लगभग ४० लाख रुपये खर्च हुए ।

(ग) भवन को वातानुकूलित कराने पर कुछ खर्च नहीं किया गया लेकिन कान्फेस हाल और कुछ कमरों को वातानुकूलित कराने की लागत लगभग ८४,००० रुपये होगी ।

सुगम संगीत

१६३३. श्री नवल प्रभाकर : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करें कि :

(क) आकाशवाणी में सुगम संगीत की धुनें तैयार करने वाली जो ग्राउट टुकड़ियां हैं वे किन-किन केन्द्रों में स्थापित की गई हैं;

(ख) सुगम संगीत की ये धुनें किन-किन भाषाओं में तैयार की गई हैं; और

(ग) इन के रिकार्ड तैयार करने से पहले क्या यह जांच कर ली जाती है कि ये धुनें लोकप्रिय हैं ?

सूचना और प्रसारण मंत्री (डा० केसकर)

(क) इस समय सुगम संगीत की कुल पांच मंडलियां आकाशवाणी के दिल्ली, बम्बई, कलकत्ता, मद्रास और लखनऊ स्टेशनों पर काम कर रही हैं । बाकी सब स्टेशनों पर एक एक सहायक निर्माता मौजूद है । जिस का काम भी इसी ढंग का होता है ।

(ख) हिन्दी, मराठी, गुजराती, बंगाली, तामिल, तेलुगु, उड़िया और पंजाबी ।

(ग) जो धुनें लोकप्रिय मानी जाती हैं उन के गाने बनाये जाते हैं और जिन धुनों के लोकप्रिय होने की उम्मीद होती है उन्हें मन्जूर कर लिया जाता है ।

Employment Exchanges

1934. Shri S. C. Godsora: Will the Minister of Labour and Employment be pleased to state the total number of registrants who have been provided employment by the Employment Exchanges so far?

The Deputy Minister of Labour (Shri Abid Ali): The number of placements effected upto the end of July, 1958 was 29,32,378.

Export of Cloth

1935. { Shri Ram Krishan:
Sardar Iqbal Singh:

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

(a) whether any scheme has been prepared for promoting the export of cloth; and

(b) if so, the nature of the scheme?

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

(a) and (b). The House has been kept informed of the measures so far taken by Government and by the Cotton Textile Export Promotion Council for promoting the export of cotton cloth. Government has under consideration certain other measures the details of which will be announced shortly.

Unemployment Relief Fund

1936. { Shri Ram Krishan:
Shri Supakar:
Shri Hem Barua:

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

(a) whether Government has decided to impose levy for the creation of an Unemployment Relief Fund;

(b) if so, the nature of the levy to be imposed; and

(c) the other features of the scheme?

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

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

Resolutions Passed by I.N.T.U.C.

1937. Shri Ram Krishan: Will the Minister of Labour and Employment be pleased to refer to reply given to Unstarred Question No. 48 on 11th February, 1958 and state:

(a) whether the resolutions passed by Indian National Trade Union Congress have since been examined; and

(b) if so, the nature of the decisions taken by Government?

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

(b) The main resolutions included setting up of wage boards, joint councils of management, steps for avoiding closure of mills, extension of E.S.I. Scheme to families of members, early finalisation of the integration of Social Security Schemes, enactment of National Housing Act and legislation for transport workers, etc. Among other items most of these items also came up for discussion at the 16th Session of the Tripartite Indian Labour Conference held in May, 1958. and steps are being taken to implement the recommendations of the Conference. The question of legislation for transport workers to regulate their service conditions will be discussed at the next meeting of the Standing Labour Committee.

State Trading Corporation of India (Private) Limited

1938. Shrimati Parvathi Krishnan: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the State Trading Corporation has framed rules and regulations concerning the appointment, terms of service, leave, posting etc. of its employees;

(b) the total number of officers and employees working in the State Trading Corporation;

(c) the number of officers and employees who have been declared permanent; and

(d) the labour laws governing the employees of the Corporation?

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

(b) Officers: 143. Other employees: 1027. Total: 1170.

(c) The question of making confirmations amongst the Corporation's staff is under consideration.

(d) The information is being collected and will be placed on the Table of the House.

Low Income Group Housing Scheme

1939. **Shri D. C. Sharma:** Will the Minister of Works, Housing and Supply be pleased to state the progress made upto the 31st August, 1958 in regard to the Low Income Group Housing Scheme, state-wise?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): A statement indicating the progress made in each State Union Territory, under the Low Income Group Housing Scheme, from its inception in November 1954 till the end of June, 1958, is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 57.]

Vegetable Oil Factories

1940. **Shri Rameshwar Tantia:** Will the Minister of Commerce and Industry be pleased to state:

(a) how many vegetable oil factories are idle in the country at present; and

(b) whether any steps are being considered for the working of these factories?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) The Government of India are not aware of any vegetable oil factory lying idle in the country, except for four oil mills reported to have been temporarily closed down in U.P. during the last three or four months, either due to disputes amongst partners or on account of shortage of oil-seeds.

(b) As no factory is known to be lying idle except the four mentioned above which are closed temporarily, the question of taking steps to work idle factories does not arise.

Development of Malnad Area

1941. **Shri Shivananjappa:** Will the Minister of Planning be pleased to state:

(a) whether the Mysore Government have requested for Central assistance for the development of Malnad area; and

(b) if so, the steps taken by the Government of India to extend finan-

cial assistance for this development scheme?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). Schemes for the development of the Malnad area form part of the State Plan and there has been no occasion for a separate reference from the Mysore Government on this subject. In March 1958, the Mysore Government constituted a Development Board for the Malnad area.

Liver Extracts

1942. **Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the companies producing liver extracts; and

(b) the total production of liver extracts injections and orals separately in the last five years?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 58.]

Rock Salt

1943. **Sardar Iqbal Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of the places in India where rock salts deposits have been discovered;

(b) the quantity of deposits at each place; and

(c) the steps taken to exploit these mines?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) Mandi Salt Mines in Himachal Pradesh are the only known source of rock salt in India.

(b) The deposits of rock salt in these Mines are estimated to be capable of yielding 66,000 tons of refined salt per annum for at least ten years.

(c) Hitherto, the average annual production of rock salt at the Mandi Mines has been about 13 lakh mds. To exploit the mines on a proper and scientific basis and increase production, the work of sinking two shafts

at an estimated cost of Rs. 13.61 lakhs is in progress at the quarries at Drang, and the construction of new tunnels and installation of an electrical compressor for excavation and drilling is proceeding at the quarries at Gumma.

Availability of Graphite in Punjab

1944. **Sardar Iqbal Singh:** Will the Prime Minister be pleased to state:

(a) the estimated quantity of graphite, if any, available in Punjab; and

(b) the quantity of graphite now being extracted annually?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Deposits of Graphite are known to occur in a thin irregular band of schist on a hill in Punjab. Its exploitation is quite uneconomical and no estimates of its

reserves have, therefore, been made. No Graphite is being extracted from this area.

Import of Tobacco

1945. **Shri Tridib Kumar Chaudhuri:** Will the Minister of Commerce and Industry be pleased to state the quantity of unmanufactured pipe tobacco and cigar wrapper tobacco imported from the U.S.A. and other countries since 1955-56, country-wise and year-wise?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Prior to January, 1957, tobacco was classified in the Indian Trade Classification under two heads, namely Manufactured Tobacco and Unmanufactured Tobacco with certain Sub-heads under the former. The import of unmanufactured tobacco during the years 1955-56 and 1956-57 (April—December, 1956) was as follows:

Country	1955-56		1956-57 (Apr.—Dec. 1956)	
	Quantity	Value	Quantity	Value
	(in '000 lbs.)	(in '000 Rs.)	(in '000 lbs.)	(in '000 Rs.)
Ceylon	5.59	10.94	4.93	9.02
U. S. A.	26.19	1.15.64	11.13	51.68
Other countries	5.39	1.98	4.26	4.22
TOTAL	37.17	1.28.56	20.32	64.92

From January, 1957, tobacco is classified under the same two heads, but with a number of Subheads under both the heads, two of them under the head "unmanufactured tobacco" being (i) tobacco unmanufactured for cigars

and cheroot, and (ii) tobacco unmanufactured of manufacture of mixtures for pipes. Import figures for tobacco unmanufactured for cigars and cheroot from January, 1957 onwards were as follows:—

	Quantity in lbs.		Value in '000		of Rs.	
	Jan-March '57	Quantity	1957-58	Value	1958-59	Value.
	Quantity	Value	Quantity	Value	Quantity	(April-June)
Tobacco unmanufactured for cigars and cheroot						
U.S.A.	N.A.	4	N.A.	23
Burma	2,12,80	11	78,40	4
Pakistan, East	7,20	4	29,83	2

There have been no imports under "tobacco unmanufactured for manufacture of manufacture of mixtures for pipes", during that period.

Communal Clash in Sind

1946. Sardar Iqbal Singh: Will the Prime Minister be pleased to state:

(a) whether Government have received a report about the communal clash in Sind; and

(b) if so, its details?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). According to press reports, as a result of an erroneous rumour that a Muslim woman had been abducted by Hindus, several Hindus were attacked and their houses ransacked in Mirpursakro Tehsil in district Thatta in West Pakistan. Some Hindu sadhus (faqirs) were also tortured and 12 of their women and 18 children taken away.

In a Press Note issued on the 10th June, 1958, the Government, of Pakistan, however, denied reports of this incident.

International Labour Organisation

1947. Sardar Iqbal Singh: Will the Minister of Labour and Employment be pleased to state:

(a) whether International Labour Organisation has prepared a report on the 'World Employment Situation'; and

(b) if so, the salient features thereof?

The Deputy Minister of Labour (Shri Abid Ali): (a) A draft Report on "The World Employment Situation" has been prepared by the International Labour Office.

(b) The draft Report has in particular focussed attention on the current recession in the United States and has analysed the causes and their effects on other countries. It also contains a few suggestions for action at the national and international level for combating unemployment.

Non-self-Governing Territories

1948. Sardar Iqbal Singh: Will the Prime Minister be pleased to lay a statement showing:

(a) the main features of the recent report on Committee of Information from Non-Self-governing Territories; and

(b) whether this report has been considered by the General Assembly?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The latest report of this Committee deals with various aspects of social, economic and educational conditions in Non-self Governing Territories. It notes some advances made in certain Territories in the extension of community development, the growth of trade unions and co-operatives etc. In the economic field the report mentions the progress made in planning and research in the economic development of most of the Territories. On education, the report notes that there has been little change in the rates of illiteracy since 1956 and draws the attention of the Administering Authorities to earlier recommendations for the setting up of universal and free schooling systems.

(b) This report is expected to be considered by the General Assembly at its session opening on 16th September, 1958.

Scholarships Offered by I.L.O

1949. Sardar Iqbal Singh: Will the Minister of Labour and Employment be pleased to state:

(a) whether I.L.O. has offered any scholarships to study labour management in some foreign countries;

(b) if so, the names of persons sent under this scheme and names of the countries to which these persons were sent; and

(c) the nature and duration of their study?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes, the I.L.O. have awarded two fellowships for participation in the labour management relations study tour.

(b) Sarvashri N. M. Vakil of the Employers' Federation of India and Moti Lal Jain of the Indian National Trade Union Congress are participating in the study tour. They will be visiting Geneva, United Kingdom and the Federal Republic of Germany.

(c) The field of study is labour management relations in the United Kingdom and the Federal Republic of Germany. The participants will study in:

Geneva . . . 5—6 September, 1958

United Kingdom . . . 6 September—18 October, 1958

Federal Republic of Germany . . . 18 October—8 November, 1958

Geneva . . . 8—22 November, 1958.

Trade with West African Countries

1950. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the present trade position with West African countries;

(b) the important items of exports to and import from these countries during the last three years; and

(c) the steps taken to increase the trade with these countries?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 59.]

(c) The following steps have been taken to increase trade with West African countries:—

(i) An Export Promotion Officer of the Cotton Textiles Export Promotion Council has been stationed at Lagos (Nigeria), to look after the interest of our textiles in those markets.

(ii) The Engineering Export Promotion Council, Calcutta have sent out (31-8-58) a delegation to West African countries to explore possibilities for sale of our engineering goods in those markets.

(iii) A Trade-cum-Goodwill Delegation from Ghana visited India during December, 1957—January, 1958. The Delegation was shown different industrial units in the country so as to give them an idea about the goods in respect of which India could meet their requirements.

(iv) An Assistant Commissioner attached to our High Commissioner in Ghana is being posted at Lagos. He will look after our commercial interests in Ghana as well as in Nigeria

(v) Indian Exhibitions were organised at Accra (Ghana) and Lagos (Nigeria) during the year 1956.

Films Division

1951. Sardar Iqbal Singh: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Films Division has drawn up any scheme for arranging regular shows of Indian documentaries in big cities;

- (b) the names of such cities; and
- (c) main features of the scheme?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (c). Regular shows of documentary films and current newsreel are being held since December, 1957 at the Films Division Auditorium, Janpath, New Delhi. Similar shows were also arranged at Bharatiya Vidya Bhavan, Bombay, for one month. Efforts are being made to arrange for regular shows of documentary films in other big cities of India.

Cottage Industries

1952. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Punjab Government have submitted a scheme to Central Government for Carpet Weaving Industry, Pashmina Industry and Phulkari Industry;

(b) if so, the details of these schemes;

(c) whether Government have considered these schemes;

(d) if so, with what result; and

(e) the help given or proposed to be given by the Central Government in this regard?

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

(b) to (e). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 60.]

Trade Agreements

**1953. { Shri Hem Raj:
Shri Pangarkar:**

'Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 2495 on the 16th April, 1958 and state:

(a) countries with which Trade Agreements have been renewed during 1958-59 so far; and

(b) whether copies of these Agreements will be laid on the Table?

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

(a) Trade Agreement with Finland, Rumania and Indonesia have been temporarily extended or renewed during 1958-59. In addition, a new Trade Agreement with Afghanistan has also been concluded.

(b) Copies of these Trade Agreements/Letters Exchanged have already been supplied to the Parliament Library.

Tea Industry

1954. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state:

(a) the various items of improvement in the tea industry on which the Tea Board has spent its funds upto July, 1958; and

(b) the amount spent by it from March to July, 1958 on such items?

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

(a) and (b). The Tea Board was constituted with the effect from the 1st April, 1954. All the activities of the Board are directed towards the improvement of the tea industry. A statement showing the expenditure incurred by the Tea Board since 1954-55 is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 61.]

Bettiah Refugee Camp

1955. Shri Bibhuti Mishra: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that the land purchased at high prices at Beriari, P. S. Bagha and at Dhumatn, Mainanr P.S. for rehabilitating displaced persons of the Bettiah Camp is of low fertility;

(b) if so, whether any enquiry has been made; and

(c) the result thereof?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) to (c). Land has been purchased at Berihari and Dhumatn at prices ranging from Rs. 200 to Rs. 450 per acre, which according to the State Government is the normal price of land in the area. Some displaced persons have complained that these lands are of low fertility and the State Government have been asked to inquire into the matter.

Rehabilitation of Displaced Persons in Tripura

1956. Shri Dasaratha Deb: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether any part of land of Kayami Taluk No. 14/34 of Kamalpur Division (in Tripura) has been acquired by Government for the rehabilitation of displaced persons;

(b) if so, how many peasant families have been affected by such acquisition of land;

(c) whether any compensation has been paid to the owners of such acquired land; and

(d) if not, when such compensation is expected to be paid to the owners of land?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Yes.

(b) 25 families.

(c) and (d). Fifteen of the owners have already been paid full compensation and the compensation of the remaining ten has also been worked and can now be paid on demand.

Displaced Persons in Uttar Pradesh

1957. Shri S. M. Benerjee: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether the U.P. Government have agreed to rehabilitate displaced families from East Pakistan;

(b) if so, whether any aid is likely to be given by the Centre; and

(c) the names of places where these families are to be rehabilitated?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) In addition to 1,000 families of displaced persons from East Pakistan already settled in Nainital Tarai area, the Government of U.P. agreed to take 3,000 families for rehabilitation in that State.

(b) As usual, the expenditure on the rehabilitation of displaced persons will be borne by the Government of India.

(c) The schemes, so far sanctioned, provide for rehabilitation in the Districts of Nainital, Pilibhit, Gorakhpur and Kheri.

Handloom Industry in Maharashtra

1958. Shri Assar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Handloom Industry in Maharashtra, especially in Ichalkarangi is in unsatisfactory condition and thousands of handlooms are being closed;

(b) if so, the reasons thereof; and

(c) whether Government contemplate to set up any inquiry board to show ways and means of improving the situation?

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

(a) No, Sir.

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

लघु उद्योग

१९५६. श्री म० बी० मिश्र : क्या वास्तव्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि बेरोजगार और ऐसे किसानों की संख्या कितनी है जिन के पास अलामप्रद खेत है और जिन्हें पहली पंचवर्षीय योजना के प्रारम्भ से प्रति वर्ष बड़े बड़े कारखानों द्वारा लघु उद्योगों में रोजगार मिला है ?

वाणिज्य तथा उद्योग संघ : (श्री ल. ल. बहदुर शास्त्री) : यह जानकारी उपलब्ध नहीं है क्योंकि घांके इस आधार पर इकट्ठे नहीं किये जाते

सहकारी पद्धति के बारे में प्रकाशन

१९६०. श्री ए० लाल बाक्पाल : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि सहकारी पद्धति के सम्बन्ध में १९५७-५८ में कुन कितने प्रकाशन हिन्दी और अंग्रेजी में अलग अलग निकाले गये ?

सूचना और प्रसारण मंत्री (डा० केसरकर) : १९५७-५८ में हिन्दी और अंग्रेजी में एक एक प्रकाशन निकाला गया ।

Ambernath Woollen Mills

1961. Shri Assar: Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Unstarred Question No. 1852 on the 31st March, 1958 and state:

(a) whether the Ambernath Woollen Mills has been sold on full payment or on instalment basis; and

(b) what are the terms and conditions of the sale?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Instalment basis.

(b) The broad terms and conditions of the sale are that Shri Rajnath has to pay Rs. 30.00 lakhs in advance and the balance in seven equal annual instalments with interest @ 4½ per cent on the amount outstanding from time to time. The property shall remain mortgaged with the Government so long as full price has not been paid. The payment can be made either in cash or by adjustment of the compensation payable either to Kanwar Rajnath or to such other displaced persons holding verified claims as assign their claims to him.

Raisina Road Market in Delhi

1962. Shri Pangarkar: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether there is any proposal before the Government to shift the Raisina Road Market (Opposite P. Block) elsewhere in Delhi under Interim Plan of Delhi;

(b) if so, when the proposal will be carried out; and

(c) if the reply to part (a) is in the negative, whether repairs are being carried out in the flats, latrines and bath rooms and compounds in the market?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) There is no proposal immediately under consideration for the shifting of the Raisina Road Market nor is there any provision for such a shift in the Interim General Plan. However, as the new office buildings which are coming up in the neighbourhood of the Market contain provision for Canteens and Co-operative Stores, and the Raisina Road market will eventually become redundant, it may have to be demolished.

(b) No decision has been reached.

(c) The market building and its compound etc. are being kept in good repair by the C.P.W.D. Recently the Medical Officer of Health suggested that certain additions and alterations be carried out to the eating houses in the Market building. This is being looked into.

Machinery for Sugar Factories

1963. Shri Jadhav: Will the Minister of Commerce and Industry be pleased to state:

(a) how many units of machinery for sugar factories were imported during the last three years; and

(b) from which countries the machinery was imported?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement showing country-wise import of sugar manufacturing and refining machinery during 1955 to 1958 (January-June) is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 62.]

खाल और चमड़े के खोज

१९६४. श्री गजपति राम : क्या बाजिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कच्ची खाल और चमड़े का निर्यात बन्द कर दिया गया है.

(ख) यदि हाँ, तो क्यों :

(ग) यदि भाग (क) का उत्तर नकारात्मक हो, तो भारत में खालों की कीमतों पर निर्यात का क्या प्रभाव पड़ेगा.

(घ) क्या देश में ईडा की जाने वाली मांग के खालें चमड़ का सामान तैयार करने वाले और चमड़ा तैयार करने वाले कारखानों में हो खालें जती हैं :

(ङ) यदि नहीं, तो उन के निर्यात में क्या बाधा है :

(च) क्या यह सच है कि कुछ देशों में भारत के खालों और चमड़ों की चीजों की बहुत अधिक मांग है. और

(छ) यदि हाँ, तो वे किस कौन से देश हैं ?

बाजिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) बकरी तथा भेड़ों की कच्ची खालों का जिन्हें 'पपड़ा' कहते हैं छोड़ कर कच्चे चमड़े और खालों के निर्यात पर १९५१ से प्रतिबन्ध लगा हुआ है।

(ख) यह प्रतिबन्ध इस उद्देश्य से लगाया गया है कि देश में चमड़ा और खालें कमाने की

वर्तमान अवस्था काम में लायी जा सके और उन्हें कमायी हुई तथा समाप्त होखत में निर्यात किया जा सके जिस से अधिक विदेशी मुद्रा कमायी जा सके और अधिक लोगों को रोजगार मिल सके।

(ग) इस का कोई कुप्रभाव नहीं पड़ा है।

(घ) जहाँ हाँ, बकरी और भेड़ों की कच्ची खालें छोड़ कर जिन्हें 'पपड़ा' कहते हैं।

(ङ) प्रश्न ही नहीं उठता।

(च) और (छ), बकरी की खालों की मांग मुख्यतः म. प्र. ग. प्र. अमेरिका, सोवियत संघ, फ्रान्स, प. अ. जर्मनी, इटली और बेल्जियम-लक्जमबर्ग में है। चमड़ के सामान की वही अधिक मांग नहीं है।

Accidents in Mines

1965. Sardar Iqbal Singh: Will the Minister of Labour and Employment be pleased to state:

(a) the number of accidents which took place in coal mines during the period from 1st March to 31st August, 1958 month-wise.

(b) the number of casualties; and

(c) the amount of compensation paid during the same period?

The Deputy Minister of Labour (Shri Abid Ali): (a) The number of accidents in coal mines month-wise during the period from the 1st March to the 31st July, 1958 is given below. These figures are provisional. The figures for August, 1958 are not available.

Month	Number of accidents	
	Fatal	Serious.
March	16	1,85
April	23	2,52
May	23	2,45
June	13	2,58
July	10	2,17

(b) 91 killed and 1185 injured (figures provisional).

(c) Information is not available.

Industrial Committee on Inland Transport Services

1966. Sardar Iqbal Singh: Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 424 on the 24th February, 1958 and state:

(a) whether the Industrial Committee on Inland Transport Services has since been constituted;

(b) if so, the names of All-India Organisations from which representatives have been taken;

(c) the date fixed for the first meeting of the Committee; and

(d) the subjects that will be discussed at this meeting?

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

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

Film Production with Soviet Assistance

1967. Sardar Iqbal Singh: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether any project in film production has been taken up with the Soviet assistance;

(b) names of such films produced so far; and

(c) the nature of assistance given by the U.S.S.R.?

The Minister of Information and Broadcasting (Dr. Kesar): (a) to (c). Only one documentary was produced jointly with a studio under the Soviet Government entitled 'Dawn Over India'. It was shot in the country by Russian technicians with the assistance of the staff of the Films Division. It was processed and edited in U.S.S.R. with the assistance of two technicians of the Films Division. The expenses

of the Russian technicians while in India were borne by the Government of India and of the two Indian technicians while in U.S.S.R. by the Soviet Government.

Government has no information regarding the number of films undertaken by private film producers in collaboration with the Government of U.S.S.R. As no prior permission of Government is necessary for the shooting or preparation of such films, statistics have not been kept or gathered about it.

Trust Territory

1968. Sardar Iqbal Singh: Will the Prime Minister be pleased to state:

(a) whether report has been submitted to the Trusteeship Council regarding the Trust territory of Ruanda-Urundi;

(b) if so, the main features of the report;

(c) whether Trusteeship Council has considered this report; and

(d) if so, to what effect?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Belgium is the Administering Authority for the trust territory of Ruanda-Urundi. As provided in the Charter of the United Nations, Belgium submits annual reports to the General Assembly on Ruanda-Urundi based on a questionnaire formulated by the Trusteeship Council. These reports are considered by the General Assembly and also by the Trusteeship Council.

The last report submitted by Belgium on Ruanda-Urundi was for the year 1956.

(b) This report gives information on the political, economic, social and educational advancement of the inhabitants of Ruanda-Urundi.

(c) The Trusteeship Council considered this report in New York from 30th January to 26th March, 1958.

(d) The Trusteeship Council adopted a number of recommendations on the conditions prevalent in Ruanda-Urundi. The effect of those recommendations will become known only from the future annual reports of the Administering authority and of the United Nations Visiting Missions which may visit this area.

Automatic Looms

1969. Sardar Iqbal Singh: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 370 on the 22nd November, 1957 and state:

(a) the names of the textile mills which have been given permission to instal automatic looms on the specific condition that the output of these looms would be reserved for export purposes; and

(b) the number of automatic looms installed in each mill?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 63.]

Handloom
Handicrafts
Sericulture
Cair
*Khadi and Village Industries

Rs. 111.90 Lakhs
Rs. 20.00 "
Rs. 6.00 "
Rs. 1.00 "
Rs. 208.00 "

*This allocation has not yet been finalised and is only provisional.

(b) The amount spent during 1956-57 and 1957-58 is as follows:—

Industry	1956-57	1957-58
Handloom	22,79,949	15,49,939
Handicrafts	1,36,980	2,58,205
Sericulture	37,287	1,90,382
Cair	24,250	24,250
**Khadi Traditional	7,75,611	1,86,716
**Khadi Ambar	3,48,310	14,40,335
**Village Industries	15,31,196	18,09,755

(** Indicates disbursement figures).

Women Employees in All India Radio

1970. Sardar Iqbal Singh: Will the Minister of Information and Broadcasting be pleased to state the number of women employees who are serving at present in each Station of All India Radio?

The Minister of Information and Broadcasting (Dr. Keskar): A statement showing the number of women employees at each Station of All India Radio as on 31-7-1958 is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 64.]

Cottage Industry in Orissa

1971. Shri B. C. Mullick: Will the Minister of Commerce and Industry be pleased to state:

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

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

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) the amount of money allocated to Orissa for the improvement of cottage industries during the Second Five Year Plan is:—

Employees' Provident Fund Act

1972. Shri Anthony Pillai: Will the Minister of Labour and Employment be pleased to lay a statement showing:

(a) the names of industries in the public sector to which the Employees' Provident Fund Act has been made applicable so far; and

(b) the names of the industries in the public sector to which the coverage of the said Act is proposed to be extended?

The Deputy Minister of Labour (Shri Abid Ali): (a) The Employees' Provident Funds Act 1952 does not now make any distinction between industries in the Public and the Private Sector.

(b) The question of covering further industries under the Act is under consideration—when any further industries are covered, these will be covered both in the Private and Public Sector.

