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Thursday, April 23, 1959
Vaisakha 3, 1881 (Saka)

LOK SABHA DEBATES

(Seventh Session)



(Vol. XXX contains Nos. 51—60)

LOK SABHA SECRETARIAT
NEW DELHI

62 nP. (INLAND)

THREE SHILLINGS (FOREIGN)

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

LOK SABHA DEBATES

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LOK SABHA

Thursday, April 23, 1959 | Vaisakhi 3
1881 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Disposal of Surplus Machinery of Bhakra Nangal Project

+
*1996. { Shri S. C. Samanta.
 { Shri Subodh Hansda:
 { Shri R. C. Majhi:

Will the Minister of Irrigation and Power be pleased to state

(a) whether it is a fact that huge quantities of surplus machineries of the Bhakra Nangal Project have been disposed of by the Project authorities and

(b) if so, the total amount obtained by this disposal?

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

(b) Rs 3,28,96,201 (Sales upto 31-1-1959)

Shri S. C. Samanta: Is it not a fact that some machineries were brought from DVC? May I know whether they have been returned or have they been sold?

Shri Hathi: Whenever there are surplus machineries in different projects they are being utilised at various other projects. Some machinery might be at Bhakra also

Shri S. C. Samanta: May I know whether Government is making a central pool for keeping these machineries and use them wherever necessary?

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Shri Hathi: We are having a central pool but we are not having a central store because if the machines are kept at the projects themselves there they can be looked after properly. The procedure is that whenever there is surplus machinery at any project, they have to intimate it here to the Directorate in the Central Water and Power Commission. They circulate the list to various projects and whenever there is a demand of the surplus machinery it is sent to the various projects.

Shri R. C. Majhi: May I know whether any loss has been incurred by disposing of this machinery?

Shri Hathi: No loss has been incurred by any of these surplus machineries. They are being sold.

Shri B. K. Galkwad: May I know the difference between the purchase price of the disposed machinery and its selling price?

Mr. Speaker: That is the book value and the other one.

Shri Hathi: I think I have got the figure. The purchase price was about Rs 3,31,00,000 while the disposing of price is Rs 3,28,00,000.

Shri Tangamani: May I know whether these surplus machineries have been sold to the public sector (Interruption)

Mr. Speaker: Shall I allow questions to be asked here across the table?

Shri Tangamani: May I know whether these surplus machineries have been given to the public sector as in the case of Nagarjunasagar project?

Shri Hathi: Yes, Sir. They have been sent to Nagarjunasagar Project,

Chambal Project and Kosi Project. We circulate this list to about 130 Government organisations.

Pandit D. N. Tiwary: May I know whether the Government has ascertained previously if this machinery that has been disposed of will be required in other projects or not? If they were required why the sale was done?

Shri Hathi: As I said, the procedure is that whenever a machinery becomes surplus in a particular project, it is being transferred to another project where it is required. Again, when it becomes surplus there it is transferred to another project provided it is serviceable.

Shri Ram Krishan Gupta: May I know whether all the surplus machineries have been disposed of or some of it is still lying?

Shri Hathi: All has not been disposed of. Some is still lying there.

Mr. Speaker: Then he will ask the question, "What is the price?"

Shri Hathi: Rs. 44 lakhs.

Collision of Oil Tankers at Bombay

+
*1997. { **Shri Ram Krishan Gupta:**
 Shrimati Maftida Ahmed:

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

(a) whether it is a fact that two oil tankers were involved in a collision in the Bombay Harbour on the 20th December, 1958; and

(b) if so, the nature of the loss suffered and damage done?

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

(b) The S.S. "Stanvac Calcutta" sustained slight damage to her stem and shell plating. The M.S. "Etnesjell" sustained considerable damage to her bridge accommodation, life boat and hull plating. There was no loss of life, but the 3rd Officer on "Etnesjell" received slight injuries in the leg from the splinters.

Shri Ram Krishan Gupta: May I know whether the cause of this collision has been ascertained?

Shri Raj Bahadur: The Deputy Conservator, Bombay Port Trust, conducted a preliminary enquiry and has come to certain conclusions. The cause of the accident has been attributed to some pilot errors.

Shrimati Renu Chakravartty: I could not quite catch as to which were the two tankers I want to know whether one of them was the Western Shipping Corporation tanker or was it a private one, owned by the oil companies.

Shri Raj Bahadur: None of them was the Western Shipping Corporation tanker. The "Stanvac Calcutta" was under the Panamanian flag and the other was under the Norwegian flag.

Shrimati Maftida Ahmed: May I know whether the tanker "Stanvac Calcutta" was loaded with crude oil or with refined products?

Shri Raj Bahadur: SS "Stanvac Calcutta" had discharged its cargo and was moving out to sea.

इरविन हस्पताल, नई दिल्ली

*१९६८ में नवेल प्रभाकर: क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या दिल्ली के इरविन हस्पताल में बिस्तरों की संख्या बढ़ाने के लिये कोई कार्यवाही की गई है ,

(ख) यदि हां, तो वर्ष १९५८-५९ में बिस्तरों की संख्या में कितनी वृद्धि की गई; और

(ग) वर्ष १९५९-६० में बिस्तरों की संख्या कितनी बढ़ाई जायेगी ?

स्वास्थ्य मंत्री (श्री करमरकर) . (क) से (ग). इस अस्पताल का विस्तार उसकी पूरी क्षमता तक कर दिया गया है और उसका अधिक विस्तार करना सम्भव नहीं है । वर्ष १९५८-५९ में बिस्तरों की संख्या में १३७ की वृद्धि की गई ।

Mr. Speaker: They want English version also.

Shri Karmarkar: (a) to (c). The hospital has been expanded to its full capacity and further extension is not feasible. The bed strength was increased by 137 during 1958-59.

श्री नवल प्रभाकर : क्या माननीय मंत्री यह बतलाने की कृपा करेंगे कि अभी भी इबिन अस्पताल के बरामदों में मरीजों को रक्खा जा रहा है ?

श्री करमरकर : जी हा उस अस्पताल की टोटल कैपेसिटी १००३ बेड्स की है लेकिन मरीज वहां उससे ज्यादा आ जाते हैं और चूकि उनको वापिस भेज देना मुनासिब नहीं समझा जाता है इसलिये ११०० मरीजों तक को वहां पर रक्खा जाता है ।

श्री नवल प्रभाकर : क्या मैं जान सकता हूं कि इस कमी को देखते हुए इस अस्पताल के पास ही कोई और नया अस्पताल बनाने की योजना है ?

श्री करमरकर : इस सम्बन्ध में दिल्ली ऐडमिनिस्ट्रेशन की कुछ स्कीम्स हैं जिनके कि मातहत अस्पतालों की संख्या बढ़ाई जायेगी ।

श्री नवल प्रभाकर : मैंने तो यह पूछा है कि इबिन अस्पताल के पास ही में क्या कोई इस तरीके का अस्पताल बनाने की या किसी और अस्पताल में अधिक विस्तार करने की कोई सम्भावना है ?

श्री करमरकर : इस अस्पताल का और अधिक विस्तार करना सम्भव नहीं है क्योंकि वहां और अधिक जगह नहीं है और उसकी पूरी कैपेसिटी तक उसका विस्तार कर दिया गया है । अब जहा तक उस अस्पताल के नजदीक कोई दूसरा अस्पताल बनाने का सवाल है मुझे पता नहीं कि उनकी स्कीम में है या नहीं बहरहाल इस इत्तिला को मैं मंशुर्कना ।

Shri D. C. Sharma: In view of the fact that the hospital has now the optimum number of beds, may I know if the shortage of nurses, the shortage of qualified medical personnel and also the shortage of medical equipment—all these shortages—have also been made good in view of the expansion of the hospital? If so, in what way?

Shri Karmarkar: About equipment there was no difficulty. About nurses, there was shortage. About personnel, sometimes a shortage is also felt. But in spite of that we make the best possible attempts to make up for the shortage. This hospital is trying its best to make up for the shortage.

श्री भक्त बर्षाव : श्रीमन्, क्या माननीय मंत्री के ध्यान में यह बात आई है कि इबिन अस्पताल केवल दिल्ली की जनता के लिए ही नहीं है बल्कि दूर-दूर से भी मरीज यहां आकर के इस अस्पताल में अपना इलाज कराने का प्रयत्न करते हैं और इसलिये इस अस्पताल में जो चारपाइयों की संख्या घीरे-घीरे बढ़ाई जा रही है उसकी गति में तेजी क्यों नहीं लाई जाती है ?

श्री करमरकर : यह तो ठीक है कि इस अस्पताल में बिस्तरों की संख्या में भी गति से वृद्धि की जा रही है । माननीय सदस्य ने ठीक ही कहा है कि इस अस्पताल में केवल दिल्ली से ही नहीं बल्कि बाहर के स्थानों से भी मरीज आते हैं और दिल्ली ऐडमिनिस्ट्रेशन और कारपोरेशन इस बात की कोशिश कर रहे हैं कि अस्पतालों की संख्या और विस्तरों की संख्या में कोई बढ़ोतरी की जाय ।

Shri Dige: May I know whether it is a fact that many poor class patients are refused admission for want of accommodation?

Shri Karmarkar: It is just possible that when all the beds are full, if there comes up some other patient, admission is refused. But then emergency cases are always looked after with a sense of priority.

Raxaul Aerodrome

*2000. **Shri Bibhuti Mishra:** Will the Minister of Transport and Communications be pleased to refer to the reply to Starred Question No. 1137 on the 10th September, 1958 and state:

(a) whether the construction of Raxaul Aerodrome has been completed; and

(b) if so, the name of places to be served from there?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) and (b). No, Sir. It has not been possible to complete the work by 31st March, 1959 as estimated previously. Except for the terminal building the major portion of the work is now expected to be completed by the end of 1959. The terminal building is likely to take about 18 months to complete.

बी बिभूति मिश्र : बी का जवाब नहीं दिया ।

Mr. Speaker: The names of places to be served from there.

Shri Mohiuddin: The aerodrome is not constructed with a previous decision regarding the services that will go there. It depends on the I.A.C. to examine the possibilities and potentialities of traffic and then take a decision.

Mr. Speaker: Does the hon Minister mean that there is no proposal at all even for a single line?

Shri Mohiuddin: Not; not at present. It will be considered.

Mr. Speaker: Have an aerodrome in Sahara and thereafter people go in for air lines?

Shri Mohiuddin: Location is decided upon on various considerations, on the possibility of future development and the desirability of having an air service. That decision whether service will go there would arise later.

बी बिभूति मिश्र : इतना स्पष्टा लगा दिया और कहते हैं कि भविष्य में फायदा या नुकसान मानूँ होगा । आपका विभाग कमनियल विभाग है । रकसील में आपने हवाई अड्डा बनाने का इन्तिजाम किया है, लेकिन कहां से सरबिस जोड़ेंगे यह भी अभी आपको पता नहीं है । मैं जानना चाहता हूँ कि इसके क्या कारण हैं ?

बी मुहीउद्दीन : आनरेबल मेम्बर को मालिबन यह गलतफहमी है कि इंडियन एयर लाइन्स कारपोरेशन यह हवाई अड्डा बना रहा है । यह बात नहीं है । यह हवाई अड्डे गवर्नमेंट बनाती है और बनाने के पहले उनसे राय भी ली जाती है कि आयन्दा इसकी जरूरत पड़ेगी या नहीं । उसके बाद यह तसफिया किया जाता है कि हवाई सरबिस जारी की जाये ।

Shri Jaipal Singh: I am sorry I have to ask an unpleasant question. Is it that without any planning, this aerodrome has been constructed?

Mr. Speaker: The hon. Minister said: without a single air service mind.

Shri Jaipal Singh: What the hon. Minister said was that the aerodrome has been constructed by the Civil Aviation Department of the Government of India without any thought whatever as to whether it can be used or is likely to be used by anybody. What I want to know, is, is there planning. I assume there has been planning. May I know whether this aerodrome is going to take aircraft larger than what has been normally used in the feeder aerodromes? At present, for example, Dakotas could land there. I want to know whether in these new aerodromes set up here and there all over the country, they are preparing in advance for bigger aircraft to land there.

Shri Mohiuddin: I am not aware what would be the length of the runway. I presume that it is for the landing and take off of the type of Dakotas as are generally used at the present moment. But, if necessary, that runway could be extended easily

later. As regards the question whether there is planning or not, I can assure the House that before the construction of an aerodrome is undertaken by the Ministry of Communications, certain consultations do take place about the possibilities of future development. Hon. Members themselves press considerably for the construction of aerodromes at certain places

Shrimati Renu Chakravarty: In the past, whenever we have asked for the opening of any particular aerodrome or runway, we have been told that there are certain criteria laid down for the opening up of a particular aerodrome. May we know what are those criteria and whether there is any criterion laying down the services to be operated or flown and passenger and freight potential?

Shri Mohiuddin: Raxaul is on the way to Nepal. It is to the north of the Ganges and in North Bihar. From various points of view, it is expected that this service which lies on the route to Nepal will be useful in the near future.

Mr Speaker: Next question

Shri Jaipal Singh: May I just ask a question?

Mr Speaker: All hon. Members have asked the same question, same answer.

Shri Jaipal Singh: This is something different. In the consultations that the Minister has indicated, may I know whether Air Headquarters were ever consulted in this regard?

Mr Speaker: How that would come have Air Headquarters been consulted?

Shri Mohiuddin: I have no knowledge about it.

World Agriculture Fair in Delhi

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*2902. { **Shri Nanjappa:**
Shri A. K. Gopalan:
Shri Warior:

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

(a) whether there is any proposal to hold a World Agriculture Fair in New Delhi in December this year, and

(b) if so, the steps so far taken in this regard?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes

(b) The World Agriculture Fair is being organised by the Bharat Krishak Samaj (Farmers' Forum), India, which is a non-official organisation. All arrangements in connection with the organisation of the fair are being made by the Bharat Krishak Samaj.

Shri Nanjappa: May I know the names of the countries which are going to take part in the proposed fair?

Dr. P. S. Deshmukh: It is expected that nearly two to three dozen countries at least will take part.

Shri Thirumala Rao: What is the role of the Government of India in organising this exhibition? Is it going to make any financial contribution and if so, what amount?

Dr. P. S. Deshmukh: According to the estimates prepared by the Fair Committee, it was estimated that the fair may cause a deficit of Rs 7½ lakhs. An application was made to the Government of India to contribute Rs 5 lakhs. They have so far given a grant of Rs 2 lakhs and subject to submission of further estimates of the position, they might give Rs 3 lakhs more.

Shri Thirumala Rao: Have the Government considered the question of organising the fair under their own auspices so that it may be more successful in the Governments of other countries co-operating in the fair?

Dr. P. S. Deshmukh: There will be no difference, so far as co-operation is concerned. In fact, the Government itself came to the decision that it would be more elastic if the fair is held under the auspices of a private

organisation than the Government itself. But, the Government are fully collaborating with the Bharat Krishak Samaj.

Shri Nanjappa: May I know how the States are going to take part in this fair?

Dr. P. S. Deshmukh: Most of the States have decided to come in a very large measure and they have already reserved large areas to construct their independent pavilions.

Shri Hem Barua: May I know whether the latest developments in agricultural techniques will be exhibited in this fair and whether the Government are going to provide facilities to various sections of farmers all over the country to attend this fair?

Dr. P. S. Deshmukh: It is proposed to make every effort to show this agricultural fair to the utmost possible number of farmers in India. Certain arrangements are already being undertaken. So far as techniques are concerned, this is one of the principal aims of the exhibition and fair, that the latest methods not only in India, but in other countries, and the progress made not only in agriculture, but in co-operation, forestry, fisheries, poultry, all these things should be exhibited.

Shri Braj Raj Singh: May I know who are the President of the Bharat Krishak Samaj and the Secretary and why the Government did not think themselves to run this fair but allowed this private organisation to run it compensating the loss which may be incurred?

Mr. Speaker: The latter part was answered.

Dr. P. S. Deshmukh: I am myself the president.

Mr. Speaker: It has solved the problem.

Shri Tagamani: May I know whether any railway travel concession will

be extended to the farmers who will be attending this fair?

Dr. P. S. Deshmukh: We are moving the Railway Ministry with this end in view.

Shri Panigrahi: When the entire organisation is being financed and sponsored by the Government of India, why is it called a non-official organisation?

Dr. P. S. Deshmukh: It is not fully financed by the Government of India. Only to the extent of Rs 5 lakhs, the Government of India is prepared to take the responsibility. So far as the remaining finances are concerned, it is the organisation which will have to bear the brunt.

Shri Shivananjappa: May I know how long this exhibition is likely to last?

Dr. P. S. Deshmukh: It will start on the 11th of December and it is likely to continue till 14-2-1960.

Dr. M. S. Aney: What is the total budget? I think the hon. Minister stated that it was Rs 5 lakhs plus Rs 2½ lakhs, so, it comes to Rs 7½ lakhs.

Dr. P. S. Deshmukh: The budget is for Rs 30 lakhs. Rs 22½ lakhs are estimated as the income. There is thus a sum of Rs 7½ lakhs by way of deficit. In respect of this, an application was made to Government to contribute Rs 5 lakhs. They have so far given only Rs 2 lakhs.

Sri Venkatasubbarah: Which are the countries that are participating in this agricultural fair?

Mr. Speaker: He said that about three dozen countries would be participating.

Dr. P. S. Deshmukh: Most of the large countries and many of the small countries.

Shri Thirumala Rao: In the event of this organisation incurring any loss in running this exhibition or fair, may I know whether Government

have given them a promise to make good the loss?

Dr. P. S. Deshmukh: No, not beyond Rs. 5 lakhs.

Shri K. S. Ramaswamy: May I know whether Government will consider the possibility of having this fair at a more centrally situated place like Hyderabad, so that poor farmers from all parts of the country can come and see it?

Dr. P. S. Deshmukh: That would be rather a risky thing. We have got certain facilities in Delhi which cannot be made available everywhere, and we try to take advantage of them and the grounds etc.

Vamsadhara Project

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*2003. { **Shri Tangamani:**
Shri Satyanarayana:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No 283 on the 16th February, 1959 and state:

(a) whether the report of investigations relating to the Vamsadhara project has since been received by the Government of India; and

(b) if so, what are the results of the investigations?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir. The field unit has completed the investigations but it will take some time for the Central Water and Power Commission to finalise the report on the investigations.

(b) The results of the investigations will be known only after the report is finalised.

Shri Tangamani: May I know whether these investigations have revealed the suitability of the Gudari site for the construction of the dam for the Vamsadhara project?

Shri Hathi: The investigation is not with regard to the Gotta site. It is

with regard to the other alternative site, namely the Gudari region.

Shri Tangamani: May I know when the project report will be prepared by the Central Water Power Commission in conjunction with the Andhra Pradesh Government?

Shri Hathi: The field investigations have been completed. It will take about six months or so to complete the project report.

Shri Tangamani: On the previous occasion we were told that it was not possible to say whether this work will start in 1959-60. May we know whether this work will start at least in 1960?

Shri Hathi: After the project report is ready, it will have to be sent to the Orissa Government, because originally also, there was a difference between the Orissa Government and the Andhra Pradesh Government. Then, the Orissa Government were persuaded to agree to this idea, but they have said that before a final decision is taken they would like to see the project report.

Shri Rami Reddy: Is it not a fact that the Planning Commission have advised the Chief Ministers of the Orissa and the Andhra Pradesh States to meet and settle this matter? I read so in the papepra,

Shri Hathi: That is true. In fact, first, the Orissa Government objected. They did not want any site here to be taken for the project, because rich lands were being submerged, and the number of people that were to be displaced also was large. But, subsequently, they have now agreed, and the Orissa Government have withdrawn that objection. The only thing is that they would like to see the project report before a final decision is taken.

Shri Pandit: May I know whether this project will be a joint venture of the Governments of Andhra Pradesh and Orissa or it will

be entirely financed by the Government of India?

Shri Hathi: That will depend, after the project report is ready.

Water-Logging due to Railway Lines

*2004. **Shri Ajit Singh Sarhadi:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that there have been complaints from Punjab that there has been water-logging and floods at places due to railway lines which provide no outlet for water;

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

(c) what steps are being taken to provide the openings in such railway lines?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). Yes Sir. Seven complaints have so far been received.

(c) The Railways are taking suitable action in consultation with the State Government to provide additional waterways or extend existing ones as and where necessary.

On the Northern Railway 26 additional waterways have been provided across the Railway line and four existing ones have been extended since 1955.

A Committee has also been formed under the chairmanship of the Minister of Irrigation and Power to consider the problems arising out of the extraordinary flooding of the Gurgaon and Mathura Districts during the 1958 monsoons. The Committee is yet to finalise its proposals to prevent such flooding.

Shri Ajit Singh Sarhadi: May I know whether Government will consider the question of paying compensation to those who have suffered because of the lack of waterways on the railway lines?

Shri S. V. Ramaswamy: Government are not liable.

Shri Ajit Singh Sarhadi: The damage is due to lack of waterways on the railway lines.

Mr. Speaker: If water stagnates, Government are not liable.

Shri P. C. Bose: May I know whether similar water-logging conditions exist all along the railway lines....

Shri Ajit Singh Sarhadi: It is due to lack of waterways.

Mr. Speaker: He has said that Government are not liable.

Shri P. C. Bose: . . in UP, Bihar and West Bengal?

Shri S. V. Ramaswamy: There may be cases. A separate question might be tabled. I cannot answer that off-hand.

Shri Ajit Singh Sarhadi: May I know whether any target date has been fixed by which these constructions would be completed?

Shri S. V. Ramaswamy: As I said, a committee has been set up; the report has not yet been finalised.

Shri Braj Raj Singh: May I know whether the committee has been advised to submit its report before the next monsoon sets in?

Shri S. V. Ramaswamy: No such directive has been given, but I take it that they will expedite it and submit it as quickly as possible.

Shri Ram Krishan Gupta: May I know whether any assessment has been made regarding the water-logged areas due to railway lines.....

Mr. Speaker: In the whole of India?

Shri Ram Krishan Gupta: No; in the Punjab. The question relates to Punjab.

Shri S. V. Ramaswamy: The committee is going into that question.

Shoals of Prawns

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*2005 { Shri Kodiyan:
Shri Warior:

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

(a) whether it is a fact that vast shoals of prawns extending over many miles in length have been discovered recently about 35 miles off shore of Kerala,

(b) if so, whether any assessment has been made as to the potential of the new discovery, and

(c) whether any steps are being taken to exploit these shoals?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Preliminary surveys indicate the presence of large quantities of prawns in the off-shore waters of Kerala, Surveys being continued

(b) Not yet fully

(c) Further action will be taken after the detailed investigations are completed

Shri Kodiyan: May I know whether the prawns discovered in these shoals are of a superior variety or are different from the ordinary prawns that the fishermen get from the near coastal waters?

Mr Speaker: Shri V P Nayar has been claiming that these are the best in the world

Dr. P. S. Deshmukh: They are considered good I do not know about the comparative merits

Shri V. Eacharan: May I know who is investigating, whether the Kerala Government or the Norwegian Company who are working here?

Dr. P. S. Deshmukh: The first investigation was carried on by the University of Kerala, and certain other investigations are going to be carried on at Cochin, Tuticorin, and Visakhapatnam under the Second Five Year Plan by a Government agency

Shri Jaipal Singh: In view of the fact that shrimps earn valuable

foreign currency, particularly hard currency, may I know whether in this survey, it has been discovered that shrimps are also there or only prawns are there? There is a big difference between shrimps and prawns

Dr. P. S. Deshmukh: All that I can say is that if on investigation we find both, we shall tackle them, supposing they are different. For, my hon friend Shri Karmarkar, the Health Minister says that they are the same

अन्तर्राष्ट्रीय मानसिक स्वास्थ्य वर्ष

*२००६. श्री भक्त बर्षान क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि भारत सरकार अन्तर्राष्ट्रीय मानसिक स्वास्थ्य वर्ष योजना में भाग ले रही है, और

(ख) यदि हा, तो इस सम्बन्ध में कितना धन व्यय होने का अनुमान है ?

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

(ख) यह प्रश्न नहीं उठता।

Some Hon. Members: In English also

Shri Karmarkar: (a) No, Sir

(b) Does not arise

श्री भक्त बर्षान: क्या यह सत्य है कि यद्यपि भारत सरकार ने इस अन्तर्राष्ट्रीय मानसिक स्वास्थ्य वर्ष में भाग लेने का निर्णय नहीं किया, लेकिन ७ अप्रैल को जो मानसिक स्वास्थ्य दिवस मनाया गया, उस में भारत सरकार ने भाग लिया ?

श्री करमरकर: नहीं, अभी तक तो तय नहीं हुआ। वह १९६० में आने वाला है। It is coming in 1960

श्री भक्त बर्षान: क्या भारत सरकार ने भारत-वासियों के मानसिक स्वास्थ्य का कभी कोई सर्वेक्षण किया है या वह करने का

विचार कर रही है कि हमारे देश में मानसिक रोग, जैसे पागलपन, पहले से बढ रहे हैं या बढ रहे हैं ?