Loans to Jute Mills for Rationalisation

1974. Shri Aurobindo Ghosal: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the unemployment potential has been taken into consideration by Government before they granted loans to jute mills for their rationalisation; and

(b) if so, what?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). No loans have been granted to jute mills for rationalisation. Policy regarding rationalisation of Jute Industry is governed by the Resolution adopted in this House on 10th September, 1954.

Khadi Gramodyog Bhavan

1975. Shri S. M. Banerjee: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Delhi Shops and Establishments Act, 1954 is applicable

to the Khadi Gramodyog Bhavan, New Delhi;

(b) whether this Udyog is registered under the said Act; and

(c) if not, the reasons for the same?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) It is not clear whether the Delhi Shops and Establishments Act, 1954, would be applicable to the Khadi Gramodyog Bhavan, New Delhi.

(b) No, Sir.

(c) The matter is still under the consideration of the authorities administering the Delhi Shops and Establishments Act, 1954.

Evacuee Property in Punjab

**1976. { Shri S. C. Samanta:
Shri Subodh Hansda:**

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

(a) the number of brick-built and kucha houses that were available as evacuee property in East Punjab and elsewhere; and

(b) the number of families to whom such houses have been allotted?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). The value of urban evacuee property is estimated at Rs. 100 crores. The number of properties involved is about 2,75,000. The collection of detailed information as required in the question, it is considered, will involve time and labour which will not be commensurate with the results likely to be achieved.

Research on Implementation of Land Reforms

1977. Shri Vajpayee: Will the Minister of Planning be pleased to state:

(a) whether the Research Programmes Committee of the Planning

Commission propose to launch a programme of research on the implementation of land reforms;

(b) whether any note on the design and technique for carrying out the investigations have been prepared; and

(c) if so, the details thereof?

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

(b) Yes, Sir.

(c) Note, embodying the scope, design and synopsis for these investigations is placed on the Table of the Lok Sabha. [See Appendix V, annexure No. 65.]

Dramatic Troupe

1978. Shri Balasaheb Patil: Will the Minister of Information and Broadcasting be pleased to state—

(a) whether it is a fact that Government propose to have a departmental dramatic troupe; and

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

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). It is not proposed to have a regular departmental dramatic troupe. A proposal is under consideration to have a few drama artists in the Song and Drama Division of All India Radio to form a nucleus of a troupe for the purpose of trying out new plays and staging model performances of approved plays, intended for Five Year Plan publicity.

Steel for Small Scale Industries

**1979. { Shri Arit Singh Sarhadi:
Shri Daljit Singh:**

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

(a) how much quantity of steel was demanded by the Punjab State as a minimum requirement of the small scale industries in 1956-57 and 1957-58; and

(b) the quantity of steel allotted for small scale industries during the same period?

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

(a) and (b).

	Quantity asked for	Quantity allotted
	Tons	Tons
1956-57	46,800	16,100
1957-58	43,000	8,150

विस्वामिती के विस्थापित व्यक्तियों के बस्तियों में लघु उद्योग

१९८०. श्री नवल प्रभाकर : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि सरकार दिल्ली के पश्चिमी क्षेत्र की विस्थापित व्यक्तियों की बस्तियों (तिहाड़, तिलक नगर, रमेश नगर, मोती नगर आदि) में बेकारी दूर करने के लिये लघु उद्योग स्थापित करने की एक योजना तैयार कर रही है; और

(ख) यदि हाँ, तो इस योजना का विवरण क्या है ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) और (ख). एक नोट सभा पटल पर रख दिया गया है, जिस में विस्थापित व्यक्तियों की बस्तियों में लघु कुटीर उद्योग स्थापित करने की सरकार की माश्वरण योजना का विवरण दिया गया है। [विवरण परिशिष्ट ५, अनुसूची संख्या १६]। विशिष्ट योजनाएँ उद्योगपतियों/व्यक्तियों को प्रस्तुत करनी होंगी।

Powerlooms in Bombay State

1961. **Shri Jadhav:** Will the Minister of Commerce and Industry be pleased to state:

(a) what is the number of powerlooms in the State of Bombay up-to-date;

(b) where they are located with a break-up of number of powerlooms at each place;

(c) the number of powerlooms at the end of the year 1956;

(d) the number of powerlooms permitted to be installed in that State during the years 1957 and 1958 with their location; and

(e) how many of them have been permitted for individuals and the number of powerlooms allowed to the Co-operatives?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (e). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 67.]

Building Grants for Displaced Persons

1962. **Shri Ajit Singh Sarhadi:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of displaced land allottees without residential houses, who have been given building grants in compliance with the provisions of Rule 57 of Displaced Persons Compensation and Rehabilitation Rules, 1955; and

(b) the amount so given?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). No amount has so far been given as building grant under Rule 57.

Export of Films to Japan

1963. **Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of films exported to Japan during 1958 so far; and

(b) how this export compares with that of 1957?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is laid on the Table of the Lok Sabha.

Statement

Exposed cinematographic films exported to Japan in the six months January-June 1958 and in the corresponding period of 1957 were as under:

	(1958 Jan.-June)	1957 (Jan.-June)
	feet	feet
Standard 35 mm.	Nil	17,106
Sub-standard	19.60	38,218

Note:—1. Exports of films are shown in trade statistics in terms of feet and not of number.

2. Figures for months later than June 1958 are not available.

Khadi Co-operatives in Punjab

1964. **Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to state the amount spent so far in the Punjab State out of the total allotment made by the Central Government during 1958-59 for the Khadi Co-operative Society in that State?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): There is no specific allotment made specially for Khadi Co-operatives in any State. Financial assistance is given on the basis of demands and performance to only such Khadi Co-operative Societies as are "certified" by the Certification Committee of the Khadi and Village Industries Commission. There is only one Khadi Co-operative Society in the Punjab, which has been "certified" recently.

Unsold Stock of Handloom Goods

1965. **Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to state the present stock

of unsold handloom goods in private sector and in co-operative sector in Himachal Pradesh?

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

Export of Films to West Germany

1958. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of films exported to West Germany during 1958 so far; and

(b) how their exports compare with the figures of 1957?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is laid on the Table of the Lok Sabha.

Statement

Exposed cinematographic films exported to West Germany in the six months January-June, 1958 and in the corresponding period of 1957 were as under:—

1958 (Jan.-June) 1957 Jan.-June)

	feet	feet
Standard 35 mm.	15,000	11,000
Sub-standard	1,000	31,000

Note:—1. Exports of films are shown in trade statistics in terms of feet and not of number.

2. Figures for months later than June, 1958 are not available.

Embassy Building in Elre

1957. Shri S. A. Mehdi: Will the Prime Minister be pleased to state:

(a) whether the Embassy Building in Elre is being furnished;

(b) if so, the amount so far spent; and

(c) the amount to be spent during this financial year?

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

(b) £961-16-3 up to 31st August, 1958. In addition, used furniture of the book value of £1531-7-2 which became surplus to the needs of the Indian High Commission, London has been transferred for use in the Embassy in Dublin, under book debit.

(c) The budget provision on this account for the financial year 1958-59 is £800, of which £47-2-4 has been spent so far.

International Commission for Supervision and Control in Indo-China

1958. Shri Dinesh Singh: Will the Prime Minister be pleased to state:

(a) how many cases of complaints or irregularities were brought to the notice of (i) Viet Minh authorities and (ii) Viet Nam authorities by the I.C.S.C. during the last six months; and

(b) how many of them were dealt with satisfactorily?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) (i) Five.

(ii) 146.

(b) None has so far been finally disposed of.

Raw Material for Medicines

1959. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state the value of the raw material imported by the manufacturers of medicines from the 1st January to the 30th June, 1958?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): 'Raw materials for manufacture of medicines' is not classified as such in the Import Trade Classification, and therefore the figures of actual import during the period 1st January to the

30th June, 1958 cannot be furnished. However, attempts will be made to give the figures of import of the basic raw materials that are required in the manufacture of medicines if they are specified. In this connection it may be stated that the requirements of raw materials for the manufacture of medicines were estimated at Rs. 530 lakhs during the period January-June, 1958, and that on that basis it may perhaps be assumed that the import of these raw materials during the period in question was of that order.

Material for Film Industry

1990. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state the value of the imported material required by the film manufacturers during 1958-59?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Government have no information about the value of imported raw materials required by the film manufacturers during 1958-59.

Handicrafts in Himachal Pradesh

1991. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any handicrafts are being developed in the Himachal Pradesh under the guidance of the All India Handicrafts Board; and

(b) if so, the number of persons who have been employed and their average earning per head?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) No handicrafts industry is being developed in Himachal Pradesh under the direct supervision of the All India Handicrafts Board. Schemes prepared by the Himachal Pradesh Administration for the development of handicrafts are scrutinised by the Handicrafts Board and approved on the recommendations of the Board.

(b) The schemes which have been so far implemented comprise training in handicrafts, which do not envisage direct employment of persons.

सरकारी बस्तियों में बाजार

१९६२. { श्री नवल प्रजाकर :
श्री भक्त बशंन :

क्या निर्माण, ख बास और सं रख मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में भारत सरकार द्वारा बनाई गई किन किन बस्तियों में बाजार बनाने की योजना है ;

(ख) इन बाजारों में से प्रत्येक में कितनी दुकानें होंगी ; और

(ग) क्या सरकार इन बाजारों के प्लाट बेचने या स्वयं दुकानों का निर्माण करेगी ?

निर्माण आब स तथ संरक्षण मंत्र (श्री क. च० रेड्डी) : (क) और (ख). बस्तियों के नाम और प्रत्येक बस्ती में निर्माण की जाने वाली दुकानों की संख्या निम्नलिखित है :—

बस्ती का नाम	दुकानों की संख्या
बंस्ट विनय नगर	१२८
नार्थ ग्राफ मेडीकल एनक्लेव	६८
बलकों के क्वार्टर साउथ ग्राफ विनय नगर	२७
रिंग रोड, साउथ ग्राफ विनय नगर	५०
साउथ ग्राफ कृष्ण नगर (दक्षिण बस्ती)	१२०
साउथ ग्राफ कृष्ण नगर (मध्यस्थ बस्ती)	८२
हिन्दुस्तान हाउसिंग फैक्ट्री	११८
पिजरापोल	५८
ईस्ट विनय नगर	६६
योग	७४७

(ग) सरकार दुकानों का निर्माण प्रारंभ करेगी ।

Press Attaches

1993. Shri Jagadish Awasthi: Will the Prime Minister be pleased to state:

(a) the number of Press Attaches in the Indian Missions abroad;

(b) the number of those who know the language of the country where they are stationed; and

(c) the measures taken to make the Press Attaches stationed abroad to learn the national language of the country of their posting?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (c). There are three categories of Publicity Officers in our Missions abroad, designated as Public Relations Officers, Press Attaches and Assistant Press Attaches. The total number of officers of all categories is 52, out of whom 28 are conversant with the language of the country where they are posted, and the remaining have acquired a working knowledge of the language involved.

According to the needs of the Service, each Publicity Officer is allotted a foreign language in which he is required to pass a prescribed examination. On passing this examination, the tuition fees paid by the officer are reimbursed to him. Lump sum awards are also made when Publicity Officers pass an examination of an advanced standard in an additional foreign language.

Technical Officers of the Ministry of Information and Broadcasting

1994. Shri Jagadish Awasthi: Will the Minister of Information and Broadcasting be pleased to state:

(a) the number of gazetted and non-gazetted technical officers under various categories in the Ministry of Information and Broadcasting with over three years service to their credit on the 1st August, 1958; and

(b) the number of such officers who have been made quasi-permanent?

The Minister of Information and Broadcasting (Dr. Kekar): (a) and (b). A statement giving the necessary information is laid on the Table of the Lok Sabha. [See Appendix V annexure No. 68.]

Nangal Fertilizers and Chemicals (Private) Limited

1995. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of assistants and clerk: in various departments of the Nangal Fertilizers and Chemicals (Private) Ltd., as on the 31st July, 1958;

(b) the number of employees among them who are on deputation;

(c) the number of oustees among them; and

(d) the number of Scheduled Castes among them?

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

(a) Assistants: 43

Clerks: 241.

(b) Nil.

(c) Assistants: 1.

Clerks: 65.

(d) Nil

Ministerial Staff in the Ministry of Commerce and Industry

1996. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of assistants and clerks working in this Ministry at present; and

(b) the number of employees among them belonging to Scheduled Castes?

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

(a) and (b). A statement is laid on the Table of the Lok Sabha.

Statement

Posts	No. Working in Ministry	No. Belonging to Scheduled Castes
Assistants	2,27	13
Upper Division Clerks	1,15	2
Lower Division Clerks	4,09	13
	7,51	28

Indian Traders abroad

1997. Shri Jhulan Sinha: Will the Minister of Commerce and Industry be pleased to state:

(a) the steps, if any, taken during the last five years to protect the interest of the Indian Traders abroad by his Ministry in collaboration with the Ministry of External Affairs; and

(b) the extent to which the Indian Traders have been benefited by these steps?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):
(a) A statement is attached.

Statement

Among others, the Government of India have taken the following major steps to protect the interest of Indian traders abroad:—

(i) Trade agreements/arrangements have been concluded with 26 countries. In addition treaties of friendship, commerce and navigation have been concluded with 15 countries.

(ii) Trade delegations have been sent abroad from time to time to explore foreign markets for Indian goods. Trade delegations from foreign countries

have also been invited to India to see for themselves the goods which India could supply to these countries.

(iii) Trade offices have been opened in 16 countries during the last 5 years to look after our commercial interests.

(iv) Exhibitions and fairs have been organized in foreign countries from time to time.

(v) Show rooms/Trade Centres have been set up in 29 countries.

(vi) 13 Export Promotion Councils have been set up to promote the export of specified goods.

(vii) Import and export policies have been shaped from time to time with a view to promoting exports from India.

(b) It is difficult to make an assessment. But there is reason to believe that the efforts made by Government have proved beneficial.

Nuclear Tests

1998. { Shri Ram Krishan:
Shri Daljit Singh:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that many countries have agreed conditionally to suspend nuclear weapon tests;

(b) if so, the names of such countries and conditions thereof (country-wise);

(c) whether any countries have actually suspended nuclear weapon tests; and

(d) if so, the names of such countries?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) to (d). Until the present, three countries—U.S.A., U.S.S.R. and U.K.—have tested nuclear weapons.

The relevant statements of these three countries regarding the suspension of tests are laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 69.]

Industrial Development

1999. { Shri Rami Reddy:
 Shri Daljit Singh:

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

(a) the amount proposed to be spent on the major industries in the public sector during the Second Plan period;

(b) the amount proposed to be spent on the major industries in the private sector during the Second Plan period;

(c) the break-up of these amounts State-wise;

(d) industries in regard to which the amounts in parts (a) and (b) are proposed to be spent; and

(e) the location of these industries?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (e). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 70.]

12.14 hrs.

DEATH OF SARDAR SAMPURAN SINGH

Mr. Speaker: I have to inform the House of the sad demise of Sardar Sampuran Singh, who passed away at Jullundur on the 10th September, 1958, at the age of 72.

Sardar Sampuran Singh was a Member of the former Central Assembly in the year 1945.

I am sure the House will join with me in conveying our condolences to the family of Sardar Sampuran Singh.

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

The Members then stood in silence for a minute

Shri Braj Raj Singh (Ferozabad): May I submit that it was in the papers yesterday? Why was it not brought to the notice of the House yesterday?

Mr. Speaker: Hon. Members are also equally alert. I do not know why Hon. Members did not bring it to my notice yesterday. We are doing it to the best of our ability. If any hon. Member noticed it he might have brought it to my notice. Hon. Members cannot shirk their responsibility also.

Mr. Speaker: Papers to be laid on the Table.

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): With your permission I want to make a statement. You had given me permission.

Mr. Speaker: Let me finish papers to be laid on the Table.

12.16 hrs.

PAPERS LAID ON THE TABLE

STATEMENTS re: DAMAGE TO BHAKRA AND KADAM DAMS

The Minister of Irrigation and Power (Hafiz Mohammed Ibrahim): I beg to lay on the Table a copy of each of the following papers :

- (1) Statement regarding damage to the Central Spillway Wall of the Bhakra Dam. [Placed in Library. See No. LT-914/58.]
- (2) Statement regarding damage caused to Kadam Dam in Andhra Pradesh. [Placed in Library. See No. LT-915/58.]

NOTIFICATIONS UNDER ALL INDIA SERVICES ACT

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table, under sub-section (2) of Section 3 of the All India Services Act, 1951, a copy of each of the following Notifications:

- (1) G.S.R. No. 764 dated the 6th September, 1958.
- (2) G.S.R. No. 765 dated the 6th September, 1958 making certain amendment to the Indian Police Service (Uniform) Rules, 1954. [Placed in Library. See No. LT-916/58.]

COIR INDUSTRY (REGISTRATION AND LICENSING) RULES

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): I beg to lay on the Table, under sub-section (3) of Section 26 of the Coir Industry Act, 1953, a copy of the Coir Industry (Registration and Licensing) Rules, 1958 published in Notification G.S.R. No. 47 dated the 22nd February, 1958, [Placed in Library. See No. LT-912-58.]

AMENDMENTS TO COMPANIES (CENTRAL GOVERNMENT'S) GENERAL RULES AND FORMS

Shri Satish Chandra: I beg to lay on the Table, under sub-section (3) of Section 642 of the Companies Act, 1956, a copy of Notification No. G.S.R. 750 dated the 30th August, 1958 making certain further amendments to the Companies (Central Government's) General Rules and Forms, 1956. [Placed in Library. See No. LT-913/58.]

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:

"In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Estate Duty (Amendment) Bill, 1958, which was passed by the Lok Sabha at its sitting held on the 1st September, 1958, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

12.17 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

RESULTS OF TALKS HELD BETWEEN THE PRIME MINISTERS OF INDIA AND PAKISTAN ON THE 9TH AND 10TH SEPTEMBER, 1958.

Shri S. M. Banerjee (Kanpur): Under rule 197 I beg to call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

"Results of talks held between the Prime Ministers of India and Pakistan on the 9th and 10th September, 1958."

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Mr. Speaker, as the House knows the Prime Minister of Pakistan visited Delhi at our invitation. He came here on the 9th of this month and left yesterday morning.

In the course of his stay here, we had talks with each other in regard to border problems principally. At the end of his stay here, a statement a brief statement, was issued which has already appeared in the daily press this morning. If you wish I can lay a copy of that Statement on the Table.

Mr. Speaker: Yes.

Shri Jawaharlal Nehru: That statement states that a number of border problems relating to the eastern region have been solved, or agreements have been arrived at. Some other matters still remain for further consideration, and some procedures have been laid down.

I am not quite sure if it will be easy for me to explain, and for the House to understand, the specific border problems of villages here and there. Nevertheless, I shall endeavour to refer to them.

In the eastern region there was a boundary dispute between West Bengal and Pakistan, between the district of Murshidabad and the district of Rajshahi including the thanas of Nawabganj, Pakistan, and Shivganj, which was earlier, in the pre-partition days, Malda District. This was No. 1 of the Bagge Award.

I might mention here that just before the actual partition took place, Mr. Justice Radcliffe was appointed to determine the exact line of partition of the frontier. He did so, and that was very largely accepted, but some disputes arose as to the interpretation of the Radcliffe Award. Some time thereafter, another tribunal was appointed presided over by Mr. Justice Bagge and having a Judge from India and a Judge from Pakistan. This Bagge Tribunal considered the disputes in the eastern region, and made certain recommendations or awards rather. Again, most of these were accepted and acted upon. But, unfortunately, some doubts still persisted, and some arguments and controversies went on in regard to some areas, and that has continued all these years. So, on this occasion, we considered some of these disputes still persisting. And one of the decisions arrived at was in regard to this, what is called, Bagge Award No. 1, which I have just related, and another one, Bagge Award No. 2 between West Bengal and Pakistan, concerning the common boundary between a point on the River Ganges where the channel

of the river Matabhanga takes of according to the Radcliffe Award and the northernmost point where the channel meets the boundary between the thanas of Daulatpur and Karimpur; this has been decided previously; it has been settled that exchange of these territories should take place by the 16th January.

Then, there was a dispute called the Hili dispute, also between West Bengal and Pakistan. Pakistan gave up or dropped this dispute, and, therefore, the position has been decided and remains in favour of India.

The fourth was the Berubari Union No. 12. That is also between West Bengal and Pakistan. It was decided to divide the area under dispute by half and half, half going to India and half going to Pakistan.

The next one is about two Cooch-Bihar chitlands, on the border of West Bengal, which, it has been decided, should go to West Bengal.

The next was some disputes about that border between the 24-Parganas in Khulna and the 24-Parganas in Jessore. It was decided again here that the mean position should be adopted in both these, taking the river Ichamati as a guide, that is, as far as possible, pursuing this river. These are in regard to the border disputes between West Bengal and Eastern Pakistan.

Then comes the dispute between Assam and Eastern Pakistan. There was the Bholaganj dispute. In regard to this, Pakistan gave up its claim.

Then, there are the two rivers, the Piyain river and the Surma river. It has been decided to have a demarcation made according to notifications made, that is, previous notifications; therefore, we cannot be sure where this demarcation will be, but it has been decided that wherever the demarcation may be, full facility of

navigation should be given to both sides. That is in regard to navigation in these rivers.

Then, we go to the Tripura-Pakistan border. There was a small bit of territory, a few acres, near the railway, where the railway passes. We have agreed to give this small territory to Pakistan because it is near their railway.

Another Tripura dispute is about the Feny river. This has been decided to be dealt with separately. The course is being laid down.

There is one thing more, which has been long causing us, and I believe Pakistan, a great deal of trouble. These are the Cooch-Bihar enclaves. The Cooch-Bihar State had little bits of territory all over, and some of those fell in Pakistan and some in India on partition, as Cooch-Bihar State itself. Therefore, the result is that we have some territory in Pakistan, little enclaves, little islands, and they have some here, which is very awkward. They cannot deal with their territory inside India, and we cannot deal with our territory inside Pakistan. In fact, nobody deals with those territories. In law, we cannot, in practice, we cannot, and they are just odd bits, usually the home of smugglers and other fugitives from the law. So, it has been decided ultimately that we should just exchange them, that is, our Cooch-Bihar territory in Pakistan goes to Pakistan, and their enclaves in India come to India.

All these changes involves some exchanges of territory; in some cases, India gains a little territory, and in others, they gain it. These are more or less the decisions arrived at.

Then, I might mention those problems that are left over for decision. One is the Patharia hill reserve forest in the eastern region. According to us, of course, that belongs to us. But there has, nevertheless, been some dispute there. We have decided that we should ask the two conservators

of forests, that is, of Assam and of East Pakistan, together with the two Chief Secretaries, to meet to draw up provisionally some line there, even previous to a settlement of that dispute, so that there might not be friction. As a matter of fact, nobody lives in this forest. Disputes arise because of timber; people go over in the other area. So, in order to avoid this overlapping, some temporary line may be drawn till such time as we can settle that matter.

Then, there is another matter, and probably one of the more important ones in Assam, on the Assam-East Pakistan border. This was also referred like the Patharia reserve forest to the Bagge Tribunal. This is in regard to the course of the Kushiara river. The Bagge Tribunal decided about the course of the Kushiara river, but, according to us, some points have not been cleared up and are due to some confusion about maps etc. And this point has remained. It is an area, containing, I believe, or consisting of, about 30 villages. That is in our possession at present, and has been, in fact, all along in our possession. These will have to be decided, that is, both these matters which pertain to the eastern region—in fact, these are the only matters pertaining to the eastern region—have to be decided still, apart from one of the small ones.

On the western side, the points to be determined are these; in effect we did not decide anything about the west. There are the Suleimanki and Hussainiwalla areas. Both deal with headworks, canal headworks. It is not a question of any large area, but nevertheless, dealing with how the headworks are to be worked, and who should have the bunds. And they are of certain importance not in area but otherwise. In regard to these two, we have suggested that the two Secretaries should consult their respective engineers the two Secretaries meaning the Commonwealth Secretary of India and the Foreign

[Shri Jawaharlal Nehru]

Secretary of Pakistan, and after joint consultation with the engineers, should report to us. Then, there is a small area of three villages in the Lahore-Amritsar border, Sarja Marja etc. And another matter which we had not considered was in dispute. But, nevertheless, Pakistan has referred to that. It is... No, I beg your pardon. There is one matter which concerns Chak Ladheke, a small tongue of land there in the Punjab area. Then, there is Chadbet in Kutch; Pakistan raised this question two or three years ago; and we did not do anything; we thought that there was no dispute about it, and we sent them a rather lengthy reply to which their answer really came about ten days ago, after two years. Anyhow, because they claimed something, this is also a matter to be considered. Therefore, the position is this. Quite a number of matters which were leading to irritation between the two countries have been disposed of. Naturally, that is a matter for satisfaction, for each little thing creates confusion on the border and people there suffer.

In regard to one—which might be called somewhat—bigger matter, of Assam, that is, following the course of the river Kushiya, that is yet to be considered by us. The Patharia Forest question is really not a difficult one, but because the one to which I have just referred, the 'Kushiya' has not yet been settled. Pakistan wanted to attach that also for consideration in future. On the western side, there are these headworks etc. and some bits of land.

We thought, and we still think, that the best course to decide any remaining matter, which cannot be decided by talks between ourselves, is to refer it to some independent party—tribunal—to decide, because there is no other way. Either we come to an agreement ourselves or ask somebody else to advise and we will accept whatever decision is arrived at, whether it is in our favour or

against us. For the present, the Pakistan Prime Minister was not agreeable to this being done in regard to one particular matter. But the matter is open for consideration. In our statement that has appeared in the Press, it is said that these matters are reserved for future consideration between us.

There are two other things. One is that we have said in regard to the exchange of small territories that we do not want migration from them, as far as possible, and we advise the people to continue living where they are.....

An Hon. Member: It is impossible.

Shri Jawaharlal Nehru:..... and accept the country to which they will now belong. In any event, it is not a question of large numbers. But we see no reason why this idea of people migrating should be encouraged there.

Further, we have said that we hope to keep in touch with each other and try to reduce the areas of difference in this way and find out some way of deciding the points that remain. On the whole, therefore, I think that the result of our meeting has been satisfactory.

I also lay on the Table a copy of the communique issued after the talks. [Placed in Library. See No. LT-917/58.]

Shrimati Renu Chakravarty (Basirhat): May I ask one question on a point of information? I want to know whether any discussion took place regarding exchange of prisoners. We had heard that on the 9th there would be exchange of prisoners. But except in Tripura, we have not heard of any exchange of those who have been arrested along the borders.

Shri Jawaharlal Nehru: My impression was that the exchange of

prisoners had taken place. I really do not know if it has actually taken place.

Shrimati Benu Chakravartty: Those who were arrested and taken away—have they all been released?