Mr. Speaker: The hon. Minister must be in a position to say how many more patients are now in the mental hospitals, not to speak of others outside.

श्री करमरकर स्थिति यह है कि खास तौर पर कोई सैसस नही लिया गया है इन मानसिक रोगियों का। फिर भी कोई अन्दाजा ऐसा है कि जैसे ५० ए० ए० में यह अंदाजा ५ टू ८ पर बाउजेंड है, ५० क० में ३ टू ४ पर बाउजेंड है, यहाँ पर २ पर बाउजेंड अभी तक है। आइन्दा क्या होगा, पता नही है।

Shri Hem Barua: The hon. Minister has only given a guess-work. May I know whether the Government propose to take a survey of the mentally deranged, lunatics, cranks, mad and half-mad people in this country in the near future?

Shri Karmarkar: We are about to undertake a morbidity survey in Delhi, but we shall include this also—not half-mad people, but mentally unhealthy people

Shrimati Renu Chakravartty. Is the hon Minister aware that large numbers of mental cases which are picked up by the police, or put in charge of the police, are living in inhuman conditions in jails—at least I know of it in Calcutta—and whether at least these men and women who have been kept there are going to be given any sort of treatment?

Shri Karmarkar: I am not aware of these mental patients being sent to jail (interruption) Let her not curse me before I have replied!

According to the old tradition in this country, the lunatics were kept behind prison bars and all that, but now there is a reoriented way of thinking. Now, we are thinking in terms of mental hospitals, and there are many in the country which are not like jails, but like hospitals

Shrimati Renu Chakravartty: Hundreds there are, he does not know

Shri Karmarkar: In some of the places I am aware that the old lunatic asylum continues, in the same old style, but I know the State Governments are trying to reform them

Shri Hem Barua: It is always difficult to find out accommodation in a mental hospital, and then these patients are kept in jail, they are in a savage condition

Mr Speaker: The hon Minister said he was not aware. How is it to be pursued? Hon Members who have got information will kindly pass it on and then come back to this House after a sufficiently long time

Shrimati Renu Chakravartty: Just let him visit the Presidency Jail in Calcutta

Shri Karmarkar: For instance, the mental hospital at Bangalore is so nice that I know of a person who went there instead of staying in a hotel. It is so nice

Shri Kasliwal. The hon Minister while replying to the question said that this will take place in 1960. May I know whether in 1960, which is the World Health Year, they will participate in these two schemes also?

Shri Karmarkar: This is another organisation under whose auspices this is being observed. This is being sponsored in 1960 by the World Federation of Mental Health. The other scheme that is being referred to is possibly the one that is under the World Health Organisation. So many things will be going on in 1960, these two also will go on

श्री मन्त्र बर्मान मैं जानना चाहता हूँ कि क्या यह सत्य है कि मानसिक स्वास्थ्य के सम्बन्ध में हमारे देश में इस समय कोई खास कानून नहीं है ? जो सन् १९१२ का पागलपन का कानून है वह बहुत पुराना हो चुका है और क्या इस कानून को और नया बनाने के बारे में कोई व्यवस्था की जा रही है ?

श्री कालचरण : यह बात ठीक है लेकिन स्टेट गवर्नमेंट्स विल हवी इस मामले में लेती है और जहाँ-जहाँ हो सकता है, जहाँ-जहाँ जरूरत पड़ती है उसमें सुधार भी करती है।

Central Water and Power Commission

*2007. Shri Harish Chandra Mathur: Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No 157 on the 16th August, 1958 and state

(a) whether Government have since finalised the reorganisation of the Central Water and Power Commission,

(b) whether the old pattern of organisation and responsibilities continue, and

(c) if any change has been given effect to what is the nature of the change?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (c) The report of the Reorganisation Committee for the Central Water and Power Commission has not yet been received. The Reorganisation of the Commission will be taken up only after the Committee's Report has been received and examined by the Government. In the meantime the old pattern of Organisation continues in the Central Water and Power Commission.

Shri Harish Chandra Mathur: May I know whether it has been felt, both at the State level and the Central Government level, that there is an immediate necessity for decentralisation of work and responsibility, more particularly in the context of the drawing up of the Third Five Year Plan?

Shri Hathi: This relates to the reorganisation of the Commission. There is no question of the State level here. The only question is whether the functions of the Power Wing should be expanded, to what extent, and how it should be strengthened.

Shri Harish Chandra Mathur: Has the attention of the hon Minister been drawn to the lengthy report published in certain important papers that an expert committee has examined this issue and submitted its report to the effect that economy could be effected to the extent of 50 per cent? May I know what is there in those reports?

Shri Hathi: Irrespective of that report, we have appointed this committee to look into the reorganisation.

Shri Ram Krishan Gupta: May I know whether there is any proposal to set up a separate organisation for water and power?

Shri Hathi: In fact, one of the terms of reference of this committee is to examine whether there should be a bifurcation of the Water Wing and the Power Wing.

Manufacture of Instruments for Lighthouses

*2010 Shri Raghunath Singh: Will the Minister of Transport and Communications be pleased to state

(a) how many parts of the light-houses are being imported at present, and

(b) what steps are being taken to manufacture the parts and instruments in India?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) A statement showing the particulars of equipments imported at present is placed on the Table of the Sabha [See Appendix VII, annexure No 18].

(b) A statement is laid on the Table of the Sabha, showing the steps taken or being taken to manufacture light-house parts and instruments in India. [See Appendix VII, annexure No 18].

Shri Raghunath Singh: May I know how much foreign exchange is involved in importing these equipments at present?

Shri Raj Bahadur: I may not be able to give off-hand the exact amount.

Shri S. C. Samanta: Is it not a fact that the Estimates Committee recommended that the factory should be established for the manufacture of the parts which are imported in numbers?

Shri Raj Bahadur: The Estimates Committee made several recommendations including the establishment of a factory at Calcutta and the improvement and expansion of the factory at Jamnagar. Both these measures or recommendations are in the process of implementation.

Shri Tangamani: May I know when the Bharat Electronics in Bangalore will start manufacturing electronic equipment and also radio equipment?

Shri Raj Bahadur: It is difficult to say how soon they will be able to manufacture

Shri Tangamani: May I know whether there is any proposal for expanding the workshops which are now existing in Madras and Bombay?

Shri Raj Bahadur: The Bombay and Madras workshops, according to the estimate of the Estimates Committee itself, are supposed to be meeting the requirements of the local areas. It was in regard to Jamnagar that certain recommendations were made which are being followed up

Procurement of Rice in Manipur

*2011. **Shri L. Achaw Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether procurement of rice by the State Trading Organisation in Manipur is still going on; and

(b) whether the State Trading Organisation has fixed any quota for procurement during this season and the rate at which it is to be procured?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Yes, Sir.

(b) The Manipur Administration expect to purchase about 1 lakh

maunds of fine rice during the current season. The present purchase price is Rs. 11 per maund of naked grain of fair average quality.

Shri L. Achaw Singh: May I know when the procurement price of Rs. 11 came into force and how much of this rice at present procured has been disposed of and at what price?

Shri A. M. Thomas: The revised price came into force on 1st March, 1959. Altogether, after the revised price came into force, 4,301 maunds have been purchased. Before that, in 1958-59, about 30,525 maunds were purchased.

Shri L. Achaw Singh: I wanted to know how much quantity has been disposed of, sold off, and at what price?

Shri A. M. Thomas: They are kept in reserve.

Shri Jaipal Singh: May I know whether the supplies required for the military personnel based in Assam are met from the warehouses in Imphal or do the Army buy directly from the open market, and what is the quantity that is purchased at Imphal and other places?

Shri A. M. Thomas: After meeting the requirements in Manipur, we usually allot for the areas mentioned by my hon. friend

Shrimati Renu Chakravarty: In view of the fact that the target for procurement announced by the hon. Minister is one lakh maunds, and up to date, almost the beginning of May, we have only procured 3,000 maunds, does the Government feel that the target will be achieved?

Shri A. M. Thomas: It is quite possible to achieve the target because after the revised prices have been announced there has been substantial increase in the procurement.

Southern Food Zone

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*2012. { Shri M. K. Kumaran:
Shri Subbiah Ambalam:

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

(a) whether the attention of Government has been drawn to the suggestion made by the Madras State Minister incharge of Food and Agriculture that the Southern Food Zone should be broken up and that each component State should be constituted into a zone by itself; and

(b) if so, whether there is any such proposal before the Government of India?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b). Yes, this suggestion of Madras was discussed with all the State Governments concerned. There was no unanimity of opinion. The question is being examined further.

Shri M. K. Kumaran: May I know whether the Government of India would guarantee the regular supply of the required amount of rice to meet the deficit in Kerala in case the food zone is abolished.

The Minister of Food and Agriculture (Shri A. P. Jain): At the moment it would be a hypothetical question.

Mr. Speaker: At present it will be a purely hypothetical question.

Shri Tangamani: On a previous occasion we were told that all the four State Governments concerned were asked to submit their own proposals because the N.D.C. could not come to a decision. May I know whether any firm date has been fixed for the receipt of the proposals of the State Governments?

Mr. Speaker: Will the hon. Member kindly repeat his question?

Shri Tangamani: On a previous occasion we were told that on the Madras State Government's proposal to split the zone into 4 States and each State becoming a unit, no decision could be taken; and the 4 State

Governments were asked to come to an agreement and submit proposals to the Central Government. May I know whether any date has been fixed as to when such an agreed proposal is to be submitted to the Central Government?

Shri A. P. Jain: The 4 State Governments have already met. There was some difference of opinion. We are still seeing how that difference of opinion can be made up. What else to do?

Shri Thirumala Rao: The hon. Minister was pleased to say that there was no unanimity of opinion about these matters. May I know what States differed from it and what States supported the proposal?

Shri A. P. Jain: I do not think it would be in public interest to go into what the differences between the States

Shri Thirumala Rao: Is it a fact—as mentioned in a news item published in the newspapers—that the Andhra Government have supported the proposal and the Kerala Government have opposed it?

Shri A. P. Jain: All I can say is that there was some difference of opinion.

Shri Thanu Pillai: May I know whether the difference of opinion was that each State had a different opinion or that the majority of the States agreed to one proposal and only one minority State did not agree with them?

Shri A. P. Jain: We do not decide these questions by majority or minority. We try to bring about settlement.

Shri Nanjappa: May I know whether there was any unanimity of opinion even at the outset when the proposal was made originally?

Shri A. P. Jain: At the time when the Southern Zone was formed there was agreement (Interruptions).

Shri Nanjappa: Even at the outset?

Shri A. P. Jain: That is what I have said. When the Southern Zone was formed there was almost unanimity.

Shri Maniyangadan: May I know the total surplus that is available in Andhra State for being sold to the other States in the zone?

Mr. Speaker: Does it arise out of this?

Shri A. P. Jain: It does not arise.

Shri Venkatasubbaiah: May I know whether the proposal for reorganising the zone has come up for consideration before the N.D.C.?

Shri A. P. Jain: Yes; this matter was discussed in the N.D.C. also

Mr. Speaker: Why is Seth Achal Singh standing; is he a member of the Southern zone? *(Interruptions)* We have got enough Members from Kerala and other States.

सेठ अचल सिंह : क्या माननीय मंत्री महोदय यह बतलाने की कृपा करेंगे कि एक जोन से दूसरे जोन में गेहूँ और चावल के दामों में जो १० से १५ से २० तक का फर्क है उसको एकसा करने के लिये सरकार की ओर से कोई उपाय सोचा जायेगा ?

Mr. Speaker: The hon. Member's question relates to the north and the original question relates to the south.

Shri Vasudevan Nair: In view of the fact that the States of Madras and Andhra are dead against the present system of the Southern Zone, has the Kerala Government requested the Central Government itself to take up the responsibility of supplying the entire deficit to that State? If so, may I know the reaction of the Central Government?

Shri A. P. Jain: The whole matter is under discussion with the State Governments; we shall come to conclusion.

Shri Thirumala Rao: Has the recent Kerala-Andhra rice deal that has

formed the subject-matter of a judicial investigation anything to do in influencing the opinion of Madras and Andhra to make this proposal of disbanding of the Southern Zone?

Mr. Speaker: The hon. Member wants to know the reasons behind the move to separate.

Shri Thirumala Rao: Has this also played an important part?

Shri A. P. Jain: I do not think that that deal has anything to do with this move. The Madras Government or others concerned will be in a position to answer how they have been influence.

An Hon. Member: What are the reasons?

Shri Ramanathan Chettiar: One question, Sir....

Mr. Speaker: The hon. Member must have stood up early; he is sufficiently tall.

Radar at Gauhati Airport

*2013. **Shri P. C. Borooah:** Will the Minister of Transport and Communications be pleased to state:

(a) whether Government have decided to equip the Gauhati airport with a radar; and

(b) if so, the time by which the installation of radar will be completed?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) and (b). Yes, Sir It is proposed to instal a storm warning radar at the Gauhati airport as soon as a suitable site in the area is selected and facilities like electric supply have been arranged..

Shri P. C. Borooah: In view of the recent developments in the country adjoining our eastern border and the recent statement of the hon. Defence Minister about unauthorised flight's by aircraft taking place, do Government propose to equip the area or any part of the eastern border with radar apparatus?

Shri Mohiuddin: This radar is about storms. I do not know whether it has anything to do with the recent developments. But, in view of the urgency of installing this storm warning radar at Gauhati, the installation will be expedited.

Shrimati Benu Chakravarty: In view of the statements that have appeared after the Silchar crash saying radar communication between Mohanbadi and Balashahr and all these areas which are very much in the stormy region, may I know whether Government propose to equip most of the airports of this stormy area with radar equipment in order to ensure the safety of flying?

Shri Mohiuddin: At the present moment, there is a storm warning radar at Calcutta and the second one will be installed at Gauhati. The suggestion of the hon. Member that more radar should be installed in that area will be considered.

Shri Hem Barua: In view of the great risks involved in Dakota flights from Calcutta to Assam because of the monsoon and mountains, may I know what steps Government propose to take to replace these Dakotas by other forms of aircraft?

Mr. Speaker: The hon. Member is going away from one subject to another.

Rise in Price of Wheat in Delhi

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*2014. { **Shri Panigrahi:**
 Shri P. G. Deb:
 Shri P. C. Borooah:
 Shri Liladhar Kotaki:

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

(a) whether Government are aware of the sharp increase in prices of wheat in Delhi in recent weeks;

(b) if so, what is so, what is the reason for this sharp increase in wheat prices; and

(c) what steps Government have taken to put a curb on this sharp increase of wheat prices in Delhi?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). The prices of wheat in Delhi did rise during January and February 1959 but they have declined considerably since the middle of March 1959. The rise during January and February 1959 was due to the rise in prices in Punjab owing to its being the lean period of the crop year.

(c) The Government are meeting the requirements of wheat of the roller flour mills in Delhi from Government stocks and are also distributing wheat through fair price shops.

Shri Panigrahi: What is the normal monthly wheat requirement of Delhi and what steps have been taken in recent weeks to ensure the supply of wheat from Punjab?

Shri A. M. Thomas: Now the entire requirements of Delhi are being met. We are distributing through fair price shops about 65,000 tons per month and we also give to the roller flour mills, now the prices have gone down.

श्री नवल प्रभाकर राज दिल्ली के अन्दर जो चावल है वह कोई बढ़िया किस्म का नहीं है और उस के दाम भी बहुत ऊँचे हैं। तो क्या सरकार इस तरह का कोई विचार कर रही है कि उत्तर प्रदेश से देहरादून का बासमती या गान्ध प्रदेश से कोई अच्छा चावल दिल्ली के अन्दर लाया जाय ?

साहू तथा कृषि मंत्री (श्री प्र० प्र० जैन) यह प्रश्न गेहूँ से सम्बन्ध रखता है। चावल से इसका कोई सम्बन्ध नहीं है।

Shri S. M. Banerjee: In view of the fact that the crop this year is good, may I know whether the prices of wheat in U.P. Delhi and Punjab are going to be brought down further; if so, to what extent?

Shri A. P. Jain: This question relates to Delhi and not to U.P. or any other State. Of course, we have now announced the prices....

Mr. Speaker: We need not pursue this.

Shri S. M. Banerjee: The increased prices in Delhi are due to Punjab. In fact, Punjab has been mentioned in the answer.

Mr. Speaker: Very well, the hon. Minister cannot answer this supplementary.

Shri P. G. Deb: Is it not a fact that the price of wheat went up to Rs 27 80 and the stocks of wheat in Delhi came down to a small number of bags from a very large stock?

Shri A. P. Jain: The price went up quite high in Delhi but that is a matter of history now.

Shri P. C. Borooah: May I know if it is a fact that the delay in announcement of the procurement and state-trading in wheat is responsible for the rise in price of wheat in Delhi?

Shri A. P. Jain: This rise took place much before the scheme was finalised.

Some Hon. Members rose—

Mr. Speaker: I have called those who have sponsored the questions.

Shri Hem Barua: Sir, we have given up taking rice.

Mr. Speaker: I am afraid the hon. Members will have to pay more.

Rihand Dam Project

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*2015. { **Shri S. C. Samanta**
 Shri Subodh Hansda:
 Shri R. C. Majhi:

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

(a) the total amount of foreign assistance received by Government under the Technical Cooperative Mission for the Rihand Dam Project;

(b) in what manner this assistance has been received;

(c) whether further assistance will be available from the T.C.M.; and

(d) if so, in what manner?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (d). A statement is laid on the Table of the House [See Appendix VII, annexure No 19].

Shri S. C. Samanta: May I know whether the new estimate of this project has undergone any change because of the foreign exchange difficulty?

Shri Hathi: The estimate has undergone some changes. We have not experienced any foreign exchange difficulty till now because it is being financed under the TCM agreement.

Pandit D. N. Tiwari: May I know whether it is a fact that power generated from this dam will be utilised for industrial purposes or will it be given for other purposes also, such as agriculture?

Shri Hathi: It will be given for agricultural and domestic purposes also.

Pandit D. N. Tiwari: May I know whether the attention of the Government has been drawn to the statement of the Minister of Uttar Pradesh to the effect that all power generated from this scheme will be utilised for industrial purposes and that it has already been distributed?

Shri Hathi: The UP Government have arranged for an aluminium factory to be established near the dam site. That would take about 50,000 kws of power. If they want to set up that factory, the major portion of this power will be utilised by that and the remaining will be utilised for other purposes.

श्री रघुनाथ सिंह जहाँ तक मालूम हुआ है इस डैम से १ लाख २० हजार किलोवाट इनर्जी पैदा होगी जिसमें से ४५ हजार किलोवाट इनर्जी तो एक फैक्टरी को दी गई है और ५० हजार किलोवाट रेलवे को दी गई है, मैं मन्त्री महोदय से यह जानना चाहता हूँ कि उस साधारण जनता को जिसके कि पैसे से यह इनर्जी पैदा की जा रही है उसको कितनी किलोवाट बिजली प्राप्त होगी ?

Shri Hathi: The requirement for the railways would be a temporary requirement because in the eastern zone we are having more power—125,000 kws. We are starting at Dugda in the DVC area two more power stations for the railways. Of course if power is given from this dam site, it may be a temporary phase.

Shri Ram Krishan Gupta: May I know.....?

Mr. Speaker: He belongs to Punjab I will call Members from U.P.

Pandit D. N. Tiwary: May I know whether previously it was envisaged to supply power from this station to Bihar also and now it has been given up?

Shri Hathi: I do not think there was any provision to supply power to Bihar from this.

Shri S. M. Banerjee: May I know the rate at which electricity will be supplied to the industrial units in that area?

Shri Hathi: The tariff has to be decided by the State Government.

Shri Tyagi: What will be the approximate cost of production per unit?

Shri Hathi: I have not got the figures with me.

Shri Tyagi: Was it not estimated?

Shri Hathi: I have not got it.

Shri Vidya Charan Shukla: May I know....

Mr. Speaker: He comes from M.P.

Shri Vidya Charan Shukla: But M.P. is vitally concerned with it. Is this Rihand project a national project or a regional project? What is the basis on which power generated from it is going to be distributed between M.P., U.P. and Bihar?

Shri Hathi: M. P. has submitted a claim for power from this Rihand Dam project. The matter is taken up at the eastern zonal council.

72 LSD.—2.

That is being considered by that council where representatives of both M.P. and U.P. are there.

Extension of C.H.S. Scheme to Members of Parliament

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*2016. { **Shri Ram Krishan Gupta:**
Shri Vajpayee:
Shri Bhakti Darshan:
Shri D. C. Sharma:
Shri Damani:

Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 240 on the 21st November, 1958 and state:

(a) whether final decision has been taken in regard to the introduction of the Contributory Health Service Scheme for Members of Parliament who may be willing to join it; and

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

The Minister of Health (Shri Karmarkar): (a) Yes, Sir. It has been decided to introduce the C.H.S. Scheme for Members of Parliament. The actual implementation of the Scheme is contingent on the decisions to be taken by the Joint Committee on Members' Salaries and Allowances on the following points:

- (i) Finalisation of the financial aspect of the question.
- (ii) Allotment of necessary residential accommodation for the staff and installation of telephones both in the dispensaries and residences of Medical Officers.

(b) The Scheme will be on a compulsory basis and it will be obligatory on the part of all Members of Parliament to join the Scheme and to pay a contribution of Rs. 5 p.m. It is proposed to start three dispensaries at South Avenue, North Avenue and Constitution House—Ferozeshah Road areas. As regards the facilities under the Scheme, the Members of the Parliament and members of their families will be entitled to such medical facilities as are admissible to Class I Officers of the Government of

India. The facilities will, however, be available only in Delhi-New Delhi to Members of Parliament and members of their families.

Shri Ram Krishan Gupta: May I know the final date by which this scheme will be introduced?

Mr. Speaker: It is before the Joint Committee.

Shri Karmarkar: That depends upon the Joint Committee. On our side we are ready.

Shri C. D. Pande: The scheme as it is being worked out in certain centres, the lower paid personnel find it extremely 'unuseful'. They are not satisfied with the service. Do you think that it will be advisable to extend it to other sectors, particularly to Members of Parliament, on a compulsory basis because many people do not want to subscribe to such a scheme?

Shri Karmarkar: I am afraid that my hon. friend is misinformed. Whereas it is a fact that so far as out-patients are concerned, there is larger crowd than the doctors could cope with in a short time, so far as the other arrangements are concerned, I know that it is really giving very good relief particularly to low-paid employees because otherwise they could not get the facilities of X-ray and other services which they get here by a nominal payment of eight annas, one rupee, or two rupees per month.

Mr. Speaker: I would request hon. Members to go to Safdarjang hospital and see things.

Shri Tyagi: Sir, we have seen it. It is overcrowded. Our fear is that if it remains overcrowded like that, we do not think that anybody would be able to take care of our health. That is our fear. Unless there is enough staff, it is no use expanding it. They should not do it unless they are in a position to engage more staff.

Shri Karmarkar: We have given the best possible consideration. I cannot

give any promise to the House that so far as the out-patients are concerned, the scheme, even if it is better staffed than now, will be adequate to meet the requirements. So far as the general effect of the scheme is concerned, this is a scheme which is appreciated by members of all classes of people. They tell us that it is very useful. Regarding out-patients, of course, the number is much more than could be handled with the present staff. That thing will continue. Taken all in all, the scheme is entirely useful.

Dr. Sushila Nayar: Has the hon. Minister taken into consideration the fact that most of the Members of Parliament are away from Delhi for the major part of the year, scattered all over India? Has he made arrangements for their medical care when they are away from Delhi also or whether the medical care will be confined to their stay in Delhi only?

Mr. Speaker: He has already answered it; it is only within Delhi. Let this come from the Joint Committee.

Dr. Sushila Nayar: The question was not answered.

Mr. Speaker: The hon. Member may argue but that is the answer given.

Dr. Sushila Nayar: I want to ask whether the contribution that the hon. Members will be expected to pay...

Mr. Speaker: I am not going to allow an argument.

12 hrs.

Dr. Sushila Nayar: Sir, I am only asking a question. I want to know whether the contribution that the hon. Members will be expected to pay will also be for those months that they are in Delhi or will it extend over the whole year?

Shri Karmarkar: Sir, let me explain to the House. The House can then consider and the Members can decide. Now, the total expenditure per year for having three dispensaries, because the Members of Parliament are located in three identifiable quarters: North Avenue, South Avenue

and Farose Shah Road, comes to about Rs. 2 lakhs in a year. Whether patients go or not, doctors have to be there. Even with all the 750 hon. Members contributing to the scheme, the annual income comes to only Rs. 45,000 per year. Whether we have the scheme or we do not have the scheme is another matter.

Shri Banga: We want to have the scheme.

Shri Karmarkar: If we are having the scheme, I do not know whether the House will consider it reasonable to have an income of Rs. 20,000 and spend Rs. 2 lakhs of the taxpayer's money.

Shri Banga: What is the latest position? Is it open to us to subscribe?

Mr. Speaker: Why do the hon. Members not follow the questions and answers which are given here? The hon. Minister read out four items which are under consideration of the Joint Committee of Both Houses on the question of salaries and allowances of hon. Members. They have to decide. The implications are that three hospitals will have to be opened and the charges will be made for all the months at the rate of Rs. 5 per month. Further questions have not been put to the hon. Minister as to what are the advantages. Every blessed medicine will be purchased for the Members and hospital provision also will be available. Some hon. Members had written to me that at midnight they had some trouble, they had to go to the Willingdon Hospital and the hospital authorities charged them Rs. 150, Rs. 200 and all that. All that will disappear hereafter.

Shri Barrow: Why should there be compulsion?

Mr. Speaker: Without compulsion only two people will join. I cannot allow that there should be a hospital for them. Hon. Members think that they will be paying enormously, but they forget that they will get a lot of benefit. I can send to hon. Members, whoever wants it, the papers that I have received complaining about difficulties, when they got

some trouble. I am sure no hon. Member will escape it. When they go to a hospital they will realise that they have to pay through the nose Rs. 300, Rs. 400 and so on, whereas they will escape all that by a mere payment of Rs. 5. If hon. Members who discharge the duties for the whole country say so, what am I to say?

Unauthorised Flight from Tezpur

S.N.Q.No. 29. Shri Amar: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a foreign journalist took off his private plane from the Tezpur Aerodrome without the permission of the Authorities recently;

(b) whether it is a fact that there was no officer on the control tower on that day when the plane took off; and

(c) if so, the reasons therefor and action taken or proposed to be taken in the matter?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) Yes, Sir, an Indian Registered aircraft, presumably, on charter, carrying two foreign journalists took off from Tezpur without prior permission of the aeronautical authorities on the 13th April, 1958.

(b) and (c) The Control Tower at Tezpur, which is an aerodrome of comparatively lesser importance, normally operates between the hours of 9-30 to 12-30 and 14-30 to 16-30 IST. Nevertheless, in case of emergency, the required information regarding the flight could be given to the Officer-in-charge at the aerodrome. But the Pilot failed to do so.

Disciplinary action has been initiated against the pilot.

Shri Amar: May I know whether it is a fact that the plane flew over the prohibited area of NEFA without the permission of Government?

Shri Mohiuddin: No, Sir; it is not a fact as far as we know about it.

Shri Amar: May I know who is the journalist and to which country he belongs?

Shri Mohiuddin: My information is that there was one Britisher and one French journalist.

Shri Assar: May I know what steps Government have taken to prevent recurrences of the same incident?

Shri Mohiuddin: As I have already stated, disciplinary action against the pilot has been initiated, and the Government will see that unauthorised flights as it happened in this case do not take place.

Shri Hem Barua: May I know whether it is a fact that the aircraft commissioned by these journalists belongs to a European tea planter of the area; if so, whether any action has been taken against that gentleman for lending the aircraft for unauthorised flights?

Shri Mohiuddin: My information is that this aircraft belongs to the Darbhanga Airways. And, as it is reported that presumably it was a chartered plane, necessary enquiries are also being made against the owner as to the facts about the charter.

Shrimati Renu Chakravarty: May I know how many chartered planes, chartered by various journalists, flew over Tezpur during the last 15 or 20 days?

Shri Mohiuddin: I would require notice to answer that question.

Shri Braj Raj Singh: Have the Government come to any conclusion about the purpose of the visit of the foreign correspondents, and may I know whether it is a fact that they wanted to contact Dalai Lama?

Shri Mohiuddin: I am afraid, Sir, it is rather very difficult for me to answer the purpose for which people go out. But the flight did take place, and it came back within a short period and landed again at Tezpur.

Shri Hem Barua: May I know whether the journalists who chartered the aircraft like that for unauthorised flights have submitted any explanation to the Government after they were detected?

Shri Mohiuddin: Explanation has been asked from the pilot and the owners of the aircraft.

Shrimati Renu Chakravarty: After the plane took off from Tezpur illegally and returned, may I know in what way we have the possibility of detecting the exact route of the flight? Also, how are we quite sure of the fact that they did not fly over prohibited area?

Shri Mohiuddin: My information is that it took off and went to Mesmaria, which is outside the prohibited area, and came back. That is the information available with the Ministry.

Shri Hem Barua: May I know whether the attention of the Government has been drawn to a newspaper story that one of the journalists in this aircraft was dropped somewhere near Tawang; if so, whether he has been detected, because there was an attempt, the newspapers said, to discover him in the Dalai Lama's crowds, but there was no such discovery.

Shri Mohiuddin: Not from this plane.

WRITTEN ANSWERS TO QUESTIONS

Prices of Vegetable Oils

*1999. **Shri Pangarkar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the retail prices of vegetable oils have gone up in the markets during the last three months; and

(b) if so, the steps taken in this regard?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Retail prices of vegetable oils are not available, wholesale prices of major edible vegetable oils, viz. groundnut oil, sesamum oil and mustard oil, have moved upward in the last three months. Those of linseed oil and castor oil have not shown any rise.

(b) The Government is keeping a watch on the movement of prices of

vegetable oils in the country and suitable steps are taken from time to time to ensure that their prices rule at reasonable levels. To check the rise in prices, the Forward Markets Commission have imposed heavy margins on futures trading in groundnut, linseed, castorseed and cottonseed. In addition, the Reserve Bank of India have directed all scheduled banks to maintain 45 per cent margin on bank advances against the security of groundnuts.

Qualifications of Officials in Ministry of Food and Agriculture

*2001. Shri Nath Pal: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that the Union Public Service Commission have declared that some of the officials such as Deputy Directors and Assistant Directors in the Ministry are not adequately qualified for holding those posts; and

(b) if so, the number of such officials?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, but the U.P.S.C. has agreed to interview the officials and review their cases

(b) 10. (of whom only 7 are now working).

Gudivada-Bhimavaram Line

*2002. Shri T. B. Vittal Rao: Will the Minister of Railways be pleased to state:

(a) whether the work on the conversion of Gudivada-Bhimavaram line from Metre Gauge to Broad Gauge has since commenced;

(b) if so, the total number of workers employed on this project; and

(c) if the reply to part (a) above be in the negative the reasons therefor?

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

Arrangements are being made to start the work.

(c) Does not arise.

Rice from Burma

*2003. Shrimati Na Palchowdhuri: Will the Minister of Food and Agriculture be pleased to state:

(a) the stage of negotiations, so far held, in regard to supply of rice from Burma during 1959 under the Five Year Indo-Burma Rice Agreement of 1956; and

(b) the quantity of rice which is being negotiated?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). It is not in the public interest to disclose the stage or the nature of the negotiations.

सहकारी मछली बेचना

२०१७. श्री नवल प्रभाकर : क्या साख तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली के लिये सहकारी मछली बेचने और कोल्ड स्टोरेज (शीत भंडार) की योजना तैयार की गई है, और

(ख) यदि हां, तो उसका व्यौरा क्या है ?

साख तथा कृषि मंत्री (श्री जे. प्र. जैन) : (क) और (ख). सभा की टेबल पर एक विवरण रख दिया गया है।

विवरण

(क) जी हां।

(ख) दिल्ली प्रशासन की तमाम मीजुदा फिश कोऑपरेटिव्स (Fish Co-operatives) को इकट्ठा करके एक सेंट्रल कोऑपरेटिव फिश मार्केटिंग सोसाइटी की स्थापना की योजना है। यह सोसाइटी ४० मन मछली का प्रति दिन व्यापार करेगी। उनके पास एक बाजार कोल्ड स्टोरेज और भाइस प्लांट के सहित भी होगा।

Coal for Southern Railway

*2018. Shri T. B. Vittal Rao: Will the Minister of Railways be pleased to state:

(a) the total quantity of coal transported by ships for Southern Railway during the period from the 1st April, 1958 to the 31st December, 1958;

(b) the amount of freight paid; and

(c) whether all the coal required for the Southern Railway will be transported by the railway during the current year?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) About seven lakh tons.

(b) About 3.8 crores of which about Rs. 2.3 crores is extra over all rail route.

(c) Out of the total quantity of about 21 lakh tons of coal to be supplied to the Southern Railway during 1959-60, nearly 11 lakh tons will be transported by rail and the balance by rail-cum-sea route.

Supply of Maida in Manipur

*2019. Shri L. Aohaw Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that there is acute scarcity of maida in Manipur;

(b) whether any representation has been made to Government regarding the supply of maida by owners of hotels and bakeries in Manipur; and

(c) if so, the steps taken to meet the demands of maida?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). On receipt of a request from the Manipur Administration, arrangement has been made for the supply of maida to Manipur at the rate of 350 maunds per month from the flour mills at Calcutta.

Fuel Consumption Committee

*2020. { Shri Subbath Hanada:
Shri S. C. Samanta:
Shri R. C. Misra:
Shri Damant:

Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 636 on the 1st December, 1958 and state:

(a) whether the report of the Fuel Consumption Committee has been fully examined;

(b) if so, whether action has been taken on all the recommendations; and

(c) if not, the reasons therefor?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) The recommendations are still being examined.

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

Irrigation and Power Works under Bhakra Nangal Project

*2021. { Shri Ram Krishan Gupta:
Shri A. M. Tariq:
Shri D. C. Sharma:
Shri Daljit Singh:
Shri Pangarkar:
Sardar Iqbal Singh:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1061 on the 17th December, 1958 and state the further progress made upto the 31st March, 1959 with regard to the irrigation and power works under the Bhakra Nangal Project?

The Deputy Minister of Irrigation and Power (Shri Hathi): A statement giving the information is laid on the Table of the House. [See Appendix VII, annexure No. 20.]

सहाज में जेड़ बासन केन्द्र

२०२२. श्री नवल प्रसाद : क्या साहज तथा हृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि देश में ऊन की किस्म सुचारु के बिचार से सरकार

सहायि में एक नैड बोलन केन्द्र स्थापित कर
रही है ; और

(क) यदि हां, तो क्या इस योजना का
उद्देश्य पशुमाली की ऊन का संभरण बढ़ाना है ?

साक्षि तथा कृषि मंत्री (जी ए. प्र.
जैन) : (क) जम्मू और काश्मीर राज्य में
पशुमाली ऊन के दुध और मात्रा में सुधार
करने के विचार से लद्दाख के जिले में बंगधंग
के स्थान पर एक पशुमाली बकरी (नैड
नहीं) प्रजनन केन्द्र, वहाँ की सरकार ने
स्थापित किया है ।

(ख) जी हां ।

Ground Water Exploration

3424. Shri Ram Krishan Gupta: Will
the Minister of Food and Agriculture
be pleased to refer to the reply given
to Starred Question No. 773 on the
9th December, 1958 and state:

(a) the name and location of 15
promising areas which have been se-
lected by the Geological Survey of
India for ground water exploration;
and

(b) the result of exploration (area-
wise)?

The Minister of Food and Agricul-
ture (Shri A. P. Jain): (a) and (b).
The fifteen areas where groundwater
exploration has been or is to be taken
up and the results obtained upto 31st
March, 1959 are as follows:—

Name of the area	Results obtained	
	(upto 31-3-1959) No. of bores drilled	No. of bores con- verted into production tube wells
1. Narbada Basin (Madhya Pradesh) (Districts of Hoshangabad, Bhopal and Jabalpur);	30	16
2. Tapi Basin (Bombay) (Districts of East and West Khandesh & Nimar)	18	2
3. Purna Basin (Bombay) (Districts of Akola, Amraoti & Buldana)	14	—
4. Saurashtra (Bombay) (Districts of Zala and)	9	2
5. Kutch (Bombay) (Bhuj, Mandvi, Abdasa, Nakhtrana & Mundra Talukas)	10	4
6. Rajasthan (Districts of Jaisalmer, Bikaner, Barmer, Churu & Sikar);	10	1
7. Kerala (Districts of Allepey, Kottayam and Quilon)	5	1
8. Madras (Districts of Chingleput, South Arcot, Trichy, Tanjore, Ramnathapuram, Pattukottai and Vridhachalam)	40	27
9. Andhra (Districts of East and West Godavari and Krishna)	15	11
10. Punjab (Districts of Gurgaon, Rohtak, Mohindargarh, Hissar, Ambala & Hoshiarpur)	38	11
11. West Bengal (Districts of Nadia, 24 Parganas, Bankura, Midnapore, Murshadabad, Malda, West Dinajpur, Darjeeling, Jalpaiguri, Cooch-Behar)	24	24
12. Uttar Pradesh (Districts of Agra, Mainpuri, Etah, Nital, Allahabad Azamgarh, Ghazipur, Ballia, Faizabad, Jaunpur & Dehra Dun);	25	17
13. Bihar (Districts of Gaya, Shahabad and Bhagalpur);	16	7
14. Orissa State (Districts of Balasore & Cuttack)	14	12
15. Assam State (Districts of Darrang & Kamrup)	(Work is likely to be taken up shortly).	
TOTAL . . .	268	135

In the States of West Bengal and Uttar Pradesh, exploration is still in progress.

Waiting Rooms on Western Railway

3425. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to state:

(a) the number of waiting rooms with names of railway stations constructed during 1958-59 on the Western Railway; and

(b) the number of waiting rooms repaired and the cost thereof?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Four waiting rooms for upper class passengers were constructed at Jaipur Station. In addition to these, a waiting room for traders each at Vapi and Bilimora was provided. In addition waiting halls for class III passengers at 11 stations, namely Vapi, Unal, Kharaghoda, Patri, Derol, Petlad, Jhagadia, Vemar, Asarva, Sanand and Falna stations were also constructed.

(b) No separate records or accounts for repairs to waiting rooms are kept as they form a part of the station buildings, the repairs and maintenance expenditure of which is again bulked with service buildings in general.

Diesel Cars

3426. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to state the number of Diesel Cars running at present on the Western Railway, with names of routes?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Only 6 Metre Gauge diesel rail cars are available on the Western Railway. These run on the following sections:—

Jetalsar-Veraval.
Veraval-Talala-Delvada.
Junagadh-Visavadar.
Junagadh-Veraval.
Sihor-Palitana.
Sihor-Dholia.

The Rail Cars running on the Western Railway are not the conventional type of Diesel Rail cars. These units were built up by using

various types of lorry engines. These Rail Cars had a chain and sprocket drive. The petrol power units are now being replaced by diesels as and when necessary.

Corruption Cases

3427. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to state the number of corruption cases pending on the Northern Railway as on the 31st March, 1959?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): 327.

Rural Water Supply Schemes in Punjab

**3428. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri Daljit Singh:**

Will the Minister of Health be pleased to state:

(a) the names of Rural Sanitation and Water Supply Schemes received by the Central Government from the Punjab Government during 1958-59 and 1959-60;

(b) the total amount of loans and assistance asked for these schemes;

(c) the total amount of loans and assistance which was actually given during 1958-59 and to be given in 1959-60; and

(d) the time by which these schemes will be implemented and the number of villages benefitted thereby?

The Minister of Health (Shri Karmarkar): (a) and (b). A statement showing the names of the schemes with estimated costs received from the State Government during Second Plan period upto 31st March, 1959 is laid on the Table. [See Appendix VII, annexure No. 21.]

(c) A sum of Rs. 22.00 lakhs was paid as grant-in-aid to the State Government during 1958-59. A tentative allocation of Rs. 20.00 lakhs as subsidy has been made for 1959-60.

(d) By March, 1960 and about 254 villages will be benefitted.

Minor Irrigation Projects in Punjab

3429. { Shri D. C. Sharma:
Sardar Iqbal Singh:

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

(a) the number of proposals for minor irrigation projects under investigation in Punjab; and

(b) the help that the Central Government have given to the State in removing the difficulty of technical personnel?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) The required information is awaited from the Government of Punjab and will be placed on the Table of the Sabha as soon as it is received.

(b) The State Government have not asked for any help of technical personnel from the Centre.

Quarters for P. & T. Employees of Madras Circle

3430. Shri Pangarkar: Will the Minister of Transport and Communications be pleased to state:

(a) the number of quarters for the Post and Telegraph employees constructed in the Madras Circle during 1958-59;

(b) the number of quarters to be constructed in the above circle during 1959-60?

The Minister of Transport and Communications (Shri S. K. Patil): (a) Nine quarters.

(b) 32 quarters are at advance stage of construction and are expected to

be completed during 1959-60. In addition, projects for construction of 164 quarters have been sanctioned.

Inter-State Goods Traffic

3431. Shri Pangarkar: Will the Minister of Transport and Communications be pleased to state:

(a) whether there is an increase in the Inter-State goods traffic by road between Bombay-Andhra and Bombay-Mysore; and

(b) if so, to what extent?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). Yes. It has not been possible to assess the increase in figures, but the increase is appreciable.

Consolidation of Land Holdings

3432. Shri Ram Krishan Gupta: Will the Minister of Food and Agriculture be pleased to state the nature of financial assistance given by Central Government to expedite the work pertaining to the consolidation of land holdings in the various States during 1958-59, State-wise?

The Minister of Food and Agriculture (Shri A. P. Jain): Financial assistance for the scheme of consolidation of land holdings is given on the basis of 50 per cent. of the net expenses on the scheme or 25 per cent. of the gross expenditure thereon, whichever is less. The financial assistance agreed to be given for the year 1958-59 for the various States/Union Territories where this scheme is in operation is as follows:—

State/U. T.	(Rs. in lakhs)		
	Financial Provision (gross except otherwise stated)	State's Share	Central Share
1. Andhra Pradesh	1.71 (net)	0.85	0.86
2. Bihar	1.52	1.14	0.38
3. Bombay	12.50	9.37	3.13
4. Madhya Pradesh	7.20	5.40	1.80
5. Mysore	2.70	2.02	0.68
6. Punjab	30.00 (net)	15.00	15.00
7. Rajasthan	5.00	3.75	1.25
8. Uttar Pradesh	145.00	108.75	36.25
9. Delhi*	0.76
10. Himachal Pradesh*	3.00
11. Manipur*	0.08

*In these cases the entire expenditure is met out of the Central budget.

Ships and Vessels Purchased

2432. **Shri D. C. Sharma:** Will the Minister of Transport and Communications be pleased to state:

(a) the cost of the ships and vessels purchased during 1957-58 and 1958-59 separately for shipping services; and

(b) the details of these ships and vessels and the service on which they have been put?

The Minister of State in the Ministry of Transport and Communications (**Shri Raj Bahadur**): (a) and (b). A statement is laid on the Table. [See Appendix VII, annexure No. 22].

Urban Water Supply Schemes in Punjab

2434. **Shri Ram Krishan Gupta:** Will the Minister of Health be pleased to state:

(a) the total amount of loan and assistance asked by the Punjab Government for Urban sanitation and water supply schemes during 1958-59 and 1959-60; and

(b) the total amount of loan and assistance which was actually paid during 1958-59 and to be paid in 1959-60?

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

	Amount of loan and assistance asked for	Amount of loan and assistance actually paid
1958-59	Rs. 47.50 lakhs	Rs. 36.00 lakhs
1959-60	Rs. 30.00 lakhs (Against State Plan. Demand against Central Plan was not indicated).	A tentative allocation of Rs. 65.00 lakhs (45 lakhs against State Plan and Rs. 20 lakhs against Central allocation) has been made.

Family Planning in Rural Areas

2435. { **Shri S. C. Samanta:**
Shri Subodh Hanada:

Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 1361 on the 12th December, 1958 and state:

(a) whether it is a fact that cent per cent financial assistance has been offered to Medical Teaching Institutions and voluntary organisations for opening clinics of Family Planning in rural areas;

(b) if so, whether any such assistance has been denied to some rural clinics;

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

(d) whether sufficient emoluments will be paid to doctors serving in rural clinics?

The Minister of Health (**Shri Karmarkar**): (a) Yes, Sir—according to approved pattern of expenditure.

(b) No, Sir

(c) Does not arise.

(d) In the approved pattern of expenditure for a rural clinic, normally there is no provision for the employment of a doctor, but only for a Social Worker or Health Visitor/Field Worker at the total remuneration of Rs. 3,000 per annum. A voluntary organisation can employ a doctor within the amount so provided, i.e., Rs. 3,000 per annum. Supervisory work is expected to be done by the doctor-in-charge of the medical/health unit in which the Family Planning Clinic is located. A doctor has been authorised for some pilot rural clinics in States to whom sufficient emoluments are required to be paid.

World Health Organisation

2436. **Shri Ram Krishan Gupta:** Will the Minister of Health be pleased to refer to the reply given to Unstarred

Question No. 251 on the 21st November, 1958 and state:

(a) whether Government have since examined the recommendations of the 11th session of W.H.O. Regional Committee on South East Asia held in New Delhi from the 24th to 30th September, 1958; and

(b) if so, the decisions taken thereon?

The Minister of Health (Shri Kar-markar): (a) Yes, Sir.

(b) A statement showing the resolutions passed by the Eleventh W.H.O. Regional Committee for South East Asia in their meetings held in New Delhi from 24th to 30th September, 1958 and the action taken thereon by the Government of India is laid on the Table. [See Appendix VII, annexure No. 23].

Development of Visakhapatnam Port

3437. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Kumari M. Veda Kumari:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No. 131 on the 21st November, 1958 and state:

(a) whether the project regarding the development of Visakhapatnam Port has been finalised; and

(b) if so, the progress of work done so far?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). Estimates for the construction of the four berths amounting to Rs. 272.55 lakhs have been sanctioned. Tenders for the work will be invited shortly. Part of the dredging has already been done.

Preliminary designs and estimates for the Belt Conveyor system for handling ore have been prepared and are under examination. They will be finalised as early as possible.

Aircraft Accident

3438. Shri Ram Krishan Gupta: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a vulture hit the aircraft carrying Shri Y. B. Chavan, Bombay's Chief Minister from Nagpur to Bombay on the 19th December, 1958; and

(b) if so, whether the plane was damaged or any other passenger received injury?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) Yes, Sir.

(b) The port wing of the plane sustained some damage. No person on board the aircraft was injured.

T.B. Control in Orissa

3439. Shri Panigrahi: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 2328 dated the 18th September, 1958, and state:

(a) whether Orissa has got the required assistance for T.B. control for the year 1958-59;

(b) if so, how many T.B. isolation beds out of 105 allotted beds have been established in Orissa so far; and

(c) whether the proposal for 1959-60 and the amount of assistance that would be given to Orissa for the year have since been finalised?

The Minister of Health (Shri Kar-markar): (a) No X-Ray and laboratory equipment was supplied to the Government of Orissa nor any grant towards the establishment of T.B. isolation beds was sanctioned for year 1958-59. However, grants amounting to Rs. 2,62,617 were sanctioned to the State Government during 1958-59 for the control of diseases under the following schemes:—

1. National Malaria Eradication.
2. B.C.G. Vaccination.

The break-up of the amount sanctioned to each of the above schemes is not available.

A non-recurring grant of Rs. 50,000 was also sanctioned to a voluntary T.B. institution in the State.

(b) No T.B. isolation bed was established by the State Government during 1958-59.

(c) No specific proposals have been received from the State Government. It has however tentatively been agreed to give to the State Government Central assistance amounting to Rs. 41,000 for B.C.G. Campaign and Rs. 70,000 for the establishment of T.B. isolation beds. It is for the State Government to implement the scheme and draw the grants as may be due to them.

Late Running of Trains

3440. Pandit D. N. Tiwary: Will the Minister of Railways be pleased to state:

(a) whether any record is maintained of the late running of trains on the Junction Stations of the route besides the starting and destination stations; and

(b) if so, whether a statement showing the position in regard to the late running of the following trains during 1958 would be laid on the Table:

(i) On N.E. Railway:

1. 9 Up and 10 Down Express.
2. 33 Up and 34 Down Janata Express.

3. 31 Up and 32 Down Passenger

(ii) On Northern and Eastern Railways:

1. 13 Up and 14 Down Upper India Express.
2. 11 Up and 12 Down.
3. 353 Up and 354 Down?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). Information is being collected and will be laid on the Table of the Sabha

Crimes on Railways

3441. Pandit D. N. Tiwary: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No 91 on the 18th November, 1958 and state:

(a) whether there has been any noticeable decrease in Railway accidents and Railway crimes, such as theft, pilferage etc. since October, 1958; and

(b) if so, the percentage of decrease?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The incidence of railway accidents or railway crimes do not follow any set pattern from month to month. However, the percentage decrease in the average number of serious accidents and crimes on railways during four months from November, 1958 to February, 1959, as compared with the figures of October, 1958, is as under:—

	Percentage decrease
(i) Serious train accidents	25%
(ii) Cases of tampering with track	19%
(iii) Cases of thefts of booked consignments	1%
(iv) Value of thefts of booked consignments and railway property	4.5%

Scheduled Castes in P. & T.

3442. { Shri Sadhu Ram:
Shri Daljit Singh:
Sardar Iqbal Singh:

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

(a) how many Scheduled Caste and Scheduled Tribe candidates have been recruited during 1958-59 in the Punjab Circle category-wise;

(b) what was the number of vacancies to be filled,

(c) whether the vacancies were filled according to the reservation; and

(d) if not, what steps have been taken in the matter?