Shri Jawaharlal Nehru: I will try to find out. The lists exchanged between Pakistan and India about prisoners were not identical, that is to say, according to us, if they had 15, according to them, they had only 10. The admitted ones were released. In regard to the others, those that are mentioned in our lists, we will try and find out. Those that were mentioned in both the lists were released. There is no doubt about their release. The point is of finding them out.

Shrimati Benu Chakravartty: The hon. Prime Minister knows that we have been trying to negotiate for certain people along the 24-Parganas border who were arrested over the last five or six months. They have not yet been released. That was why I asked this question.

Shri Jawaharlal Nehru: I do not know about some old prisoners, how they are affected. The hon. lady Member says that they were arrested six months ago. Anyhow, I will try to find out and let her know.

Shri Hem Barua (Gauhati): On a point of information....

Mr. Speaker: It is not usual to ask questions after a statement is made in reply to a *Calling Attention* notice. Hon. Members will kindly read the statement of the hon. Prime Minister.

Shri A. C. Guha (Barasat): I want a clarification just in regard to one village Turkergram. It was under Pakistan occupation. Nothing has been stated about that. What is the position of Turkergram village?

Shri N. E. Ghosh (Cooch-Bihar): Half of Beru Bari is going to be given

to Pakistan. That portion is inhabited by 10,000 people who migrated from Pakistan and who were rehabilitated there. What will happen to them? In the exchange of enclaves, could that not be adjusted?

Shri Jawaharlal Nehru: Half of what? I could not follow what the hon. Member said.

Shri N. E. Ghosh: When the enclaves were exchanged, we were to get a bigger area as our enclaves are much bigger than theirs. We are now going to make over half of the Beru Bari to them. This half is actually inhabited by 10,000 refugees who migrated from Boda and other areas now in East Pakistan. They had rehabilitated themselves there by their own efforts. These people are going to be refugees again.

Shri Jawaharlal Nehru: I cannot answer that question.

The first question presumably relates to the so-called Cooch-Bihar enclaves.

Shri A. C. Guha: No, Sir. It is not in Cooch-Bihar enclaves.

Shri N. E. Ghosh: Half of Beru Bari is being given to Pakistan. This is in the Jalpaiguri Thana. This portion was alleged to belong to Pakistan. When this area was being given to Pakistan, could this not have been adjusted against the surplus area which we were to get by the exchange of enclaves without making a gift of the surplus area to Pakistan? What will happen to these 10,000 refugees?

Shri Jawaharlal Nehru: The hon. Member, when he uses the word 'enclaves' refers to Cooch-Bihar enclaves. It is true that the area of the Cooch-Bihar enclaves is about 11 square miles of territory or so. There is more of it in the enclaves we give. But in some of the other enclaves that I have referred to, we get more land from Pakistan. It has been, to some extent, adjusted, not precisely and

[Shri Jawaharlal Nehru]

exactly. We get more in some of these exchanges and they get more in others. There is no other way of coming to an agreement.

Shri N. K. Ghosh: That portion actually was not occupied by any refugees, but this portion of Beru Bari is inhabited by refugees.

Raja Mahendra Pratap (Mathura): May I ask why did not the hon. Prime Minister take advantage of this opportunity to settle the broader question, and do away with the frontiers altogether?

Some Hon. Members rose—

Mr. Speaker: I am not going to allow any questions.

Shri Raghunath Singh rose—

Mr. Speaker: Order, order. Hon. Members know that after a Call Attention Motion has been answered, there are no questions allowed. If any hon. Member has got a doubt and wants to ask some questions, I will allow them later on in the usual course; the questions will come up if they are of very great importance.

श्री रघुनाथ सिंह (वाराणसी) : अध्यक्ष महोदय, मैं कोई सवाल नहीं पूछना चाहता हूँ। मैं एक निवेदन करना चाहता हूँ और वह यह है कि कम से कम दो घंटे के लिये इस विषय पर यहां डिबेट होनी चाहिये ताकि हम लोग अपने विचार इस पर प्रकट कर सकें।

Shri Jawaharlal Nehru: I do not quite know whether the hon. Member wanted a debate on this, on what I have read out. The hon. Member also wanted debates on one or two other matters in the course of the last half hour! I do not know what there is to debate about this. Of course, if the House wants to have any more clarification, I am prepared to give it. But the House will realise that we have come to an agreement and I have to

honour that agreement—we have to honour that agreement. If I have made mistakes, I can be censured. But I have got to honour it, so far as I am concerned.

श्री रघुनाथ सिंह : सैंडबोर करने का सवाल नहीं है। एपीमेंट में कुछ हिस्से हैं जो बाकी हैं और उन के बारे में हम लोग कुछ सजेशन देना चाहते हैं। हम कोई डिबेट करना नहीं चाहते, केवल सजेशन ही देना चाहते हैं।

Mr. Speaker: Order, order. This is unusual of Shri Raghunath Singh.

Shri Jawaharlal Nehru: Surely a debate in the House is the worst possible medium to give suggestions for future negotiations. I do not understand why hon. Members want a discussion on this like that on the canal waters. One does not, when one has to deal with another country, have a public debate as to how to negotiate.

श्री रघुनाथ सिंह : अध्यक्ष महोदय, हम कोई डिबेट

Shri Tyagi (Dehra Dun): On a point of order on the clarification (Interruptions). According to the Constitution, no territory of India could be transferred out without the sanction of this House. I, therefore, want a clarification on this issue as to whether all these agreements arrived at shall be put before the House for obtaining the approval of the House.

Shri Jawaharlal Nehru: That is a constitutional matter which the hon. Member has raised. So far as boundary adjustments are concerned, all these are interruptions or the like of the Radcliffe Award or the Bagge Award. I do not think this would require any such thing. It may, I do not know how far; but so far as the Cooch-Bihar enclaves are concerned, they might, perhaps, require a kind of reference. I shall ask my colleague, the Law Minister to look into that.

10-41 hrs

12.43 hrs.

CORRECTION OF ANSWER TO STARRED QUESTION No. 913

The Minister of Rehabilitation and Minority Affairs (Shri Mohar Chand Khanna): Sir, in reply to starred question No. 913, replied by me on the 4th September, 1958, the word 'Kamins' was used. It was placed in inverted commas and had reference to the revenue records. This has caused some offence in certain quarters. The word was inadvertently used and I wish to offer sincere regrets. The word may be changed to "by members of Schedule Castes and Backward Classes".

CORRECTIONS OF ANSWER TO STARRED QUESTION No. 232

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): With your permission, Sir, I wish to make a correction in the reply that was given by the Prime Minister to one of the supplementary questions arising out of Starred Question No. 232, asked by Shri H. N. Mukerjee and Shri Halder on the 19th August, 1958, regarding National Sample Survey Schemes.

To a supplementary question put by Shri Halder regarding the Indian Statistical Institute, Calcutta, the Prime Minister replied that this Institute is an autonomous body with senior officials of Government on its Governing body.

The correct position is that the Government of India have representation on the Governing Body of the Research and Training School of the Indian Statistical Institute. There is no such body as the Governing Body of the Institute.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government Business in this House for the next week will consist of:

- (1) Consideration and passing of the Merchant Shipping Bill, 1958.
- (2) Discussion and Voting on the Supplementary Demands for Grants in respect of the Budget (General) for 1958-59.
- (3) Consideration and passing:

International Finance Corporation (Status, Immunities and Privileges) Bill;

Supreme Court Judges (Conditions of Service) Bill;

High Court Judges (Conditions of Service) Amendment Bill.

- (4) Discussion of the following matters will also come up on the dates mentioned:

(i) Report of the Advisory Committee on Slum Clearance on a motion to be moved by Shri Rajendra Singh and others on 15th September at 3 p.m.

(ii) Planning Commission's Memorandum on the Appraisal and Prospects of the Second Five Year Plan on a motion to be moved by the Minister for Planning on 17th and 18th September.

12-45 hrs.

STATEMENT RE: OIL EXPLORATION

The Minister of Mines and Oil (Shri K. D. Malaviya): Sir, as the House is aware we have been exploring for

[Shri K. D. Malaviya]

oil in different parts of the country over the last 2½ years and in this we have followed a policy of selective dispersal of activities rather than concentrating at one place. The House may recall that drilling has been going on at Jawalamukhi, and more recently at Hoshiarpur. In the West Bengal Gangetic plain also the Indo-Stanvac project had undertaken drilling operations. Recently drilling was commenced in the Cambay area by the Oil and Natural Gases Commission.

I deem it my duty to report to the House that at the Cambay site we have penetrated into what appears to be an oil bearing stratum. A small underground structure was independently delineated by our Indian specialists at a depth of 3,000 ft. some five miles north-west of Cambay. (Shri Tyagi: Very good.) There were exposures of marine rocks and gas around the fringe of the basin. It was thought that this was a region of marine sedimentation and a decision was taken to test the structure by drilling to a depth of 10,000 ft.

After the necessary preparations, drilling operations were started on 25th July, 1958 with a Russian Ural-mash-3D turbo drill and a depth of 5368 ft. was reached on the morning of the 3rd September when drilling was stopped for taking electro-logging data. On 4th instant when the drilling mud was circulated in the morning, thin films of dark brown oil were seen to come to the surface with the return mud. When the casing was lowered on the 8th and mud circulation resumed, oil started to reappear and flowed with the mud in a continuous stream for about 15 minutes. The pressure of the drilling mud at the bottom of the hole was about 190 atmospheres suggesting that the oil was under considerable pressure.

While there is reason for cautious optimism on the basis of the results obtained so far, it will be necessary to continue fairly intensified drilling

and testing for a period of roughly 3 to 12 months before we can be certain as to whether we have struck a commercially exploitable oilfield. The fact remains that the discovery of oil in this region has enormously increased the possibilities in this part of the country which remained neglected hitherto.

We propose to increase the number of drills in this area as also in some of the other promising areas so as to speed up the work. We are extremely fortunate to strike oil at such shallow depth in an unknown virgin area within a short time and at negligible cost and the credit goes to the hard work, determination and enthusiasm of our young Indian engineers. We are also indebted to the Russian and Rumanian experts who are helping us in our work.

As the House is already aware, at Jawalamukhi despite our meeting with the normal hazards of drilling, we were fortunate enough to strike gas recently and the drill-hole there is being further developed and our investigations continue.

I will take the earliest opportunity to report to the House any further development that comes to our notice from these areas.

12.48 hrs.

ELECTION TO COMMITTEE

ESTIMATES COMMITTEE

Shri B. G. Mehta (Gohilwad): Sir, I beg to move:

"That the Members of this House do proceed to elect in the manner required by sub-rule (8) of Rule 254 read with sub-rule (1) of Rule 311 of the Rules of Procedure and Conduct of Business in Lok Sabha, one Member from among themselves to serve

as a member of the Committee on Estimates for the unexpired portion of the term ending on 30th April, 1959, vice Shri J. Rameshwar Rao resigned."

Mr. Speaker: The question is:

"That the Members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of Rule 311 of the Rules of Procedure and Conduct of Business in Lok Sabha, one Member from among themselves to serve as a member of the Committee on Estimates for the unexpired portion of the term ending on 30th April, 1959, vice Shri J. Rameshwar Rao resigned."

The motion was adopted.

12.48 hrs.

HIGH COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL*.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, I beg to move for leave to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954.

The motion was put and adopted.

Pandit G. B. Pant: Sir, I introduce the Bill.

12.49 hrs.

DELHI RENT CONTROL BILL

Mr. Speaker: The House will now resume further discussion on the following motion moved by Shri Datar on the 10th September, 1958, namely:—

"That the Bill to provide for the control of rents and evictions, and for the lease of vacant premises to Government, in certain areas in the Union Territory of

Delhi, be referred to the Joint Committee of the House consisting of 45 members; 30 from this House, namely Shri Radha Raman, Choudhry Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Sucheta Kripalani, Shrimati Subhadra Joshi, Shri N. R. Ghosh, Shri Vutukuru Rami Reddy, Dr. P. Subbarayan, Shri Kanhaiyalal Behrulal Malviya, Shri Krishna Chandra, Shri Kanhaiya Lal Balmiki, Shri Umrao Singh, Shri Kalika Singh, Shri T. R. Neewi, Shri Shivram Rango Rane, Shri Chandra Shanker, Shri Bhela Raut, Shri Phani Gopal Sen, Sardar Iqbal Singh, Shri C. R. Basappa, Shri B. N. Datar, Shri V. P. Nayar, Shri Shamrao Vishnu Parulekar, Shri Khushwaqt Rai, Shri Ram Garib, Shri G. K. Manay, Shri Uttamrao L. Patil, Shri Subiman Ghose, Shri Banamali Kumbhar and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next Session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Yesterday, Shri Mulchand Dube got up in the end. I was prepared to allow him to speak before calling upon the hon. Minister to reply. Shri Dube.

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†Introduced with the recommendation of the President.

Shri Mahkamd Dube (Farrukhabad) Mr. Speaker, my hon. friend, Shri Naval Prabhakar told us that in Karol Bagh pugree or premium to the extent of Rs. 30,000 or Rs. 40,000 were paid and received in respect of buildings which could not have cost more than Rs. 12,000.

12-58 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

I also heard from others that the same practice has been prevailing in Chandni Chowk and also in Connaught Place. This business of pugree is an evil which has been prevalent in this city for a considerable time. I expected some provision to be made in the Bill so that this vicious practice may be stopped for all time to come. I find there is no provision in the Bill for that. All that is stated here is that pugree is something prohibited. In case it is proved, it will have to be refunded. I submit it is not sufficient. I am told that the land-lords and tenants both sometimes share the pugree so received. Sometimes, it happens the land-lord takes away the whole of it and sometimes the tenant takes the whole of it. This is done by entering into an agreement or partnership which is fictitious to circumvent the law and make it appear that he is taking a partner and not sub-letting the building. A provision has been made in the Bill in respect of such partnerships which may be entered into after August 1958. In the case of such partnership, the Rent Controller may presume that it is a case of sub-letting. There does not seem to be any provision for such partnership which has taken place long before the Act comes into force or long before August, 1958. My submission is that something should be done with regard to this also and this provision may be applied to partnerships which might have taken place during the last 20 or 30 years.

There is another anomaly, not in the Bill exactly, but in Delhi. There are two kinds of properties and two classes of tenants: tenants occupying buildings for residential purposes and those occupying for non-residential and commercial purposes. There does not seem to be any provision for the ejectment of tenants occupying a building for the latter purposes. I think it should be on the same lines. Whatever justification might have been there for keeping this distinction in the past, it does not seem to be good now. I hope the Joint Committee will see whether it is not possible to have only one class of tenants. The remedy that I have thought of for eradicating the evil practice of pugree whether it is for residential or non-residential purposes, is this. All buildings whether for commercial or residential purposes should be allotted by an officer. Every tenant vacating a building should be required to give notice in writing to that officer that he is vacating it from such and such date and the same obligation may be placed upon the owner also so that he may also give the same information to the authorised officer. After that information is given, the officer, whether the Rent Controller or somebody else, should be enabled to allot the house to the people who apply for it and who seem to be most in need of it. So long as they do not make some provision for the allotment of houses by a particular authority, this evil system of pugree is not going to stop.

Yesterday, one of the points raised was that sufficient incentive is not being given to land-lords to build houses. With regard to that, I am told that there are about 250 arrivals every day and they want to settle down in Delhi. It is obviously not possible for the Government to provide houses for these immigrants.... (Interruptions.)

Shri V. P. Nayar (Quilon): There is no quorum, Sir.

Mr. Deputy-Speaker: Order, order. It has been brought to my notice that there is no quorum.

Shri V. P. Nayar: Not merely quorum; not even half the quorum.

Mr. Deputy-Speaker: The Bell is being run—now there is quorum.

Shri Mulchand Dube: This figure cannot be said to be an exaggerated figure but seems to be correct from the fact that the population of Delhi has risen about five-fold during the last 10 or 15 years. Therefore, that figure seems to be correct. Since it does not seem to be possible for the Government to provide accommodation for all these people who are coming every day, some kind of incentive has to be given to landlords to build houses. Is there sufficient incentive or not? I submit that the incentive provided in the Bill is quite sufficient. With regard to the houses constructed before 9th June, 1955 the provision is that the rent should be the same for about seven years. The Bill also provides that these rents should be frozen and they would not be allowed to be raised. In the case of premises constructed on or after 9th June, 1955, the provision is that the basic rent will be that rent for which the building has been rented for the first time and that will continue for five years. It is a sufficient incentive and it cannot be said that this is no sufficient incentive for the landlords to construct houses.

The provision in the Bill for the decision of disputes by the Rent Controller is much better than what it was in the Bill which we have just passed. It was the estate officer that was invested with all the powers in such cases for the eviction of unauthorised occupants of the premises. Now it is the Rent Controller although the Rent Controller has to follow the same procedure as that of the Small Cause Court. The question is whether this is the proper way to proceed. I submit that the same thing could have been achieved by appoint-

ing more small cause court Judges who could deal with this problem also. It does not seem to me quite proper that any kind of case, where the rights of the citizens are involved, should be decided by an officer other than a court of law. I hope the Joint Committee will decide this question also.

There is yet another point on which I want a clarification from the hon. Minister: whether court fees will be payable in the case of disputes and appeals. I have not been able to find any provision in this Bill with regard to court fees. Even if court fees are to be paid, I submit that in the case of tenants who pay a small rent, there should be no court fee charged.

I hope the hon. Minister will look into these matters and will make suitable amendments when the Bill is in the Joint Committee. As the Bill is going before the Joint Committee, I do not propose to take the time of the House, taking you through the Bill and explaining the whole scheme. This is all that I have to say on this Bill.

13 hrs.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, I regret that I could not be personally present to listen to the speeches delivered by hon. Members on the motion which is under consideration. The motion asks for reference of the Delhi Rent Control Bill to a Joint Committee. All the matters that have been mentioned here and the suggestions that have been made will no doubt receive the attention of the Joint Committee. If there are any loopholes to be plugged or any defects to be removed, I think the Joint Committee will be glad to do the needful in that regard. The matter, though local, is of considerable importance. It affects almost everyone living in Old Delhi and many of those living in New Delhi.

My colleague placed before the House the salient features of the Bill

[Pandit G. B. Pant]

in his opening speech. I do not think that in view of the fact that it is only a motion for reference to Joint Committee an elaborate speech is called for from me. Questions relating to tenancy are always somewhat ticklish. It is not easy to find an ideal solution to determine the relationship between landlords and tenants. Yet considerable thought having been given on this Bill, I submit that every attempt has been made to face these embarrassing problems in a straightforward way and on the whole the solutions embodied in the Bill should be considered to be satisfactory. There has been a considerable variety—and if I may say so—also disparity of opinions and views in this House. That is but natural; in a Bill of this kind every one cannot be expected to look at the issue from the same angle. Government has, however, tried to place before itself the welfare of the community as a whole. We do not assume that there is any real class conflict between the two sections, whether here or anywhere else. Ultimately the interest of all are common and the best method of ensuring the welfare of both sections lie in looking at the questions in a detached and dispassionate way. That attempt has been made.

I may just say that the main problems about tenancy relate to security of tenure and security in regard to fairness of rents. Both these have been attempted and I do not think that there is any real or genuine ground for any grievance in any quarter. It has been said by some of the hon. Members here that it is a pro-landlord Bill; some others have said that the interests of landlords have not been properly and adequately taken care of. I should say that the provisions in the Bill are intended primarily to serve the interests of all in a fair, equitable and reasonable way and if one looks at the question from that stand-point he will, I hope, be good enough to confirm what I am saying.

Sir, the tenants have been given greater security of tenure by this Bill than they have under the Act of 1952. I wonder if the sections in the parent Act have been studied by everyone and I am not sure if the provisions have been compared either. Under the new Bill the clauses relating to ejectment on the ground of nuisance which was very vague and likely to cause considerable difficulty have been omitted.

A number of safeguards have been provided. When a person seeks to eject a tenant on the ground of the premises being needed by him for his own use there used to be formerly a right vested in him for seeking such ejectment not only on the ground that he needed the house for himself, but also on the ground that he needed it for his own family. It has now been circumscribed and such claim can be made only on the ground that the house is needed for his own personal use and not for his family. That, I think, goes a long way in protecting the tenant against ejectment on this ground.

Not only this. If a person seeks ejectment on this ground and if he lets the house again any time during the three years after such ejectment then he is not only liable to be turned out of the house, but also be subjected to prosecution for such breach of the undertaking given by him and the tenant is to be given time when the order of ejectment is passed for not less than six months for continuing in possession. I think this is a reasonable and an adequate safeguard.

Again, when a tenant is to be ejected for the misuse of the premises a notice has to be served on him to remove the cause which has given rise to such a complaint, and if he complies with that request then he cannot be ejected. There was no such provision in the past. Similarly, when a proprietor wants a house for reconstruction or for additions and alterations,

then he cannot get a decree for ejectment unless he proves to the satisfaction of the Controller that he has got necessary resources and that it will be in public interest that such reconstruction should be allowed. So in every way attempt has been made to safeguard the interests and the continuity of possession of the tenant.

Then about rent. Formerly, whenever there was a suit for arrears of rent the tenant was required to pay the entire amount down at once. Now it has been provided that if the tenant pleads that the rent is excessive, then the Controller will fix what he considers to be standard or reasonable rent tentatively and the tenant will be required only to pay that rent and not the entire amount.

It has also been prescribed under this Bill that for the money received by the house-owner he has to give a receipt, and if he declines to give the receipt the money can be deposited directly with the Controller.

I may just mention that no specific suggestion has been made about any particular clause. Of course, when one thinks in terms of nationalisation or the like, all these provisions pale into insignificance. But what does nationalisation or socialisation in this regard imply? Nobody would suggest that there should be confiscation of house property; anyway, that is not permissible under our Constitution. And in the existing circumstances, when we require every rupee that we can possibly collect for developmental purposes, would it be wise to spend crores and crores, arabs and arabs, in acquiring houses of a ramshackle type? And, what would be the advantage? Apart from any question of theory, these matters have to be looked at from a practical aspect and howsoever zealous we may be about any particular ideology or creed, we have to see how far in the existing circumstances we can proceed.

The Government has stated its position with regard to housing authorita-

tively in this House. The Second Five Year Plan has earmarked Rs. 84 crores for housing purposes inclusive of the amount that may be needed for the improvement of slums etc. But if you are to acquire, perhaps, one Mohalla of Delhi, it may absorb the whole of the Rs. 84 crores. Where is the money to come from? So, if we think in terms of nationalisation, the provisions of this Bill, of course, fall far short of that; but if we are anxious to make an arrangement which will be helpful to the tenants and, at the same time, not lead to any consequences which will come in the way of further expansion, then this Bill, I think, attempts to achieve that objective.

A lot has been said here by some hon. Members about the procedure prescribed in the Bill for the disposal of cases which will come within the purview of this Bill. They do not seem to be aware of the fact that before this Bill was framed the Ministers—firstly the Works, Housing and Supply Minister, and later I too—had some conference with the representatives of landlords as well as of tenants. Then a committee was appointed of the representatives of both under the chairmanship of the Chief Commissioner. Certain agreed conditions were reached, and one of them was this, that civil courts which had been seized of such cases in the past should now be replaced by some whole-time officers selected from judicial service or possessing judicial experience, who would dispose of all such disputes in an expeditious manner. In fact, there has not been so much of inconvenience, trouble and loss to the parties by the actual matters in dispute as by the prolonged nature of the proceedings in courts. It has not only resulted in loss, but has also been the cause of a great deal of bitterness between the landlords and the tenants.

It was also agreed that there should be only one appeal and a reference thereafter only on a point of law. That agreement that was reached has been embodied in this Bill. In the

[Pandit G. B. Pant]

circumstances, I do not see why procedure which those who know where the shoe pinches have practically asked us to adopt should be objected to by any hon. Member of this House. We cannot and would not like to go against the joint wishes of both parties.

Again, these representatives of both parties have also agreed that there should not be sub-letting in any shape or form. They also agreed to what I have just said about the procedure that should be adopted in case of arrears of rent. In fact, there were seven points on which they reached an agreement. It was only after we could not persuade the representatives to agree to other matters that were in dispute that it became necessary for us to examine the whole position ourselves, and then to introduce this Bill.

The ejectment cases, in a way have not been too many here. Delhi has a very large number of houses; their number would come to something between 2½ lakhs to 3 lakhs, and while a good number of them—perhaps, one-third or thereabout—belong to Government, the rest are private. But, so far as I can remember, the number of ejectment suits in a year has not exceeded 5,000—I am saying roughly. I cannot vouch for the figure, but that does not indicate that there is too much of an effort to eject people through the courts. If other methods are adopted, well, I am not aware of them, and they would not come within the purview of this law. But we wish that no tenant be ejected from his house except for very adequate reason. Of course, non-payment of rent has always been regarded as one of such reasons everywhere, and the parties also had agreed, but even in that matter, we have provided some safeguards. So, to call it a landlord Bill and to say that it is anti-tenant is, I submit, not fair and it is not justified.

Then there is the basic question which we have to consider. Delhi is a growing city. Its population is increasing every day. I have got the figures before me which indicate that its population stood at about four lakhs in 1911; rose to 9 lakhs in 1941, 17 lakhs in 1951 and is now about 23 lakhs. The urban population, I think is about 18 lakhs or 19 lakhs. There are roughly about one lakh families who have no housing accommodation at present in Delhi and who need it. Well, the resources of Government are limited. Two things are necessary if this problem of a tremendous magnitude has to be solved satisfactorily. The scarcity in the matter of accommodation has been further aggravated. The disparity between the supply and demand has become much wider than it used to be in the past. What is the remedy? How are you going to get over it? Obviously, the Government cannot build houses for all, because, as I said, our resources are limited, and we make use of it firstly for the improvement and replacement of slums. So far as other needs are concerned, other ways have to be found. The Government has suggested certain methods. It gives loans; in some cases it gives subsidies also, but even then, only the fringe of the question can be touched that way.

Now, if any provision has to be made and even if a fraction of this demand has to be met, then a constructive attitude has to be adopted. As hon. Members can easily see, there are two things which have to be borne in mind. One of them is this: that at least the existing accommodation should not deteriorate—the houses that exist should not be allowed to tumble down or collapse—and they should be kept in proper order. In order that the houses may be kept in proper order, the landlord or the house proprietor has to be given such rent as would enable him to do so. Everybody knows today that the value of the rupee has gone down. Everybody also knows that building costs

have gone up. The cost of building materials has increased enormously, and so have the charges of construction. The bill that the Government has to pay for repairs has doubled or trebled in recent years. So, we have to see to it that the houses are maintained and are properly repaired, for it is a social problem. It is not only a matter affecting the tenant or the landlord but we need houses and something has to be done in order to keep these houses in a fit state of repair. But whatever we do must be fair.

According to the 1952 Act,—I will not go into details—the rent that was assessable was generally $7\frac{1}{2}$ per cent of the capital cost of construction and the land on which the building stood. Well, certain calculations were made—different categories of houses which were built before 1939, before 1944, before 1947, and so on. All of them were considered and the position with regard to each was fully examined, and then the rates were fixed so as to see that the rent amounted generally to $7\frac{1}{2}$ per cent of the capital cost.