The Minister of Transport and Communications (Shri S. K. Patil): (a) to (d) The required information for the calendar year 1958 and for the period January-February, 1959 has been called for from the Postmaster-General, Punjab Circle, Ambala and will be laid on the Table of the Sabha as soon as it is received

By-Products of Tomato

3443. Shri Pangarkar: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government are considering any scheme for the manufacture of by-products of tomato; and

(b) if so, when such a scheme is likely to be finalised?

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

(b) Does not arise.

Termination of Services of Railway Employees by Governor-General/President

3444. Shri Rajendra Singh: Will the Minister of Railways be pleased to state the number of cases of termination of service of Class III and IV staff under the orders of the Governor-General/President of India during the period from 1947 to 1958?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Class III—109

Class IV—39

Termination of Services of Railway Employees by General Managers

3445. Shri Rajendra Singh: Will the Minister of Railways be pleased to state the number of cases of termination of service of Class III and IV staff by General Managers under their special powers during the period from 1947 to 1958?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Information is being collected and will be laid on the Table of the Sabha.

Reversions of Employees on N.E. Railway

3446. Shri Rajendra Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that there are a large number of cases on North Eastern Railway where persons have been reduced in rank without issuing any charge-sheets and giving chance of defence as required under Article 311(2) of the Constitution; and

(b) if so, the reasons therefor?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) No.

(b) Does not arise

Delhi Transport Undertaking

3447. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 1151 on the 9th December, 1958 and state the progress made in the work of the six-man inquiry committee appointed to go into the revision of the minimum rates of wages of the employees of the Delhi Transport Undertaking?

The Minister of State in the Ministry of Transport and Communications

(Shri Raj Bahadur): A statement giving the information required is laid on the Table. [See Appendix VII, annexure No. 24.]

Service Rules on Railways

3448. Shri Harish Chandra Mathur: Will the Minister of Railways be pleased to state:

(a) how many different sets of rules in respect of service conditions are obtaining on the Railways, and

(b) what attempt has been made to simplify them?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Broadly, the different sets of rules in respect of service conditions are:—

(i) Ex-Company Railway

(ii) Ex-States

(in) Indian Government Railways

(b) The ex-Company Railway staff and the ex-States Railway staff were given an option to come over to the Indian Government Railway rules, so as to reduce the diversity. Simplification of rules has been deferred for the Enquiry Commissions report.

Willington and Safdarjang Hospitals

3449 { Shri Subodh Hanada:
Shri S. C. Samanta:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that Government propose to revise the outlay provided in the Second Five Year Plan for the Willington and Safdarjang Hospitals in consultation with the Planning Commission;

(b) if so, the reasons therefor; and

(c) how much of the total estimate has been spent up-till now?

The Minister of Health (Shri Kar-
shar): (a) No such proposal is under consideration at present.

(b) Does not arise.

(c) Approval has been accorded to construction works estimated to cost Rs. 69,10,955 (Rs. 59,09,155 for Safdarjang Hospital and Rs. 10,01,800 for Willington Hospital).

Railway Passenger Fares

3450 Shri Jadhav: Will the Minister of Railways be pleased to lay a statement on the Table showing the bases of passenger fares of the Local Trains running at various places from 1948 to 1958?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): A statement showing the bases of passenger fares over the Indian Railways from 1st January, 1948 to 30th September, 1958, is laid on the Table [See Appendix VII, annexure No. 25.]

Presumably by the expression "Local Trains" in the question is meant the passenger trains running over short lengths. There is no difference between the bases of passenger fares applicable to such "Local Trains" and other passenger trains, but the distinction between the fares for "Ordinary" or "Passenger Trains" on the one hand and Mail or Express Trains on the other, where different fares are charged, has been indicated in the statement.

From 1st October, 1958, the bases of fares are not notified but only the calculated fares for different distances.

Patharkandi-Dharamanagar Rail Line

3451. Shri Damaratha Deb: Will the Minister of Railways be pleased to state:

(a) when the survey of Patharkandi-Dharamanagar Rail line would be made; and

(b) when the final report of the Railway Board is likely to be received by Government?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). Arrangements are being made to start the survey as early as possible.

राज्यन्याय परियोजना

३४५२. श्री नरेश शर्मा : क्या सिचाई और विद्युत मंत्री २७ फरवरी, १९५६ के अनारक्षित प्रश्न संख्या १०५४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सिचाई और विद्युत परियोजनाओं सम्बन्धी सलाहकार समिति ने उत्तर प्रदेश में रामगंगा परियोजना पर इस बीच विचार कर लिया है;

(ख) यदि हा, तो समिति ने क्या सम्मति दी है; और

(ग) यदि प्रश्न के उपरोक्त भाग (क) का उत्तर नकारात्मक हो तो समिति द्वारा इस परियोजना पर कब तक विचार किया जा सकेगा ?

सिचाई और विद्युत उपमन्त्री (श्री हाथी) (क) उत्तर हा में है।

(ख) सलाहकार समिति ने योजना आयोग में सिफारिश की है कि केन्द्रीय जल

तथा विद्युत आयोग की टिप्पणी में सुझाए गये सलाहकों के साथ परियोजना को स्वीकार कर लिया जाय।

(ग) प्रश्न नहीं उठता।

North Andamans Forests

3453. Shri Raghunath Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) the rates of royalty on various species of woods sawn by the lessee of the North Andaman Forests in his Mayabunder Saw-mill for local sale and for export respectively; and

(b) the amount of royalty levied and collected respectively during the last 3 years?

The Minister of Food and Agriculture ((Shri A. P. Jain): (a) The rates of royalty on various species of sawn timber both for local sale and exports are the same. They are as follows:—

Matchwood	41% of the f.o.b. prices
Plywood	45% -do-
Hardwood	50% -do-
Ornamental wood	50% -do-

(b) The amounts of royalty levied and collected on sawn timber are as follows :—

Year	Amount of royalty levied	Amount of royalty collected
	Rs.	Rs.
1955-56	1,15,267	1,15,267
1956-57	1,09,295	1,09,295
1957-58	47,223	47,223

दिल्ली-जयपुर राष्ट्रीय राजपथ

३४५४. { श्री लक्ष्मण प्रभाकर :
श्री भक्त दर्शन :

क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली-जयपुर राष्ट्रीय राजपथ को नये सिरे से बनाया जा रहा है ;

(ख) यदि हा, तो यह राजपथ कितने मील लम्बा होगा ;

(ग) उक्त राजपथ में क्या क्या परिवर्तन किये जायेंगे ,

(घ) निर्माण पर अनुमानतः कितना व्यय होगा ; और

(ङ) यह राजपथ कब तक बन कर तैयार हो जायेगा ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राज बहादुर) : (क) चूंकि राष्ट्रीय राजमार्ग संख्या ८ का गुड़गांव-झलसर-शाहपुरा सेक्शन का बड़ा हिस्सा बरसात होने पर पानी में डूब जाता है इसलिये इसकी जगह दाखेड़ा, बेहरोड़ आदि होते हुए गुड़गांव से शाहपुरा तक एक नयी सड़क बनाने का इरादा किया गया है ।

(ख) इस सड़क की लम्बाई कुल १०५ मील है, इसे या तो सुधारा जायगा या इसे फिर से बनाया जायगा । इसके बन जाने से दिल्ली और जयपुर के बीच की दूरी ३० मील कम हो जायगी ।

(ग) यह सड़क राष्ट्रीय राजमार्ग के पैमाने पर बनायी जायगी । इस पर यथा-वश्यक पुल होंगे और इस पर गाड़ियों के लिए १२ फीट चौड़ी तारकोल की सड़क होगी ।

(घ) लगभग ८६.०० लाख रुपये ।

(ङ) लगभग ४ साल ।

Passenger Fare Taxation

2455. Shri Morarka: Will the Minister of Railways be pleased to state:

(a) the effect of the passenger fare taxation on the passenger traffic on different Railways during 1958-59;

(b) whether this tax affected short distance travels more than long distance travels during the above period; and

(c) the effect of this tax on the revenues during the above period?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) to (c). While there has been a downward trend in passenger traffic and in earnings in the year 1958-59 compared to the previous year, it is not possible to say how far, if at all this is due to the tax passenger fares and how far to the general economic conditions in the country during the period and to more intense competition by road services.

जूहों के विरुद्ध अभियान

३४५६. श्री भक्त दर्शन : क्या साध तथा कृषि मंत्री यह बताने की कृपा करेंगे कि जूहों के घातक को समाप्त करने के हेतु प्रारम्भ किये बड़े अभियान के लिये तथा इस अभियान को सफल बनाने के लिये विभिन्न राज्य सरकारों को केन्द्रीय राज्य-कोष से बड़े १६५८-५६ में कितना धन दिया गया ?

साध तथा कृषि मंत्री (श्री प्र० प्र० जैन) : भारत सरकार अधिक अन्न उपजाओ नियमों के अन्तर्गत जूहों को मारने के लिये किसानों को राज्य सरकारों के द्वारा दी गई जूहे मार दवाई (ratocide) के मूल्य की ५० प्रतिशत की सहायता देती है । केन्द्रीय शासित दिल्ली के सम्बन्ध में, पिछले रबी आन्दोलन में जूहे उन्मूलन आन्दोलन पर खर्च किये हुये लगभग १००० रुपये का समस्त व्यय भारत सरकार ने किया ।

Production of Tobacco

3457. { Shri S. R. Arumugham:
Shri Ganapathy:

Will the Minister of Food and Agriculture be pleased to state the quantity of tobacco produced and the area covered, State-wise, for the years 1957-58 and 1958-59?

The Minister of Food and Agriculture (Shri A. P. Jain): A statement is laid on the Table [See Appendix VII, annexure No. 26.]

Use of Public Telephones without Charges

3458. Shri Onkar Lal: Will the Minister of Transport and Communications be pleased to state:

(a) whether attention of the Government have been drawn to the allegations made in the editorial of 'Saptahik Hindi Hindustan' dated the 21st December, 1958 published from New Delhi that the public call telephones are being technically manipulated and made use of without paying 15 naye Paise;

(b) whether any enquiry has been made in the matter; and

(c) if so, the result of the enquiry?

The Minister of Transport and Communications (Shri S. K. Patil): (a) Yes.

(b) No enquiry in this specific case was considered necessary. It is possible for a caller from a Public Call Office, without inserting the necessary coins, make himself faintly heard by shouting into the receiver. No both way conversation is however possible. This is, however, more of academic interest than of practical utility, as a satisfactory conversation cannot be conducted in this manner.

(c) Does not arise.

Tractors for Central Tractor Organisation

3459. Shri S. M. Banerjee: Will the Minister of Food and Agriculture be pleased to state:

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(a) whether Defence Ministry is giving 123 tractors to Central Tractor Organisation;

(b) if so, whether the tractors have been received; and

(c) whether this will be a sort of loan to Central Tractor Organisation?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). The Defence Ministry has offered to transfer 200 tractors to the CTO. A technical examination by Engineers of CTO has been completed in respect of these tractors regarding their suitability or otherwise for operations by the Central Tractor Organisation. The report is under consideration. The question of settling terms of the transfer will arise after a decision is taken on the report.

Payment of Construction Allowance at Durg, Bhillai and Rourkela

3460. Shri Sanganna: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 3018 on the 30th April, 1958 in respect of construction allowance to Railway staff at Durg, Bhillai and Rourkela and state:

(a) whether any decision has since been taken; and

(b) if so, with what results?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). The matter is still under consideration but orders are expected to issue shortly.

कानपुर में रेलवे मजिस्ट्रेट और रेलवे कर्मचारियों में झगड़ा

३४६१ श्री जगदीश प्रसादी: क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ८ मार्च, १९५९ को जब रेलवे मजिस्ट्रेट से कानपुर के रेलवे प्लेटफार्म पर किराया मांगा गया, तो मजिस्ट्रेट और रेलवे कर्मचारियों के बीच गम्भीर झगड़ा पैदा हो गया ;

(ख) यदि हाँ, तो झगड़ के कारण क्या थे; और

(ग) क्या इसकी कोई जांच की गई थी?

रेलवे उपमंत्री (श्री सें० बें० राम-स्वामी) : (क) जी हाँ।

(ख) स्पेशल रेलवे मजिस्ट्रेट दिल्ली से लौट रहे थे। कानपुर स्टेशन पर टिकट जाचने वाले कर्मचारियों ने उन्हें यह कह कर टोका कि उस सफर के लिये उन्हें अपना कार्ड पास इस्तेमाल करने का अधिकार नहीं था।

(ग) जी हाँ।

Diesel Engines on Northern Railway

3462. Shri Ajit Singh Sarhadi: Will the Minister of Railways be pleased to state:

(a) whether any diesel engines are proposed to be allocated to the Northern Railway for being run on the Ludhiana Ferozepore line; and

(b) if so, how many?

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

(b) Does not arise.

Linking different parts of Himachal Pradesh by Rail

3463. Shri Nek Ram Negi: Will the Minister of Railways be pleased to state what steps Government have taken to link up different parts of Himachal Pradesh by rail?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Investigations for following Projects falling either wholly or partly in Himachal Pradesh were carried out in the past:

- (i) Kalka-Suket (105 miles NG)
- (ii) Simla-Narkanda (43 miles NG)
- (iii) Simla Internal Communications

(iv) Nangal-Mandi (64 miles NG)

(v) Kangra-Kulu (87 miles NG)

(vi) Jagadhri-Paonta-Rajbhan (44 miles BG). Investigations revealed that all the projects were unremunerative. Due to limited financial and material resources it has not been possible to undertake survey or construction of any of these.

Diesel Rail Cars on Southern Railway

3464. Shri V. Eacharan: Will the Minister of Railways be pleased to state:

(a) the number of Diesel Rail Cars running on the Southern Railway at present;

(b) what are the places where these have been put into service; and

(c) the number of diesel cars allotted to Southern Railway out of those presented by Australia?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) and (b). Out of the 12 Broad Gauge and 14 Metre Gauge Diesel Rail Cars available on the Southern Railway, 7 Broad Gauge and 10 Metre Gauge Diesel Rail Cars of which 2 are old ones, run at present on the following Sections of the Southern Railway.—

Broad Gauge

Samalkot-Cocanada Port
Cocanada-Tadepallungudem
Cocanada-Nidadavolu
Tuni-Cocanada
Nidadavolu-Tuni

Metre Gauge

Mayavaram-Tanjore
Mayavaram-Tiruchchirappalli
Tiruchchirappalli-Karaikkudi
Tiruchchirappalli-Devakottai Road
Tiruchchirappalli-Shrirangam
Tiruchchirappalli-Lalgudi
Tiruchchirappalli-Manapara/
Nidamangalam-Mannargudi

As the service has been recently started it has been considered advisable to keep five cars on the Broad Gauge and four cars (new ones) on the Metre Gauge as spare for maintenance, periodical overhaul and as standby. This number will be progressively reduced and the number of diesel rail cars in service will be increased after experience has been gained regarding running of the existing services.

(c) 12 Broad Gauge Diesel Rail Cars, out of 24 received from Australia under the Colombo Aid Plan, have been allotted to the Southern Railway

Urban Water Supply Schemes in Uttar Pradesh

3465. Shri J. B. S. Bist: Will the Minister of Health be pleased to state:

(a) the allocation made by the Government of India for implementing the urban and rural water supply schemes in Uttar Pradesh during the First and Second Five Year Plan periods; and

(b) how far the allocations made have been utilised by the State Government?

The Minister of Health (Shri Karmarkar): (a) The following amounts have been paid to the Government of Uttar Pradesh for implementing the urban and rural water supply schemes:—

Period	Urban. (100% loan) (Rupees in lakhs)	Rural. (50% grant-in-aid).
First Five Year Plan.	250.00	86.50
Second Five Year Plan.		
1956-57.	45.00	28.50
1957-58.	131.00	7.00
1958-59.	65.00	10.00
	491.00	132.00

(b) The State Government have utilised the amounts paid up to 1957-58 to the full extent. As regards the year 1958-59 the actual expenditure figures are not yet known.

Advisory Committees in Ministry of Railways

3466. Shri Daljit Singh: Will the Minister of Railways be pleased to state the total expenditure incurred by the various Advisory Committees, constituted by the Ministry of Railways during 1958?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): The information is under collection and will be laid on the Table of the Sabha.

Telegraph Staff on Northern Railway

3467. Shri S. M. Banerjee:
Shri Tangamani:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Telegraph Staff on Northern Railway having five to ten years service have not yet been confirmed; and

(b) if so, the reasons therefor?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No, with the exception of signallers on the Delhi and Ferozepur divisions where confirmations are still to be made.

(b) Record of service in India opting Signallers was incomplete for want of certain information from the N.W. Railway (Pakistan). Orders have however now been issued to proceed with confirmation on the information available.

Hindi Telegraph Staff

3468. { Shri S. M. Banerjee:
Shri Tangamani:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Rs. 50 has been granted as an incentive ad hoc allowance to Hindi Telegraph Staff;

(b) if so, whether the same has also been given to Telegraph staff on Railways; and

(c) if not, the reasons therefor?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, to those telegraph employees for whom it was not a condition of service to acquire Hindi Morse.

(b) Yes, as stated in reply to question No. 1864 (a) on 12th March, 1959

(c) Does not arise.

Cadastral Survey in Manipur

3469. Shri L. Achaw Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Cadastral Survey of the Valley area in Manipur was started by the Manipur Administration in 1952 but subsequently the proposal was dropped; and

(b) whether this fact was brought to the notice of the Government of India before or after the commencement of the present Survey and Settlement Operations in the Valley?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) No Cadastral Survey was actually started in 1952. The Manipur Administration

had proposed to undertake such a Survey, but the proposal was subsequently dropped.

(b) Before the commencement of the present Survey and Settlement Operations,

Convention of Medical Representatives

3470. Shri J. E. Mehta: Will the Minister of Health be pleased to state:

(a) whether a convention of the representatives of Directorate of State Boards and Faculties and Principals of Recognised Colleges of Indian Medicine was held in Calcutta in December, 1958;

(b) whether this convention has submitted its recommendations to the Government of India;

(c) if so, what are its main features; and

(d) what recommendations have been accepted by Government so far?

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

(b) Yes.

(c) A statement is laid on the Table [See Appendix VII, annexure No. 27].

(d) The relevant recommendations of the Convention are covered by the Report of a Committee recently set up by the Government to evaluate the present status of Ayurveda. The recommendations contained in that Report are under consideration.

Waiting Room at Simla Station

3471. Shri B. C. Mullick: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that there is no waiting room at Simla station for Class III passengers; and

(b) if so, the reasons therefor?

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

(b) The verandah outside the booking office and the platform are completely covered which serves as waiting accommodation for III class passengers. Necessary benches have also been provided for the use of passengers. These facilities are considered adequate for III class passenger traffic obtaining at this station at present

Slaughter Houses

2472. Shrimati Ila Palchoudhuri: Will the Minister of Food and Agriculture be pleased to state—

(a) whether Government of India's attention has been drawn to a news appearing in the 'Pioneer' of Lucknow dated the 28th March, 1959 to the effect that slaughter houses in the United States can now ensure a painless death for livestock, and

(b) if so, whether Government of India have taken steps to get a detailed account of the process with a view to introduce it in this country?

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

(b) Steps have been taken to obtain information about the new process through the Indian Embassy

पार्सल डिब्बे में धाग

३४७३. श्री भक्त बर्तन क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ७ मार्च, १९५९ को जब बनारस से लखनऊ जाने वाली पैसंजर गाडी मिर्जापुर स्टेशन पर पहुची, तब गार्ड के पीछे जुड़े हुए पार्सलों के डिब्बे में धाग लगी हुई पाई गई,

(ख) यदि हा, तो उस सम्बन्ध में रेलवे कर्मचारियों द्वारा क्या कार्यवाही की गई,

(ग) उस धाग से रेलवे को कितनी हानि हुई और कितने व्यक्तियों के पार्सलों को क्षति पहुची ;

(क) सम्बन्धित व्यक्तियों की कितना मुआवजा दिया गया, और

(ख) उस दुर्घटना के लिये उत्तरदायी रेलवे कर्मचारियों अथवा अन्य व्यक्तियों को क्या दण्ड दिया गया ?

रेलवे कर्मचारी (श्री ल० जे० रामस्वामी):

(क) जी नहीं।

(ख) से (ख) जवाब नहीं उठता।

Soil Conservation Measures in D.V.C. Area

2474. Shri Ram Krishan Gupta: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the programme of soil conservation measures in the Damodar Valley Corporation area has been formulated, and

(b) if so, the main features of the programme?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b) The Damodar Valley Corporation are executing the following soil conservation schemes—

- (i) Afforestation of 25,000 acres of catchment area
- (ii) Soil survey and planning;
- (iii) Soil Conservation Demonstration Scheme;
- (iv) Soil Conservation Engineering Works,
- (v) Soil Conservation scheme in Upper Sewani catchment

The question of soil conservation measures in the Damodar Valley area was discussed at the Conference of the Participating Governments held in New Delhi in the first week of April, 1959. The Conference accepted the importance of soil conservation measures and assured that adequate funds shall be provided for the purpose. The Damodar Valley Corporation was asked to formulate a concrete programme in this regard

Amendment of Damodar Valley Corporation Act

3475. Shri Ram Krishan Gupta: Will the Minister of Irrigation and Power be pleased to state at what stage is the proposal to amend Damodar Valley Corporation Act with a view to enable the Corporation to levy water rates for industrial and domestic consumption in consultation with the participating State Governments?

The Deputy Minister of Irrigation and Power (Shri Hathi): The amendments proposed by the Damodar Valley Corporation were considered at the Conference of Participating Governments held at New Delhi in the first week of April, 1959. The principle that the Damodar Valley Corporation might charge for the water potential created by the Damodar Valley Corporation projects, whether it flows through the rivers in the valley or through canals/distributaries, was accepted by the conference and it was agreed that the question of amending the relevant Sections of the Damodar Valley Corporation Act to remedy the lacuna might be taken up. The draft amendments have, however, to be examined bearing in mind the necessary safeguards that might have to be provided to protect rights under the Constitution and the interests of the State Governments. This being done

Agreement between the Participating States and Damodar Valley Corporation

3476. Shri Ram Krishan Gupta: Will the Minister of Irrigation and Power be pleased to state the details of the agreement entered between Central Government and the participating State Governments with Damodar Valley Corporation—West Bengal and Bihar for transfer of cold storage plant at Kanainatsal, the Spun Pipe Factory at Durgapur, and the maintenance of the irrigation canals under the barrage and irrigation projects of the Damodar Valley Corporation to West Bengal Government?

The Deputy Minister of Irrigation and Power (Shri Hathi): It was

agreed at the Conference of the participating Governments in the first week of April, 1959:

- (1) that the Government of West Bengal would take over from the Damodar Valley Corporation both the cold storage plant at Kanainatsal and the Spun Pipe Factory at Durgapur with all their assets and liabilities; and
- (2) that the West Bengal Government would take over from the Damodar Valley Corporation the maintenance and operation of the canal system including the navigation canal with effect from the 1st December, 1959. This transfer will be made under the provisions of Section 13 of the D.V.C. Act, 1948.

Ship Repairing Facilities

3477. Shri T. B. Vittal Rao: Will the Minister of Transport and Communications be pleased to state:

(a) whether the report of the Committee appointed to investigate into the ship repairing facilities has since been received,

(b) if so, what are the salient features of the report; and

(c) if the reply to part (a) be in the negative, when the report is likely to be received?

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

(b) Does not arise

(c) The report is expected to be received by the end of this month.

Road Transport

3478. Shri T. B. Vittal Rao: Will the Minister of Transport and Communications be pleased to state:

(a) the percentage of passenger road transport traffic in the public sector in relation to the total passenger road transport traffic in the country, as at the end of 1958; and

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Sabha house (Amendment) Bill

(b) what was the percentage at the beginning of the Second Five Year Plan period?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b) Although authentic figures in this respect are not available it is estimated that about 20 per cent. of the passenger road transport services in the country was in the public sector at the beginning of the Second Five Year Plan. The position as at the end of 1958 is not known, as the relevant information has not yet been received from all the State Governments/ Union Territories

12.07 hrs.

PAPERS LAID ON THE TABLE ORDERS UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): Sir, I beg to lay on the Table, under subsection (6) of Section 3 of the Essential Commodities Act, 1955, a copy of each of the following Orders —

- (1) The Rajasthan Foodgrains (Restrictions on Border Movement) Order, 1959 published in Notification No G.S.R. 432 dated the 9th April, 1959 [Placed in Library, See No LT-1373/59]
- (2) The Madhya Pradesh Foodgrains (Restrictions on Border Movement) Order, 1959 published in Notification No 450 dated the 14th April, 1959 [Placed in Library, See No LT-1374/59].

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:

- (i) "In accordance with the provisions of rule 125 of the

Rules of Procedure and Conduct of Business in the Rajya Sabha I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 21st April, 1959, agreed without any amendment to the Indian Railways (Amendment) Bill, 1959, which was passed by the Lok Sabha at its sitting held on the 12th February, 1959 "

- (ii) "In accordance with the provision of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Census (Amendment) Bill, 1959, which has been passed by the Rajya Sabha at its sitting held on the 20th April, 1959 "

BILL PASSED BY RAJYA SABHA LAID ON THE TABLE

Secretary: Sir, I lay on the Table of the House the Census (Amendment) Bill, 1959, as passed by Rajya Sabha.

12.09 hrs

INDIAN LIGHTHOUSE (AMENDMENT) BILL

The Minister of Transport and Communications (Shri S. K. Patil): Sir, I beg to move

"that the Bill further to amend the Indian Lighthouse Act, 1927, be taken into consideration "

Sir, it is a very simple and non-controversial Bill. As the House will know, this original Act was passed in 1927, and since it has been twice amended in 1953 and 1955. The object of the Bill is that the dues that are to be paid should be raised, because the expenses in maintaining these lighthouses and the navigation aids have increased, and the plans that we have got in the Second Five Year Plan and, thereafter, in the Third

[Shri S. K. Patil]

Five Year Plan will require quite a lot of money. As it is, our original estimate was that the plan would cost somewhere about a little under Rs. 8 crores, but now those estimates have gone beyond that and the development programme that we envisage will cost somewhere about Rs. 10,20,00,000, which also includes an expenditure of Rs. 5,20,00,000 in foreign exchange. Therefore the need has arisen for these dues being increased. What is proposed to be done is that the dues should be increased from four annas, that is, 25 nP, to the maximum limit of 50 nP. But the plan is that for the first year it should be increased only to 37 nP nearly half, and that in the second year, it may go to 50 nP. As it is, the present revenue from these sources comes to about Rs. 48 lakhs annually. But the balance is not enough to carry on the developmental activities. This new increase, when it comes into being fully, namely, 50 nP, would add another Rs. 44 lakhs. About 90 per cent. of all these dues are in the form of foreign exchange, because they are paid by ships that belong to other countries. Therefore, we do require the foreign exchange and we do get it. We require about Rs. 520 lakhs of foreign exchange for the completion of our Plan. Therefore, it is intended that this rise should be effected.

This rate compares also favourably with that in other countries. So far as the United Kingdom is concerned, they charge 69 nP per ton, while the maximum that we intend charging just now under this amending Bill is only 50 nP.

Therefore, as I said, this is a simple, non-controversial Bill, and it enables us to complete the Plan that we have got in view, both the Second Five Year Plan and the Third Five Year Plan.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Indian Lighthouses Act, 1927 be taken into consideration."

Shri Tagamam (Madurai): Mr. Speaker, I have no objection to support this amendment of the hon. Minister. The hon. Minister has stated how by increasing this 25 nP to 50 nP we will have an additional income of Rs. 40 lakhs. But I would like to make a few observations about the inadequacy of bringing such an amendment today. With your leave I will go through certain other sections of the Lighthouse Act, and I would be able to convince this House how relevant it is to bring a little more comprehensive Bill for the amendment of this Lighthouse Act.

So far as the first point is concerned, from the budget figures, I find that for the year 1958-59, the revised estimate for that year was Rs. 1,20,23,000. For the year 1959-60, it is Rs. 1,28,87,000. Of this, the non-Plan expenditure is Rs. 48,87,000 and the Plan expenditure is Rs. 80 lakhs. To show how important it is, I may point out that even in a place like Madras, the non-Plan expenditure is Rs. 3,22,000 and the Plan expenditure is Rs. 8,00,800. So, I do not think that one can have any grievance about enhancing this rate from 25 nP to 50 nP.

We were also told at the time of the discussion of the Demands for Grants that steady progress has been maintained in respect of the capital works and development works in respect of lighthouses scheduled for the year. Two new lighthouses have been established and three existing lighthouses were improved. That is also a very important development which we have had.

Today, in the course of the Question Hour, we were told that the existing workshops in Bombay and Madras are adequate, and as per the recommendations of the Estimates Committee, a new workshop is going to be set up in Calcutta.

We were also told that the Bharat Electronics will also go into production so that we will be self-sufficient in the manufacture of these items.

As I have mentioned earlier, I would briefly mention some of these sections which will require suitable amendments in this session or as soon as possible. I find that some Members have given notice of an amendment to section 21. Section 21 of the Act of 1927 provides that the Government may make rules consistent with the Act and having the purpose of the Act in view in particular, and without prejudice to the generality of the Act, they may have power to make rules which may provide for all or any of the "following matters, namely, the powers and duties of Chief Inspector of Lighthouses and that Superintendent and Inspectors of lighthouses". All that is provided in this particular Act, is that these rules will be submitted before the Central Advisory Committee.

Now, it is necessary that we go a little more in detail into these rules. So, an amendment or a suggestion from the hon. Members or from the Minister himself that these rules may be laid on the Table of the House within 30 days of the framing of the rules will be more in line with the spirit of many of the legislations that we have passed.

On the question of this Advisory Committee which is provided for in section 4, in the light of the discussions we had on the Merchant Shipping Bill, it may also be necessary to take this House into confidence as to the composition of this Advisory Committee. With the development of shipping that is now taking place, more and more attention will be given by the hon. Members not only to the development of shipping but also the lighthouses and light ships which form part of the shipping industry. So, I feel that if greater interest is to be taken by this House, the House also must have something to say about the composition of the

Advisory Committee which is now constituted under section 4.

As the hon. Minister pointed out, this Bill was really a consolidated Bill. The original Act of 1927 is itself an Act to consolidate and amend the law relating to the provisions, maintenance and control of lighthouses by the Government of India. This was the Act of 1927. An amendment was passed, I believe, in 1934. The present levy used to be two annas formerly, and it was increased to four annas subsequently, and now it is sought to be increased to eight annas.

Another point is about the question of laying the rules under section 21 on the Table of the House so that the House will know what the various things are.

There is another section—section 18. This section says that the following shall be exempted....

Mr. Speaker: Is he in order in referring to all this now?

Shri Tangamani: The point I am making, when this motion for consideration of the Bill is before the House, is that, although I do not object to this particular amendment, in the light of the Merchant Shipping Bill which we have passed and in the light of certain procedures that have been more or less accepted in this House, certain amendments are necessary and a little more comprehensive Bill ought to be brought.

Mr. Speaker: I am not going to allow it. Hon. Members cannot enlarge the scope of a particular Bill, and when the amount is being raised from four annas to 50 nP, they should not take advantage of it and say generally that they must bring in such and such a Bill. There is no meaning in making such points. It is open to hon. Members to bring in a Bill which they like or they may move a resolution that the Act may be amended. Am I to allow a discussion now on this whole matter and all

[Mr Speaker]

the points that the hon. Member is now making? Another hon. Member may differ from him. That will be enlarging the scope of the Bill

Shri S. K. Patil: May I add a few words in order to cut short the discussions? As you rightly pointed out, the scope of this Bill is very limited. But there are other aspects of the Bill which the Government will seriously consider. The hon. Member has made reference to an aspect of the matter. We shall be bringing another piece of legislation in that connection, and that will cover many of those points. But so far as the present Bill is concerned, the only limited aspect of it is raising the fee to 50 nP.

Shri Tangamani: I am much obliged to you and the Minister

Mr. Speaker: Let them not enlarge the scope of the Bill. What I would suggest to hon. Members is, it is always open to them to table a resolution saying that a particular Bill will, in view of the altered circumstances, require modification. Or, they may themselves bring forward a Bill before the House.

Shri Tangamani: What really happened was this. I shall be candid

I was in the Joint Committee on the Merchant Shipping Bill, but then I did not go through this Act. Now, when I went through this particular Act, in the light of certain decisions which were taken by the Joint Committee on the Merchant Shipping Bill....

Mr. Speaker: The Hon. Minister says he will bring in another amending Bill. In the meanwhile, the hon. Member will forward his suggestions to the Minister.

Shri Tangamani: In this connection I would like to know how the amount of Rs. 48 lakhs that will be collected by enhancing this rate is going to be

spent—how much is to be spent on non-planned things and how much on planned things. I hope he will give a reply to this point also.

श्री रघुनाथ सिंह (बाराणसी) : अध्यक्ष महोदय, एस्टीमेट्स कमेटी ने मार्च सन् १९५९ में जो अपनी रिपोर्ट उपस्थित की है उसमें लाइट हाउसेज के सम्बन्ध में काफी डील किया गया है। मैं सिर्फ यह कहना चाहता हूँ कि जो जनता के ऊपर चार आना से घाठ आना किया जा रहा है यह शिपिंग के ऊपर बड़ा भारी बोझ है। शिपिंग कम्पनीज अपने पास से तो यह चार आना देंगे नहीं। बल्कि वह फ्रेट पर यह चार आना और वड़ा देंगे। आज कोस्टल शिपिंग का अवस्था अच्छी नहीं है। जब यह चार आना से घाठ आना हो जायेगा तो कोस्टल शिपिंग वाले फ्रेट वड़ा देंगे। मैं समझता हूँ कि इससे कोस्टल शिपिंग का कोई सहायता प्राप्त नहीं होगी बल्कि व्यवधान ही होगा। इसकी जरूरत क्या प्रयुक्त हुई? जरूरत शायद इमार्शल महसूस हुई कि फर्स्ट फाइव इमर प्लान में इसके वास्ते सात करोड़ रुपये के करीब एस्टीमेट था। यह रकम नाइट हाउसेज को ठीक करने वास्ते जरूरी समझा गया था। फिर स्टडी करने के बाद एक स्कीम यह आयी कि अगर दस करोड़ बीस लाख रुपया हो तो हिन्दुस्तान के लाइट हाउसेज का विकास हो सकता है। वर्तमान पहली प्लान में कुल ४६ लाख रुपया खर्च किया गया जब कि एस्टीमेट था १० करोड़ बीस लाख। सैंकिड फाइव इमर प्लान में चार करोड़ रुपये की स्कीम लायी गयी और फिर अन्त में यह कहा गया कि अगर तीन करोड़ २३ लाख रुपया खर्च किया जाये तो इसका विकास हो सकता है। बाद में वह एस्टीमेट रखा गया कि अगर २ करोड़ रुपया हो तो फिनहल काम चल सकता है। इस दो करोड़ रुपये में करीब करीब ९९ लाख फारिन एक्सचेंज की आवश्यकता है। अगर ९९ लाख का फारिन एक्सचेंज हमारे पास इस काम के लिए हो तो

हमारे लाइट हाउसेज का बोझ बहुत काम चल सकता है, उनका बोझ बहुत विकास हो सकता है ।

इस सम्बन्ध में हमें यह कहना है कि जैसे-जैसे श्री पाटिल साहब के महान प्रयास से हमारा शिपिंग बढ़ रहा है वैसे-वैसे हमारे लाइट हाउसेज का भी महत्व बढ़ रहा है । मैं समझता हूँ कि आठ दस बरस के बाद हिन्दुस्तान भी इस ससार की मैरीटाइम नेशन्स में से एक हो जायेगा । तो जब हमारे शिपिंग का विकास हो रहा है तो हमारे लाइट हाउसेज का भी विकास होना चाहिए ।

हिन्दुस्तान में जो लाइट हाउसेज हैं उनके चार क्षेत्र हैं, सौराष्ट्र, बम्बई, कलकत्ता और मद्रास । इन चारों क्षेत्रों में सेल्फ-सफोर्सेसी हानी चाहिए अर्थात् इन चारों क्षेत्रों में अलग-अलग मेनटिनेन्स और रिपेयर के लिए वर्कशॉप होना चाहिए । एडमान के बारे में एस्टीमेट कमेटी ने यह सिफारिश की है कि एडमान में लाइट हाउस के मेनटिनेन्स के लिए और रिपेयर के लिए कोई प्रबन्ध नहीं है, इसलिए उसको कलकत्ता के अडर हो जाना चाहिए । मैं समझता हूँ कि ट्रास्पार्ट मिनिस्ट्री को इस में कोई व्यवधान नहीं होना चाहिए कि एडमान के लाइट हाउस का कलकत्ता के अडर दे दिया जाये । अगर ऐसा किया जाये तो उसका उचित रूप से विकास हो सकता है ।

इन शब्दों के साथ जो यह बिल आया है इसका मैं समर्थन करता हूँ ।

एस्टीमेट कमेटी ने एक बात और कही है परसोनल के बारे में । इसके बारे में एस्टीमेट कमेटी ने बहुत ज्यादा जोर दिया है कि आफिसर्स की ट्रेनिंग और लाइट हाउसेज की रिपेयरिंग का काफी इन्तिजाम होना चाहिए । आफिसर्स की ट्रेनिंग हिन्दुस्तान में की जाये और उनको ट्रेनिंग के लिए बाहर भी भेजा जाये ताकि हमारे पास अच्छा परसोनल हो सके ।

अन्त में हमें यह कहना है कि आज एक सवाल के उत्तर में श्री राज बहादुर ने कहा था कि करीब-करीब १६ इस्टीमेट्स ऐसे हैं कि जिनका लाइट हाउसेज के बास्ते बाहर से इन्तिजाम करना पड़ेगा । इसके बाद जब यह सवाल किया गया कि इस में कितना फारिन एक्सचेंज लगेंगा तो उसका जवाब प्राप्त नहीं हो सका । लेकिन जहाँ तक हो सके हमें अपने लाइट हाउसेज का इन्विपमेन्ट अपने देश के भीतर ही बनाने का प्रयत्न करना चाहिए । अब इसके लिए दूसरे देशों पर निर्भर होना उचित नहीं है । इस बास्ते मेरी यह प्रार्थना है कि एस्टीमेट कमेटी के इन सुझावों को ध्यान में रखते हुए इसका विकास किया जायेगा ।

Shri S. C. Samanta (Tamluk): I whole-heartedly support the amendment brought forward by the hon Minister. At the same time, I will request the hon Minister to see that the workshops and research work that are being contemplated by the Ministry should be taken up.

Mr Speaker: I have already said when Mr Tangamam was speaking that all these matters do not arise out of the small Bill before the House.

Shri S. C. Samanta: This levy is being put for the development of these things—research work, etc.

Mr. Speaker: Is it specially earmarked for this purpose?

Shri Raghunath Singh: Rs 10 20 crores are provided for lighthouses.

Shri S. C. Samanta: The International Conference on Light houses that was held in June, 1955 at The Hague praised the new electric flasher invented in India and the new electric sources that have been developed by the Indian lighthouses. These things are necessary and it is for this that the hon Minister has brought forward this Bill to enhance the levy from 4 annas to 8 annas.

[Shri S. C. Samanta]

According to the Constitution, the Government should also try to bring all the lighthouses under the central jurisdiction. For that, a large amount of money will be necessary and the Planning Commission has also decreased the money. So, on these grounds, I support the amendment.

Shri S. K. Patil: I have very little to add. I would like to point out that in the section which is sought to be amended, there is some answer to the point raised by Shri Raghunath Singh. The section says:

"The Central Government may, by notification in the Official Gazette, prescribe rates, not exceeding four annas per ton—

we are now making it fifty naye paise—

"at which light-dues shall be payable, and may prescribe different rates for different classes of ships, or for ships of the same class when in use for different purposes or in different circumstances."

So far as different classes of ships are concerned, coastal shipping comes in that and that will be taken into consideration. For light ships, it is very much less. All these points will be taken into consideration.

Shri Tangamani: Ships less than 50 tons are already exempted under section 18.

Shri S. K. Patil: Regarding the point raised by Mr. Tangamani, I had given some figures and I shall explain more accurately what will happen. In 1959-60, the additional estimated foreign exchange, if light-dues were raised to 6 annas per ton, which we propose to do for the first year, would be Rs. 19.8 lakhs. In 1960-61, the additional estimated foreign exchange, if light-dues were raised to 8 annas per ton, as it will be at that time, would be Rs. 39.6 lakhs. So, the total increase estimated is Rs. 59.4 lakhs.

The other suggestions made by the hon. Members would be taken into consideration when we amend the other sections. There is an amending Bill which is going to come. I can tell even before that that rules made thereunder will be laid on the Table of the House for 30 days and they need not move any amendment. Government undertake to do that when that amending Bill comes. So, we need not insist on those things now in view of the little more comprehensive Bill that may be brought forward.

Shri Achar (Mangalore): I want to ask one question. Will the fee collected be ear-marked for the lighthouses only?

Shri S. K. Patil: When the money is collected for a particular purpose we have no right to spend it for any other purpose. In fact, we need today even more than what we are asking for. Therefore, that will be wholly set apart for that.

Mr. Speaker: The question is

"That the Bill further to amend the Indian Light-house Act, 1927, be taken into consideration."

The motion was adopted.

Mr. Speaker: The question is

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Speaker: There is a new clause given notice of by Shri Oza and Shri Braj Raj Singh regarding the rules being laid on the Table.

Shri Raghunath Singh: Both are absent.

Mr. Speaker: So far as this matter is concerned, we have been following for some time the procedure that all rules framed under any Act must be placed on the Table of the House so that the House may have an opportunity to look into them and modify

them, if necessary. But this amending Bill is restricted only to one angle item, and matters relating to rules do not come in here, nor does this amending clause give any rule-making power. It is only a notification. But anyhow I believe the hon. Members

Shri S. K. Patil. On behalf of the Government I have given a promise that when we come again with an amending Bill we shall include that. We will do it.

Mr. Speaker: Further, the Members concerned are not present.

The question is

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri S. K. Patil. I move that the Bill be passed.

Mr. Speaker: The question is

"That the Bill be passed."

The motion was adopted.

12.34 hrs.

ARMS BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to move:

"That the Bill to consolidate and amend the law relating to arms and ammunition be referred to a Joint Committee of the Houses consisting of 45 Members, 30 from this House namely: **Shri Upendranath Barman, Shri Missula Surayanarayana-murti, Rani Manjula Devi, Shri Bibhut Mishra, Shri Mohammad Tahir, Dr. Gopalrao Khedkar, Shri Chhaganlal M. Kedaria, Shri K. M. K. Abdul Salam,**

Shri R. S. Arumugam, Shri Vidya Charan Shukla, Shri K. R. Achar, Shri Mathew Maniyangadan, Shri Bhakt Darshan, Shri Jagan Nath Prasad Pahadia, Shri Raghubir Sahai, Shri Ansar Harvani, Shri Devenapalli Rajiah, Shri Bangshi Thakur, Shri Radha Charan Sharma, Shri Satis Chandra Samanta, Shri Ranbir Singh Chaudhuri, Shri Hirendra Nath Mukherjee, Shri K. K. Warior, Shri Mohan Swarup, Shri Shambhu Charan Godsora, Shri Thakore Fatesinghji Ghodasar, Shri Uma Charan Patnaik, Shri Atal Bihari Vajpayee, Shri Shankarrao Khanderao Dige and the Mover; 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."

I am very happy to bring toward this Bill because after independence there had been a persistent desire that the old Act of 1878 ought to be materially amended so as to bring it in line with modern conditions. We had also a discussion in the first Parliament in 1953 when **Shri Patnaik** had brought forward a Bill. At that time the then Home Minister, **Dr. Katju**, had given an assurance that the whole question would be fully

[Shri Datar]

considered, the views of the State Governments and the public, if received, will be taken into account and a consolidating Bill dealing with all the aspects of this question would be placed before this House, and by way of implementing this assurance we have brought forward this Bill. We had before us the original Act of 1878; we had also certain provisions in the Acts of a number of foreign States like the United Kingdom, United States of America, France and others. Then we consulted the State Governments at various stages; first, in a general way and then in respect of the provisions of the Bill as had been drafted. And after taking into account the need for making changes in the Act of 1878, also the need to improve upon them to the extent that it is possible, and after consulting the State Governments, the present Bill has been brought forward, and I am confident the hon. House will find that there are a number of measures which are of a liberalising character. Therefore, I should like to place before this House in as brief a manner as possible the history of the Arms Act legislation in India and how there are a number of features in the present Bill which are, I am confident, of a fairly liberalising nature and are such that they would meet with the approval of this hon. House.

I would not go into the details of the various clauses because, as I have already pointed out, this Bill has to be referred to a Joint Committee, and the hon. Members of the Joint Committee will go into all these provisions and make such amendments as they deem fit after considering all the questions relating to the Arms Act.

Now, so far as this legislation is concerned, during the British administration we had formerly the Act of 1860 (Act No. 31 of 1860). Naturally, the object was to place as much a measure of restrictions on the exercise or use of arms and ammunition. This Act was followed up by another Act, that is, Act 11 of 1878

This is what is popularly called the "parent Act" though in this case, as I shall be pointing out, we are going to have a clause in this Bill according to which all the provisions of this Act of 1878 have to be replaced and a new measure, or a new consolidating and amending Bill, will have to be considered by this hon. House and then by the Joint Committee. Now it is not necessary to point out the purposes that the framers of these Acts had. I would, however, point out how the Act of 1878 had two objects in view. I am mentioning these circumstances because we are going, to a large extent, from the object that they specifically had then.

The Act of 1878 provided *inter alia* for (1) the imposition of duties on the importation of arms; (2) prohibition of possession of fire arms and "going armed" with any arms—the House will kindly understand the wide terms used in this particular Act, and the purposes behind it—without licence throughout the country; (3) the prohibition of possession of all arms. Here, in this case, you will find that we have a liberalising measure by which ordinarily licences are required only for fire arms. But there the prohibition was in respect of possession of all arms without licence in any area notified in the Official Gazette and also in the areas which were disarmed under the earlier Act.

The reasons given by the then British administrators was, firstly, to ensure stricter control over the import of cheap fire arms and, secondly, to restrict and regulate the transfer of fire arms so as to prevent their reaching the hostile tribes beyond the frontier or the criminal elements within this country. Therefore, this Act was long in use and after this Act was passed, naturally Arms Rules had been framed.

So far as these rules are concerned, they dealt with a number of matters, which ordinarily ought to

have been provided for in the Act. All the same, we had these Indian Arms Rules. They were amended as a result of the report of a committee appointed by the then legislature known as the Imperial Legislature in 1922. A committee of officials and non-officials had been appointed and they had made certain recommendations. Some of them the then Government accepted and so, the Arms Rules were amended in 1924.

After the attainment of independence, we have amended the Rules to a certain extent but now we feel that it would be better to have the Act itself amended so that the main important principles on which the arms legislation has to be founded will have been properly laid down in the provisions of the Bill itself. Naturally, thereafter we have taken to ourselves the power to make rules. The copies of these rules will, according to the present custom, be placed before both the Houses for such consideration as they might deem fit to give.

This is the background. Then, as I pointed out earlier, in 1953, an hon. Member, Shri Patnaik, had introduced a Bill. The main objects that he expressed then were: firstly, relaxing the restrictions so as to bring the arms law in conformity with the arms laws of other countries. This particular object has been taken into account and, as the hon. House will have found, there are a number of improvements made and introduced in this Bill on the model or the basis of similar provisions or better provisions in the Acts of the countries to which I have just now made a reference.

The second object was: liberalising the Arms Act and the Rules for the purpose of allowing certain categories of peaceful citizens. He wanted that the hon. Members of Parliament or of State legislatures should be allowed to possess or hold arms without any permission or licence, that is, to possess arms for self-defence without

the necessity of obtaining licences in respect of them.

Then, when the Bill came up for consideration on the 9th April, 1954, an assurance was given that the Government would themselves bring forward a fresh Bill. Therefore, this Bill has been brought forward.

I may also point out that Government received a number of suggestions. In fact, the National Rifle Association of India had prepared, what they called, a Firearms Bill. They sent not only the Bill, but their comments also. After taking into account all those comments as also the provisions in the other countries' laws, we have brought forward this measure.

So far as the main provisions of the Bill are concerned, may I point out that we have maintained before ourselves two objects that ought to be placed before us and to which Shri Patnaik had made a reference. One was the liberalisation of licensing provisions. To the extent that they could be liberalised, they have been liberalised. As you will see, the attitude that has to be taken under the provisions of this Bill is normally to grant a licence. That is how a positive and a constructive approach is being made so far as the applicants for a licence are concerned.

On the other hand, as you are aware, we have also to find the mean between two views. One is consistent with the needs of national security—that is one—the second is consistent with the needs of a proper maintenance of law and order and the third is consistent with the need that such arms and ammunitions do not reach quarters which are antisocial in nature. All these have also to be taken into account. Therefore, while the policy of liberalisation will be followed, there have to be some restrictions to which I shall be making a reference as I proceed further on.

Then, with this background, may I point out the broad features of the new Bill that we have placed before:

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this House. Formerly, as I have pointed out, in respect of all arms, that is, fire-arms and other arms like swords etc., there was a uniform need according to the then law to take a licence. Now, what we have done is that we have followed a liberalising measure in the sense that so far as firearms are concerned, naturally, licences are required. Licences have to be taken for all firearms whenever an applicant is desirous of possessing one. Now, in respect of those arms, which are not firearms, normally no permission or licence is necessary at all. A man can have them if he likes, provided they are not firearms. But in respect of all these arms there are occasions where or there are areas where it is necessary to control them, as for example during emergencies or whenever there are, what can be called, danger spots where even the other arms, in respect of which normally no licence is necessary, are likely to be abused or are likely to endanger the safety of the peaceful citizens of India. Therefore, the general policy is that licences would be required only in respect of firearms, but in emergencies or in places where conditions are far from normal licences will have to be insisted upon for possessing all arms. Therefore you will find that this is one of the most forward steps that we have taken subject to the need to tighten the measures specially when there are circumstances calling for the exercise of emergency powers.