Now, the changes that have taken place since are known to hon. Members. What is the net amount left for the house owner after he has made the repairs, that is not directly at issue. But you have to provide for such an amount as will at least ensure in a reasonable way and to a reasonable extent that repairs will be carried out and the houses will be properly maintained. In view of the changes that have taken place during this interval, in view of the shortage in the number of houses existing, and in view of the fall in the value of money and the rise in prices, I do not think a ten per cent increase in the rents can be regarded as being excessive. A man who is paying Rs. 10 will have to pay Rs. 11, and one who is paying Rs. 100 will have to pay Rs. 110. Well, one may say that those who have to pay the rent will also have to bear the burden of these prices which

178 A LSD—5.

have risen, but with respect to everything else he has to bear the burden. We do not want him to bear the burden to the same extent. It is hardly five or 10 per cent of the increase that has taken place, and it must be remembered that among the house-owners too there are poor people; there are widows; and there are also others. All houses are not palaces all houses are not big. So, if the house-owners do not get enough to enable them to maintain their houses, then, the social problem will become still more acute. Everybody knows, that interest charges have risen and that the cost of maintenance has also risen. Whoever has a house knows as to how much he has to spend on the repairs of his house—what he had to pay in 1950 and 1951 and what he has to pay now. So, this increase of 10 per cent need not be grudged. It will be used and it will be necessary for the repairs, and then, apart from other burdens that the house-owner has to carry in this regard, about repairs etc., he has also to pay house-tax. The present rate of house-tax is 10 per cent. In the Municipal Corporation Act it has been provided, that the tax may be raised to 20 per cent. Where the house-owner has to pay the tax, the whole of the 10 per cent will be absorbed by the increase in house-tax alone apart from anything else. So, we think that this provision is reasonable.

Then there is the question of new houses. About that it must be accepted that the real solution can be found in having new houses in as large a number as possible. The Government has tried to make provision for the low-paid classes. So far as Class IV employees are concerned, it is expected that by the end of this year, housing accommodation will have been provided for about 60 per cent of the employees belonging to that class.

But as I said, there are about a lakh of families and about 1,000 families come to Delhi every month with the intention of staying here permanently. So, we have to encourage the

[Pandit G. B. Pant]

construction of new houses. In 1952, when the Act was passed, it was provided that the houses constructed between June, 1951 and June, 1955 would be allowed complete freedom for seven years; the house-owners could charge any rent they like; they could evict the tenants if they chose to do so. They had the freedom to deal with the tenants if they chose to do so. But now we have imposed restriction on them also. We have said that while the undertaking given in respect of the rent may be respected to the extent that the rents that are now being fixed by mutual agreement will continue for this period, after that the rent will be fixed at the uniform rate which is applicable to other houses; i.e. $7\frac{1}{2}$ plus 0.75 or $8\frac{1}{2}$ per cent. In all other respects, these houses too will come within the purview of this Act.

About the houses built after 1955, we have proposed that they should be allowed freedom to fix their rents by agreement with the tenants and such rents will prevail for five years. But in other respects, the arrangement will be subject to the provisions of this Act and after five years, the rent payable will be not more than $8\frac{1}{2}$ per cent. Everybody knows I think that the rents that are charged by those who construct new houses are high, but we have given holiday almost for five years for new industries in the matter of depreciation charges, income-tax and in so many other things, so that new industries may be established. In the case of new houses, perhaps $8\frac{1}{2}$ per cent. will not provide a very tempting incentive.

An Hon. Member: What about *pugree*?

Pandit G. B. Pant: For that a very strict provision has been made that no *pugree* will be payable. If anybody receives any *pugree*, not only he will have to refund the *pugree*, but also he will have to pay double that amount and he is liable to be sentenced to imprisonment.

Shri Braj Raj Singh (Firozabad): He would not have recovered the whole cost of the construction within the period of five years allowed under the Act.

Pandit G. B. Pant: I think if it had been possible for everyone to realise the whole of the cost, then thousands of houses would have been constructed in Delhi between 1951 and 1955; but they were not. But if you get thousands of houses constructed and if after five years you are able to make use of those houses for the poorer section of the community, fixing the rent at a rate not higher than $8\frac{1}{2}$ per cent., do you really gain or lose? For, if no houses are constructed for five years, you do not get anything even after five years. But if people invest something and get something out of it and if after five years, those who will occupy these houses need not pay more than $8\frac{1}{2}$ per cent., it should not be regarded as a bad bargain from the social welfare point of view. So, this arrangement has been made with a view to have more of housing accommodation. If we do not do anything, then it will be difficult to have more buildings erected.

Everybody knows also that some of the tenants, who are in a position to do so, when they sub-let, get sometimes three or four times the amount which they have to pay as rent themselves, so that if you are to look at the question from the supply and demand point of view, the rents will be much higher than what are being paid today. That is why these controls have been introduced, but still there is a limit beyond which you cannot regulate the laws of supply and demand. We should do things in such a way that we will be able to adjust things together and also to safeguard the interest of the people in general and at the same time not do anything that will further aggravate the existing difficulties. So, these provisions have been made with a view to en-

encourage housing and I hope it is realised by every hon. Member of this House that above all what we need is the preservation of the existing houses and the building of more houses. The existing houses will be kept in good repair. If they are not, it is open to the tenant to spend up to one month's rent himself on the repairs of the house. But if special repairs are called for, he can approach the controller and get permission to make such repairs at a cost that may go up to two years' rent. So, special provisions have been made for keeping the houses in good repair. If a tenant does not receive that treatment at the hands of the landlord to which he is entitled, then it is open to him to approach the controller and as I said, the cost of repairs can go up to the rent that may be payable for 24 months. Taxes etc. will have to be paid by the house-owner and the entire amount may be used for repairs.

So, I submit that the Bill has been prepared with great care and the existing conditions, the principle for which we stand, the supreme objective of the service of the people and the welfare of the community have all been kept in view. I hope this House will pass this motion unanimously.

Shri Braj Raj Singh: I want to have a clarification.

Mr. Deputy-Speaker: This is only being referred to a Select Committee. All these things can be taken up subsequently. We are not deciding just now.

Shri Jadhav (Malegaon): In clause (20) it is stated: "Recovery of possession in case of tenancies for limited period". What is this "limited period"? It has nowhere been defined and wide powers are given to the landlord.

Mr. Deputy-Speaker: I am sure, that shall be considered by the Select Committee.

Pandit G. B. Pant: A limited period is a period which is not unlimited. It may be a year or six months or two years. For that permission will be necessary.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the control of rents and evictions, and for the lease of vacant premises to Government, in certain areas in the Union Territory of Delhi, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely, Shri Radha Raman, Choudhury Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Sucheta Kripalani, Shrimati Subhadra Joshi, Shri N. R. Ghosh, Shri Vitukuru Rami Reddy, Dr. P. Subbarayan, Shri Kanhaiyalal Bherulal Malviya, Shri Krishna Chandra, Shri Kanhaiya Lal Balmiki, Shri Umrao Singh, Shri Kalika Singh, Shri T. R. Neswi, Shri Shivram Rango Rane, Shri Chandra Shanker, Shri Bhola Raut, Shri Phani Gopal Sen, Sardar Iqbal Singh, Shri C. R. Basappa, Shri B. N. Datar, Shri V. P. Nayar, Shri Shamrao Vishnu Parulekar, Shri Khushwaqt Rai, Shri Ram Garib, Shri G. K. Manay, Shri Uttamrao L. Patil, Shri Subhiman Ghose, Shri Banamali Kumbhar,

and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next Session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

[Mr. Deputy-Speaker]

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

13-41 hrs.

MERCHANT SHIPPING BILL

Mr. Deputy-Speaker: The House will now take up the Merchant Shipping Bill, 1958, as reported by the Joint Committee. As the House is aware, 8 hours have been allotted for all the stages of the Bill. I would like to take the sense of the House as to how these 8 hours are to be distributed among the various stages of the Bill.

Shri Naushir Bharucha (East Khandesh): May I point out that there are nearly 200 amendments to this Bill? Eight hours will be required to discuss the amendments alone. Some of them are most controversial.

Mr. Deputy-Speaker: That should have been taken up at the meeting of the Business Advisory Committee.

Shri Braj Raj Singh: (Firozabad): It was taken up.

Mr. Deputy-Speaker: Then, the discretionary power of the Speaker is there.

Shri Naushir Bharucha: At that time there were only 60 amendments. Now there are nearly 200 amendments.

Mr. Deputy-Speaker: We will proceed now. If necessary, we can extend the time.

Shri Naushir Bharucha: In the circumstances, I submit, the general discussion should not be less than six hours.

Mr. Deputy-Speaker: On the one hand, the hon. Member says that now the amendments have swelled up to 200 and odd and so more time is required for the amendments; on the other hand, he says that more time should be allotted for general discussion.

Pandit Thakur Das Bhargava (Hissar): I would submit that out of the 8 hours, 5 hours may be allotted for general discussion and 3 hours for the rest.

Shri Braj Raj Singh: As you rightly said, the allotted time can be extended by one hour. Since five hours have already been allotted for general discussion, now it will come to six hours.

Mr. Deputy-Speaker: We might say, for the present: 5 hours for general discussion and 3 hours for the rest. In case necessity arises, Speaker can at his discretion increase it by one hour. The time-limit for speeches, as usual, will be 15 minutes for Members and 30 minutes for leaders of groups.

The Minister of Transport and Communications (Shri S. K. Patil): Mr. Speaker....

Mr. Deputy-Speaker: I am Deputy to him.

Shri S. K. Patil: I am sorry. Sir, I beg to move:

"That the Bill to amend and consolidate the law relating to merchant shipping, as reported by the Joint Committee, be taken into consideration."

I shall now proceed to briefly examine some of the changes that have been brought about by the Select Committee on the original proposals that were there. The Bill that has now emerged as a result of the deliberations of the Select Committee is a

distinct improvement over the original draft, inasmuch as it enlarges the scope of the Bill and gives it the emotional content that it needed. For the first time in our history as a free country, we are bringing on the national register our Indian ships, our own ships, without national flag flying on them, and our flag on these ships will gloriously fly on the high seas of the world and will carry our message of peace, prosperity and goodwill to all peoples of the world.

By enacting the Indian Shipping Act, we are putting into effect, in howsoever small a measure, our resolve and determination to make India a maritime country. I have advisedly used the expression "maritime country" and not "maritime power", as other powers are conventionally called. The difference is obvious. Our flag will neither be preceded, nor followed, by any national desire to spread our power to any part of the land outside our frontiers. Our ships are primarily meant to carry our cargo, export and import to and from all parts of the world. We want to build up relationship of friendship and mutual understanding with every other country, and that is why our ambition is limited to make our country as big a maritime country as we can, but not a maritime power in the sense in which it is conventionally understood.

Now, the Bill when it was introduced on the 14th February, 1958, was intended to revise and consolidate all the laws in force in India relating to merchant shipping. Its scope was very much limited. The Bill, as it has now emerged from the Joint Select Committee, has two outstanding features, namely, the promotional and developmental aspects of the merchant marine. This has been reflected in the Long Title of the Bill, which gives us the emotional content and also the developmental activities which we propose to bring about. That reads as follows:

"to foster the development and ensure the efficient maintenance of an Indian mercantile marine in a manner best suited to serve the national interests and for that purpose to establish a National Shipping Board and a Shipping Development fund to provide for the registration of Indian ships and generally to amend and consolidate the law relating to merchant shipping."

There was a persistent desire expressed by many hon. Members that we should have a preamble to the Bill, giving it the emotional content. Since this House has now given up having preambles to the Bills, we have embodied this emotional content in the long title which I have read to you just now.

The main features of the development aspects are the establishment of a National Shipping Board and the establishment of the Shipping Development Fund. The shipping interests in the country had all along demanded that the shipping policy of the country should be more representative than what it was before. We have responded to this legitimate demand and included a provision in the Bill to establish a National Shipping Board. The Board will be advisory and will deal with matters relating to Indian shipping, including its development and such other matters arising out of the Act as might be referred to it for advice. The advisory character of the Board, however, does not limit the possibilities of its functioning as a great helpful factor in influencing the shipping policy of our country. The very composition of the Board—it will consist of not more than 21 members including five Members of Parliament—is a guarantee that its counsels should be treated with the respect that they deserve.

A provision has been made that the Board shall include an equal number of persons representing ship-owners and seamen. The Central Government shall nominate one of the members

[Shri S. K. Patil]

of the Board to be its Chairman. It is Government's desire that by convention a practice will be established that the Chairman shall ordinarily be a non-official person.

Another important feature of the Bill is the provision regarding the shipping development fund on a statutory basis. As this House is aware, Government had recently decided to set up this fund on a *pro-forma* basis because there were some constitutional difficulties in making it a statutory body. The provision in the Second Five-Year Plan has been fully utilised, but in view of the rising cost it has become apparent that more funds will have to be provided if the target laid down in the Plan is to be achieved. A fund has accordingly been established so that some additional finance may be available on a continuous basis for the development of shipping. The fund would be maintained from the amounts received in repayment of loans already given and by the interest accruing thereupon. It is hoped that annual contributions will also be available for this fund from the Consolidated Fund of India. Opportunity has been taken to give a statutory basis to this fund by including this provision in this Bill. The fund will be drawn upon for granting loans and financial assistance to shipping companies for acquisition and maintenance of ships and will be administered by a small committee. Its accounts will be laid before the Parliament from time to time.

Perhaps the most important feature of the Bill is the definition of an Indian ship. The discussion on this point was accompanied, if I may say so, by a mild but positively helpful and constructive criticism. I am obliged to the hon. Members for the helpful manner in which they have really guided the deliberations of the Joint Committee on this particular point. As a result of the deliberations of the Joint Committee it has now been decided to amend the original decision so as to provide that

only Indian nationals or Indian companies which satisfy a certain criteria would in future be able to own Indian ships. The principle criteria laid down in this Bill for this purpose are five. They are—

(1) Not less than 75 per cent of the share capital of the company should be held by citizens of India.

(2) Not less than three-fourths of the total directors of the company should be Indian nationals.

(3) The Chairman of the Board of Directors and the Managing Director, if any, shall be citizens of India.

(4) The Managing Agents, if any, of the company shall be Indian nationals or if a company is the managing agent, the company shall also satisfy the same requirements.

(5) The principle place of business of the company shall be in India.

As the hon. Members will see from the minutes of dissent appended to the Report, a certain section of the Joint Committee felt that larger than 25 per cent of foreign participation should be allowed. There are also other members who felt equally strongly that no foreign participation should be allowed in view of the special position of the shipping industry. The provision that has finally been made by the Joint Committee appears to be very practical and a reasonable compromise in that it will enable limited foreign participation and yet keep an effective control of Indian ships predominantly in Indian hands. This is also in consonance with the policy decision of our Government announced in 1947.

A brief explanation of the Government's position in this regard is necessary to clear the doubts which may

lurk in the minds of hon. Members who desire a larger foreign participation. I can at once grant that those who want larger participation mean well by Indian shipping but the question is whether it will be a wise move. On this point this House has got to decide once for all. They are afraid that our target of the Second Five Year Plan, viz., 900,000 GRT would not be reached without adequate foreign participation. We have to remember quite a number of important factors in this connection. The shipping target could be reached by several ways. Important among them are; firstly, if we find enough internal resources and also foreign exchange on our own, then surely we can do it ourselves and we have not got to look to anybody else for reaching our targets; secondly, securing foreign exchange by international loans—that is another way because we have been taking loans for many developmental projects of our country; and thirdly by allowing more equity capital from outsiders, in other words larger foreign participation.

Now, the last to my mind is a very risky proposition. Shipping is not like any other industrial enterprise where foreign participation may not prove to be an inconvenient or even a dangerous factor sometimes. Shipping is the very life and soul of a nation. It is also in times of emergency the second line of defence for a country. The existence of any outside or foreign element in our national shipping is bound to prove a very irksome factor in the long run. The Government have wisely decided to avoid this contingency by limiting foreign participation to only 25 per cent. I do not know how far even this 25 per cent may be utilised since in the last ten years experience has shown that it has not been utilised. Ever since 1947 that limit of 25 per cent has been there but nobody has availed of it during all this long period.

Everybody knows that we have not got foreign exchange just at present

for the completion of our target of 900,000 GRT. The course that is open to us is international loans at a reasonable rate of interest and on terms and conditions which are mutually acceptable. Such loans are forthcoming and I expect no difficulty in processing them in time for the completion of our targets. As it is we have come very near the target point. During the last two years we have been adding annually substantial tonnage to our fleet. We have to add somewhere about 180,000 GRT for the completion of the target. Really speaking, it is somewhere about 120,000 GRT, but I am adding 40,000 GRT because by that time some ships will go out of commission, i.e., the old ships. Therefore, this figure of 180,000 GRT in order to complete the target of 900,000 GRT. This also includes, as I said, a bit of shipping that will go out of commission by old age. It should, therefore, be remembered that the consideration of reaching the target should not be an overbalancing factor in fixing the percentage of foreign participation. I am quite sure that with the provision that we have made now, we shall be able not only to complete the target, but also, I hope, to exceed it.

There are quite a few other improvements in the Bill as reported by the Joint Committee, particularly, attention has been paid to amendments, the object of which is to assist our seaman. All revenues from fines imposed on seamen are to be utilised for the welfare of seamen. I would give the House with your permission a few figures for their consideration because these figures will help them in the deliberations on this Bill.

The total tonnage of the Indian ships today which is actually functioning or is in operation is 621,060 GRT. Total number of ships is 39. In coastal trade there are 84 ships and in overseas trade there are 55 ships. Our revenue from overseas trades and which means the earnings in

[Shri S. K. Patil]

foreign exchange, are increasing year after year and last year, that means in 1956-57, we reached a target of Rs. 17.88 crores. The target by March 1961, i.e., by the end of the Second Five Year Plan, as I said, is 900,000 GRT. To make a net addition of about 300,000 GRT during the Second Five Year Plan, we have ordered both in the public sector and in the private sector ships which will bring the total as I said, only 120,000 GRT short of the target. To that I have added 40,000 GRT more in order that even those ships that will go out of commission would be taken care of. Therefore, our problem is, during the next two years, we must secure by loan or otherwise tonnage which will be the equivalent of 160,000 GRT. That completes our Second Five Year Plan, or a target of 900,000 G.R.T. Monetary provision made was Rs. 37 crores—Rs. 17 crores for the private sector and Rs. 20 crores for the public sector. The entire provision has been fully committed. Loans to the extent of Rs. 14 crores have been sanctioned so far to private sector companies.

14 hrs.

A word about sailing vessels. This is also a considerable factor in shipping. The number of vessels existing at present is 1500,—one cannot be very accurate to the last ship so far as sailing vessels are concerned—of which about 200 are engaged in overseas trade. The volume of cargo lifted is about 2 million tons. There is a provision of Rs. 40 lakhs in the Second Plan for mechanisation of selected units of sailing vessels. These are some of the figures which I have placed before the House.

As I say, this is the first time that we are having this enactment. It has been a voluminous enactment with 461 clauses. I am not surprised that there are up to now as many as 200 amendments. Possibly more will be forthcoming. I am glad about the

interest that hon. Members are taking in this business. I can tell them one thing. The Government share the anxiety of this House, much more so, I, if I may say so, personally. I am not satisfied with a target of 900,000 tons, when I say that we want to make India a maritime country. Such a vast country like ours with 4000 miles of sea line, needs many more ships than that. Therefore, our endeavour would be, to see not only that the target should be reached, but the target should be exceeded. Sometimes in my enthusiasm which is not always shared by facts, I really run even farther than the expectation of many hon. Members that it should be given to us to see within a very short time, within our living memory or in our own time, to reach a target of 2½ million tons. That would really make India a maritime country, a thing of pride which really we aim at. That being the aim, we have got to see how easily we can reach that aim and what are the methods that we can employ and therefore we must make a big beginning. I daresay that in having this Bill as it has now emerged after the deliberations of the Joint Committee, we have given a kind of a Bill of which the country should be proud, which lays the foundation truly and well for a mercantile marine which has been always a dream and which will be in the realm of finality in the next 10 or 15 years.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to amend and consolidate the law relating to merchant shipping, as reported by the Joint Committee, be taken into consideration."

To this consideration motion, I have received notice of an amendment from Shri Tridib Kumar Chaudhuri.

Shri Tridib Kumar Chaudhuri (Berhampur): Yes, Sir. I am moving it.

Mr. Deputy-Speaker: There is another amendment by Shri U. C. Patnaik. He is not here. That is not moved. Shri Tridib Kumar Chaudhuri may move his amendment.

Shri Tridib Kumar Chaudhuri: I beg to move:

"That the Merchant Shipping Bill, 1958 as reported by the Joint Committee, be recommended to the same Joint Committee with instructions to make necessary alterations in Parts II, III and IV of the Bill relating to the constitution of the National Shipping Board, General Administration and the Shipping Development Fund so as to confer greater powers and executive authority to the National Shipping Board in the sphere of general administration and the administration of the Shipping Development Fund and to report by the end of the first week of the next Session of Lok Sabha.

It is a matter for deep gratification that we have been able to place this Bill on the legislative anvil. It is no pleasure for me that I have to move this amendment which, if accepted, would delay the passage of the Bill by some time. I want this Bill to be passed with godspeed. But, unfortunately, the Bill, as it has emerged from the deliberations of the Joint Committee, alters the entire scheme of the Bill. If you look at the preamble and the long title of the Bill, you will find that the entire preamble and long title have been inserted by the Joint Committee and they had no place in the original Bill. Two important things that the Bill, as it has emerged from the Joint Committee proposes, to which the preamble also refers, are the formation of a National Shipping Board and the creation of a National Shipping Development Fund and also the constitution of a National Shipping Development Fund

Committee for the administration of that Fund. To my mind, the general picture of the entire scheme of the Bill and the entire scheme of administration of the merchant marine as envisaged in the original Bill has been altered fundamentally as it is now proposed in the report of the Joint Committee. If I may refer you to Part III of the present Bill as reported by the Joint Committee, you will find and it was the scheme of the original Bill also, that all powers of administration of merchant marine was concentrated in the hands of a single officer, the Director General of Shipping. Now, when the Joint Committee proposes the formation of a National Shipping Board, as the preamble says that we should have for the development of the merchant marine and for the efficient maintenance of the merchant marine, best suited to our national interest and all that, it can be legitimately expected that all these powers at least should be wielded not by a single officer, but by the Board which is now being proposed. But, as the hon. Minister has told us, it has nothing but advisory powers. It can only advise. Of course, the Minister has assured us that because Members of Parliament will be represented in the Board and shipping interests and other interests connected with shipping would be represented in this Board, its advice would be given due weight by the Government. In this regard, I feel that the Government has not done justice either to this House or to the interests of merchant shipping themselves.

Part II of the Bill, as I have already said, concentrates all powers of administration in the hands of the Director General of Shipping. A study of the Bill shows that under various provisions Government propose to arm themselves with extensive powers over the industry which is desirable. I support those powers, as for instance, over the acquisition and registration of ships, their movements and disposals, the cargoes that they shall

[Shri Tridib Kumar Chaudhuri]

carry, freights and all that. All the powers that are necessary for the development and for the administration and effective maintenance of a merchant marine should be in the hands of the Government, but I would like to understand why these powers are sought to be concentrated in the hands of a single officer.

If we look at the railway administration, there we have at least a Board, a committee of technical officers generally preside over the administration of the entire railway system of India. We have also heard that the postal administration is also going to be handed over to a board and that Government is considering that proposal. Then why, at this particular moment when we are thinking of codifying our law regarding the merchant marine, when as the hon. Minister of State said when speaking on this Bill we are determined to make it a vehicle of power on our onward progress with regard to merchant marine, when it comes to the administration of those powers, they are going to introduce nothing but what may be called the virtual dictatorship of a single officer?

I may refer in this connection to the Merchant Marine Act of the United States of 1936 which may be regarded as a landmark in the history of the development of the merchant marine in that country. I wish the Government would take a lesson from the way that the American Government proceeded to develop their merchant marine in terms of that Act. By that Act they originally created a Maritime Commission. The powers of the merchant marine administration were not entrusted to any single officer or to any Minister of the Cabinet or to the Secretary of Commerce who is in charge of these things, but it was handed over to a Board in which different interests were represented, and they were given extensive executive powers. Of course, subsequently it was changed into the

Federal Maritime Commission, but that makes no fundamental difference, and that is only a change in nomenclature. Some technical changes were introduced, but the fundamental principal was there, and the administration was entrusted to a body of technical experts and representatives of various interests, and this body was invested with executive power under the terms of the Merchant Marine Act.

Here Government comes with a make-believe sort of proposal. They say in the preamble that they are creating a National Shipping Board, as if to give us the idea that now they have created a board and that this board will see to the development of the merchant marine, but as a matter of fact, this board would be nothing but a facade, nothing but a screen behind which that particular officer, in whose hands dictatorial powers are concentrated, will work. He will have all the powers but no responsibility.

Shri Naushir Bharucha: He will not have any power. It is only advisory. Nobody will have any power.

Shri Tridib Kumar Chaudhuri: Anyway, whatever powers are given to the Director-General of Shipping should have been given to the National Shipping Board that is proposed here, instead of making it an advisory body.

Then there is the Shipping Development Fund, and the committee constituted for the administration of that fund. Here, if you look at clause 16, it seems ridiculous what powers are entrusted to this committee. This will be simply an accountants' committee. All rules and everything will be made by the Government as to how this fund will be administered. I fail to understand why a committee has been created here, and it seems to me it was simply to create the impression that these two bodies—the

Shipping Development Fund Committee and the National Shipping Board—will be the real bodies which would really administer this Act and look to the development of the national merchant marine. As a matter of fact, there is nothing of that sort. That is why I have proposed that all these relevant parts of the Bill should be re-examined by the Joint Committee and they should take into consideration the fact that the entire scheme of the Bill as proposed originally changes if we envisage that this Board and this Committee would administer merchant shipping in this country.

Apart from this aspect, I take this opportunity to refer to the general policy as enunciated in the preamble of the Bill. I do concede that in this preamble there is some recognition of the need for the development of our merchant marine, but I am greatly disappointed that it contains no definition of our national objectives so far as merchant marine is concerned. I just now referred to the speech of hon. Shri Raj Bahadur. He said that he wants to make this Bill a vehicle of progress on our onward march.

An Hon. Member: Shri S. K. Patil.

Shri Tridib Kumar Chaudhuri: Shri Raj Bahadur made a speech earlier. I know that he is Shri S. K. Patil. I am an old Member and I am old enough to know who is who here.

Shri Raj Bahadur: I want that to be done.