Then, you will also find that the approach generally would be, in respect of firearms or in respect of those arms for which a licence has to be taken, as I have pointed out above, that licences would be freely granted. We have also taken into account the needs of the cultivator to have not only his personal protection but also the protection of the crops. For that purpose for certain types of arms he can take a licence.

Similarly, also there would be licences so far as clubs are concerned. We are anxious, as the House is aware, that rifle clubs are started in

different parts of India and we shall be happy to give them recognition provided they comply with the usual conditions in this respect. Happily, we are having rifle associations or clubs in numerous parts of India. Their number is gradually rising. Therefore, so far as the bona fide members of such clubs or associations are concerned, they will also be entitled to certain types of arms to which a reference has been made in the body of the Bill.

Even in respect of revolvers and rifles, though naturally one has to be careful still the licensing authority will have a greater discretion for the purpose of giving such licences. The approach would be to grant licences except where there are circumstances with reference to which the officers will have to proceed rather cautiously. That also has been mentioned in the body of this Bill.

Then, another very important and liberal departure that has been made from the parent Act is that in the former Act, as you are aware, as also in the rules, generally, licences were granted in respect of arms to persons who were then called stakeholders, in the sense that they possessed property. This property consideration was availed of and oftentimes, those who were not stakeholders in this sense, could not get such a licence even though otherwise they were entitled to it. This particular consideration, namely, disqualification due to want of property with a particular person, is considered, naturally, in the present times, an outmoded condition and therefore, that has been dispensed with. This is a measure which the House will kindly take into account.

Another provision that we have introduced with all its details is that in all such cases wherever licences are asked for or wherever any action has to be taken under the Arms Act or the Arms Rules, the orders that have to be passed have to be passed after giving the person an opportunity to know why a refusal is likely to be given. You will find that in all cases,

they are not exactly judicial, but they are at least quasi-judicial and therefore, normal principles of jurisprudence, especially, equitable jurisprudence have to be followed. Therefore, it has been laid down that when a licence has to be refused, the licensing authority has to give reasons except in small or selected class of cases where the reasons could not be disclosed in the public interests. Except in these circumstances, normally, when a licensing authority is going to refuse an application, he has to give reasons in writing and he has to furnish copies of these reasons to the person whose application is going to be rejected. The object is that in such cases, he could approach the higher or appellate authority. May I point out here, specific provision has been made for an appellate authority, namely, that against all such orders of refusal, it will be open to the aggrieved party to prefer an appeal. As the House will find, provision has been made that in the appeal no order can be passed by the appellate authority without giving the person concerned, namely, the appellant, an opportunity of being heard in respect of his petition or appeal. These are normal rules of judicial administration. It was considered that they are very advisable rules meant for the purpose of carrying out justice and therefore provisions have been specifically introduced in the Bill itself that so far as appeals are concerned, so far as recording of reasons are concerned, in all these cases, the man will have to be heard before the appeal comes to be dismissed.

We have also made it clear that whenever there are any arms which have become very old, which are obsolete or which are unserviceable, in respect of them, there will be no need for asking for any licence. Often-times, difficulty was felt when these arms had to be carried to another place, for repairs or for other work. When a man was going to a sport, they had to be carried. Often-times, technical difficulties arose where even

a servant or agent could not carry these arms because they were not licence-holders. That difficulty, more or less of a technical nature, has been got over by saying that it would be open to an agent or servants to carry these arms while the licence-holder is there or in his absence also, with his written authority. That has been purposely put down to get over difficulties that are often felt.

So far as the period of licence is concerned, generally, it was one year till now. We have considered that when once a licence has to be given, normally the period should be three years though in certain cases, an applicant for licence himself might ask for a smaller period. But, the normal period would be three years and this period would be renewed for an equal period unless there are any reasons to the contrary. This also may be taken into account.

Whenever any arrests are to be made or seizures in respect of such arms which are not held properly or where there are other circumstances exciting the suspicion of the authorities that they are likely to be abused, in all such cases, a certain procedure has to be followed. The provision according to the present Bill is, the one laid down for arrests and seizures under the normal criminal law. That has also been introduced.

We have also introduced here and there a number of checks on the orderly exercise of powers by certain officers, because, it is essential that in proper cases, every attempt should be made to grant a licence and not to subject the holder of the licence to unnecessary harassment. That is the object that we have kept in view. These are the principal and important features. I might point out here that we have introduced certain safeguards also.

These arms, especially these firearms are of a dangerous character and they are easily likely to be abused to the great harm, perhaps, even to the holder of the licence himself, as

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also to others. Therefore, while, on the one hand, you have to liberalise the provision, because the citizens of India would be entitled, in proper cases, to hold arms, the Government have to take into account the possibility of prohibiting certain categories of persons from getting or applying for such licences. Take, for example, minors. It will be very difficult and dangerous to entrust minors with such arms. Similarly, there might be criminals who have undergone a sentence of six months or more. In that case also, one has to be careful. So that if there are criminals, especially those who are convicted by a court of law for an offence dealing with either moral turpitude or similar matters dangerous to security or to the maintenance of law and order in India, we have to be careful that criminals ought not to be allowed to get licences.

Similarly, also, in the case of machine guns and other big guns, one has to be extremely careful and, naturally, restrictions have to be placed. In all these cases, often, a question arises, as a number of hon. Members who have practised in the criminal courts are aware, these dangerous weapons are used and it becomes difficult to identify them. On account of lack of identification, often-times, the quality of evidence that is led against the criminal is likely to suffer. For that purpose, it has been laid down that in all these cases, there ought to be proper identification marks on all fire-arms.

Power has been reserved to the State to control manufacture and movement of arms. This is absolutely essential. There are certain offences where, if they are proved, heavier punishments ought to be provided.

Incidentally I may point out, when there is a second conviction in respect of an offence under the Arms Act, naturally, the quantum of punishment or penalty ought to be far larger because, in that particular case, when

a second conviction is passed, there is no defence of the act having been done in extenuating circumstances.

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That is the reason, Sir, why we have followed this policy. Whenever an offender commits an offence again, naturally, in such a case he is liable to get higher punishment. That principle has already been introduced in certain acts. It has also been introduced in this Act.

The next question relates to whether certain categories of persons should be excluded. You are aware that either under this law or under our treaty or covenant or under international principles certain exemptions are allowed. Now we have laid down one proviso according to which it will be examined whether grant of such exemption is essential. We consider whether it is necessary or advisable in the public interest to grant such exemptions. That also has been laid down.

May I be permitted to point out, Sir, in this connection that one of the principal objects that we have kept before us is to avoid all avoidable inconvenience to the public. There are certain inconveniences which are no doubt inevitable. Apart from those inconveniences, we have, as far as possible, tried to remove the inconveniences because the independent citizens of India are entitled to ask for licences and they are entitled to expect from the authorities due regard to their conveniences. On that account, a number of improvements have been laid down. Of course, whenever there is a case for arrest, arrest has to take place, but only when it is absolutely essential and not as a matter of course, and also not immediately. Then, Sir, as you are aware, after seizure, a final order has to be passed as to what is to become of these seized arms or other articles. The general rule that was followed was that they were forfeited as a matter of course to the Government. Now, in

such cases also, Government allow the private parties some time to make applications. Opportunity is given to all such claimants to put in their claims. So, now you will find that there will be no automatic seizure.

Provisions have been laid down for the purpose of minimising inconvenience. It has been laid down that whenever there are certain offences, in respect of such offences, punishments or penalties have been provided for. If they are of a serious nature, in that case, special provisions have been laid down in respect of those cases under Clause 3 of the Bill. In those cases, the previous sanction of the district magistrate is essential. This gives scope for the purpose of finding out whether there is any *prima facie* case at all. Otherwise, often times, people are likely to be harassed and even if ultimately the person is acquitted, he has still to pass through certain ordeal and trouble. For that purpose it has been laid down that in certain cases the sanction of the district magistrate is essential. These offences are being taken cognisance of by courts.

There are certain other new features in the Bill. For example, we have given specific definition of arms and ammunitions. We have excluded articles which are not intended to be used as arms. We have introduced additional punishment in respect of certain offences. We have introduced the provision according to which companies also are liable to be dealt with under this provision. This is made applicable to the directors, partners etc. and they would also be liable to this provision. This provision has been added because often times companies deal with arms and not necessarily in all cases in a proper manner. Therefore it has been considered necessary to bring the companies also into the orbit of the provisions of this law. In that case also, as the House will see, it has been pointed out as to how the matter has to be proceeded with.

Then, Sir, often-times tourists come to India and they require licences

Now provision has been made for tourists as well.

Thus you will find that the restrictions that have been placed, have been kept at the minimum. The interests of security and the maintenance of law and order have to be taken into account and have to be constantly kept in view because here we are not dealing with ordinary articles but with articles which are prone to cause death or injury to a large number of persons. Therefore, we have to keep restrictions wherever there is necessity for those restrictions. As I have pointed out, we have been keeping minimum restrictions. You will find that we have liberalised the measure for the purpose of enabling more persons to get licences. We have also provided against any inconvenience or harassment likely to be caused to applicants. These are the main provisions which have been introduced in the Bill. These will be scrutinised and it would open to the Joint Select Committee to go into all the questions bearing on this matter.

Then, Sir, before I close, I would like to make a reference to an amendment that has been suggested by an hon. Member that Shri U C Patnaik's bill might also be referred to the Joint Select Committee. I have made the whole position quite clear. It would be open to the Joint Select Committee to examine the provisions of his bill as well. It is not formally possible for us to make that reference because that would mean that we accept the principle underlying the bill. That is why I pointed out that it is open to the Joint Select Committee to consider his bill without such a formal reference because making of a formal reference would commit this House and the Government to the principle of that bill. To a large extent we have followed what he wanted, but I would like to point out that it will certainly be open to the Joint Select Committee to consider not only the provisions in this bill but also the provisions in his bill and such other matters as they might like to consider. Therefore, there would be no need perhaps for

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this amendment. There are certain technical difficulties in accepting this amendment, and I am confident that in the light of the elucidation that I have offered, this particular amendment will not be pressed.

Sir, I move.

Mr. Speaker: Motion moved:

That the Bill to consolidate and amend the law relating to arms and ammunition be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely;—

Shri Upendranath Barman, Shri Misula Suryanaranamurti, Rani Manjula Devi, Shri Bibhuti Mishra, Shri Mohammad Tahir, Dr. Gopalrao Khedkar, Shri Chhaganlal M. Kedaria, Shri M. K. M. Abdul Salam, Shri R. S. Arumugam, Shri Vidya Charan Shukla, Shri K. R. Achar, Shri Mathew Mapiyangadan, Shri Bhakt Dershan, Shri Jagan Nath Prasad Pahadia, Shri Raghubir Sahai, Shri Anser Harvani, Shri Devanapal Rajiah, Shri Bangshi Thakur, Shri Radha Charan Sharma, Shri Satis Chandra Samanta, Shri Ranbir Singh Chaudhuri, Shri Hirendra Nath Mukerjee, Shri K. K. Warior, Shri Mohan Swarup, Shri Shambhu Charan Godsora, Thakore Shri Fatehsinhji Ghodasar, Shri Uma Charan Patnaik, Shri Atal Bihari Vajpayee, Shri Shankarrao Khanderao Dige and Shri B. N. Datar 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 the members to be appointed by Rajya Sabha to the Joint Committee.

Shri Easwara Iyer (Trivandrum): The hon. Minister in charge of this Bill has stated that he is rather happy about the introduction of this Bill.

Shri S. C. Samanta (Tamluk): I have got an amendment to the original motion.

Mr. Speaker: The hon. Minister has already explained the position.

Shri S. C. Samanta: He has stated that he is not willing to accept it. Still, we have got to say something in regard to it.

Mr. Speaker: Even though the hon. Member does not move the amendment, I shall give him an opportunity to speak. Does he want to move the amendment?

Shri S. C. Samanta: No.

Mr. Speaker: I shall give the hon. Member an opportunity to speak.

Shri Easwara Iyer: The Statement of Objects and Reasons appended to the Bill says that the attempt of the Bill is to liberalise the policy of Government in regard to the grant of licences for firearms. It really says that the Arms Act of 1878, which had been enacted about eighty years ago had adopted the policy of negating the giving of firearms, but since Independence, it must be the policy of Government to liberalise the giving of licences.

But on going through the provisions of the Bill, I do not feel very happy. It contains so many checks and counter checks, to such an extent that it is left to the arbitrary discretion of a licensing authority to disallow the grant of licence.

Since the Bill is going to be referred to a Joint Committee, I shall not take up the time of the House by dealing with the provisions one by one, but I shall suggest my amendments when the Bill emerges from the Joint Committee or before the Joint Committee. But, having an overall picture of this entire enactment along with the private member's bill introduced by Shri U. C. Patnaik, I would respectfully say that this Bill is no improvement on the Indian Arms Act of 1878.

In fact, the definitions of arms and firearms are so vague and so indefinite that it is open to the licensing authority to say that for arms of a particular description, or firearms of a particular description licences shall not be granted. If we look at the definition in clause 2 (c) we find:

"'arms' means articles of any description designed or adapted as weapons for offence or defence, and includes firearms, sharp-edged and other deadly weapons, and parts of, and machinery for manufacturing, arms, but does not include articles designed solely for domestic or agricultural uses and weapons incapable of being used otherwise than as toys or of being converted into serviceable weapons."

I am really happy that the hon. Minister would say that domestic and agricultural weapons such as knives, table-knives or even forks may not come within the definition of 'arms' under this clause. But what exactly does the definition mean when it says 'sharp-edged weapons'? How are we to understand whether a sharp-edged weapon is really intended to be used for domestic or agricultural purposes? Who is to determine this? Is it for the licensing authority to determine whether a sharp-edged pen-knife or a sharp-edged needle or—I would even go to the extent of saying—anything coming within the description of an axe etc. will come within the scope of this definition or not?

Mr. Speaker: Does the hon. Member mean domestic implements?

Shri Saswara Iyer: I am submitting that it is left to the subjective satisfaction of the licensing authority to find out whether a particular class of weapon is an implement used for domestic or agricultural purposes.

It is generally known that a pen-knife or a table-knife is used for domestic purposes. But suppose it is in the nature of a dagger; it is open to any person to have a particular design for his own domestic implement, and suppose it is in the nature of a dagger. Is it not open to the licensing authority to say that it comes within the mischief of this definition of 'arms'?

Coming to clause 4, we find that it reads thus:

"If the Central Government is of opinion that having regard to the circumstances prevailing in any area it is necessary or expedient in the public interest that the acquisition, possession or carrying of arms other than firearms should also be regulated it may, by notification in the Official Gazette, direct that this section shall apply to the area specified in the notification, and thereupon no person shall acquire, have in his possession or carry arms of any description in that area unless he holds in this behalf a licence issued in accordance with the provisions of this Act and the rules made thereunder."

I am not saying that in any particular contingency, the Central Government should not be enabled to prevent the use of arms. What I am submitting is that when a notification of this nature as contemplated in clause 4 is issued by the Central Government, it will be open to the subordinate officers who are to implement the authority of the Central Government to say that any particular weapon of any description innocently carried by a person

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comes within the definition of 'arms'. Even in the Indian Arms Act of 1878 it is said 'Arms such as swords, daggers, bows and arrows etc.', but here a wide definition seems to have been given. With very great respect, I would say that the subsequent clause regarding the exemption of domestic or agricultural implements is only an eye-wash. The provisions of the Arms Bill are more stringent than the provisions in the Indian Arms Act which, the hon. Minister would also concede, had been enacted to disarm the dependent nation, as we were then.

There is another provision which is likely to cause some difficulty. In regard to the powers of the licensing authority, the hon. Minister was pleased to say that the granting of the licence is the ordinary rule, and the negating of the licence would be an exception. Clause 13 says:

"The licensing authority shall grant—

(a) a licence under section (3) where the licence is required."

Certainly the wording is very happy, but the effect of clause 13 appears to be taken away by clause 14, which states that notwithstanding anything in section 13, the licensing authority shall refuse to grant a licence on grounds enumerated therein. The grounds for refusal are very elaborate. If you look at clause 14(1) you will find that the licensing authority can refuse a licence where he deems it necessary for the security of the public peace. It is open to the licensing authority to say that the grant of a licence to a particular person is against the interests of the security of the country. It is left to the subjective satisfaction of the licensing authority to determine whether the grant of a licence to a particular person is against the interests of the nation or against the interests of the public peace.

It is also stated in clause 14(1) that the licensing authority can refuse to grant a licence to a person whom he deems to be for any reason unfit for a licence under the Act. So, if a person is considered unfit to have a licence by the licensing authority, he can refuse to grant a licence. So, the statement of the hon. Minister that granting of licence would be the rule is illusory in the light of the provisions of clause 14.

He may say that he has recognised the well-known principles of jurisprudence in saying that where there is a refusal, a written order stating the grounds of refusal should be made. So far as I have understood natural justice, it is not giving reasons for the refusal that is the equitable rule of jurisprudence, but giving an opportunity of being heard before the refusal is made. If I have understood the principle of natural justice properly, it is that no person shall be condemned without being heard, so that if the licensing authority comes to the conclusion that a person is unfit to hold the licence, he must give a reasonable opportunity to that person to be heard before refusing the licence.

I am certainly aware of the provisions in the Bill by which the appellate authority should grant the appellant a reasonable opportunity of showing cause against the proposed order be made in clause 14 itself under in appeal. But why not a provision be made in clause 14 itself under which the licensing authority proceeds to refuse the licence?

These are all restrictions which have been imposed, and however well-meaning the hon. Minister may be, it is open to arbitrary authorities acting in a capricious manner, as we know they do more often than not, to refuse fire arms.

I am not very much aware of conditions in northern India, but in the place from where I come the need for rifles of a particular bore which may not be a high calibre, to prevent

damages to agricultural crops from wild beasts is very great. We find the peasants and agriculturists are put to great hardship by the non-grant of licences for possessing firearms of the nature of shot bore guns or muzzle-loading guns. Of course, there is a tirade against shooting monkeys and exporting them, but we know more often than not of monkeys, wild boars, tigers coming and ruining the crops, and when the licensing authority sits tight over the matter and says that the particular person is an anti-social element, that he belongs to the Communist Party or the PSP or the Congress, that he is a political campaigner and gets into scrapes and other things and refuses the licence on these grounds, the bona fide agriculturists are put to great hardship. So, how far the Bill is seeking to set right affairs is a matter which may be considered by the Joint Committee. So, I would submit that the Joint Committee may take into consideration the question of relaxing the rigour in giving the licence, or even taking away some of the rigorous provisions in clause 14.

I have nothing further to say in this matter because I am perfectly aware that the Joint Committee has to consider this Bill in all its aspects, and there will be an occasion for me to move amendments, but I would say that although the hon. Minister professes that this Bill seeks to amend and consolidate the Arms Act so as to liberalise the policy, a reading of the provisions of the Bill makes me come to the conclusion that it has more rigorous provisions than the Act of 1878, and does not compare favourably with the Bill that hon. Member, Shri U. C. Patnaik, has moved in this House. I would respectfully commend for the acceptance of the House the liberalised provisions contained in the Private Member's Bill.

Mr. Speaker: Shri. Braj Raj Singh. A number of hon. Members seem to be anxious to speak.

Shri S. C. Samanta: I do not want to speak on the Bill, only on the reference to the Joint Committee.

Mr. Speaker: Hon. Members will confine their remarks to ten or fifteen minutes.

An Hon. Member: The time for the Bill is four hours.

Mr. Speaker: Three hours.

श्री बजरज सिंह (फिरोजाबाद) : अध्यक्ष महोदय, जहाँ तक हथियारों से सम्बन्ध रखने वाले कानून का सम्बन्ध है, इसका सीधा असर देहातों में रहने वाली जनता पर पड़ता है और देहात की जनता को जो तकलीफ अब तक हथियारों के लाइसेंस लेने में रही है, उसको दूर किया जाना बहुत आवश्यक था। हिन्दुस्तान के आजाद होने के बाद यह बहुत जरूरी था कि उसकी इस तकलीफ को दूर किया जाता और जब इस बिल के लाये जाने की चर्चा थी तो आशा की जाती थी कि कुछ इस तरह की व्यवस्था इस में की जायेगी जिससे कि वह बीमारी और वह भ्रष्टाचार जोकि अब तक हथियारों के लाइसेंस देने के सम्बन्ध में होता है, वह खत्म हो जाये लेकिन मुझे दुःख के साथ कहना पड़ता है कि जो व्यवस्थाये इस कानून में की गई है, उस व्यवस्थाओं से हम उस भ्रष्टाचार को जोकि आज हिन्दुस्तान में इसके बारे में व्याप्त है, सम्भवतः खत्म नहीं कर सकेंगे।

माननीय मंत्री महोदय की तरफ से यह कहा गया है कि लोगों को अधिक सुविधाये दी जा रही है, अधिक सुभीता रहेगी हथियारों के लाइसेंस लेने में। लेकिन इस कानून में इस तरह की व्यवस्था भी है कि जिस से जनता को बिना किसी तरह का कोई कारण बताये हुए सिर्फ इस बात पर कि कहीं पर भ्रान्ति भंग होने का आदेश है, हथियारों के लाइसेंस देने से रोका जा सकता है। मैं निवेदन करूँगा कि अभी भी हमारे यहाँ कुछ ऐसा इलाका है और वह बहुत बड़ा इलाका है कि जिसमें प्रकट डकैतियाँ पड़ती रहती हैं, जिस के बारे में कहा जाता है कि वह डकैतों का इलाका है और जहाँ पर जनता को लूट लिया जाता है। यह इलाका न केवल उत्तर प्रदेश में है बल्कि

[श्री बबराज सिंह]

मध्य प्रदेश और राजस्थान में भी है। इस इलाके में जो लोग रहते हैं, उन्हें हमेशा ही यह खतरा रहता है कि उनको पता नहीं कब डकैत लोग आ कर लूट ले जायें या कब आकर उनको मार डालें। अभी एक सप्ताह की बात ही हुई है कि उत्तर प्रदेश के भागना जिले की बाह तहसील के एक गांव में ४० लोगो ने जिन के पास गैर-कानूनी हथियार ही कहना चाहिये, वे, लूट लिया और हथियार कर दी। रोजमर्रा कहीं न कहीं इस तरह की घटनाएँ होती रहती हैं। चम्बल के भास पास का जो इलाका है, उसमें भी इस तरह की घटनाएँ होती रही हैं। इस वास्ते आवश्यकता इस बात की है कि इन इलाको में रहने वाले लोगो के लिए सुरक्षा का इतिजाम होना चाहिए। ऐसे लोगो को लाइसेंस दिये जाने चाहियें जो इन इलाको में रहते हैं। इस बिल के कानून बन जाने के बाद भी ऐसे लोगो को लाइसेंस दिये जायेंगे, इसमें शन्देह ही है। जब भी कभी किसी को लाइसेंस देने की बात आयेगी तो सब से पहले लाइसेंस देने वालो के दिमाग में यह बात आयेगी कि जिन को लाइसेंस दिये जा रहे हैं वे कहीं ऐसे व्यक्ति तो नहीं हैं कि उनका सम्बन्ध किसी तरह से डकैतो से हो या उनसे किसी प्रकार से वे हथियार या ये एम्पुनिशन डकैतो के पास चला जायें और इस तरह से वे लोग इसका दुरुपयोग करे। मैं स्पिरिट में कम से कम इस बात को मानता हूँ कि इस तरह की व्यवस्था होनी चाहिए कि डकैतो के पास किसी तरह का एम्पुनिशन या हथियार न पहुँच जाय, लॉवन जो इतना बड़ा डिस्ट्रिक्शन आप लाइसेंसिंग प्रचारिटी को देते हैं, इस नाम पर कि शांति और व्यवस्था को कायम रखा जा सके, इस से इस बात का पूरा मौका हो सकता है कि लाइसेंस न दिया जायें। मेरा निवेदन यह है कि जब यह बिल भ्रमल में आयेगा तो जिस व्यक्ति के खिलाफ लाइसेंसिंग प्रचारिटी होगी, या जिस व्यक्ति के खिलाफ वह लोग होंगे जो रिपोर्ट करने वाले होंगे, खास तौर पर पुलिस के लोग, वह उस व्यक्ति को लाइसेंस

देने से इनकार कर सकते हैं। खास तौर के इसलिए कि इस बिल के बसाज १४ के सबबन्ध ३(२) में लिखा हुआ है

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यह एक बहुत ही विस्तृत चीज है और जब भी लाइसेंसिंग प्रचारिटी चाहे ऐसा वैसा कारण दे कर कह सकती है कि फला व्यक्ति को लाइसेंस नहीं दिया जायेगा।

भाषा की जाती थी कि कानून यह बनाया जायगा, कि आज़ाद हिन्दुस्तान का आज़ाद नागरिक अपने पास हथियार को रख सकेगा और अपवाद सिर्फ यह होगा कि जो ऐन्टी सोशल एलिमेंट्स हैं, जो इस तरह के लोग हैं जिन को हथियार नहीं दिया जाना चाहिए, और जिन की एक लिस्ट बनाई जायेगी, उन को हथियार नहीं दिये जायेंगे। लेकिन इतने बड़े इन्तजार के बाद भी हम देखने हैं कि आज भी छोटे छोटे अधिकारियों पर यह छोड़ दिया जायेगा कि वे जिसे चाहें हथियार दिलायें और जिसे न चाहें उसे न दिलायें। आखिर लाइसेंसिंग प्रचारिटी क्या होती है? वह इलाके के थानेदार से रिपोर्ट लेती है कि यह किस तरह का आदमी है। इलाके का थानेदार रिपोर्ट कर देता है कि यह आदमी इस प्रकार का है जिस से कि शांति भग होने का खतरा हो सकता है और शांति भग होने के खतरे के कारण लाइसेंस देने से इनकार किया जा सकता है। जब शांति भग होने के खतरे की कोई परिभाषा नहीं दी गई है कि किस तरह शांति भग होगी तो किसी भी आदमी के लिए, खास तौर से राजनीतिक आदमियों के लिए कहा जा सकता है कि उस को हथियार नहीं दिया जाना चाहिए क्योंकि यह राज जनसु विकासता है, सत्याग्रह करता है, जो वक्त की सरकार है उसे परेशान करने की कोशिश करता है और

उसके द्वारा शांति भंग होने का खतरा है। मैं निवेदन करूँगा कि मंत्रियों के दिमागों में यह बात हो सकती है कि जो उन के राजनीतिक विरोधी हैं उन से शांति भंग होने का खतरा नहीं है लेकिन जो लोग इस कानून को भ्रमल में लायेंगे, खास तौर से थाने के थानेदार हकिम परगना, जो कि लाइसेंसिंग अथॉरिटी होगी, या जिले के कलेक्टर, उन के दिमाग में यह बात स्पष्ट नहीं होती है कि राजनीतिक विरोधी क्या होता है। वे लोग यही सोचते हैं कि जो लोग सरकार के विरोधी हैं वही शांति भंग करने वाले हैं, और इन्हीं कारणों से बहुत से लोगों को लाइसेंस नहीं दिये जायेंगे। सिर्फ शांतिभंग होने के खतरे का बहाना ले कर, लाइसेंसिंग अथॉरिटी लाइसेंस देने से इनकार कर सकती है। मैं निवेदन करूँगा कि हमेशा यही चीज भ्रमल में धाती रहेगी कि जो राजनीतिक विरोधी है उन्हें हथियार दिये जाने की जरूरत नहीं है। यह चीज मैं बिना किसी आधार के नहीं कह रहा हूँ। अभी उत्तर प्रदेश के आगरा जिले में बड़ी हुई सिबाई दरो के खिलाफ एक आन्दोलन चला। उस आन्दोलन में हमारे कुछ आदमी जेल गये, और चूँकि वह उस आन्दोलन में जेल गये थे इस लिए हमारे एक साथी का जो पिस्तौल का लाइसेंस था उसे वहाँ के जिलाधीश ने इस कारण खारिज कर दिया कि उन ने जो वक्त की सरकार है उस के खिलाफ एजिटेशन में हिस्सा लिया। हमें इस तरह की व्यवस्थायें नहीं करनी चाहियें। हम सरकार के सैद्धान्तिक विरोधी हो सकते हैं। सरकार के लोग सोच सकते हैं कि किसी एजिटेशन सत्याग्रह की आवश्यकता नहीं है लेकिन जो विरोधी दल के लोग हैं वे यह सोच सकते हैं कि सरकार का यह दृष्टिकोण सही नहीं है किसी एजिटेशन में भी जनता की राय को बनाने के लिये यह आवश्यक है कि हमेशा शांतिपूर्ण सत्याग्रह होता रहे। मैं इस बात को मानने के लिए बैयार हूँ कि इस में सरकार का दृष्टिकोण दूसरा हो सकता है, लेकिन चूँकि सरकार का दृष्टिकोण दूसरा है इसलिए जो अधिकारी

होते हैं वे यह सोच सकते हैं कि अगर किसी ऐसे आदमी के पास लाइसेंस है जिस ने सत्याग्रह में हिस्सा लिया है, जो कि वक्त की सरकार के खिलाफ है, तो उस का लाइसेंस रद्द कर दिया जाना चाहिए। जो हमारा जनतंत्र आज कायम है उस में इस तरह की व्यवस्था कानून में नहीं होनी चाहिए। कोई जन्म निकालना है, जुनूस के लिये जिलाधीश कहता है कि उस से शांति भंग होने का खतरा है, और चूँकि शांति भंग होने का खतरा है इसलिए उस तरह के व्यक्ति को लाइसेंस नहीं दिया जाना चाहिए, इस तरह की व्यवस्था कर के आप कहते हैं कि इस कानून को लिबलाइज किया जा रहा है तो मैं कहूँगा कि यह तो हमारे जनतंत्र का बिल्कुल खात्मा हो जाता है। इसलिए मेरा निवेदन है कि जो इस विधेयक का क्लॉज १४ का सब क्लॉज ३(२) है जिस में कि शांति भंग होने के खतरे का उल्लेख है, उसे आप खास तौर से देखने की कोशिश करें। क्लॉज १४ के सब क्लॉज ३(२) में दिया हुआ है

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अगर इस चीज का रखना आवश्यक समझा जाता है तो इस में बहुत ही ज्यादा चेक्स लगाये जाने चाहियें। लाइसेंसिंग अथॉरिटी के हाथ में इन तरह के कोई अधिकार न हो जिन से कि चाहे जिम व्यक्ति को, चाहे वह राजनीतिक विरोधी हो या कोई और इस नाम पर कि शांति भंग होने का खतरा हो सकता है उसे लाइसेंस न दिया जाय।

मैं इस को मानता हूँ कि यह कह कर कि लाइसेंस देने के लिये प्रापर्टी कोई आधार नहीं होगी एक अच्छी बात की गई है। लेकिन इतना ही काफी नहीं है। मैं कहूँगा कि आज राज्य सरकार या केन्द्र सरकार कोई इस तरह की व्यवस्था नहीं कर सकती कि जिन के पास हथियार रहेगा उन के लिए कोई कानून बनाया

[श्री वज्रराज सिंह]

जाय। हथियार कौन रखेगा इस के लिये कानून हम बनायें यह मुतासिब और अच्छी बात नहीं है। हमें इस तरह का कानून बनाना चाहिए कि कौन इस तरह के लोग हैं जो हथियार नहीं रख सकते। आप कह सकते हैं कि ऐंटी सोशल लोगों के लिए ऐसा कह सकते हैं। लेकिन आज समाज विरोधी तत्वों की जो बात कही जाती है उस के भी बहुत ही मित्र मित्र माने लिए जाते हैं सरकार के मंत्रियों के दिमाग में समाज विरोधी तत्वों के लिए कोई अलग माने हो सकते हैं लेकिन जो आदमी इस कानून पर अमल करने "उन के लिए समाज विरोधी तत्व के लोग नहीं हो सकते जो कि रिश्वत लेते हैं, या जो हाकिम परगना कि पक्षपात का काम करने हैं बल्कि राजनीतिक विरोधियों को ऐसा माना जाता है। आज राजनीतिक विरोधियों को डायरिया रखी जाती है, आज हमारे यहां पुलिस के लोग रहते हैं जो यहीं देखने का काम करने हैं कि विरोधी दल की ऐक्टिविटीज क्या है, वे उन को नोट करते हैं कि आज उन्होंने यह जुलूस निकाला, यह भीमिंग की, यह प्रदर्शन किया। तो जहां तक समाज विरोधी तत्वों का सवाल है, उस का दायरा बनाने की जरूरत है। जो ब्लैक मार्केटिंग करते हैं, डकैती डालते हैं, चोरिया करने हैं, चोरी का सामान लेते हैं, चोरी करने में मदद करते हैं, इस तरह के लोगों को लाइसेंस न दिया जाय, यह मैं मान सकता हूँ, क्योंकि आखिर हमारा उद्देश्य आज क्या है? हमारा उद्देश्य यह नहीं है कि जो शांतिपूर्वक तरीके से अपनी रक्षा करना चाहता है उसको हम अपनी रक्षा करने से रोकें। आज देहातो की बात तो छोड़ दीजिये, शहरो में लोग आते हैं और दिन दहाड़े चोरिया करते हैं, आकर लूट ले जाते हैं। हमारे देश के पास आज पुलिस इतनी नहीं है जो कि हमारी रक्षा कर सके और पुलिस का पूरा इन्तजाम हो सके। वेने मैं मानता हूँ कि अधिक तादाद में हम पुलिस का इन्तजाम करने रहेगे तो हमारा रुपया बहुत ज्यादा खर्च हो जायेगा, लेकिन अगर वह हम कर भी दें तो भी मैं

इस को मानने के लिए तैयार नहीं हूँ कि जो भी पुलिस रहेगी वह हर एक व्यक्ति की रक्षा कर सकेगी। इसलिए कानून की तरफ से इस तरह के बैक्स न होने चाहियें कि जो व्यक्ति अपनी इच्छा के मुताबिक अपनी सुरक्षा करना चाहे उस की सुरक्षा पर कोई रोक लगे। अगर हम इस तरह का कानून बना कर इस सुरक्षा पर रोक लगाते हैं तो यह ठीक नहीं है। मैं मानता हूँ कि हमारा देश अहिंसा का देश है, न सिर्फ हमारे महात्मा गांधी जी ने हमें अहिंसा का पाठ पढ़ाया बल्कि उन से पहले महावीर और बुद्ध ने भी अहिंसा का पाठ पढ़ाया, ऐसी दशा में हम देश की जनता से क्या खतरा हो सकता है? हाँ, जो समाज विरोधी तत्व हैं उन्हें रोकने के लिए आप प्रतिबन्ध लगाइये, उन के लिए कोई कानून आप लाइये। इस पर हमें सिद्धान्त रूप में विचार करने के लिए तैयार रहना चाहिए। क्या हम कोई ऐसा इन्तजाम कर सके हैं जिस में हम लोगों से यह कह सकें कि हम बिना हथियार के रह सकते हैं? यदि नहीं, तो यह करना चाहिए कि यहां के लोग अपने पास हथियार रख सकें। ऐसी व्यवस्था आज नहीं है। यह एक ऐसी चीज है जिसे, मैं नहीं समझता, कि सरकार कभी स्वीकार करने के लिए तैयार होगी क्योंकि सरकार जो कुछ भी करती है तो पुलिस वालों से रिपोर्ट मांगती है और पुलिस वालों का दृष्टिकोण अभी बदला नहीं है। वे सोचते हैं कि अगर हर एक को लाइसेंस दे दिया जाता है तो हो सकता है कि उन के लिए बहुत ही मुश्किल हो जाय। लेकिन इस तरह का कोई खतरा नहीं है। फिर भी सिद्धान्त रूप में हम को इस पर विचार करना चाहिए।

इस के अलावा आप ने तीन माल का पीरियड रखा है। जहां तक तीन माल के पीरियड का सवाल है मैं नहीं सोच पाता कि इस तीन साल की क्या जरूरत है। एक साल में तीन माल कर दिया गया, यह अच्छी बात है लेकिन तीन साल की बजाय क्या यह नहीं हो सकता कि जब किसी को एक दफा लाइसेंस

दे दिया जाता है तो जब तक उस के खिलाफ कोई ऐसी बात नहीं आ जाती जिस से कि कानून की व्यवस्था की व्यवहेलना होती हो, तब तक उसे लाइसेंस को रिन्यू कराने की जरूरत न पड़े ? पहले साल में एक दफा लाइसेंस रिन्यू होता था, अब तीन साल में होगा । इस में यह होता है कि जो लाइसेंस रिन्यू करने वाले अधिकारी होते हैं उन की चांदी होती है । हर लाइसेंस को रिन्यू करने के लिए ५ ६० वे लेते हैं । आखिर इस तीन साल के पीरियड के बाहर हम क्यों नहीं जा सकते ? जब एक दफा लाइसेंस दे दिया जाता है तो जब तक उस के खिलाफ कोई ऐसी बात न पैदा हो जाये जिस की वजह से लाइसेंस नहीं दिया जाना चाहिए, तब तक उस लाइसेंस को कायम क्यों न रखा जाय ? तो मैं कहूंगा कि तीन साल की लाइसेंस देने वाली जो बात है उस पर विचार किया जाना चाहिए ।

इसके साथ साथ नियम बनाने का मवाल आता है । उसमें हमारी राज्य सरकारें जो नियम बनाया करती हैं और उन के जो नियम होते हैं वह एक अजीब तरीके के नियम होते हैं । कभी कभी सरकार की तरफ से आदेश जारी करने होते हैं और हमारे देखने में यह आया है कि इसमें खास राजनीति चला करती है और लाइसेंस देते वक्त सम्बन्धित अधिकारी खाली यही नहीं देखते कि अमुक व्यक्ति कैसा है और वह लाइसेंस पाने के योग्य है अथवा नहीं बल्कि लाइसेंस देने में पार्टीबाजी और राजनीति चलती है । कहीं कहीं पर तो ऐसा भी देखा गया है कि जो पार्टी पदाब्ध होती है जैसे कि कांग्रेस पार्टी है और कांग्रेस पार्टी में जो एक मिनिस्ट्रियल पार्टी है जिसके कि मिनिस्टर्स लोग होते हैं और कांग्रेस के अन्दर भी एक विरोधी पार्टी होती है और विरोधी पार्टी वालों को लाइसेंस नहीं दिया जाता है और मिनिस्ट्रियल पार्टी के लोगों को लाइसेंस दे दिया जाता है । इस तरह की बात चलती है । इसलिए मैं चाहूंगा कि प्रवर समिति को इस के लिए कोई उचित व्यवस्था करनी चाहिए, इस तरह की बात सोचनी चाहिए

जिससे कि राज्य सरकारें जो अलग अलग नियम बनाती हैं उनके सम्बन्ध में हम कोई ऐसी व्यवस्था कर सकें और कोई इस तरह के बैक्स लगा सकें जिससे कि यह चीज बंद हो सके ।

मैं यह मानता हू कि अब हथियारों के लाइसेंस देने में कोई प्रापर्टी अथवा जायदाद का सवाल नहीं रह गया है और अब यह चोख नहीं रह गई है कि जायदाद के आधार पर किसी को लाइसेंस दिया जायगा तो उसके कुछ सुविधा मिलेगी । इसके बावजूद भी इस तरह की बात हो सकती है और और भी बातें हो सकती हैं जिनके लिए कि कहा जा सकता है कि इस बात की सावधानी बर्तनी आवश्यक है कि कहीं समाज विरोधी तत्वों को तो हथियारों के लाइसेंस नहीं दिये जा रहे हैं ।

इसलिए मेरा कहना है कि जब सरकार का उद्देश्य आर्म्स ऐक्ट लाइसेंस सम्बन्धी नीति को लिबलाइज करना है, उसमें अधिक सुविधायें देना चाहते हैं और उस सम्बन्ध में एक उदार नीति बर्तना चाहते हैं तो सरकार को इस मौजूदा कानून में कुछ बहुत ही महत्वपूर्ण परिवर्तन करने पड़ेंगे और मेरा निवेदन यह है कि उन परिवर्तनों की तरफ प्रवर समिति को ध्यान देना चाहिए।

13:42 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

इसके साथ साथ यह जो इसमें ६ महीने की कैद की सजा की व्यवस्था की गई है और हालांकि उस मोरेल टर्गीब्यूड वाली बात कही गई है लेकिन यह भी ध्यान में रखना चाहिये कि मोरेल टर्गीब्यूड भी जो इसमें बात कही गई है तो आज भी मुल्क में बहुत से ऐसे लोग हैं जो कि ईमानदारी के साथ यह महसूस करते हैं कि मुल्क में जनतंत्र को सफल बनाने के लिए यह आवश्यक है कि जो भी अन्यायपूर्ण कानून हो उनका न सिर्फ सिद्धान्ततः विरोध किया जाय या सभाएं करके विरोध किया जाय बल्कि उन कानूनों

[श्री बजरज सिंह]

का विरोध उन को तोड़ कर और सजा भुगत कर किया जाये। अब भी ऐसे लोग हैं जो यह महसूस करते हैं कि यदि इस तरह का कानून बना कर हम ऐसे लोगों को जिनको कि इस बिना पर कि उन्होंने ससद् या किसी विधान सभा द्वारा पारित कानून को जिसको कि वह अन्यायपूर्ण कानून समझते थे और उस अन्यायपूर्ण कानून को तोड़ने के कारण जिनको कि सजा हो गई थी, उनको इस सजा हो जाने के कारण हथियारों का लाइसेंस देने से इंकार कर दिया जायेगा। हमें यह रेखा होना कि कहीं कानून के वर्तमान रूप में (हमें) से इस तरह की बात न हो जाये कि ऐसे लोगों को लाइसेंस देने से इंकार कर दिया जाये। इसलिए मैं चाहूंगा कि इस पर भी प्रवर समिति ध्यान दे और ऐसी व्यवस्था करे ताकि इस तरह की कोई विपत्ति दरपेश न आये।

उपाध्यक्ष महोदय, आपको याद है कि हमारी लोक सभा के माननीय अध्यक्ष ने अभी कुछ दिन पहले अपना यह विचार प्रकट किया था कि संसद् भी अगर कोई कानून बनाती है और उसके लिए कोई नागरिक यह महसूस करता है अथवा नागरिकों का कोई वर्ग यह महसूस करता है कि वह कानून अन्यायपूर्ण है, और यदि उनकी निगाह में वह कानून अनुचित और अन्यायपूर्ण है तो उस कानून को तोड़ने का उन्हें अधिकार है। मैं यहां पर अध्यक्ष महोदय का उदाहरण देकर उसके महत्व की बढ़ाना नहीं चाहता लेकिन मैं यह बात अवश्य कहना चाहता हू कि न सिर्फ अध्यक्ष महोदय बल्कि हिन्दुस्तान के बहुत से नागरिक यह महसूस करते हैं कि जनतंत्र को सफल बनाने के लिए जनतंत्र में हमेशा स्वतंत्रतापूर्वक और बिना किसी डर के हर एक को अपना विचार प्रकट करने की पूर्ण-स्वतंत्रता होनी चाहिये। इस तरह की बात जब तक नहीं सोची जायेगी तब तक हो सकता है कि जनतंत्र केवल एक पार्टी गवर्नमेंट अथवा एक जाति चुने हुए गुट का ही हास्यस्पद

प्रजासत्त बन कर रह जाये। इसलिए मेरा निवेदन है कि हम इसमें इस तरह की व्यवस्था करें जिससे कानून में यह पैक न रहे कि जो आदमी स्वच्छा से हथियार रखना चाहता है उसको हथियार न रखने दिया जाय। इसके साथ ही यह भी देखा जाय कि आज जो हथियारों का लाइसेंस देने में राजनीति, पार्टीबंदी और भ्रष्टाचार चल रहा है और जो पक्षपातपूर्ण रवैया बर्ता जा है कि जिस आदमी को भी लाइसेंस एगारिटी चाहे वह कलक्टर हो अथवा हाकिम परगना, उस आदमी को तो वह हथियारों का लाइसेंस दे देते हैं और दूसरों को नहीं दिया जाता है, यह पैक पैक हो जाये। लाइसेंस एगारिटी यह एक्सक्लूज लेकर और यह नियम बना कर कि तुम्हारे पास यह नहीं है और तुम्हारे पास वह नहीं है और या यह कि चूंकि तुमने श्रमदान नहीं किया है इसलिए तुम्हें लाइसेंस नहीं दिया जा सकता, मेरा कहना है कि यह दृष्टिकोण लाइसेंस देने के लिए अपना ना सर्वथा अनुचित है। अब जहां तक श्रमदान का सम्बन्ध है वह एक अच्छी और स्वागत योग्य चीज है लेकिन हथियारों के लिए लाइसेंस देने में श्रमदान की बात करना, यह तो श्रमदान का मजाक बनाना है। मैं तो यह कहूंगा कि लाइसेंस देने समय श्रमदान की शर्त लगाना यह तो उसी पुरानी परम्परा को जारी रखने वाली बात हो गई जब कि यही हमारे पुराने सरकारी अधिकारीगण लड़ाई के लिए चढ़ा देने पर जोर दिया करते थे और चढ़ा देने के लिए लोगों को मजबूर किया करते थे और जो लड़ाई में चढ़ा दिया करते थे उनको हथियारों का लाइसेंस दिया जाता था और आज हमारे अधिकारियों ने लड़ाई के चढ़े के स्थान पर इस श्रमदान को लाकर रख दिया और वह कहते हैं कि यदि तुम श्रमदान करोगे तो तुम्हें लाइसेंस दे दिया जायेगा

पंडित ठाकुर दास भार्गव (हिसार) :
कैश सेविन्स सर्टिफिकेट्स खरीदने के लिए कहते हैं।

श्री कवराम सिंह : जी हां यह कहा जाता है कि कैबिनेट सर्टिफिकेट्स खरीदोगे तो हथियारों का लाइसेंस दिया जाएगा। लेकिन मेरा इस सम्बन्ध में कहना यह है अच्छा काम और उद्देश्य अच्छे भावमियों द्वारा ही पूरा हो सकता है और उस काम को उन्हीं पुराने नौकरशाही के लोगों क्लकटर्स और हाकिम परगना से करवाना उचित नहीं है और आज जो भ्रष्टाचार फैला हुआ है उसमें अबसर उनके द्वारा झूठे सर्टिफिकेट्स दे दिये जाते हैं कि भ्रमक भ्रमक ने भ्रमदान किया है अबवा इतनी समाज सेवा की है हालांकि वे कभी समाजसेवा और भ्रमदान के निकट मटके तक भी नहीं हैं लेकिन बानेदार आदि को रिश्वत आदि देकर इस तरह झूठ लिखवा लिया जाता है इस लिए मैं चाहता हूँ कि इस तरह का कोई प्रतिबंध नहीं रहना चाहिये जिसमें कि ऐसे लोगों को जो कि गलत काम कर सकते हैं उनको इस तरह के गलत तरीको से इस तरह की झूठी रिपोर्टों के देने की बात हो क्योंकि ऐसा होने से अच्छे कामों की बदनामी ही होती है। मेरा निवेदन है कि प्रवर समिति इस पर गम्भीरतापूर्वक विचार करेगी और विशेष कर उन लोगों को जो कि उसके मामले गवाही देना चाहते हैं उनको गवाही देने का मौका देगी और उनका मेमोरेडम लेगी ताकि इस कानून पर अच्छे तरीके से विचार हो सके और उसके बाद प्रवर समिति सदन में गिनोटे रेश की जाय और सदन को पुनः उस पर विस्तारपूर्वक विचार प्रकट करने का अवसर मिले। मैं चाहता हूँ कि इस सम्बन्ध में कोई इस तरह का कानूनी प्रतिबंध न रहे कि वे हथियार नहीं रख सकेंगे असलता प्रतिबंध उन लोगों पर रहे जो कि समाज विरोधी तत्व होते हैं और जिनसे कि देश की सुरक्षा को खतरा हो सकता है। मैं आशा करता हूँ कि प्रवर समिति इन सब चीजों को ध्यान में रख कर इस पर विचार करेगी।

Shri D. C. Sharma: (Gurdaspur): Sir, I think this Bill has come twenty years too early. We should have had

this Bill in 1966 and not in this year. (Interruptions.)

An Hon. Member: It is forty years too early, then.

Shri D. C. Sharma: I think all the experience that could have been had by our Government, by the State Governments and by the public in the matter of working of an out-moded, colonial-time, Arms Act imposed upon a dependent country ruled by an alien Government, all the experience gained during the course of these years has been lost upon this Ministry and Government. We have not learnt anything from the working of that Arms Act during all these years. They have brought here a stereotyped Bill, a Bill which is as outmoded in the context of India's freedom as anything can be. My friend over there said he felt very unhappy. I feel distressed about the fact that the approach that has been made to this problem has been an entirely departmental approach and not an approach which is in conformity with the needs of the public or the urges of the people and the needs of a free India which is pulsating with new life of all kinds.

Sir, it has been said that this Bill is meant for the control of arms and ammunitions. I welcome it. But when I read these two phrases, arms and ammunitions, I think that these phrases were the grossest kind of unreality. You talk of arms and ammunitions in a country where we do not have any self-sufficiency so far as even ordinary arms are concerned and you talk of ammunitions in the context of a country where we have to depend for ammunitions of all kinds on other countries. I think here is a Bill brought forward by the Home Ministry where we are going to legislate for a thing that does not exist. We are going to have a Bill for things which may come about after 10 years or five years. I know we are making desperate attempts to have self-sufficiency in the matter of arms and ammunitions but I cannot understand why we should talk of control of something which does not

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exist very much, which exists only in a rudimentary form, which exists only in a form which is not very visible.