Shri Tridib Kumar Chaudhuri: Anyway, neither the preamble nor the detailed clauses of the Bill actually contain any instrument by which it can be really made a real vehicle of the onward march or onward progress of our merchant marine. It simply codifies certain laws. As I said at the outset, it is a matter of gratification that we have been able to put this measure on the legislative anvil, but it has not been done in the right spirit.

I have tried to follow the various amendments that have been proposed to this Title, and if I may anticipate my hon. friend Shri Raghunath Singh, I would commend his amendment for the consideration of this House. Again, I would ask the Minister to take a leaf from the preamble of the Merchant Marine Act of the United States. There, in the preamble they have set forth specifically and in a detailed manner what should be the national objectives of their country, so far as development of merchant marine is concerned. If I may quote Sardar Patel, Sardar Patel once said that merchant marine is the backbone of the development of a country like India which has come to be a maritime country. When we consider any Merchant Shipping Bill, a vision conjures up before our eyes of the days when India was really a maritime power; again, a vision conjures up also of the days to come when India will be a maritime power. But, unfortunately, neither in this Title nor in this Bill do we find any enunciation of that policy.

The only thing for which I congratulate Government is with regard to the development of Indian shipping, but even in that regard, when we shall consider the clauses, I hope I shall have an opportunity to refer to that matter. It is only in regard to the definition of Indian shipping, perhaps, that Government have taken a step forward; though it may not be as big a step as we wanted it to be, still it is a big step forward, and for that, I congratulate Government. Although that is a very important matter, yet, in this connection, that is, particularly in connection with the amendment that I have proposed, that is a secondary consideration. I would ask the hon. Minister to take into consideration this fact that with the proposal to constitute a National Shipping Board for the development of Indian shipping, and the constitution of a National Shipping Development Fund Committee for the same purpose, the entire scheme of the Bill changes or should change; and he should find

[Shri Tridib Kumar Chaudhuri]

it possible to take into serious consideration the points that I have made that instead of letting one officer to administer all the powers invested under this Bill, and which Government want to take under the clauses of this Bill, let him entrust it to a competent committee which would represent technical experts, the different interests connected with merchant shipping, and if necessary, as has already been proposed, it might contain a number of Members elected by this House or the other House of Parliament also. But let this shipping body be a real board with real powers to develop merchant shipping and to achieve the objectives that we have all in view.

Mr. Deputy-Speaker: Amendment moved:

"That the Merchant Shipping Bill, 1958 as reported by the Joint Committee, be recommitted to the same Joint Committee with instructions to make necessary alterations in Parts II, III and IV of the Bill relating to the constitution of the National Shipping Board, General Administration and the Shipping Development Fund so as to confer greater powers and executive authority to the National Shipping Board in the sphere of general administration and the administration of the Shipping Development Fund and to report by the end of the first week of the next Session of Lok Sabha."

Both the motion and the amendment are now before the House.

श्री रघुनाथ सिंह (वाराणसी) : उपाध्यक्ष महोदय, पाटिल साहब ने जिन सुन्दर शब्दों में इस बिल को यहां उपस्थित किया है उस के लिये उन को हम धन्यवाद देते हैं। लेकिन उन के विचारों से हम बहुत अधिक सहमत नहीं हैं।

जहां तक पारटिसिपेशन का सम्बन्ध है जो परसेंटेज इस बिल में रखा गया है उस को हम उचित नहीं समझते। हम चाहते हैं कि इस में कुछ संशोधन होना चाहिये। इस पारटिसिपेशन के प्रिंसिपल को आज नहीं बल्कि सन् १९२३ में ही हिन्दुस्तान ने स्वीकार किया था। पहले पहल सन् १९२३ में सेंट्रल प्रोसेम्बली में श्री शिवस्वामी अय्यर ने शिपिंग के प्रश्न को हिन्दुस्तान और उस के प्रतिनिधियों के सम्मुख रखा था। उस समय एक कमेटी बनी थी जिस में सर लालूभाई सामल दास जी भी थे ज.कि सिंधिया के फाउंडर और चैयरमैन थे। आज जो हमारे अमरीका में एम्बेसेडर हैं मेहता साहब, उन के पिता थे। उन्होंने ने जो डेफीनीशन दी थी इंडियन शिपिंग की और ज. रिक्मंडेशन की थी वह इस प्रकार थी :

"that it is registered in India, that it is owned, and managed by an individual Indian or by a joint-stock company which is registered in India with rupee capital, with a majority of Indians on its directorate and a majority of its shares held by Indians."

सिंधिया के प्रथम चैयरमैन और सिंधिया के फाउंडर ने इस प्रिंसिपल को स्वीकार किया था कि कारिन पारटिसिपेशन होना चाहिये अगर मैजारिटी इंडियन शेयर्स की हो तो उस को मान लेना चाहिये।

उस के पश्चात् सन् १९४५ में एक कमेटी कायम हुई। यह शिपिंग की पालिसी के रिक्स्ट्रक्शन के सम्बन्ध में थी। इस कमेटी में जो महानुभाव थे उन में एक मास्टर साहब भी सिंधिया के थे। दूसरे साहब इंडियन शिपिंग से सम्बन्धित थे। वह श्री अब्दुल हलीम गजनवी थे। हिन्दुस्तान में दो ही बड़ी कम्पनियां हैं जिन के हाथ में मैजारिटी आफ टनेज है। सिंधिया और इंडियन स्टीम नेवी-गेशन कम्पनी। अब्दुल हलीम गजनवी साहब

स्टीम नेवीगेशन कम्पनी के फाउंडर थे। जिस के सर रामसुखी मूदलेयर भाज चेंबरमैन हैं। यह वह कमेटी थी जिस का भाज पार्टिल सहब ने १९४७ कमेटी कह कर हवाला दिया है। उस कमेटी ने यह कहा है :

"Indian ships' should denote shipping owned, controlled and managed by the nationals of India."

इस कमेटी में दो सज्जन थे जिन्होंने ने डिस्सेंटिंग नोट लिखे थे। उनमें एक सज्जन ता भण्प्रेत्री बे रेडक्लिफ साहब। उन्होंने लिखा था कि अगर मेरा कम्पनी का इस डेकीनीशन से छाड़ दिया जाये ना मैं नेटिकाइड हूं। दूसरे सज्जन थे श्री अब्दुल हनाम गजनवी साहब। इस कमेटी ने यह निर्णय किया था कि मेट पर मेट इंडियन होना चाहिये, १ परमेट शेयर भी किसी दूसरे के नहीं होने चाहिये। इस कमेटी का यह रिक्मेंडेशन था :

"ship owned, controlled and managed by the nationals of India."

यानी पूरा शेयर इंडियन रहे और किसी दूसरे को एक शेयर भी न जाने पाये। मिथिया के फाउंडर की राय थी कि मैजारिटी आफ शेयर्स इंडियन होने चाहियें। गजनवी साहब ने डिस्सेंटिंग नोट लिखा। उन्होंने ने इंडियन शिपिंग के लिये बहुत बड़ा काम किया था। उन्होंने ने कहा :

"Though 25 years have elapsed, there is no reason to think that this definition does not equally hold good now."

इस प्रकार से the founder of one company and the father of another company both came to the same view. दोनों की एक ओपीनियन थी। फारिन पार-टिसिपेशन होना चाहिये। लेकिन भाज जो

हिन्दुस्तान की कम्पनियां हैं जान लड़ा रही हैं कि कोई फारिन पारटिसिपेशन नहीं होना चाहिये।

इस के पश्चात् जब गवर्नमेंट के सामने यह रिपोर्ट आई, तो गवर्नमेंट ने कहा कि सेन्ट-पर-सेन्ट इंडियन कैसे हो सकता है, जब दूसरी इंडस्ट्रीज में हम फारिन पारटिसिपेशन को स्वीकार करते हैं, तो फिर इस में क्यों न स्वीकार करें। १२ जुलाई, १९४७ की रिपोर्ट, जिस का हवाला दिया जाता है, की डेफिनीशन को गवर्नमेंट ने नहीं माना। गवर्नमेंट ने यह माना कि—

"At least 75 per cent of the shares and debentures of companies should be held by Indians by their own right."

यह है ७५ परसेंट। कैसे कहते हैं कि नहीं है।

(At this stage the hon. Member waved his hand and exhibited the papers in his hand).

Mr. Deputy-Speaker: This would not go into the record! The hon. Member might continue on the next day as it is now time to take up the Private Members' Business.

14.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-SIXTH REPORT

Shri Supakar (Sambalpur): I beg to move:

"That this House agrees with the Twenty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 10th September, 1958."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Twenty-sixth Report of the Committee on Private Members'

[Mr. Deputy-Speaker]

Bills and Resolutions presented to the House on the 10th September, 1958."

The motion was adopted.

14.31 hrs.

RESOLUTION RE: FORMATION OF A NATIONAL COUNCIL OF INDIAN YOUTH—contd.

Mr. Deputy-Speaker: The House will now resume further discussion of the Resolution moved by Shri Panigrahi on the 30th August, 1958 regarding formation of a National Council of Indian Youth.

Out of 2 hours allotted for the discussion of the Resolution, 1 hour and 54 minutes have already been taken up and 6 minutes are left for its further discussion today.

Dr. Melkote is not present. Therefore I shall call the hon. Minister. Perhaps the House would like to extend the time by a few minutes, because in six minutes we cannot finish it. I take it that that is the pleasure of the House.

Some Hon. Members: Yes.

The Minister of Education (Dr. K. L. Shrimall): Mr. Deputy-Speaker, the resolution, as has been moved by the hon. Member, envisages two things in setting up the National Council of Indian Youth and Central Board of Youth Welfare. In the first place, it is desired that all the political parties, all shades of opinion should be brought together in a central organisation for the guidance of the youth; secondly, it is also envisaged that there should be a central organisation.

With regard to both these aspects I think the approach to the problem of the youth is basically wrong. I would like the House to imagine

political groups with different political ideologies, members belonging to the Jan Sangh and the Communist Party and the Congress Party, all coming together and sitting up in a central organisation for the guidance of the youth. I wonder whether an organisation of this kind can come to any definite opinion or can draw up any clear-cut programme for the guidance of the youth.

Secondly, when we set up a central organisation like this, there is a certain risk involved—and we should not overlook that risk—that a central organisation might lead to some kind of regimentation of the youth.

Our approach to this problem so far has been that we want to make a non-political approach as far as the youth of the country are concerned. We also want to decentralise our activities for the guidance of the youth.

I agree with the hon. Member that there is a real need in our country to mobilise the youth of the country for national development and for national reconstruction. It is also true that so far it has not been possible for us to release the creative energy of the youth for national reconstruction. We have also not yet fully realised the full potentiality of the youth of the country. Our approach however is non-political, we want to decentralise the activities for the guidance of the youth, and so I am unable to accept this resolution.

I would, however, like to submit that the hon. Member Shri Panigrahi is not fully informed when he says that since Independence no positive steps or practical measures have been taken by Government to assist the youth in the development of the country. He may be right when he says that adequate steps have not been taken; but it is not correct to

say that we have not taken any positive steps.

In the brief time at my disposal I would like to enumerate the various measures which the Government have taken for the guidance of the youth. And if one would only look at the various efforts which have been made, I am quite sure that the hon. Member himself would say that certain positive steps have been taken and certain definite efforts have been made.

Well, Sir, we have been giving grants for youth leadership and drama camps in order to give training to teachers in youth welfare work. Universities are being given assistance to organise holiday camps for students. Grants are being paid to schools and colleges to enable small batches of students to undertake tours throughout the country, to satisfy the artistic, cultural and emotional needs of the students. And the House is aware that we have been organising, year after year, the Inter-University Youth Festival which has been very popular in our country and which has aroused great interest among the youth of the country. In addition to this, we have been trying to set up a number of youth hostels; and I would like to inform the House that we have offered grants to State Governments to cover the entire cost of constructing youth hostels. Assistance has also been offered to voluntary organisations for equipping youth clubs and centres. The House is aware that every year we have been giving grants to Bharat Scouts and Guides, and we have also given grants to the Bharat Scouts to send their delegations abroad; and we are assisting them to develop a National Development Centre with headquarters at Pachmarhi.

Some efforts have also been made in the field of physical education. We have set up a National College of Physical Education and it is being developed. We are also trying to develop institutions which impart yogic exercises in yoga ashrams. And,

in order to inculcate a sense of dignity of manual labour among the students, grants have been given to voluntary organisations, schools, colleges and the N.C.C. Directorate for holding labour and social service camps in villages throughout the country. During the current year a sum of Rs. 42.3 lakhs will be paid as grants for these camps. Those hon. Members of the House who have had an opportunity to visit some of these camps would bear me out that these camps have aroused a great interest among our students and aroused a sense of social responsibility and developed a dignity for manual labour. They have been constructing roads, digging wells and constructing school buildings. In order to provide amenities in schools and colleges, grants have been given for construction of gymnasias, swimming pools, open air theatres and various other amenities for improving the campus of the educational institutions. One essential feature of this scheme is that the students themselves have to participate in these works. During the current year, a sum of Rs. 14.1 lakhs will be sanctioned as grants for this purpose.

The House is also aware that as regards games and sports, in the last four years extensive coaching has been given to talented players in schools and colleges, and various national sports federations have been assisted and encouraged in sending teams to participate in the Olympic and Asian games. I have recently set up a Committee to go into the question of organisation of sports and as soon as their Report is available, efforts will be made to reorganise our sports and sports federations so that they may be able to arouse enthusiasm among the youth of the country, both urban and rural.

The House is also aware that we have accepted the National Discipline Scheme and about one lakh students are under training under this scheme. I hope that by the end of the Second Five Year Plan the number will be nearly doubled. We have set up the

[Dr. K. L. Shrimali]

All India Council of Sports and the Central Board of Physical Education and Recreation. Both these bodies are doing useful work in guiding the various activities of youth both in the field of physical education and in that of sports.

My hon. friend, Shri Panigrahi, quoted certain figures with regard to the expenditure that has been incurred for various youth welfare activities. I would like to say here also that he was not properly informed. Figures of the financial allotment mentioned by him do not represent the entire position. For the entire youth welfare programme, we have made a provision of nearly Rs. 588 lakhs. Now, for a vast country like this, I think that this is not a very big amount, but I hope as our resources increase, we would be able to spend more and more for youth welfare activities.

I think he was also misinformed when he said that we were having a sort of partiality towards certain organisations. He particularly mentioned the Bharat Sevak Samaj. It is true that the Bharat Sevak Samaj is one of the organisations which have been organising these youth camps and labour service camps, and the Government give grants to this organisation for the specific purpose of organising these camps. There is, therefore, no partiality because there are other organisations also such as the N.C.C. and social service organisations, Universities and schools to which grants are given for the organisation of these camps. As I said, our main approach in this matter is to be non-political as far as activities of youth welfare are concerned.

These are some of the efforts the Ministry has made in the field of youth welfare and youth guidance. Though I admit that there is greater scope for expansion of these activities, I would like to submit that a central organisation suggested by my hon. friend would not serve the needs. We have not had any correct definition of

'youth' from the hon. Member, but I expect he would include in the term both the student as well as the non-student population. As far as students are concerned, I think it would be a good day for our country if all the political parties kept their hands off educational institutions. Let teachers and professors alone who are working in these educational institutions be responsible for guiding the youth of the country. I am not suggesting that students should completely eschew politics. They would certainly study politics. They would certainly have political affiliations. But great harm has been done in our country by exploiting youth for political ends and political purposes. Students should be considered as individual persons and not as means and robots for achieving certain political ends. I would, therefore, beg of the hon. Member to revise his opinion with regard to this matter.

With regard to the non-student population also, it is my conviction that a central organisation like this consisting of different political ideologies and different political groups will not serve the purpose he has in view.

In view of the limited time at my disposal, I would not like to say anything more, but in view of the arguments. I have advanced, I hope the hon. Member will not press the Resolution.

Shri Panigrahi (Puri): I am very glad to hear the hon. Minister reply to the debate on my Resolution. I appreciate the spirit, but I would like to submit that I would still venture to stand by the figures I have quoted. I said that more than Rs. 5 crores had been allocated for the welfare of youth of the country; he has said that the amount is Rs. 5.88 crores. Out of a budget of Rs. 600 crores, only Rs. 5 crores have been allotted for the welfare of the youth of this country who constitute more than 33 per cent of the total population of India.

So my reasons are further vindicated.

I would only like to touch on one or two points. The hon. Minister has been pleased to say that no discrimination is being made. I am very glad that our hon. Minister should follow what he professes. I have no time to quote all the figures concerning the grants given to the Bharat Sevak Samaj, but in answer to one of the questions the Minister was pleased to answer that "as the Bharat Sevak Samaj is not functioning under the control of Government, the question of receiving reports from the States of the work done by the Samaj during the year 1957-58 does not arise". More than Rs. 20 lakhs have been given to the Bharat Sevak Samaj for conducting camps. If you are giving Rs. 20 lakhs to an organisation, you must call for reports and see whether really the camps have been conducted and whether the object of the welfare of youth is being achieved.

Dr. K. L. Shrivastava: I would like to inform the hon. Member that as far as the camps are concerned, they have to render full accounts to the Government. Certain advances are made and further advances are made only when they have rendered accounts.

Shri Panigrahi: The Minister's reply was on 4th. Today is the 12th. Whether the accounts are properly audited has to be surmised.

I would like to touch upon another point. It is about discrimination. Yesterday, in Rajya Sabha the same question came up to which the Prime Minister replied and he said that so far as different Youth Organisations are concerned there was no discrimination. But, he said the WFDY represents a particular view point and that they were not allowed to meet because they professed particular political ideology. When he was asked what was the basis for such inference, I am sorry to say, the Deputy Minister for External Affairs, Shrimati Lakshmi Menon quoted certain extracts from the WFDY Consti-

tution which was adopted in Budapest Congress 4 or 5 years ago. But they allowed World Assembly of youth to hold its convention in India. Who lives in the old world? I would venture to say that one should look at the amended Constitution. Some one should have taken the trouble to see whether that Constitution adopted in the year 1952 still stands today. I would beg to submit that discriminations are there. The reasons may be suitable to those who are in power.

Only one more point and I am done. After this discussion was raised here in the Lok Sabha wide interest has been created among the youth organisations in this country and those who are interested in the welfare of youth. Due to the wide publicity given, many have written letters and they have expressed their desire that it is high time that the Government of India should think seriously about the problems facing the youth in this country. I am not going to suggest as some of my friends have suggested that the Ministry of Education should have a separate branch which would be in charge of youth only—some have even gone to the extent of suggesting that there should be a separate Ministry for youth—but still I would say that the hon. Minister should take more interest henceforth in this so that problems of youth which are really immense can be tackled well. The meagre amounts that have been allotted really touch the fringe of the problem—the shores of the vast ocean of problems that face Indian youth today.

Mr. Deputy-Speaker: What about the appeal of the hon. Minister?

Shri Bimal Ghose (Barrackpore): The appeal is dismissed.

Shri Panigrahi: So far as the appeal is concerned, I do not press my resolution.

Mr. Deputy-Speaker: There are three amendments also to this resolution by Shri Tangamani.

Shri Tangamani (Madurai): I am not pressing any of these amendments.

The amendments were, by leave, withdrawn.

Mr. Deputy-Speaker: The Resolution also is not pressed.

The Resolution was, by leave withdrawn.

Mr. Deputy-Speaker: The next Resolution is that of Shri Rejendra Singh and he is not here. He has written to me that he won't move it. Pandit Thakur Das Bhargava has also indicated that he is not moving his Resolution. Shri T. C. N. Menon will now move his Resolution.

14.55 hrs.

RESOLUTION RE: EXCLUSION OF CERTAIN TRIBUNALS FROM THE JURISDICTION OF HIGH COURTS AND SUPREME COURT

Shri Narayanankutty Menon (Mukandapuram): Sir, I beg to move:

"This House is of opinion that suitable steps be taken to amend the Constitution in order that the jurisdiction of the Supreme Court and the High Courts over tribunals and courts constituted under the Industrial Disputes Act, 1947 (Act XIV of 1947) be taken away."

Mr. Deputy-Speaker: Probably, the hon. Member never expected this would come.

Shri Narayanankutty Menon: I never expected it—after two resolutions—to come up.

My intention in moving this resolution primarily was due to the long experience we had for the last 10 years of the manner in which the High Courts and the Supreme Court have exercised their extraordinary jurisdic-

tion in relation to matters which come up before these Courts from Industrial Tribunals and the Courts of Enquiries and other courts established under the Industrial Disputes Act.

I was expecting that when this resolution is discussed the hon. Minister for Labour would be present. It was quite unexpected that the hon. Home Minister is present to reply to the debate. Technically, it might be a constitutional matter where some of the provisions of the Constitution are to be amended.

14.56 hrs.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

The real implication of the resolution is a matter which concerns the Labour Ministry. But, I am quite sure that the Minister would have taken all that the Labour Ministry could put before this House and that, in this debate, he will suitably and compassionately consider the various grounds on which this resolution is being moved.

When the Constitution was framed, it was claimed by the framers of the Constitution—and at the first impulse of the oncoming of the Constitutional impact on this country the Supreme Court also—said that our constitution is a happy compromise between the American doctrine of judicial supremacy and the British doctrine of Legislative sovereignty. When the Supreme Court reemphasised the intentions of the framers of the Constitution, everyone concerned was quite happy. But, later on, when the provisions of the Constitution, especially articles 226 and 136 came up before them, extraordinary changes in the method of approach and outlook of the different High Courts and the Supreme Court began to be felt by various sections of the people who were affected by their decisions.

When the High Courts were given power under article 226 to issue writs or direction, actually in the cases where they deemed fit to do so, the primary intention was to enforce the fundamental rights as defined in the Constitution. You will remember that, when article 136 was enacted, even in the Constituent Assembly there was a lot of opposition to the same. But it was specially made clear during those days that those powers were to be exercised under extraordinary circumstances with the specific intention of preventing miscarriage of justice.

This Resolution, as it is worded, confines itself to the exercise of this jurisdiction by the High Courts and the Supreme Court *vis-a-vis* the decisions of Industrial tribunals. In matters of criminal law and civil law, and also in constitutional matters, it might be necessary for both the High Courts and the Supreme Court to interfere in spite of the fact that the cases have been decided by the lower courts. In criminal cases, when the matter came before the Supreme Court, in cases decided by Sessions Judges, whether it has been confirmed or reversed by the High Court, the Supreme Court laid down a salutary rule that when there are concurrent findings the interference will be very rare; and in cases of divergent findings, the interference would be in extraordinary cases only when some of the constitutional provisions are involved or violated or when there will be *prima facie* miscarriage of justice.

15 hrs.

But, when it came down to the question of interference with the decisions of Tribunals, unfortunately article 136 was so worded that the Supreme Court was given jurisdiction to exercise particular functions over the Tribunals also. The Supreme Court came down with certain new interpretations.

According to the Supreme Court, the highest court in the land, whose decisions in matters of law or the law of the land according to our Constitution, it was not necessary that the Supreme Court should have jurisdiction over the tribunals also. The industrial law of our country took shape long before our Constitution came into force. In 1926, the Trade Unions Act was passed. During the war it was found even by the foreign Government that the relationship between the labour and the employer is a social phenomena and there should be a machinery to deal with these disputes because this is the most important aspect as far as the whole body politic was concerned. At that time, there was no law to regulate the industrial disputes and so in exercise of the powers under the Defence of India rules, certain orders were passed which authorised the Government to constitute tribunals to check disputes between the employees and the employers. At that time, there was no Constitution and no appeal was being taken to anybody. In 1947, the Industrial Disputes Act was passed and when the Act was passed and various tribunals began to exercise jurisdiction, there was almost a clamour in the country, especially from the side of the employers that the tribunals established under the 1947 Act should not be the final authority because they decide questions which are of tremendous economic and social magnitude. So, in 1950 came the Industrial Disputes (Appellate Tribunal) Act. When that Act began to function, there was a clamour from the side of the labour as every decision given by the labour tribunals went almost automatically before the Labour Appellate Tribunals, because they took a very liberal interpretation of section 7 of the Act as to the questions of law. These appeals were there for long times and the appellate tribunals were in certain State headquarters with some benches in three or four States. It was impossible for the labour to fight its case before them. Quite rightly, in 1958, the House

[Shri Narayanankutty Menon]

passed an amendment to that Act as there was no longer any necessity for the appellate tribunals. Instead of promoting industrial peace, they were in some cases hampering it. So, the appellate tribunals were abolished.

When they were in existence, the Supreme Court took the view that because the awards passed by the tribunals have already undergone supervision by the appellate tribunals, which were the appellate authorities constituted under the law, the Supreme Court could not interfere even in abnormal cases with their decisions. So, between 1950 and 1957, there was a dearth of cases in the Supreme Court arising from the labour laws. In 1957, when the position was changed when the new Act came into force on March 10, 1957, there was a flood of appeals directly taken to the Supreme Court from the decisions of the tribunals. The matter did not end there. Previously, the High Courts also refused to interfere under articles 226 and 227. Immediately after the abolition of the appellate tribunals, the High Courts also began to entertain each and every application under article 226 arising from the decisions of the tribunals. It would have been different if the High Courts interfered only in cases where a tribunal has finally decided. The matter has gone further. Immediately Government makes a reference to the tribunal, in 99.9 per cent of the cases the employees utilise this opportunity and take writ applications to the High Court to quash the reference itself and many High Courts say that they have jurisdiction to see whether an industrial dispute exists or not—a question of fact, not of law. A very peculiar, complicated and ironical situation has arisen. In one case, the Supreme Court comes. When there is a statutory authority, it says, which has got jurisdiction to decide on questions of fact or law on a particular case, before that party exercises jurisdiction, the Supreme Court will not interfere under article 226 to issue a writ. The Supreme Court has said that way.

But the High Court did not feel content about this. The Supreme Court has said that a writ of certiorari could not be issued where a tribunal has not exercised its jurisdiction because the tribunal will have the first jurisdiction and so it felt it proper that the tribunal should be left to decide the case. But certain High Courts in the country could not feel satisfied about the decision and they bypassed this decision. If a writ of certiorari under the common law of jurisdiction could not lie, then we look into our books and derive inspiration from the King's Bench and we find a writ of prohibition could be issued—that is what they say. They say that they can issue a writ of prohibition to the tribunal so that even the reference is invalidated as illegal and therefore no decision is given in some cases.

Some of us here may be interested in the law but the ordinary worker working in the factory, losing his job and raising a dispute before the conciliation officer and getting his case referred by the Government to a tribunal, is not interested in the technicalities or the decisions of the King's Bench or how some lawyers and judges in England decide the case. His case will have to be decided as soon as possible because he is in a state of suspended animosity. So, that is the position. The Supreme Court says that a writ of certiorari cannot be issued while the High Court says that it can issue a writ of prohibition but as far as the worker is concerned, the result is one. His case will be pending either before the High Court or the Supreme Court for 2, 3 or 4 years. The High Court may decide about the validity of the reference to the tribunal. A worker can go before a tribunal but a poor worker cannot come here to file an appeal before the Supreme Court. A small trade union cannot come here for this purpose. It is not possible for them to come to Delhi and file a case here and then wait for years together. The ultimate result is this. The law, the Constitution works very fairly and because of

the magnanimous working of the law, the workers will be losing their dispute and would not get justice.

Why is this happening? Before the Constitution came into force, the Federal Court has decided certain fundamental issues so far as our industrial law is concerned. But before going into that, I want to tell this House one thing. Our industrial law is an unwritten law. Because of complex economic developments in our country and unstable conditions—it has always been complex and unstable and developing—it is not possible to say what should be a wage, what should be the bonus and what should be the service conditions. So, what the Government or this House could do was to provide machinery whereby these disputes could be settled. As far as the legal right to settle the claim is concerned, the law of contract is there. Other laws are also there. So the High Court could verify according to this particular section whether you have a particular right, whether your right has been infringed and what is the remedy. But as far as the industrial law is concerned, there is no law at all. If wages are small, the tribunals can fix wages according to a certain conception of social justice.

What is the conception of social justice? It has to be decided by the tribunals. The conception of social justice according to a tribunal in Madras State is far at variance with the conception of social justice as far as the Supreme Court Judge is concerned. We are not surprised, because the man who is drawing Rs. 500 in Madras, a retired District Judge, will have at least an instinct of sympathy for those people who are drawing Rs. 500. That will be his conception of social justice. When you come down to the Supreme Court, the conception of social justice undergoes a transformation, because the Judges there can only see a society which is surrounded by the Supreme Court and such class of persons. I am saying this, Sir, not with affront, not with

any disrespect to the highest tribunal in our land. The actual workmen in the field or in the factory really feel that the social justice that is administered by both the High Court and the Supreme Court is the social justice derived according to their own conception and not the social justice as understood either by our Government or by this House, which is the supreme authority to decide what should be the conception of social justice in our country.

Sir, when this House decided that the future pattern of society in India should be the socialistic pattern of society, it is a fair and big departure that you have made from the place where we were. Today, when from a given set of circumstances and a given set of social order a society is to undergo far reaching transformation—even the very conception of proprietor of property is to undergo a change, even the very conception of the relationship between employers and workers is to undergo a revolutionary change—in a democracy the most important and most vital weapon for this transformation is the law and the courts in the land. Whatever might be the intention of this House when we legislate, the next morning our intentions will all be frustrated because somebody sitting down there may think and decide that this is not the conception, this is not the intention of the legislature.

This we are feeling today in every respect of the case, because when this House amended the Industrial Disputes Act in 1956 the supreme intention of every side of this House was that industrial disputes will have to be decided as soon as possible, not seeing the whole dispute with the technical conception of law but with a broad outlook of social justice. But, Sir, 'Gods' decide here, but 'semi-Gods' somewhere-else decide otherwise. Therefore, we find that a large number of vital disputes are pending before the courts. The intentions of this House have been frustrated, and so the disputes remain there.

[Shri Narayanankutty Menon]

I would like to point out to this House that certain very anxious moments were created by the Labour Minister. That is why I mentioned in the beginning that the Labour Minister ought to have been present. When a small number of workmen are involved nobody is worried; because the country is not affected, only the workmen and their families are affected. But in big cases where the entire economy of the nation is affected, Ministers are prone to worry. They have worried and they have spent, especially the Labour Minister, sleepless nights. Sir, I am referring to the Coal Award.

After four years the Coal Tribunal gave a decision, a very justifiable, decision even according to the Government. The next morning the employers took the whole matter before the Supreme Court and the Supreme Court, even without having the normal practice of hearing the Attorney General or the other side concerned, granted an automatic stay. The result was, whatever might be the interpretation of law, millions of workers in the coal-fields, who were waiting for four years to get an increase of two annas, were deprived of the benefit. That was automatically stayed by the Supreme Court, and now they will have to look to Delhi for a decision in the matter. It is not possible for them to engage even a lawyer. The result was that they had to go and threaten a strike. You may say that the Award is there, the Supreme Court has legally granted a stay, and it is not possible for the workmen to go on strike. But tell us, Sir, when after waiting for four years they get an increase of two annas in their wages, the employers with all their resources take the whole case to the Supreme Court and the hon. Judges sitting there without even looking to the social, economic and other implications of the whole matter grant an automatic stay, what the workers are to do. Quite legitimately, the only

weapon they have got is to go on strike. And when the strike threat was given, the hon. Labour Minister began to move in the matter. After many many sleepless nights he was able to arrive at a compromise to avoid a situation which was created by the action of the highest tribunal in the land, which disregarded the social implications of the Act. Sir, when a worker is dismissed and a decision is got from the High Court that it is a case of victimisation and the worker will have to be taken back, what we find is that the case automatically goes before the Supreme Court and the Supreme Court grants a stay.

In this connection, I may be permitted to mention one important factor which is in the mind of every workman. When appeals come up before the Supreme Court, the learned counsel who appears for the employers and gets the stay order is none other than the Attorney General of India. Sir, a very fundamental question is involved in this. In a democratic country that is not fair. Even according to our Constitution the Attorney General represents the Government. He is instructed by the Government. He is there to uphold the law of the land, uphold the provisions of the Constitution, uphold all that the Government stands for. But why is it, Sir, that we are finding today, in each and every case the Attorney General takes a private brief and appears for the employers? He actually gets the stay order and thereby he becomes, in one way or the other, responsible for bringing about the situation that we see in this country.

Sir, the hon. Home Minister is not listening to my speech; I know he will not listen. When the workmen and the people of this country find that the Attorney General of India appears on behalf of a big oil company or a plantation company and gets a stay of the

award, what will they feel. A citizen of India will naturally feel that the Attorney General is here to defend the employers of the country, who forms only a small part of the country. Why is that the Government does not see that when the man who is supposed to uphold the law, uphold the Constitution, who is supposed to defend the Government, he is appearing for the employers an impression is very easily created in the minds of the people that the Attorney General who represents the Government is appearing for the employers and getting the stay order?

It may be that technically he may be permitted to do so. It may be that he can practise his profession. Irrespective of that, has not the Government anything to say in this matter? It is expected that in a case where the interest of the Government comes into conflict the Attorney General cannot appear. If that be so, has not the Government got some interest in a case where the workmen have fought for years and got an award from a tribunal? When the Attorney General appears in the case against this award, it shows that the interest of Government is not conflicting, that the Government is a disinterested party.

Sir, that state of affairs should go. The Attorney General should be prevented from appearing in cases, in vital cases where appeals are taken on the decisions of industrial tribunals, because industrial law is a matter in which Government is vitally interested, and the awards passed by such tribunals will have to be defended.

When a tribunal passes an award and on that an appeal is taken up, it will have to be defended by the advocate of the workmen. In our country it is not possible for workmen to have any advocate to represent them because there are statutory restrictions. Also, the workmen in our country are poor. There is also the whole Government of India attacking the

award. So, ultimately, the workmen will lose everything. I, therefore, make an earnest appeal that this impression will have to be removed, and the Attorney General should remain as the custodian of social rights of every citizen. He should not be allowed to misuse his profession whereby his only business happens to be to go and appear on behalf of the employers. In such cases he even goes to the extent of questioning even the statutory validity of certain Acts passed by this House also. Sir, for whom is he appearing? Therefore, I appeal again that at least in these matters Government should see that the Attorney General does not take sides. Let the Government not support the workers, let not the Government give any help to the employers also. The Government should be impartial, and that impartiality can be expected only through the Supreme Court. But when the Attorney General appears on behalf of the employers and gets a stay order on the award of a tribunal, that cannot be done. Therefore, in the interests of justice, in the interests of fairplay, in the interests of confidence of the millions of working classes in this country in the Government and also in the socialist pattern of society,—we dare say it is going to come—this sort of practice is to be stopped.

Finally, I come to the exercise of jurisdiction. I mentioned earlier that in order that the revolutionary change in the conception of social status and property should come, in order that the socialist pattern of society which we emphasise over and over again before this House could come, the very instrument by which the change and transformation of the social order could come about is the law of the land and the judiciary of the land. If that judiciary and the tools of the judiciary are made in the old, old workshops, and if it works according to the conceptions of the social order which prevailed for 200 years in this country, where are we going to

*Tribunals from the Jurisdiction
of High Courts and
Supreme Court*

[Shri Narayanankutty Menon]

change and where is the social revolution that is going to come? The socialist pattern of society will not come even if this House passes a legislation that tomorrow onwards socialism shall be the order of the land. If you want socialism in this land, if you want to have a socialist transformation of society, the very instrument by which the transformation of the social order is made, should be so made that these instruments are fit to transform the society. Today, instead of being an instrument, a vital instrument, or force for the transformation of society, these tribunals are functioning as blood-hounds to check the social progress, because, in these cases they are taking a very reactionary attitude. I do not claim that the Supreme Court should not be progressive or that the high court should not be progressive. But where social conceptions are to be laid down, certainly everybody has got a right to say this Supreme Court or that high court should act according to well-defined conceptions of the social order that have been laid down by the supreme legislative body of the country that is, this House.

They have miserably failed in this respect. In every high court today, there are thousands and thousands of cases pending, where they have automatically granted stay. Before the Supreme Court you will find that every morning a special Bench grants stays automatically for appeals under article 136 even without hearing the other side. As a natural and consequential result, discontent arises in the country, and instead of industrial peace, industrial disputes and confusion become the order of the day.

Now, the hon. Labour Minister who is very much experienced in this, has got a lot of material before him, to show how the high courts have exercised the jurisdiction, and he will not for a moment say that the exercise of these functions have helped in solving the industrial disputes or

maintaining at least the status quo. There are many questions before this House, and among these questions, the only stand taken by the Labour Minister was that it would not be possible now to think of amending the Constitution and that they will point out some other methods. What are the methods? What is the experience of the trade unions? My own experience goes to show this. Not only the experience of the trade union organisation which I represent but the experience of the trade union organisations in the country including that of the Indian National Trade Union Congress is that as long as this extraordinary jurisdiction of these high courts and the Supreme Court exists, it is impossible to settle labour disputes and impossible to get justice to the working classes. I believe that the INTUC also, after their morbid experience of the last two or three years as to the manner in which justice is being administered from the ivory towers, as our Prime Minister put it the other day, and according to the big conceptions of social justice of certain individuals in the country, feel that it is not possible for us to settle industrial disputes this way. It is not possible for us to lay down even the rudiments of a socialist pattern of society. It is impossible. When you go to war and find that it is impossible to cut a thing with the weapon you have, when you find that the weapon has already become blunt and that it refuses to cut and refuses to obey you, certainly it will have to be changed. Therefore, similarly, with the experience of all concerned, at least in these matters where appeals arise, from the decisions of the industrial tribunals, the jurisdiction of the high courts and the Supreme Court has to be taken away and the Constitution will have to be amended.

What will be the injustice and what will be the repercussion in taking away this provision? There are many tribunals in the land from which

*Tribunals from the Jurisdiction
of High Courts and
Supreme Court*

normally appeals are not taken. Till 1950, the industrial tribunals were absolute in the land. There was nothing, as far as the Supreme Court was concerned, over them, and there was no serious miscarriage of justice meted out by anybody. There may be drawbacks and there may be difficulties but there was no serious miscarriage of justice. But, only after the great Supreme Court came into being as the custodian of the rights, constitutional and other, of the people, we find complete anarchy in the industrial field today. Laws are being changed frequently. This morning, you lay down that the worker can get a bonus provided you show a gap in profit. The next morning, it is again perverted and it is said that a gap is not enough to show a profit. At the same time, there are tribunals in West Bengal, in Calcutta, who have declared that bonus could be given without showing a profit. In one case this morning the Supreme Court says that if the worker has gone on an illegal strike, automatically he is subject to dismissal, and the next morning, the Supreme Court reverts its judgment and says that it is not only necessary to prove that the worker has gone on illegal strike but something more is required. Laws are being changed every day, and as far as the workmen are concerned, today there is no law of the land as far as the industrial disputes go. It depends upon the whims and fancies of the Supreme Court. This state of affairs will have to be ended, and unless it is ended...

The Minister of State in the Ministry of Home Affairs (Shri Datar): Will the hon. Member be careful in talking about Supreme Court Judges? Whims and fancies—that is not fair to them.

Shri Narayanankutty Menon: I am very, very careful.

Mr. Chairman: I would point out to the hon. Member that so far as the reasons given by him are concerned, —that the jurisdiction of the high

courts and Supreme Court should be taken away, on the basis of delay and impatience of labourers etc. are not objectionable. But to say that the Supreme Court judgments have created anarchy in the land is not proper. I would request him to speak in a responsible manner and to make his points in that way, and not to speak with disrespect so far as the Supreme Court and the high courts are concerned.

Shri Narayanankutty Menon: I am sorry.

Mr. Chairman: He has practically finished his speech.

Shri Narayanankutty Menon: I am sorry if an impression has been created that any disrespect was shown to them. I have got the utmost respect to the highest judiciary in the land. What I was saying was that the ultimate and the sum-total result of their actions and their judgments and decisions, as far as industrial peace is concerned, is anarchy. They might not have intended it, and I do not presume, and I do not charge that the Supreme Court would have intended any anarchy. But ultimately, the result was anarchy. That is what I said.

Mr. Chairman: The hon. Member's time is up.

Shri Narayanankutty Menon: I would request you to give me one more minute. I shall conclude. If the appellate jurisdiction is taken away, will there be any injustice to anybody according to the new procedure which is suggested? The tribunals themselves are very competent bodies. Either retired judges of high courts or others who are competent to become judges of high courts are appointed as presiding officers of these tribunals. The tribunals decide on matters which will be there only for one year's period. There is a statutory limitation as far as the decisions are concerned. The decisions are not finally binding. The decisions will not

[Shri Narayanankutty Menon]

extend to a period for more than a year. The whole intention, as far as a particular dispute is concerned, is that at least for a period of one year there should be peace. I submitted that there are various difficulties undergone by the workers. From the Government's viewpoint also, do not the Government desire that the very intention of this House in enacting the Industrial Disputes Act should be carried into effect? When a dispute is referred to a tribunal, at least for one year, there should be industrial peace. Even that intention is being defeated.

Therefore, if the Government, from their own viewpoint, take into consideration the difficulties which the workmen are facing and consider this question, certainly the Government could consider this in a very impersonal manner. There is nothing provocative in what I said, for the Home Minister to say that I should be careful in my remarks about the Supreme Court. If I cannot make a perfectly right and a very real remark, which pertains in reality to the health and life of thousands and thousands of workmen in the country, before this hon. House, where else can I go to make the remark, when something is done which is against the workers and which they feel is an injustice done to them. Therefore, I am perfectly entitled to, and it is my legitimate right to say and voice the real grievance of the workers. In doing so, I might have made certain remarks about the after-effects or the sum-total results of the decisions of the Supreme Court, where the judiciary is supreme, everybody, even the common citizen, has got the absolute right to criticise the judgments, the only condition being that the implication of the judgments can be discussed, but not the persons of the judges. I make an earnest appeal to the Government to take all these matters into consideration. If they want a socialist pattern of society to be moulded, even in the course of long long years, if industrial peace is to prevail in the land,

if the disputes are to be settled, if the Labour Minister and the whole Government are to be saved laborious hours in settling these problems, apart from strikes, hours which may be profitably used in the development of our land, I hope Government will not find any objection to make suitable amendments both to article 226 and article 136, so that we will not leave any chance for the judiciary to exercise any functions which are not intended to be given by this House.

Mr. Chairman: Resolution moved:

"That this House is of opinion that suitable steps be taken to amend the Constitution in order that the jurisdiction of the Supreme Court and the High Courts over tribunals and courts constituted under the Industrial Disputes Act, 1947 (Act XIV of 1947) be taken away."

Shri Balasaheb Patil (Miraj): There is no quorum. Let there be quorum.

Mr. Chairman: The bell is being rung. Now there is quorum. Shri Prabhat Kar.

Shri Prabhat Kar (Hooghly): Mr. Chairman, I support this resolution and I wish to point out that the suggestion made therein needs a dispassionate discussion, considering whether the object of the Industrial Disputes Act has been properly pursued or whether article 136 as it stands today puts a hurdle in the working of the Industrial Disputes Act. I am sorry neither the hon. Labour Minister nor his representative is here. Our grouse is that article 136 is being interpreted without taking into consideration the need of the labour. I find that the Home Minister and the Deputy Law Minister are here, but what about the Labour Minister who should be vitally interested in this resolution, because the point is whether the Labour Minister's own experience is that

article 136 as it stands today really militates against the objectives of the Industrial Disputes Act?

The difficulty is that today the decisions of the tribunals are interpreted strictly in terms of the common law, which under no circumstance should be taken as the criterion for deciding industrial disputes. Here again, I see that the Law Minister is trying to find out the actual wording of article 136 regarding Supreme Court's jurisdiction over tribunals. I would only draw the attention of the House to the first judgment of the Supreme Court dealing with article 136 in the year 1950. It was the case *Bharat Bank versus its employees*. Two of the eminent judges of the Supreme Court, who became Chief Justices in succession—Justice Patanjali Shastri and Justice Mukherjee—were of the opinion that article 136 should not give the Supreme Court jurisdiction over the decisions of industrial tribunals. They held that the industrial tribunals were intended to set up a new social order, which should not be interfered with under article 136 by the Supreme Court. It was a Bench of five judges and three of them—Justice Fazl Ali, Chief Justice Kania and Justice Mahajan held that the Supreme Court should interfere, but they pointed out that the Supreme Court should have jurisdiction over every judicial or quasi-judicial body, but it should not interfere with the industrial tribunals, unless there is a gross infringement of the procedure of law. So, three Judges were in favour of granting the Supreme Court jurisdiction, but two of the eminent Judges were of the opinion that article 136 should not give jurisdiction to the Supreme Court over the industrial tribunals.

Recently it has been pointed out that the Supreme Court is interfering with the awards not only on questions of law, but also on questions of fact. Article 136 of the Constitution reads as follows:

‘Notwithstanding anything in this Chapter, the Supreme Court

may, in its discretion, grant special leave to appeal from any judgment, decree, determination, sentence or order in any cause or matter passed or made by any court or tribunal in the territory of India.”

As a result thereof, we find today the interference of the Supreme Court not only on questions of law, but even on questions of fact. Without going through the whole procedure followed in the tribunal, without going through all the facts placed before the tribunal, the Supreme Court decides the facts from their own concept of natural justice according to the common law, the law of the master and servant, which grants certain rights to the master and imposes certain obligations on the servant, which concept has been given the go-by today and which is considered outmoded.

Under these circumstances, the main point of this resolution is whether the purpose for which the Industrial Disputes Act was passed is being served. If we go through the sections of that Act, from the section dealing with conciliation, arbitration, tribunal, etc., the essential factor is time. Every procedure should be expeditiously pursued. Conciliation should be speeded up and if conciliation fails, the matter will be referred to the tribunal. The tribunal should hear both parties expeditiously and give the judgment. Within a month from the date of the judgment, the Government should give the award. So, time is the essence of settling industrial disputes. Now if a reference is made to the Supreme Court, the case goes on for years and years. The purpose of the Industrial Disputes Act was that the disputes should be settled within the shortest possible time so that industrial peace, which was broken for some time, may immediately be restored and there may be settlement of the dispute so that production may not be hampered. What is the position today? I can give you so many instances. Again, I am sorry, the Labour Minister is not present here. There are

[Shri Prabhat Kar]

cases, which have been referred to the Supreme Court, which are pending for ten years or even more without a settlement. So far as this House is concerned, we are all serious about increasing production. We want to create such conditions in which production will not be hampered. That is why we enacted this labour legislation. Immediately a dispute is raised, there should be conciliation and an immediate decision by the Tribunal, which should be binding on both parties. If anybody violates the decision, he should be punished. Such a provision is necessary so that all concerned may work to increase production. Now if a man is dismissed, that matter is taken to the Tribunal, from the Tribunal to the High Court and from the High Court to the Supreme Court, and it takes years and years. After ten years it is found that the worker was victimised and wrongly dismissed and an order of reinstatement is issued. If only after ten years a wrongful act could be remedied, do you think it is possible to maintain industrial peace? Do you think it is possible to get the co-operation of the worker? Do you think the purpose for which the Industrial Disputes Act was enacted will be served?

Now the difficulty is that an industrial dispute is treated on par with other litigation proceedings and partition suits. They treat industrial disputes in the same way as disputes between farmers or individuals. In those cases it is immaterial for how many years the disputes go on; so far as the nation is concerned, it is a fight between an individual and another individual. It is immaterial how many years it will take; it is immaterial how much money is spent. But here we are concerned, the whole nation is concerned, with the result of this litigation, with the settlement of this litigation. An industrial dispute is not a simple dispute between a worker and an employer. On its result will depend the security of the nation, production, industrial production, industrial relationship, fulfilment of the

Second Five Year Plan and upliftment of the economic condition of the people. It is not an individual dispute or litigation.

But what is the position today? Will the hon. Home Minister be pleased to let us know how many cases are pending in the Supreme Court continuously for years together? If you file a special leave application today, it will go on continuously for 7-8 years and the matter will not be settled. The workers are aggrieved. The employers are going on in the same old way, and every time industrial peace is broken. This is a matter which has to be looked into from that particular angle. You have seen the working journalists' case. You have seen the case of the bank employees. In every case it has taken years to come to a decision.

Now we have to decide what exactly should be the relationship between the employer and the employees, and how the disputes can be resolved. So, this Resolution wants to emphasize that an industrial dispute should be looked completely from a different angle, and not from the ordinary litigation angle, as is being done today. This is a matter which, I think, the House should take into consideration: whether the purpose of the Industrial Disputes Act, the object of the Industrial Disputes Act, whether it is being frustrated because of this interference from the Supreme Court.

It is true that we should have respect for the Supreme Court. But the Supreme Court cannot decide in the abstract or in a vacuum. If the concept of the society is not reflected on the judgment, we have got to criticise the judgment. We have got to make the court see what the nation thinks of it. It cannot decide a matter in the abstract. Today there may be a law; tomorrow it may require some modifications. Interpretation of the law should change with the concept of the society. There is dynamism in

the law, that is accepted. But even today we are passing judgments from the old concept of the law of master and servant where the employer has got the right at any time to hire and fire the employee. We are giving judgment from that angle, whether natural justice has been violated or not. That has to be changed.

Parliament decides certain things. Parliament decides how the workers have to be treated. Parliament decides the relations between the workers and the employers. Now the decisions of the Supreme Court cannot go against the very intention of Parliament. Naturally, Parliament will have the right to cut down this power of the Supreme Court, which makes it possible for the Supreme Court to go against the very intention of this Parliament. That power should be taken away.

I would very much wish the presence of the Labour Minister here, much more than the presence of the Home Minister and the Law Minister, because it is a matter for the Labour Minister to decide whether it has become necessary to amend article 136 and whether industrial disputes should be taken away from the purview of the Supreme Court. Government may say that it is a matter of strict interpretation of article 136 and, therefore, this matter has to be taken up by the Law Minister or by the Home Minister. But I would say that it is a matter of the feelings of the workers. The Supreme Court today, by their actions, is standing in the way of giving proper justice to the workers. However legal and correct the judgment of the Supreme Court may be, it will not receive that respect which is necessary, because of its impact on the workers, and it will create frustration in the minds of the workers. It will put a check on production and will affect the economic condition of the country. So, this resolution has to be viewed from that angle, and I hope Government will consider it from that angle.

Dr. Melkote Raichur: The mover of the resolution and the speaker who spoke after him have adduced a number of facts which, to my mind, are borne out by what I have seen during the past few years. Generally speaking, it should be considered that there is a large volume of opinion among the workers in the industries that what is happening in the country today is not what they had expected, and they feel that real justice is being denied to them totally. Therefore, while I am in total agreement with the spirit of the resolution, I can say that the procedure recommended for mending this particular trouble is not quite a correct one.

15.49 hrs.

Shri Mohammed Imam (Chitaldrug): There is no quorum in the House.

Dr. Melkote: There have been cases
.....

Shri Braj Raj Singh (Firozabad): The question of quorum has been raised.

Shri V. P. Nayar: The speech must be heard by at least 50 members. Out of the 50 and odd members of the Treasury Benches hardly one is present.

Mr. Chairman: The bell is being rung. Now there is quorum. The hon. Member may proceed.

Dr. Melkote: I was saying that there is a large body of opinion amongst the workers in industry that they are not being meted out with justice. That is due to the fact that inordinate delays are taking place due to reference to the Supreme Court. This feeling is being expressed at various conferences held by labour members and also at the tripartite conferences and we have been exercised with what is happening in the country. But as legislators in this House there is one point that we have got to bear in mind. As members of a particular group we may advocate and say that what is happen-

*Tribunals from the Jurisdiction
of High Courts and
Supreme Court*

[Dr. Melkote]

ing in the Supreme Court is not quite the correct thing. We may appeal to this House that that reference should be done away with. But it should be remembered that this is a thing which is taken advantage of both by labour as well as the industrialists.

A reference to the Supreme Court can be made either by the labour group or by the industrialists, but generally speaking after Independence there is a feeling in the country that decisions should be given quickly and the law should be interpreted more liberally in keeping with advantages that ought to accrue to the down-trodden and to the advantage of such groups. Unfortunately, even today when cases are referred to the Supreme Court such long delays take place that it frustrates the workers and even if, suppose, justice is meted out to the working class it comes so late that the benefit of it cannot accrue to the worker. Justice delayed is justice denied. It is this feeling that is taking hold of the working class and that is why this Resolution that a reference to the Supreme Court should be done away with.

When we say this, with all humility I would like to point out that every one of us here has sufficient respect for the highest judiciary in the land and when we say this, particularly in this House, we do so with a feeling that the Government and the judiciary both of them would take stock of the situation and see to what extent what is felt by a large section of the population could be remedied. I hope that it is in this spirit that the hon. Mover of the Resolution has brought this Resolution forward in this House—not so much to press it as so much to give vent to our feelings so that both the Governments and the judiciary may take stock of the situation and try to arrange their ways in such a manner that the working class may get real justice and that too quickly. If that is done, I am sure that the working class would heave a sigh of relief.

But in what manner it should be done is a thing which is rather very intriguing. We may plead that reference to the Supreme Court is unnecessary and should not be made. Suppose, another section of the population also come forward with a similar view. It would mean that we would be making the life of the Supreme Court itself, maybe, well nigh impossible. Such a demand may not be quite correct. That is why I said that whilst I agree with the spirit of the Resolution, the very purpose of the Resolution would be defeated if we press this too hard. I only hope that the Home Ministry and the other Ministries of the Government of India and the judiciary will all sit together and take stock of the situation and help us in remedying this particular difficult situation.

I have nothing further to add except to tell the House again that the sooner this difficult situation is remedied the better it is for every one of us.

Shri N. R. Ghosh (Cooch-Behar): Sir, I am sorry that I am to oppose this Resolution.....

Shri V. P. Nayar (Quilon): Don't be sorry.

Shri N. R. Ghosh: ...not because that I like that there should be long delays. That is injurious. We have inherited this administration of law from England and there also there is "the laws delay". We do not like it. Every citizen of India would certainly want that there should be justice administered as quickly as possible. There is no doubt about it. But the Resolution goes further. The Resolution wants that the jurisdiction of the High Courts and the Supreme Court should go in matters which are decided by industrial tribunals.

It has been held again and again in the High Courts as well as in the Supreme Court that though it is a tribunal and though it is not a court in

the strict sense of the word, still it discharges all the functions of a court. With the gradual expansion of our industrial life—industries expanding every day—the jurisdiction of these tribunals under the Industrial Disputes Act covers millions of people. It includes banks. It includes factories. It includes the jute mills. It includes plantations. It has also been held in one case in the Calcutta High Court and the same view has been confirmed by the Supreme Court that even an industrial dispute between the employers and the employees in local bodies, in a municipality, also comes within the purview of these tribunals. Therefore, when you are going to take out all these disputes from the jurisdiction of the High Courts and the Supreme Court you are actually doing something by which you are depriving these people of their fundamental rights. Now, what is the jurisdiction of the High Courts? What is the jurisdiction of the Supreme Court in this matter? It is mainly under article 226 High Court exercises jurisdiction and under article 136 of the Constitution special leave is granted by Supreme Court. In what cases? In cases where there is a flagrant violation of justice, when there is denial of natural justice, when actually some finding is arrived at on no evidence or when the finding is absolutely perverse. In cases like these special leave is granted.

Now, I submit, as I was going to say, that this will militate against the fundamental rights guaranteed by article 19(1)(g) of the Constitution. As a matter of fact, the findings of the tribunal are not disturbed ordinarily even if it is a wrong finding but if it is within jurisdiction, i.e., in rare circumstances these cases come to the High Court or to the Supreme Court. If anyone even cursorily goes through these several cases which have come before the Supreme Court, he will find that the employers as well as the employees have been benefited there. There have been some wrong interpretations of sections—there have been some wrong interpretations

of the rules promulgated for the guidance of our industrial administration. Such cases come to the High Courts. Such cases come to the Supreme Court. Now, actually if the jurisdiction of the Supreme Court and the High Courts is taken away, then you will limit the adjudication of these cases only to a tribunal. You know that even in civil cases, even in cases between landlord and tenants, even in petty civil cases and also in industrial disputes where there has been denial of natural justice, where there have been violation of law, denial of natural justice, wrong interpretation of the provisions of law or documents, introduction of some new theories of social justice resulting in injustice and violation of law etc. etc., in such matters only the jurisdiction of the High Courts and the Supreme Court is invoked.

16 hrs.

As I submitted, the power of superintendence of the High Court and the Supreme Court is the guarantee that is our strongest bulwark. If really the Constitution has to function, if really this country is to have the benefit of the rule of law, we must have the superintendence of the Supreme Court and the High Courts. You know, Mr. Chairman, that the jurisdiction of the Supreme Court is wider and bigger than the jurisdiction exercised by the Privy Council. In criminal cases where actually the jurisdiction of the Privy Council was limited to some matters, we have got a much wider jurisdiction now exercised by the Supreme Court. That is our final resort. We are proud of the Supreme Court. Every citizen has the greatest respect for our High Courts and for our Supreme Court. I do not think there can be any reason whatever why the jurisdiction of the Supreme Court and the High Courts should be taken away only because the administration of law is delayed. If the administration of law is delayed, that is a matter which certainly the Government of the country must look to. I believe that is a disgrace

[Shri N. R. Ghosh]

and I think that should be discontinued. But, that is no reason for taking away the jurisdiction. If there be headache, you need not chop off the head. As a matter of fact, the protection of the Supreme Court cannot be denied to any citizen of India.

There is another point. The Industrial Disputes Act is a departure from the ordinary law. It is a new law. It is practically borrowed from the law of America, from the law of Australia, from the law of England. Even in those countries, superintendence is exercised by the highest court. Even in our courts, how many decisions are set aside by the appellate court and how many decisions of the High Court are set aside by the Supreme Court? Therefore, I would submit that if there be some grievance on account of delay, relief cannot be had by taking away the jurisdiction of the Supreme Court or the High Courts. At any rate, I think it will be a very dangerous thing and it will be playing with fire if the citizens are to be deprived of superintendence of the High Courts and the Supreme Court on account of the delay which sometimes happens in the adjudication of industrial disputes.

Shri Tangamani (Madurai): Sir, I rise to support the Resolution now before the House. The intention of this Resolution is not to take away completely the rights of the Supreme Court from certain laws. This only seeks to take away certain rights so far the Industrial Disputes Act is concerned. Even in respect of the Industrial Disputes Act, what I would like to mention is this. Industrial relations have grown over a period of nearly 30 or 40 years. As the hon. Deputy Minister of Labour also knows, the best form of settling industrial disputes is by mutual negotiation. Mutual negotiations and collective bargaining are things which have to be encouraged in this country as in other countries. Collective

bargaining has almost received legal status. In France, I know, collective bargaining between two parties is reduced to a statute and that becomes applicable to both the parties. I know, in Pondicherry, whenever two parties enter into an agreement, that agreement is known as collective contract agreement and this collective contract agreement has got the same force as law. Where the two parties are not able to meet, certain machinery has to be evolved by the Government.

During the war period, when industrial peace was necessary, rule 81A of the Defence of India Rules was invoked, because the Trade Disputes Act of 1929 was not sufficient to meet the various disputes that were coming up. From 1939 onwards, Rule 81A was invoked for compulsory arbitration. It may be also called adjudication; a special tribunal was set up and the tribunal gave its finding and this finding was enforceable as an award. In 1947, this was codified and the Industrial Disputes Act of 1947 was passed. I would like to refer to that only for a limited purpose. Section 10 gives powers to the appropriate Government, the State Government in the case of many industries and the Central Government in the case of industries like banks, etc., and also in the case of industries like oil which have got branches not only in one State, but in several States. In 1956 we had an amendment to bring in such industries also. The appropriate Government when it is satisfied that there is a dispute or a dispute is apprehended, will refer this particular issue for adjudication to a special tribunal. Prior to this reference, a complicated machinery comes in. There is an attempt to bring both the parties together. There is a conciliation officer. When conciliation fails and the conciliation officer finds that one of the parties is at fault, he, of his own, using his discretion sends a report to the Labour Commissioner; and if the Labour Commissioner is satisfied, if the Government is satisfied that it is a fit case for reference to a

tribunal, reference is made. I am mentioning this background, because it is not like a civil suit where one party initiates proceedings, a finding is given, there is provision for appeal and there is provision for second appeal also. Here, before this reference is made, a big ground is covered and the workers and the employers have to go through this process over a period of a few weeks or a few months. This procedure in the first instance is the most important thing. After the matter is referred to the Industrial tribunal, it gives its award. The Industrial Disputes Act says that the award will come into force a month after it is pronounced or after it is published in the Gazette. It will be enforced for one year and after that period, one of the parties will have right to revoke this award, giving two months notice.

The intention was, where we are not able to have collective settlement, the matter must be referred to the tribunal and the tribunal's findings must be final. That has been the intention. I would have been glad if the hon. Minister of law or the Deputy Minister were here, because now, such matters are being referred to the Law Commission. It will be better if the Law Commission goes into the whole question of industrial law. Several rulings have been given on the question of industrial law. For the last ten years, there have been awards by tribunals, awards by the appellate tribunals, judgments of High Courts and judgments of the Supreme Court also, on questions like wages, bonus, working conditions, social security, and period within which a particular award is to be given. All these matters have been there for the past ten years and it is time that the Law Commission gives its time to this particular aspect also. If we are to have the jurisdiction of the Supreme Court over the Industrial tribunals also, let us have a separate Industrial Bench. Let there be a direction to the Industrial Bench that the matter will have to be disposed of in two or three

weeks time. The Industrial Bench must have a special kind of qualification. In many cases, the same identical questions arise.

In 1952, a question arose in the Madras High Court whether a particular employer has got a right to close down his business or not. The Madras High Court held that the employer has got a fundamental right to close down his business. In 1953, an identical issue was raised again before another Bench of the Madras High Court and the Madras High Court decided that no management has got a fundamental right to close down its business and when he closes down his business, he must satisfy the court that there is a bona fide case of closure. The Government comes in to see that the closure does not take place because it is in the larger interests of the community. When there is a closure, we find issues are raised before this House by adjournment motions and other ways. Closure is not a fundamental right. Social justice, social concepts go on changing now. I am not casting any aspersions on the learned Judges who gave the ruling in 1952 that it is a fundamental right of the employer to close down his business. Another Bench comes in 1953 and says, it is no longer his fundamental right. So far as social justice is concerned, one high Court takes one view. The Bombay High Court holds that social justice is always governed by the Directive principles of the Constitution. Sometimes, we find the Supreme Court saying, we do not know of any other social justice except the social justice laid down by the Labour appellate tribunal formula so far as bonus is concerned. This idea of social justice is something which changes year by year. It has to be more or less linked with the pattern of society. That is why, the limited purpose of this resolution is to see that the powers given to the High Court and the Supreme Court by articles 136, 32, 226 etc., for interceding in the awards of the various tribunals are restricted.

**Tribunals from the Jurisdiction
of High Courts and
Supreme Court**

[Shri Tangamani]

I know, and any one who has been dealing with labour, whether it is from the Ministry side or from the trade union side, will bear me out when I say that there has been discontent. I remember in the 15th Indian Labour Conference which was held in Delhi during July, 1957 it was argued at length by the parties that recourse to the Supreme Court by either party would be considered as a breach of the code of discipline. A code of discipline was formulated and it was agreed by both the parties that no party would have recourse to the Supreme Court.

Not that we have got anything against the Supreme Court, but we know that taking the issue to the Supreme Court will mean delay, and we do not know what type of decision will come. I distinctly remember that when the labour appellate tribunal gave its decision on the coal dispute, the matter was taken to the Supreme Court but Government intervened and asked the management to withdraw it from the Supreme Court.

So, it is no aspersion on the Supreme Court. This labour dispute is an issue which ought to be settled before we go to the Supreme Court or before we go to the High Court. This is an issue which ought to be settled between the parties.

I can mention another instance which involves more than 100,000 plantation workers of the South. For five years the special tribunal went into the question of their wages, working conditions and other things, and then the award was given. After the award was given, the matter was taken to the Supreme Court—because by that time the labour appellate tribunal was abolished—and it was stayed by the Supreme Court, and the discontent continues even to this day.

I will amplify this by another point. The 1950 Act which gave power to the labour appellate tribunal to hear

appeals from the industrial tribunals said by section 14 that a stay would be granted only when the party asking for the stay could satisfy the court that if the stay was not granted, there would be serious repercussions to the industry. "Serious repercussions to the industry" was one of the conditions imposed upon the labour appellate tribunal for granting or not granting a stay, but there is no such restriction on the Supreme Court. If the Supreme Court, in their wisdom, are satisfied that a stay is to be granted, it will be granted. No reason need be adduced, but in the case of the labour appellate tribunal, they had to state specifically for the following reasons which will lead to serious repercussions in the industry, we are granting the stay.

I am mentioning this to show that leaving these industrial disputes in the hands of the High Court and the Supreme Court will create more disputes rather than put an end to the disputes. How can we leave the destinies of thousands of people in the hands of one man? We have not given a clear directive as to how the Supreme Court should view industrial law. To this day there is no such directive. The Madras High Court in one case said there was freedom for the individual to close his business. In another case, it was decided there was no longer the freedom of the individual.

There is one individual that is the economic man who is controlling the lives of thousands of people. There is another individual, one of the thousands, who is a social man. The social man and the economic man cannot be equal. In this society we cannot allow the economic man to dominate the social man. So, the courts and the tribunals will have to come in and see that the economic man who is a dominating person is put in his place and the social man who is the real producer is given all that is due to him. That concept comes in one or two judgments, but that concept has

got to be evolved, and I am yet to find such a concept being evolved in the Supreme Court.

It may be because the High Court is nearer and the Supreme Court is far away from the place where these disputes take place. Without any aspersions on the legal acumen or the findings of the learned Judges of the Supreme Court, I may say that the distance and the way in which the disputes arise in the different parts of the country are not in a position to affect the Supreme Court.

With these observations I submit that this resolution has not come too soon, but at the appropriate time, because in the interests of peace in the industry and in the interests of peace in industrial relations, such a resolution is necessary, and I hope the House will give due attention to it.

Mr. Chairman: Shri Abid Ali.

Shri Balasaheb Patil rose—

Mr. Chairman: Order, order. I have called the hon. Deputy Labour Minister.

Shri Balasaheb Patil: I had risen already before him. I want only five minutes.

Mr. Chairman: Surely he will get a chance, there is time. Why should he be in a hurry?

The Deputy Minister of Labour (Shri Abid Ali): At the outset I may explain that this particular matter is within the sphere of the Home Ministry, and Shri Datar was attending on behalf not only of the Home Ministry but the Government. He was representing Government here, and I did not consider it necessary to be present, but as some hon. Members went on repeatedly demanding that some one on behalf of the Labour Ministry must also be present, respecting their wishes I am here.

Shri Narayanankutty Menon: We felt your absence very much.

Shri Abid Ali: Not that we are not concerned, we are very much concerned, but one Minister on behalf of the Government is enough.

In this connection it should be remembered that in the original draft of the Constitution submitted to the Constituent Assembly, the word "tribunal" was not mentioned. Subsequently by an amendment "tribunal" also was mentioned, to give jurisdiction over tribunals also to High Courts and Supreme Court. So, the Constituent Assembly had taken this particular subject into consideration, and after giving due thought, they felt that High Courts and Supreme Court should have jurisdiction over tribunals also. Therefore, the draft was amended.

I am not a lawyer, but I was discussing it with friends. There is no other enactment which has taken away the jurisdiction of the High Courts or the Supreme Court. So, in case this suggestion is accepted, this will be the exception. It has also to be mentioned in this connection that once we begin to make inroads into the scheme, we would be tempted to make further inroads in a variety of cases. So, as a citizen, every one should be anxious that the Supreme Court's powers should remain supreme, and there should not be any interference to curtail these powers, and they should possess complete powers.

It has been stated here that there has been a flood of appeals. About that comment I may mention that although there have been some very important cases brought before the Supreme Court particularly in recent years, in the last year or two, the number is not sufficient to justify saying at this stage that there has been a flood of cases and this power of the Supreme Court should be curtailed.

I may mention that during the year 1956, out of 3,133 awards given by

[Shri Abid Ali]

State tribunals, only in 147 cases appeals were filed against them in the High Courts and the Supreme Court.

Shri Narayanankutty Menon: You mention the number of workmen involved.

Shri Abid Ali: In 1957, 125 cases were taken to the High Courts and Supreme Court out of 3,746 awards given during that year. This would mean that during the year 1956 only 4.7 per cent. of the cases were brought before the High Courts and the Supreme Court, whereas in 1957 the percentage was only 3.33.

With regard to Central Government tribunals, during the years 1956 and 1957, 20 and 17 awards respectively were given by the Central Government tribunals. In 1956 in three cases appeals were filed in High Courts and the Supreme Court, but in 1957 no appeal was filed.

Shri Narayanankutty Menon: That is a wrong statement. From Delhi itself many appeals have been filed in the Supreme Court.

Shri Abid Ali: I am giving the information which has been collected from all available sources.

Shri Narayanankutty Menon: May I interrupt?.....

Mr. Chairman: The hon. Minister can only give the information which he has. He has not got access to any other source of information. He has given that information which has been collected by him. So, how can he correct it? If the hon. Member knows something more, he may refer to those cases again, when he will have occasion to reply.

Shri Narayanankutty Menon: He mentioned this last time also.

Shri Abid Ali: On the previous occasion also, when I mentioned these figures, my hon. friend opposite said

that these were not correct figures. But we checked up, and after checking, I confirm that these figures are correct.

With regard to the number of workers, in some of these appeals, the number of workers was probably one. It should also be remembered that it is not that all these appeals were filed by the employers. Some of these appeals were filed by the workers also.

Shri V. P. Nayar: Very few.

Shri Abid Ali: Of course, very few. But the protection is taken by the workers as well.

Shri V. P. Nayar: What is the percentage?

Shri Abid Ali: As for the other matters, since I was not present here during the course of the debate, I shall leave them to my senior colleague.

Shri Narayanankutty Menon: That is quite nice.

Shri Balasaheb Patil: I rise to support the resolution that has been brought forward by Shri Narayanankutty Menon. Just now, we have heard about number of cases. But I may submit at this stage that though the number of cases that have gone to the High Court and the Supreme Court is small, what happens in industrial cases is that the same problem is involved in a number of other cases as well. Out of many cases, one goes to the High Court, and the same case very often goes to the Supreme Court also, and the effect of a decision on that case automatically becomes applicable in so many other cases at so many other places, in so many other States, and the worker has got to compromise with the employer, because the decision in that case becomes a *res judicata* in the other cases. Therefore, though the number is small, it does not follow that the magnitude of the industrial dispute cases is lessened.

I do agree with the Deputy Minister of Labour when he says that we should not make inroads into the supremacy of the Supreme Court. At the same time, I would like to submit to him one thing, that let us see what the work of the Supreme Court is. Every now and then, Parliament as well as the State Legislatures are passing Acts; they are passing Acts almost every day. Only a few days ago, we heard here something about the working of the U.P. Legislative Assembly, how a Bill consisting of about five hundred clauses was passed in fifty or seventy-five minutes' time or something like that. At this rate, we are passing enactments, but we find that under the articles of the Constitution, from every Act, appeals are lodged in the Supreme Court. The result is that we find a number of cases are pending before the High Courts and the Supreme Court. The High Courts and the Supreme Court will never give first preference to the labour cases. That is one of the impediments in our way.

The second impediment is the question of costs. In industrial cases, it is only the rich person who is able to fight against the poor persons. If the workers are united, then there is a union, and the union takes up their cause, and goes on fighting. But even with the workers' support, the union can at the most go to the tribunal, and thereafter to the High Court; even then, it is impossible for the union to go on pleading their cases. So far as the Supreme Court is concerned, we are told, and it is in the experience of so many hon. Members, that a deposit of something like Rs. 2,500 or so has to be made. Is it possible for the worker who is fighting for his bread, for his wages or dearness allowance or increment or bonus or holiday wages to fight his case? Let me quote one instance here. It was decided by the Government of India and the different State Governments that there should be a holiday on the Independence Day and the Republic Day. The mills followed that resolution and gave a holiday, but

afterwards they came forward and had a cut made in the wages of the workers. And by the time the matter comes up for consideration before Government, it takes nearly three months. And what about the employers? They can go on getting adjournments, because they are not to lose anything, because they can pocket the money, get interest thereon, and go on expanding and exploiting the workers who work under them, and getting the profit. But, so far as the worker is concerned, it takes nearly one month or more before his case goes to Government, and Government takes nearly three months' time for examining whether it is an appropriate case to be sent to the tribunal, and, thereafter the tribunal takes its own time. So, for one day's wages and dearness allowance which is half of the daily wage, it takes nearly six or seven months before the tribunal gives its verdict, and, thereafter, the High Court takes about two years. And as for the time taken before the case goes to the Supreme Court for their decision, we have seen that there is unanimity of views on the part of hon. Members here.

When such is the case, I would submit that the hon. Minister should see whether there cannot be a special bench constituted in the High Courts and the Supreme Court for this purpose, and also whether there cannot be some provision for giving legal aid to labour. In this connection, I may quote a recent case where the Attorney-General of India was taking up the cause of the employer and fighting against labour. What does this mean? This means that the employers can spend money firstly, and secondly, they can get the best of legal advice that is available in India. That is not the case with labour. Therefore, it should be the duty of the Labour Ministry at least to provide funds to labour, which they can use for fighting their cause against the employers. That is my first submission. Secondly, I would submit that the possibility of constituting a special bench to decide these cases as speedily as possible

[Shri Balasaheb Patil]

should be explored. We find similar provisions in the case of the other Bills. Only this morning, we were discussing the Delhi Rent Control Bill where we find there was a special provision for a Controller. The jurisdiction of the civil court was taken away and vested in a special man, namely the Controller. Similarly, the other day, we found in another Bill there was a special tribunal namely the estate officer to decide the cases. So, so far as industrial cases also are concerned, what is the difficulty in having a separate court for this purpose? That is an utter necessity; looking to the nature of the questions involved, looking to the speed with which the matter must be decided, it is an utter necessity.

So, I would urge upon the Ministers concerned to examine this problem from the point of view of social justice, speedy justice and natural justice and I hope that they will come forward with a Bill to amend the Constitution, if not, at least they will make some special arrangement by constituting a special bench.

The Minister of State in the Ministry of Home Affairs (Shri Datar): The question raised by the hon. Mover of this resolution is of a very fundamental character. According to him, it deals with the curtailment of the powers of the Supreme Court. The Supreme Court has to be supreme. Similarly, so far as the States are concerned, they have got High Courts which have the highest judicial powers.

Shri V. P. Nayar: They are only 'High'.

Shri Datar: Under the circumstances, the question arises whether the powers of the Supreme Court should be curtailed, and whether the powers of the various High Courts in India should be curtailed.

While I was looking into the provisions of the Indian Constitution, I

found certain articles, where a reference was made to a possible enlargement of the powers of the Supreme Court, but in no article has there been even an indirect suggestion that the powers of the Supreme Court or the High Court can be curtailed. Therefore, we start with this position as to whether there are any circumstances of a fundamental character or of an over-riding character as to justify an amendment of the Constitution which was drafted with great care and in respect of which there was considerable discussion for years together. We have, therefore, to deal with this matter not from any particular point of view, not from the point of view whether any inconvenience is caused to certain parties, but from the highest interests of the country. As you are aware, Sir, there are judicial courts in India with the Supreme Court as the highest judicial court in the land.

Shri V. P. Nayar: May I put a question to the hon. Minister? He says that the Supreme Court has to be supreme and that no curtailment of its powers is contemplated in the Constitution. Will he kindly see article 136(2) which says that "nothing in this clause shall apply to any judgment, determination, sentence or order passed or made by any court or tribunal constituted by or under any law relating to the Armed Forces." The Supreme Court has no power to interfere there.

Mr. Chairman: Article 32 of the Constitution is there. The hon. Member has referred to article 136(2). Is there any other restriction on the powers of the Supreme Court?

Shri V. P. Nayar: We are trying here to take away the powers which may be exercised by the Supreme Court by virtue of article 136. The hon. Minister's contention is that the Supreme Court is supreme and there can be no restrictions on its powers.

I was just pointing out that in the very same article it has been provided that the Supreme Court cannot invoke this power in the case of a decision by a military tribunal. We want that this restriction should be extended to the worker also.

Mr. Chairman: That is not the point at issue. If he refers to the Constitution he will find that there is an article there by virtue of which the powers of the Supreme Court can be enlarged. And the hon. Minister said that there is no article in the Constitution by virtue of which we can restrict the powers; if there is a restriction, it is there in article 136 itself; can you further restrict it?—that is the burden of his argument.

Shri Datar: So I was pointing out whether there were any over-riding circumstances to justify curtailment of the powers.

Shri V. P. Nayar: Very much.

Shri Datar: May I point out that in case this particular resolution is to be accepted, it would involve amendment of at least three articles of the Constitution? They are articles 136, 226 and 227. You will also note that in addition to the expression "the court" there is also the expression "tribunal" added in two of these three articles. And in respect of this, may I point out that there was a long discussion before the Constituent Assembly? The word "tribunal" had not been mentioned in the draft that was presented to the Constituent Assembly, but an amendment was moved by a Member of the Constituent Assembly and then that amendment was accepted by the Government, and therefore in two articles we have got the word "tribunal" specially inserted. A tribunal is one, naturally, which is judicial in a general way, and which is often quasi-judicial; but all the same, you and I have to agree, Sir, that even the tribunals perform functions which are of a judicial character.

And I was just looking into the Industrial Disputes Act to which the hon. Mover made a reference. Therein we have got section 7 and section 7A. The wording of these two sections should kindly be noted. That would show that whenever these tribunals are carrying on their work or whenever they give any decisions, those decisions are, or have to be, of a judicial character. And the expression that has been used is "adjudication". I am reading section 7:

"The appropriate Government may, by notification in the Official Gazette, constitute one or more labour courts for the adjudication of industrial disputes".

Similar expression has been used in other cases, and it has been pointed out that when a judicial tribunal has to be appointed, certain qualifications have been laid down, very high judicial qualifications have been laid down. That is referred to in sub-clause (3):

"A person shall not be qualified for appointment as a presiding officer of a labour court unless he has held any judicial office in India for not less than seven years."

So, as I was pointing out to the House, in addition to the word "the court", the word "tribunal" was purposely put in, so that the Supreme Court, as also the High Court, should have their supreme jurisdiction over the proceedings or over the decisions of these bodies as well. The word "tribunal" was purposely put in with a view to meet any possible objection that it was a tribunal and not a court. That was the reason, and to meet any possible objection likely to be raised, the word "tribunal" was inserted in articles 136 and 227.

Taking article 227 first, it will be observed that the High Courts' power of supervision over tribunals has been expressly conferred by an amendment in the Constituent Assem-

[Shri Datar]

bly to the original draft of the article at the stage of consideration, and the Government accepted that amendment. The Constitution-makers had a definite purpose in making this addition as can be seen from the following extracts from the speech of one of the Members of the Constituent Assembly. Sir, I am reading from the proceedings.

Shri V. P. Nayar: I want to know...

Shri Datar: Let the hon. Member wait for some time.

Mr. Chairman: He is not yielding.

Shri V. P. Nayar: I am submitting to you, Sir.....

Mr. Chairman: Can he be forced to yield? (Interruption). Order, order no interruptions.

Shri V. P. Nayar: May I ask him...

Mr. Chairman: Order, order.

Shri Datar: After I finish, not at this moment.

Shri Narayanankutty Menon: Let him not get angry.

Mr. Chairman: The Minister says he is ready to answer it afterwards.

Shri V. P. Nayar: Then will you permit me afterwards, because you said that I will not get a chance?

Mr. Chairman: He may wait. Let him finish.

Shri Datar: Sir, I was saying that the word "tribunal" was purposely inserted, and the Members of the Constituent Assembly who considered this particular question had labour tribunal also in their mind. That is the reason why I am reading an extract from the speech of one of the Members of the Constituent Assembly. After it was accepted by the Government

and before it was put to the vote, this is what a Member stated:

"I am very happy at the amendment moved by Dr. Ambedkar"—

I am glad, it was the Law Minister who had moved it—

"by which he has stated that every High Court shall have superintendence over all courts and tribunals. I wanted to draw the attention of the Hon'ble Doctor to labour tribunals. Every day, labour tribunals are getting more and more important. Our experience of these tribunals is very bad...."

Shri Narayanankutty Menon: Whose speech is it?

Shri Datar: Let the hon. Member wait. It goes on:

"They yet have to copy the traditions of the judicial courts. I hope now when the High Courts have powers over them they will also be brought under its supervision and control so that we can have better justice in labour tribunals and also the right procedure."

Shri Narayanankutty Menon: May we know the name of the Member?

Mr. Chairman: Let him proceed.

Shri Datar: What they stated was this. Let not the portion that I have quoted be misunderstood or misinterpreted. (Interruptions).

Mr. Chairman: Order, order.

Shri Datar: As I was saying, they felt that the tribunals under the Labour Disputes Act should also be under the supervision of the High Courts and the Supreme Court. It is only for that purpose that it was stated and not in any other way. In other words.....

Shri Prabhat Kar: Two eminent Judges of the Supreme Court did not agree with that.

Shri Datar: the purpose of this supervisory jurisdiction of the High Court and the Supreme Court is to see that whatever is done is done properly and that there is a check upon an inaccurate use of the powers. It might be in favour of one party or another. That is entirely immaterial. As was pointed out, just as all the courts in a State are subordinate to the High Court of the State concerned, all the courts in India are subordinate to the Supreme Court so far as the whole of India is concerned. Thereby we secure two important points. One is that adjudication is looked into and finally scrutinised by the highest court in the land. Secondly, a proper procedure is also followed in all the courts and also the tribunals. Therefore, it was that the word 'tribunal' was purposely put in. When the word 'tribunal' was used, the framers of the Constitution had in mind the labour tribunals which have been started and which are working so often. Under the circumstances, the question is whether any overriding case has at all been made by the hon. Member.

So far as the jurisdiction of the High Court and specially of the Supreme Court is concerned, we have got various types of jurisdiction. One is the appellate jurisdiction about which I need not say anything. The other is original jurisdiction in certain matters. Take, for example, fundamental rights which have been secured to all the citizens of India. Let it be understood very clearly that in respect of these fundamental rights we have got article 32 which says:

"The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Part is guaranteed".

Let the hon. Member note the word 'guaranteed'. Assuming that it is not

improbable that in the decision or in the proceeding of a particular labour tribunal certain questions might arise which might induce a man or party to it to feel that his rights have not been properly protected, his rights have been violated and jeopardised, would it or would it not be right for the person aggrieved to approach the highest court in the land or the highest court in the State? Therefore, so far as this question is concerned, the supervisory jurisdiction ought to be there. In addition to the supervisory jurisdiction, we have got also articles 136 and 226 whereby the Supreme Court and the High Courts have jurisdiction to find out whether a particular complaint is right or wrong, whether any rights have been violated or whether any rights have got to be secured.

So these are very important questions that arise in this case. Therefore, I am submitting that this is the highest right that has been given to the Supreme Court or the High Courts and this should not be lightly set aside. There might be various so-called or alleged inconveniences. But after all, a limit has to be laid and that limit is the limit of approaching the High Court. Under the circumstances, as has been pointed out, would not the Supreme Court and the High Courts having this jurisdiction be in the interests of the citizens of India? Would it not be in the interests of the labour unions themselves, of the workers themselves?

Shri V. P. Nayar: Ask them.

Shri Narayanankutty Menon: And pay Rs. 5,000!

Shri Prabhat Kar: It is impossible to pay the fees.

Shri Datar: Let nothing be stated against the dignity or jurisdiction of these courts. Let not our personal views be coloured by so-called inconveniences caused here and there. When my hon. friend, Shri Nayar,

[Shri Datar]

was speaking on this Resolution as the sponsor, I was wondering whether he was a lawyer at all. Then I looked into the Lok Sabha Who's Who and found.....

Mr. Chairman: Shri V. P. Nayar was only interrupting him and he has not spoken on this resolution.

Shri Datar: I am sorry. I should have said Shri Menon. I am obliged to you for this correction. They all come from Kerala. 'Nayar' and 'Menon'—these are names common there. This is a pardonable mistake.

Shri V. P. Nayar: This is typical of his confusion.

Shri Narayanankutty Menon: This is their confusion about Kerala. That is the whole trouble.

Shri Datar: 'Nayar' and 'Menon' are names that often figure here. We have got the hon. Member, Shri Nayar, sitting by his side.

Shri V. P. Nayar: It is as close as Shri Datar and Shri Abid Ali!

Shri Datar: So I was wondering whether he was an advocate or lawyer at all. Then I got the Who's who and found that he was an honourable advocate.

Shri V. P. Nayar: Who?

Shri Narayanankutty Menon: Not 'was', but 'is'.

Shri Datar: Here it appears that generally so far as advocates or lawyers are concerned, they are not in favour of curtailment of the powers of the High Courts or the Supreme Court—of any court. So I was wondering how the hon. Member was in favour of the curtailment of these powers. And I got the information from the Who's Who. He is connected with a number of labour unions. That is the reason why his office-bearership has weighed over him to a

larger extent—I am putting it in a humorous language; let it not be misunderstood.

So I submit that so far as this question is concerned, we need not touch the powers of the High Courts and the Supreme Court. Let them remain as they are.

Shri Prabhat Kar: And let industrial disputes continue!

Shri Datar: Some hon. Members wanted to say something indirectly at least which was disrespectful to the High Courts. May I point out that the judgments of the High Courts and the Supreme Court are of a high order. They consider all these questions from an objective point of view, from a detached point of view, and it would not be proper to say that social justice is not done by them. That is the very reason why there are occasions when we have differences in their opinions also. (*interruptions*).

Mr. Chairman: This running commentary should not be there.

Shri Datar: I am quite confident that all the rights, including the rights of the workers and of labour ought to remain, and will remain, safe in the hands of the High Courts and the Supreme Court.

Shri V. P. Nayar: May I ask a question? The hon. Minister said that if the Resolution were to be accepted, there would necessarily be three articles of the Constitution which would have to be amended. As I heard Shri Narayanankutty Menon, he was concentrating on articles 136, 226 and 227.

Shri Datar: Those are the three articles.

Shri V. P. Nayar: If he will please read—if he has not already done so—article 136(2) places a restriction on the power given in 136(1) on the Supreme Court in so far as tribunals

of a military character are concerned. Similarly article 227(4) says:

"Nothing in this article shall be deemed to confer on a High Court powers of superintendence over any court or tribunal constituted by or under any relating to the Armed Forces".

Our argument is only this that a similar proviso can be added with respect to these tribunals. If you can exclude specifically by a sub-article one set of tribunals which are of a military character, why not have a similar proviso for labour tribunals also? He was quoting the figures....

Mr. Chairman: Order, order. That has nothing to do with this. The hon. Member wanted to ask a question. Instead of asking the question, he has put in a new argument. I am now wondering whether I should ask the hon. Mover to reply because the reply has already been given by Shri Nayar.

Shri V. P. Nayar: Then let me ask the question.

Mr. Chairman: No. Does the hon. Mover want to reply?

Shri Narayanankutty Menon: Yes.

Mr. Chairman: He will take only five minutes?

Shri Narayanankutty Menon: The hon. Minister has intervened in the debate. I will not take much time. The only point mentioned by the hon. Minister which was repeated and repeated and repeated was.....

Shri V. P. Nayar: That the hon. Member is an advocate!

Shri Narayanankutty Menon:..... that the word 'tribunal' was inserted in the Constitution. Once the word 'tribunal' was inserted and we find after eight years of the working of the Constitution that there are certain genuine difficulties in the administration of a particular Act, are we not

to learn from the wisdom of our experience? If we refuse to learn from the wisdom of experience, then what is the use of that experience?

The hon. Home Minister said that in this glorious land of ours, long long past, in the uncertain dawn of history, Manu stated that the shrutis, the smritis and sadachara should be the law of the land and today ages have passed. Why should this House decide about social justice and all that? Because 2,000 years have passed and we have learnt many things from social progress. Therefore, we are telling this that the very argument advanced by the hon. Minister is against him. The hon. Prime Minister thundered in this House about 2 years ago that article 31 was to be amended. It was six years before that the Constitution makers in their wisdom after long debate enacted article 31. After working it for 4 years, it was found impossible for Government to work the directive principles of the Constitution; and Government had to come before this House to amend article 31. So, there is nothing against amending the Constitution. If we want to amend it, certainly, we can do it.

The argument which the hon. Home Minister advanced was not so argumentative in character. What he said was that if we begin to amend article 226 of the Constitution to the extent of the Labour Tribunals, tomorrow something else would happen. At least we in the Opposition do not consider that this Government, once it begins to amend will go on amending it. It can amend wherever it is required.

I want to reply to the hon. Labour Minister because this is the third time that he asserts before this House a fact which is not a fact. He said that in 1957, from the Centrally administered areas not one appeal has been filed. I told him last that right under the very nose of the hon. Minister, in Delhi an award was passed by

[Shri Narayanankutty Menon]

the Delhi Tribunal and immediately, within 7 days, an appeal was filed and stay was granted. I will tell him the name of the case.

Shri Abid Ali: I know that case.

Shri Narayanankutty Menon: The name of the case is The Assam Oil Co., vs. the Assam Oil Co. Workers Union in which one lady Secretary was also involved. He says that he knows the case. If a man speaks something which is wrong without the knowledge that it is wrong, it is excusable; but, if he knows that it is wrong and repeats it, it can somewhere border on a lie. Therefore, I am telling the hon. Minister....

Mr. Chairman: The hon. Member is rather presuming too much. But soon the hon. Member may have to withdraw what he says.

Shri Narayanankutty Menon: This case happened right under the nose of the hon. Minister. I mentioned it to him. He has got statistics before him. It is there in the statistics of the Delhi Administration sent to him; it is there on the records of the Supreme Court. The Deputy Labour Minister says that it is 3.1 per cent. or 3.5. That does not give the real picture. The Deputy Labour Minister knows that if instead of taking the number of cases, if he had taken the number of workers involved, certainly, this House would have been astonished to hear that in a majority of cases they have taken appeals to the Supreme Court—I mean cases in which a majority of workers are involved.

I have got to mention only one thing. It is not a question of difficulties alone. The hon. Home Minister was harping upon difficulties. If it had been a simple difficulty we would not have come before this House to amend the articles of the Constitution. It is not a question of individual parties litigating; it is not a question where the interpretation of the law

of tenancy is there. It is not a case where one plaintiff files a suit and another man is defending it. Here is a dispute in which the parties are million in number and whose rights have got a direct bearing upon the industrial set-up of the land.

The Labour Minister has time and again spoken in public and in this House and in the Labour Conferences that one of the provisions of the Code of Conduct should be that both parties should avoid going to the Supreme Court. After the Government has been satisfied and after the Planning Minister and Labour Minister have been satisfied that this is an impediment for industrial peace, certainly why not Government consider this question? Our Constitution is not such a sanctified Constitution that we refuse to amend the Constitution.

There is a provision in the Constitution for amendment of any provision of the Constitution. In fact, it was enacted because, from our long experience we thought that certain provisions of the Constitution may stand as an impediment or block to the very purpose for which the Constitution has been framed, for the very purpose for which this House has legislated. Certainly that has got to be amended.

Our hon. Ministers have, as usual, opposed this. They have vehemently opposed it. Our hon. Deputy Minister of Labour knows only one kind of opposition; and that is if any motion comes from the Opposition, he knows only one way of doing it, opposing it totally with whatever facts he has got—whether they are right or wrong. The hon. Home Minister does not share the view of the Labour Minister. Therefore, I hope they will consider the matter in the interest of all and not see who has brought it.

Personally speaking, Sir, as a lawyer, it is against our interests because litigation will not multiply, it

will go down. But, in the interests of the workers whom we love and who form the greatest factor as far as the Five Year Plan is concerned and the development of the country is concerned, I hope that Government will not stand on prestige. I hope they will consider this question and make suitable amendments, if not on the lines I have suggested, but on lines they may consider proper taking into consideration all the technical and political aspects and remove whatever difficulties they have come across.

Shri Abid Ali: A word of clarification, Sir. Last time my hon. friend disputed the statement that in 1957 no appeal was filed with regard to decisions of the Central Government Tribunals. In territories like Delhi the cases, as the hon. Member mentioned, are included in the State tribunals.

Shri Narayanankutty Menon: That is not my fault.

Shri Abid Ali: Therefore the hon. Member was not right in using the word lie. Of course, it is for you to allow this word or not.

Shri Datar: That should not be allowed.

Mr. Chairman: As a matter of fact, I stated to the hon. Member like this: After getting an explanation he may have to withdraw what he said. Even if the appeal was not decided by the Supreme Court, but it was withdrawn the Minister would have been within his right to say no appeal was made. So, when he says that he meant an appeal from the Central Government tribunal he was perfectly right in stating what he did. The hon. Member should not have gone to the extent of saying that if the Minister had said that he would be guilty of a lie. It is not proper. After all the mover of the resolution is a Labour Leader between the Labour Minister and the Labour leader, the relations should be

much more cordial and should not be strained. I would, therefore, request the hon. Member to withdraw the word. Otherwise, I have also got the power to get it expunged. I would rather like that in the interest of mutual friendship this word should be withdrawn. I would request the hon. Member to kindly consider it and withdraw the word.

Shri Narayanankutty Menon: What I have mentioned was....

Mr. Chairman: I know it; at the same time it is not proper. The hon. Member would withdraw that rather than I should get it expunged.

Shri Narayanankutty Menon: will withdraw that because....

Shri Abid Ali: Thank you.

Shri Narayanankutty Menon: First of all, there is no animosity between the Labour Minister and myself and secondly I did not say that what he mentioned was a lie.

Mr. Chairman: I know what the hon. Member mentioned. Therefore, it was allowed at that time. It was not said that it was a lie. It was in some other way, circumlocutarily said that if the hon. Minister had said that it would have been a lie.

Shri Narayanankutty Menon: I am very glad to withdraw it.

Mr. Chairman: From what fell from the hon. Member's mouth just now that the Government should take steps to see that delay is eliminated, if that is his proposition, I do not know whether he will insist on this resolution being put to vote.

Shri Abid Ali: That is the attempt made through these tripartite labour conferences. It has been unanimously accepted at this conference. The attempt is that there should be no recourse to High Courts or the Supreme Court. We shall make our

[Shri Abid Ali]

best endeavours to see that this is implemented by all the parties.... (In interruptions.)

Mr. Chairman: They are asking about the delay. They are saying whether the hon. Minister is going to give any assurance or take any steps to see that there is no delay while the jurisdiction of the High Court or the Supreme Court is being exercised.

17 hrs.

Shri Abid Ali: About delay? That was the intention. Therefore, the labour appellate tribunal has been abolished. Certainly, the attempt is that all these cases should be speedily disposed of.

Shri V. P. Nayar: No attempts alone.... (Interruptions.)

Mr. Chairman: Order, order. Does the hon. Member want this Resolution to be put to the vote of the House?

Shri Narayanankutty Menon: Yes, Sir. The assurance... (Interruptions).

Mr. Chairman: I shall put it to the vote of the House.

The question is:

"This House is of opinion that suitable steps be taken to amend the Constitution in order that the jurisdiction of the Supreme Court and the High Courts over tribunals and Courts constituted under the Industrial Disputes Act, 1947 (Act XIV of 1947) be taken away."

The motion was negatived.

17.02 hrs.

RESOLUTION RE: COMMISSION TO ADJUDICATE BOUNDARY DISPUTES BETWEEN THE STATES OF ORISSA, MADHYA PRADESH AND BIHAR

Shri Mahanty (Dhenkanal): Sir, beg to move:

"This House is of opinion that a Boundary Commission be appointed to adjudicate upon the boundary disputes between Orissa and Bihar and Orissa and Madhya Pradesh taking village as the unit."

Sir, I venture to move this Resolution not out of any motive of expansionism or adventurist irradentism. This Resolution has a background of sorrow and bitterness tinged with frustration and bloodshed. Whatever might have been said against linguistic States, the fact must be recognised that all these States in the Indian Union today are linguistic States.

Mr. Chairman: I hope the hon. Member will take some time to finish his speech.

Shri Mahanty: Yes, Sir.

Mr. Chairman: Then he may continue the next time.

17.03 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 15th September, 1958.

[Friday, 12th September, 1958]

ORAL ANSWERS TO
QUESTIONSS. Q. Subject COLUMNS
No.

1185	Export of Manganese Ore	6099-6102
1186	Third Five Year Plan	6102-04
1187	Enquiry into Dalmia Con- cerns	6104-06
1188	Graphite	6106-07
1190	Manganese Ore Trade	6107-10
1191	Price-page Schedule for Newspapers	6110-14
1192	Rehabilitation of Displaced Persons in Mysore	6114-16
1193	Common Market for Asia	6116-17
1194	Unsold stock of shoes	6117-20
1195	Textile Mills, Bombay	6120-23
1196	Employees' State Insurance Scheme	6123-24
1198	Small Tea Growers of Pun- jab	6124-26
1199	Supply of cotton to U.S.A.	6126-30
1200	Taj Glass Factory Ltd.	6130-32
1201	Handicraft Association in India	6132-33
1202	Import of Foreign Films	6133-34
1203	Jute Mills	6134-35
1207	Evacuee Property in Delhi	6135-36
1208	Synthetic Rubber Factory in Assam	6136

S. N. Q.
No.

9	Indo-Pak Canal Waters Dispute	6136-41
10	Circulation by post of Magazines and Periodicals.	6141-43

WRITTEN ANSWERS TO
QUESTIONSS. Q. COLUMNS
No.

1189	Acetylene	6143
1197	All India Radio	6143-44
1204	Silk processing Factory in Andhra Pradesh	6144
1205	Power Projects in Andhra	6144-45
1206	Requisitioning of Houses in Delhi	6145
1209	Jute Mills in Calcutta	6145
1210	Remittances to India from Heads of Indian Missions abroad	6145-46
1211	Prices of Bidi Tobacco and Leaves	6146
1212	Tin plates for packing	6146-47

WRITTEN ANSWERS TO
QUESTIONS—contd.U. S. Q. Subject COLUMNS
No.

1213	Asylum given to Phizo by Pakistan	6147-48
1214	Automobile Industry	6148
1215	Indo-Burma Trade Agree- ment	6148-49
1216	Anti-Oxidant	6149
1217	Cornering of Shares	6149-50
1218	Minor Irrigation Works	6150-51
1219	Indo-Pakistan Trade Agreement	6151
1220	Rehabilitation of displacd persons in Midnapore	6151-52
1221	Shoes for U.S.S.R.	6152
1222	Manufacture of Road Rol- lers	6152-53

U. S. Q.
No.

1919	Prime Minister's visit to Hills	6153
1920	Cloth production	6154
1921	Enquiry Committee on the Organisation and Methods of the Ambar Charkha Programme	6154
1922	Labour Cooperative Socie- ties, Bombay	6155
1923	Displaced Persons in Tri- pura	6155
1924	Film on Pahadi Paintings	6155-56
1925	Pakistanis visit to India	6156
1926	Foreign Trade of India	6156
1927	Small Scale Industries in Marathwada Region	6156-57
1928	Housing Loan in Hima- chal Pradesh	6157
1929	Labour disputes	6158
1930	Naga Hostiles	6158
1931	Industrial development of Orissa	6158-59
1932	'Akashwani' Bhavan	6159
1933	Light music	6160
1934	Employment exchanges	6160
1935	Export of cloth	6161
1936	Unemployment relief Fund	6161
1937	Resolutions passed by I.N.T.U.C.	6161-62
1938	State Trading Corporation of India (Private) Limi- ted	6162
1939	Low Income Group Hou- sing Scheme	6163

WRITTEN ANSWERS TO QUESTIONS—contd.

U. S. Q. No.	Subject	COLUMNS
1940	Vegetable Oil Factories . . .	6163
1941	Development of Malanad Area . . .	6163-64
1942	Liver Extracts . . .	6164
1943	Rock salt . . .	6164-65
1944	Availability of graphite in Punjab . . .	6165
1945	Import of Tobacco . . .	6166-67
1946	Communal Clash in Sind . . .	6167
1947	International Labour Organisation . . .	6167
1948	Non-self governing Territories . . .	6168
1949	Scholarships Offered by I. L. O. . . .	6168-69
1950	Trade with West African Countries . . .	6169-70
1951	Films division . . .	6170-71
1952	Cottage Industries . . .	6171
1953	Trade agreements . . .	6171-72
1954	Tea Industry . . .	6172
1955	Bettiah Refugee Camp . . .	6172-73
1956	Rehabilitation of displaced persons in Tripura . . .	6173
1957	Displaced persons in Uttar Pradesh . . .	6173-74
1958	Handloom Industry in Maharashtra . . .	6174
1959	Small Scale Industries . . .	6174-75
1960	Publications produced on Cooperative System . . .	6175
1961	Ambernath woollen mills . . .	6175
1962	Raisina Road Market in Delhi . . .	6176
1963	Machinery for sugar Factories . . .	6176-77
1964	Skins and Leather Goods . . .	6177-78
1965	Accidents in Mines . . .	6178-79
1966	Industrial Committee on Inland Transport Services . . .	6179
1967	Film production with Soviet Assistance . . .	6179-80
1968	Trust Territory . . .	6180-81
1969	Automatic Looms . . .	6181
1970	Women Employees in A.I.R. . . .	6182
1971	Cottage Industry in Orissa . . .	6182
1972	Employees' Provident Fund Act . . .	6183
1974	Loans to Jute mills for rationalisation . . .	6183
1975	Khadi Gramodyog Bhavan . . .	6183-84

WRITTEN ANSWERS TO QUESTIONS—contd.

U. S. Q. No.	Subject	COLUMNS
1976	Evacuee property in Punjab . . .	6184
1977	Research on Implementation of Land reforms . . .	6184-85
1978	Dramatic Troupe . . .	6185-86
1979	Steel for Small Scale Industries . . .	6186
1980	Small Scale Industries in displaced Colonies in Delhi . . .	6185-86
1981	Power-loom in Bombay State . . .	6187
1982	Building Grants for displaced Persons . . .	6187
1983	Export of films to Japan . . .	6187-88
1984	Khadi Cooperatives in Punjab . . .	6188
1985	Unsold stock of Handloom Goods . . .	6188-89
1986	Export of films to West Germany . . .	6189
1987	Embassy Building in Eire . . .	6189-90
1988	International Commission for Supervision and control in Indo-China . . .	6190
1989	Raw material for Medicines . . .	6190-91
1990	Material for film Industry . . .	6191
1991	Handicrafts in Himachal Pradesh . . .	6191
1992	Markets in Government Colonies . . .	6192
1993	Press Attaches . . .	6193
1994	Technical Officers of the Ministry of Information and Broadcasting . . .	6193-94
1995	Nangal Fertilisers and Chemicals (Private) Limited . . .	6194
1996	Ministerial Staff in the Ministry of Commerce and Industry . . .	6194-95
1997	Indian Traders abroad . . .	6195-96
1998	Nuclear Tests . . .	6196-97
1999	Industrial development . . .	6197

OBITUARY REFERENCE 6197-98

The Speaker made a reference to the passing away of Sardar Sampuran Singh who was a member of the former Central Legislative Assembly.

Thereafter Members stood in silence for a minute as a mark of respect.

	COLUMNS		COLUMNS
PAPERS LAID ON THE TABLE	6198-99	CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE	6200-10
The following papers were laid on the Table :—		Shri S. M. Banerjee called the attention of the Prime Minister to the results of talks held between the Prime Ministers India and Pakistan on the 9th and 10th September, 1958.	
(1) A copy of each of the following papers :		The Prime Minister (Shri Jawaharlal Nehru) made a statement in regard thereto.	
(i) Statement regarding damage to the Central Spillway Wall of the Bhakra Dam		STATEMENTS BY MINISTERS	6211-14
(ii) Statement regarding damage caused to Kadam Dam in Andhra Pradesh		(1) The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna) made a statement correcting the reply given on the 4th September, 1958 to Starred Question No. 913 regarding Property Rights for Scheduled Castes and other Backward Classes.	
(2) A copy of each of the following Notifications under sub-section (2) of Section 3 of the All India Services Act, 1951 :—		(2) The Deputy Minister of External Affairs (Shrimati Lakshmi Menon) made a statement correcting the reply given on the 19th August, 1958 to a Supplementary by Shri Kansari Halder on Starred Question No. 232 regarding National Sample Survey Schemes	
(i) G. S. R. No. 764, dated the 6th September, 1958.		(3) The Minister of Mines and Oil (Shri K. D. Malviya) made a statement regarding the discovery of oil bearings stratum in Cambay.	
(ii) G. R. No. 765 dated the 6th September, 1958 making certain amendment to the Indian Police Service (Uniform) Rules, 1954.		ELECTION TO COMMITTEE	6214-15
(3) A copy of the Coir Industry (Registration and Licensing) Rules, 1958 published in Notification No. G. S. R. No. 47 dated the 22nd February, 1958 under sub-section (3) of Section 26 of the Coir Industry Act, 1953.		Shri B. G. Mehta moved for the election of one member from among the Members of Lok Sabha to be member of the Estimates Committee. The motion was adopted.	
(4) A copy of Notification No. G. S. R. 750 dated the 30th August, 1958 under sub-section (3) of Section 642 of the Companies Act, 1956, making certain further amendments to the Companies (Central Government's) General Rules and Forms, 1956		BILL INTRODUCED	6215
(5) Statement on the talks between the Prime Ministers of India and Pakistan		The High Court Judges (Conditions of Service) Amendment Bill.	
MESSAGE FROM RAJYA SABHA	619.—(200	MOTION TO REFER BILL TO JOINT COMMITTEE ADOPTED	6215—33
Secretary reported a message from Rajya Sabha that Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Estate Duty (Amendment) Bill, 1958, passed by Lok Sabha on the 1st September, 1958.		Further discussion on the motion to refer the Delhi Rent Control Bill to a Joint Committee was concluded and the motion was adopted.	

BILL UNDER CONSIDERATION

COLUMNS

6233-54

The Minister of Transport and Communications (Shri S. K. Patil) moved for the consideration of the Merchant Shipping Bill, as reported by the Joint Committee. The discussion was not concluded.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED

6252-53

Twenty-sixth Report was adopted.

PRIVATE MEMBER'S RESOLUTION WITHDRAWN

6253-61

Further discussion on Resolution re: formation of a National Council of Indian Youth and the amendments thereto was concluded and the Resolution was withdrawn by leave of Lok Sabha.

PRIVATE MEMBER'S RESOLUTION NEGATIVED

COLUMNS

6262-6317

Shri Narayanankutty Menon moved the Resolution re: exclusion of certain tribunals from the jurisdiction of High Courts and Supreme Court. After discussion the Resolution was negatived.

PRIVATE MEMBER'S RESOLUTION UNDER DISCUSSION

6218

Shri Mahanty moved the Resolution re: Commission to adjudicate boundary disputes between the States of Orissa, Madhya Pradesh and Bihar. The discussion was not concluded.

AGENDA FOR MONDAY, 15TH SEPTEMBER, 1958—

Further discussion on the motion to consider and passing of the Merchant Shipping Bill as reported by the Joint Committee.