Sir, to say that this spirit of unreality prevails in the Bill one has to look at clause 2 of the Bill. Clause 2 of the Bill will show as if we are going to have this Arms Bill for a very progressive and up-to-date country like USSR, USA or UK, where the people have all kinds of arms and all kinds of ammunitions. But, whereas the definition of arms and ammunition has been made as wide as possible, as comprehensive as possible—of course, this must have been taken from some Act in some country—I must say that the whole thing shows that there is a big gap between the definition and the reality. I do not understand why the Home Ministry should have legislated for the unknown future without taking into account the known needs of today.

Another point I want to make is this. It has been said that this Bill follows a liberal policy. I do not understand what is the meaning of the word 'liberal' here. It would have been a liberal policy, I would say, if we should have made the possession of arms as easily possible as is desired in the context of our life today. But I find that the whole question has been approached from a negative point of view and not from a positive point of view. For instance, I would say that the Ministry should have sat down and analysed the needs of the people so far as these arms go. It should have asked itself one question. Who are the people that need arms today? I think if they had asked this question themselves, the whole of this Bill would have come to have some atmosphere of reality about it.

For instance, Sir, there are agriculturists living in remote villages who need arms. What have we done for them? You have thrown them to the mercy of the licensing authorities who are mostly urban minded.

An Hon. Member: Also wild animals.

Shri D. C. Sharma: Well, wild animals are not so bad as some human beings—I shall come to that later. Sir, I was submitting very respectfully that the first group of persons that should have been taken note of by the Home Ministry are these agriculturists who have to protect themselves against wild animals and against other things. I know how hard it is for them to get licences. I know it from personal experience. Do you mean to say that they have got greater facilities than before on account of this Bill? Certainly not. They remain stranded as before, and the talk about this liberalisation of the provisions of the Bill is a talk in the air.

An Hon. Member: It is going to the Select Committee.

Shri D. C. Sharma: The Select Committee will do it. That is why I am making these observations. Again, there are certain areas—my hon. friend over there referred to them—which are dacoit infested. My sister there also talked about those dacoit infested areas yesterday. There are dacoities going on in free India even now. Even yesterday. I read in the papers about some dacoit in U.P. being liquidated after his having committed some 200 dacoities. Dacoities are going on in U.P., in Madhya Pradesh and other parts of India. I want to ask one question. Does this Bill give any hope to those persons who are living in these dacoit infested areas? Certainly not. They are going to fare as ill as before. It does not give any relief to them. It does not liberalise the provisions for them.

Again, look at our border districts. All our borders are unsafe. There was a time when we used to think that our borders with Pakistan are occasionally unquiet but our borders with other countries are practically quiet. But I feel that now things have been moving in a direction, unfortunately,

by means of which, I would say, these borders are not quiet. I do not want to use any hard word. I only say they are not quiet. And, what do you think of the people who are living in those border areas? I belong to a border State. I come from a border constituency. I represent a border constituency. I have some idea about the people who live in these border areas. I understand their needs. When I go to Gurdaspur, Dera Baba Nanak and other places in the border districts, people say that they do not have any protection, they do not have any kind of fire arms and even if they want to get a licence for possessing arms they have to go so many miles and waste so many hours and days. They have to sit in the courts for such a long time. They tell me all these things. Have you taken note of the needs of these people in the border districts in this Bill? No. Because this Bill is a blanket Bill, and this Bill wants to lump together all the citizens of India in one bunch without taking into account their special needs or their special difficulties. I think no Bill could have been so out of touch with the realities as this is.

Again, I would say, there are some learned professions in our country, and I think the possession of a licence for fire arms will not be abused in their hands. Judges, advocates, teachers, lawyers, there are so many learned professions. . . .

An Hon. Member: Professors?

Shri D. C. Sharma: Professors are included in teachers. Sir, I was submitting very respectfully that you should have made it easy for the practitioners of these learned professions to possess arms. There are some advocates in my constituency, some teachers and other—this experience is not particular to me, it is the experience of all—in my constituency, and they have to stand the vexatious procedure, vexatious delays and the vexatious and irksome visits in order to get a licence. I would ask, why don't you make it easy for persons of this kind to get a fire arms licence?

Sir, you must have read in the papers that one of the States in India recently passed a Bill that invigilators who go to supervise examinations should be treated as public servants. Now, there are some persons in this world, in India, who have to perform duties which involve a great deal of risk to their lives. Teachers have sometimes to do that, invigilators have to do that, railwaymen have to do that and there are other persons who have to do that. Have you made it easier for them to get licences? Have you brought out one Bill, an Amrit Dhara, for all kinds of ailments, for all ailing humanity? If this is the panacea for all kinds of suffering people, I would respectfully beg to submit that this will not work.

14 hrs.

Shri Supakar: What about article 14?

Shri D. C. Sharma: I am coming to that. I would say that there are so many other types of persons who want that. But nothing like that has been done. I would say that the Ministry should have tried to have a survey of the population of India in terms of groups of some kind, some professions, in terms of geography or any other aspect and then said that these groups will get licences without any difficulty or trouble. In that case their licences will be something automatic. They will not have to go through all the procedures but nothing like that has been done. Why has it been done like this? It has been said that we have kept in view the overall demands of public security and the maintenance of public order. Public security for whom? Public order for whom? It is a negative approach. I want the Government to make a positive approach towards public security. Public security does not mean that you should try to limit the number of those persons. Public order does not mean that you should try to limit the number of those persons who are responsible. Public order means that every person who has not been found to be a disturber of the peace in any sense of the word, every person who

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has not been found to be a disturber of security in any sense of the word, should have the freedom to have the licences.

What is going to happen now in the light of the words 'public security' and 'public order'? Where is your public security and where is your public order in respect of the dacoits? From where do they get their arms? You have so many Inspectors-General of Police, this, that and the rest, and yet they get arms. What is your guarantee against the smuggler of arms? Your guarantees have proved to be futile. What are your guarantees against the manufacturer of contraband arms? You discover it too late in spite of your policemen and all your CID and in spite of special vigilance officers. You discover the mistake but you discover it too late. Even if you discover, your discovery is five per cent and not one hundred per cent, as in the discovery of other unlawful things that are happening. Therefore, if public security and public order have any meaning to the ordinary citizen of India, in free India, it will be this: will this Bill sit tightly over the manufacturer of contraband arms, over the smuggler of arms, over all those persons who use arms illegally? Will this Bill mean to them that they can have arms to protect themselves against such people?

What I mean to say is this. This Bill is not meant against the evil-doer; not meant against the wrongdoer. It is not going to make his position worse than before. But this Bill is meant to tighten the grip over the ordinary, harmless citizen of free India, and therefore, I think the whole conception of this Bill is obsolete and outmoded.

Again, the most important part of this Bill, the most operative part of this Bill is clause 44. As you know, we have some parts about theory and some parts which are practical. The clause that has to have practical connotation is clause 44. That is the operative part of this Bill. What kind of application have to be given?

What kind of licence should be applied for? These things come under the operative part of the Bill. I have gone through so many Bills here. I do not think I can refer to the Companies Act. Perhaps, when that Bill was brought in, it was a little more comprehensive than this Bill. I have not seen any Bill in which the operative part has been left out for the rule-making power of the Ministry. Why should not the Ministry give us appendices in which are shown samples of forms of applications for licences?

There is another thing. If you read clause 44, you will find that they have exhausted almost all the letters of the alphabet. Only a few have been left out. It begins with (a) and ends with (m). I feel that if all of them are taken together, they will supersede or exceed the alphabet. This is a Bill in which the ordinary citizen is interested. All these clauses are those in which the lawyer will be interested, and when there is trouble, when there is an illegal suit, he will have his say on these things. The ordinary citizen who wants to have a fire arm will be interested in clause 44. He wants to know what kind of application form he has to fill in, but all these things have been left out. Of course, the Government will say, "they will come to us". But everything comes to us. What is it that does not come to us? I would say that this thing should have been mentioned in the Bill, along with the other provisions, because this is the most operative part of the Bill. That has been left as vague as possible. I would say that in the case of these Bills, which have to deal with the masses, the people, the public at large, the skeleton of those forms and procedures should be given as part of the Bill.

For instance, we may pass a Bill and we may find that the rules will be very irksome, and then there may be a debate on the floor of the House and so on and so forth. This is a Bill where, apart from the head, the body

is important. The head is there, and it is important. But the body is left vague. It is a Bill with the head but with no body. I know what the head is. But I do not know where the body is. I say with due respect and due humility that in future the Government should kindly give us the details also so that we can pass our judgment more adequately on the Bill.

I now come to clause 13. In clause 13, it has been said that you can have a licence and all that. There are some friends of mine who have said that licences should be given in perpetuity whereas some other friends may say that the licence should cover 5 or 10 years and so forth. I would say that there should be some definite provision made for short-term licences. For those short-term licences, one should not have to go through all that irksome procedure. For instance, if a man is entrusted with some very important duty and he wants a licence for 3 or 6 months, he should not be required to go through all this irksome procedure. So, there must be some room for short-term licences. Of course, 3 years is not a bad provision, but I would say that it should be extended as much as possible.

Clause 16 provides that different conditions and different forms may be prescribed for different types of licences. There may be some justification for that, but I know what the executive will do so far as the different forms are concerned. There will be a plethora of forms and a surfeit of different types of licences and the ordinary citizen of India will be smothered under those forms and licences.

Clause 19 says.

"Any police officer, or any other officer specially empowered in this behalf by the Central Government, may demand the production of his licence from any person who is carrying any arms or ammunition."

I do not know what the definition of a police officer is. I do not know what is the rank of the police officer.

An Hon. Member: A constable.

Shri D. C. Sharma: My hon friend is a very fine advocate and he has given me a good hint. If I hold a licence and if I am to be at the mercy of every policeman, God save me.

This Bill follows the old rut and the old groove. I know what licences means today. They are a symbol of property; they are a symbol of authority and power. Persons who own lands show their fire-arms; they have their fire-arms swung over their shoulders, to show that they are men of property, who own lands. The possession of fire-arms is a symbol of class-consciousness, a symbol of money, wealth and all that. Has the Government done anything to see that the possession of fire-arms is not going to be something like that and even an ordinary citizen will be able to possess it? What do people do? Big landlords go about with pistols to frighten the poor landless labourers. You do not know that because you do not move about in the villages. I go about in my constituency and I know it.

I would say, make this measure a people's measure in the real sense of the word; a measure which is good for the people and I am sure the whole House will be with you in this.

Shri Naushir Bharucha (East Khandesh): The very fact that the Arms Act has substantially remained the same for nearly 80 years points to a need for altering it and revising it rather radically. The basic objective should be liberalisation of the privilege to bear arms, because bearing arms is the hallmark of an independent people. Apart from the fact that there is an aspect of sentiment involved in it, there are very substantial reasons which point to the fact that a measure of this kind should be really liberal.

It is true that the Government have to take into account both the sides and strike a balance, to make the Arms Act liberal to the extent that people will not find difficulty when they require arms in procuring the

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necessary licence and at the same time, see that the arms do not pass into the hands of undesirable elements, so that they might be used for creating disturbances, etc. But whatever the Government does, the fact will remain that there will be unauthorised arms. I was surprised the other day to read in some book that the unauthorised arms, particularly small arms, in America, were in such vast quantity that in fact that quantity exceeded the total issue of authorised arms. If in a country like America, where you have got such an efficient police force and such methods for detection, a thing like this could occur, let this House bear in mind that more or less similar conditions may occur in India. But in spite of that, there are causes and reasons which prompt us to liberalise this Arms Bill and I shall enumerate a few of them.

First, India is a country of villages and there is no police protection given everywhere. It is also impossible to give police protection everywhere. Today the position is, these villages are left to the mercy of marauders, robbers, dacoits, etc. and it is very necessary that some of protection should be given to the villages. In Bombay State, we have encouraged the formation of what are known as 'village defence parties'. I do not see any reason why, when we have gram panchayats, we should not take lead in the formation of village defence parties and why, as a matter of fact, arms should not be supplied to such village defence parties. I would go a step further and say, not only there should be no restriction in granting licences to village defence parties, but the Government should supply them arms at concessional rates. I go to that extent, because this should be a part of village defence organisation.

Secondly, we have remained unarmed for so many decades that we have become absolutely unfamiliar with the use of fire-arms. There was an amazing incident in Bombay. A Justice of the Peace procured a licence

for a revolver. His friend wanted to see it, but he said, "I have kept it in the Central Bank safety deposit vault, because it is a very risky thing to be kept." (Laughter.) We laugh at this incident, because we have been unarmed for so many decades that we are not familiar with it. It is very necessary now that people must be habituated to the use of fire-arms, even if we have got to take some risks. The only way is to liberalise reasonably the issue of fire-arms.

Also, let it be appreciated that if people become accustomed to the use of fire-arms, they will very well constitute a third line of defence. In a vast country like India, it is humanly impossible for anybody to be able to defend every portion of it by means of regular military forces. Our auxiliary territorial forces are only a fraction. Therefore, if at all—God forbid—any eventuality like war does occur and hostile forces have penetrated deep, it is conceivable that if the people in the villages have been habituated to the use of fire-arms, they can constitute a third line of defence in harassing the line of communication of the hostiles. I am looking at it from that point of view which deserves consideration—we should go in for greater liberalisation of the Arms Act.

Also, it should be appreciated that unless people get habituated to use of fire-arms for legitimate purposes your industry for manufacture of small arms will not develop. It is absolutely necessary to develop that industry, because ultimately a time will come, it should be properly appreciated, when the strategy of defence will have to be of a scattered type, more or less guerilla war tactics, it will come to that, though today we may not be inclined to accept that proposition. Therefore, I am of the view that in our country there should be established industries for manufacture of small arms and for this liberalisation of the Arms Act is very essential. Of course, as I said, there is the balancing factor, public law and order. This has to be

borne in mind at every step. It is against this background that we have to see the scheme of the present Bill which the hon. Minister has placed before this House

Broadly, the Bill divides arms into two categories—fire-arms and prohibited arms. Unfortunately, the definition of both of them requires many changes. If you see the definition, "firearms" has been defined as

"arms of any description designed or adapted to discharge a projectile or projectiles of any kind by the action of any explosive or other forms of energy"

Now "other forms of energy" will also include air, compressed air. That is one form of energy. Therefore, even an air gun will come under the definition of "firearms", which is certainly not what was intended by the hon. Minister

Then, if you see the definition of "prohibited arms" it says

"firearms so designed or adapted that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty, or"

That is all right. But then it says

"weapons of any description designed or adapted for the discharge of any noxious liquid, gas or other thing"

Therefore, even a water pistol, provided it is filled with some noxious liquid—it may even be dirty water and nothing more—then it will come under "prohibited arms". So, all these things should be looked into

Having put these two things into two categories, the hon. Minister tells this House that we have taken a more positive approach in the matter

of issuing licences by compelling the licensing authority that he shall grant licences under certain circumstances and for what licences should be granted. The licence will be for smooth-bore gun having a barrel of not less than twenty inches in length to be used for protection or sport or in respect of a muzzle loading gun for crop protection. But revolvers have been excluded, because Government feels that revolvers can be concealed and transported very easily and, therefore, difficult to detect. Therefore according to them, it will not be safe to permit people as of right, so to say, to have licence for revolvers. Now I do not understand why Government takes this view. We shall have to take certain risks, if you are going to make our people firearm-minded. That does not necessarily mean that they will be using firearms for illegitimate purposes. The position, as it stands today, is that all sorts of undesirable elements can have firearms but honest people, to whom protection must be given, are deprived of it. Even in cases where agriculturists *bona fide* need them, firearms have been denied to them. In this case it may be said that perhaps this will suffice their requirements. I say "No", when revolvers have been excluded. When dacoits attack a village, revolvers are far more useful than 20-mch barrel gun, because they can be fired in quick succession without refill. This type of protection must be given to the villagers. It is no use arguing that this weapon may be used for several undesirable purposes. That will perhaps inevitably happen. It will be very difficult to check it. But it is a risk that has to be taken and so I think the Arms Act would require to be liberalised in that direction.

There are two more things. One is this: I cannot understand the insertion of clause 4 in this Arms Act, which says that in certain cases for certain areas the Central Government may prohibit completely the carrying of any arms whatsoever. Possibly what the Government have in view is that there might be cases where trouble has started in some locality and they

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want this clause to be enforced there. But we have already got section 144, which serves the purpose quite adequately. For months together in Bombay city section 144 used to be promulgated for prohibiting the carrying of even pen-knives. What more does the hon. Minister want? Now under this clause the entire district can be prohibited from carrying any arms whatsoever, even pen-knives. Therefore, I submit that this clause is reactionary and should go.

Lastly, I have not been able to understand the penal provisions which have been inserted in clause 25. As you will see, all types of offences are lumped together, and it has been provided that they shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both. I submit that the offences are of varying seriousness and, therefore, separate punishments should be provided for them. There should be minor punishments for small offences, at the same time, providing very deterrent punishment for serious violation of the Act. I think the emphasis on penal provisions must be for unauthorised use of firearms or unauthorised acquisition of firearms.

I feel that the provisions of the Bill are not liberal enough and I hope that in the interest of the cause of self-defence and national defence the Joint Committee will make the Firearms Act still more liberal.

Pandit Munishwar Dutt Upadhyay (Pratapgarh): This Bill to amend the Arms Act has, of course, come after so many years, and now an attempt has been made to liberalise the provisions of this Bill, as has been stated in the Statement of Objects and Reasons to the Bill. There is no doubt that certain provisions have been made here, and they are very much welcome and very useful. They can be said to be on the side of liberalisation. Particular mention has been made of the needs of the cultivators and the rifle clubs for these

arms. They have recognized the need and have provided for appeal against refusal to grant licences. That is one provision which will be very helpful.

Of course, certain objections have been raised, with which I do not very much agree. My hon. friend, Shri D. C. Sharma, said that property distinction is still there. It is very wrong to say that landlords and zamindars are likely to get preference. As a matter of fact, if he had read clause 14, sub-clause 2, it is very clearly mentioned that the distinction is to go. It says:

"The licensing authority shall not refuse to grant any licence to any person merely on the ground that such person does not own or possess sufficient property."

As a matter of fact, that provision is already there. Now property is not going to be a criterion for getting a licence.

Then he referred to the rules. Of course, the rules are to be placed before both houses of Parliament and amendments can be made. If there are any mistakes in the rules they can be rectified. But an honourable member said that there should be scope for satyagraha. I could not follow that—people should have liberty to go in for satyagraha. But there, how this licensing process would be of any use, I could not at all understand, because satyagraha has nothing to do with arms. It is far away from it. It is just the opposite. I could not follow it, but at the back of it, it appeared that probably our hon. friend meant that the politicians might be roped in on that ground, that it might be used against the political parties which are against the ruling Party and licences may be refused to them on that ground. That was said also. But then this question of satyagraha, which has been emphasised twice, thrice and four times, has no relevancy in this context.

Then there was the question of corruption. There is no doubt that there are difficulties in the procedure and also there is corruption at times. I do not know how far this procedure that has been adopted by this Act would be helpful in removing these difficulties. But then attempts have been made, although I do not think that they shall be able to control very much this corruption in the procedure. Therefore, the chances of corruption, if they were there, could not be very much minimised.

The other objection that was raised is that it is mostly left to the licensing authority. I do not know what other procedure can be followed, unless, of course, you do not have licensing at all. You might distribute these arms free. Wherever you appoint some authority, I do not know how far you shall be able to assure that there would be no irregularity, there would be no difficulty, no trouble and no corruption.

Then, objection has also been raised on the point of special provision for certain areas. It may be that section 144 might be enough, but then there are certain occasions and there are certain times when you do require a certain amount of special provision. For that it may be used. It may be sparingly used. That provision will not be very much against the liberalisation process that has been alleged. But, really I do not very much agree with the claim, liberalisation, because there are certain points where this liberalisation has not gone very far.

There was one point that was raised about the definition of arms. I really find that the definition of arms has been liberalised than before. Formerly, the definition of arms, as stated here in the old Act, included firearms, bayonets, swords, daggers, spears, spearheads, bows and arrows and also cannons and all parts of arms and machinery for manufacturing arms. That is all. Nothing else could be added to it. Now in this definition, sharp-edged weapons will be likely to include so many arms which it

may not be the intention of this Bill to include under 'arms'. It says:

"'arms' means article of any description designed or adapted as weapons for offence or defence, and includes firearms,...."

That is all right Then—

"..... sharp-edged and other deadly weapons....."

The only redeeming feature is the words 'deadly weapons'. This might be interpreted to include so many sharp-edged weapons. Big knives also might come in that category. There are sometimes deadly attacks with knives. So, in old definition there was a limit but now here that limit can be easily crossed if the interpretation is extended liberally a little. I think that by this, the liberalisation of Arms Act is very much limited.

Then the other point that I want to mention and which stands in the way of liberalisation as a matter of fact is that there have been prohibitions against persons and also against arms. As regards persons, the prohibition has been that—clause 9.

"Notwithstanding anything in the foregoing provisions of, this Act....."

(i) "(a) no person,—who has not completed the age of eighteen years, or...."

I am leaving out sub-clause (ii) and am reading sub-clause (iii).

"who has been offered to execute under Chapter VIII of the Code of Criminal Procedure a bond for keeping the peace or for good behaviour, at any time during the term of the bond" shall require, have in his possession or carry any fire arm or ammunition;

We are quite familiar with the proceedings under section 107 of the Criminal Procedure Code. They are the most ordinary cases in the court. If there is any trouble, proceedings

[Pandit Munishwar Dutt Upadhyay]

under section 107 are started and very peaceful people are bound over so that there may be no trouble and the trouble is ended. It remains for some time and then the time is over. But even for these people if no licences are granted, I would think that there would be a number of people in the villages who would not be entitled to a licence. So, this provision very much restricts the process of liberalisation or the intention of liberalisation that has been alleged by the hon. Minister in this Bill.

Then, again—

"no person shall sell or transfer any firearms or ammunition to, or repair, test or prove any firearm or ammunition for, any other person whom he knows, or has reason to believe—

(i) to be prohibited under clause (a) from acquiring, having in his possession, or carrying any firearm or ammunition, or

(ii) to be of unsound mind.."

Of course. So, this provision that has been made here, I think, very much restricts the scope of liberalisation that has been alleged in this Bill.

Although it has been claimed there is liberalisation, I would submit that a number of provisions are here—I have mentioned only two just to save time—that stand in the way of liberalisation that has been alleged. My submission is that as it is going to the Joint Committee; it would be a proper occasion there to discuss these matters and rectify these mistakes so that really the liberalisation that has been claimed may be implemented.

Mr. Deputy-Speaker: Shri P. R. Patel.

A large number of hon. Members want to speak. I shall call the hon. Minister at three o'clock.

Now, the hon. Members would be very brief, I suppose.

Shri P. B. Patel (Mehsana): Sir, we know that the Arms Act has been a gift from the Britishers to us some 80 years back in the year 1878 and the gift was for rising against the British rule in our country. Some 80 years have passed and we are in the twelfth year of our independent rule wherein the sovereignty of the people is accepted and yet I do not see any change between the law that is sought to be repealed and the present Bill.

If we look up the sections of the present law and the clauses of the Bill, we find that the spirit is the same and there is only some sweet coating here and there in the wording. The licensing authority had the full privilege to refuse a licence. Here, under the Bill, the same authority will exercise the same privilege. There in the Arms Act so many things were included. Here also the same things are included and even the muzzle-loading guns are included in firearms under this Bill. It has been admitted that the agriculturists require these muzzle-loading guns for the protection of crops. Now, if that is admitted, why should there be any restriction at all in possessing a muzzle-loading gun? I can understand the agriculturist being asked to get the gun registered. But, I do not see any reason why the agriculturist should be asked to approach the authority. Today, the authority is the district magistrate. I have got many instances. In many cases, agriculturists ask for licences and it takes more than a year and as a general rule, the refusal is there. I know of cases where the agriculturists asked for renewal and before the expiry of the licence, they were required to hand over the muzzle-loading gun to the police thana, the licensing authority took more than a year to renew the licence and the result was, the gun was confiscated and sold away. There is not one case. There are many cases.

I would request the hon Minister to consider one thing. A muzzle-loading gun is not so deadly a weapon as could be used against the Government. We have got the latest type of weapons. So, I would request him to consider that the licensing of a muzzle-loading gun should be for life time. It may be revoked at any time if it is considered desirable in the interests of peace and order. The Government may know the number of guns possessed, because they would be registered as the licence is given. Unless the licence is revoked, they may be allowed to continue in possession of the gun. I say this for one purpose. In the villages, the villagers forget when the date expires. I have come across many cases where these persons have been prosecuted and their guns confiscated and sold away. I would like him to consider this very sympathetically and he will consider, I am sure.

I would like to press one thing. The agriculturists have to stay in their fields at night. We know that offences like cattle-lifting, damage to crops and even looting and so many things do happen. What is the protection to them? When we approach the authorities, they say, we cannot keep a police constable in every field. When we approach the authorities for licence, they are not well inclined. I would submit that if we are not in a position to give full protection to the agriculturists to stay in the farm at night, they should be allowed to possess arms.

I would submit that in proper cases, licences for rifles and revolvers also should be given to the agriculturists. There is no harm absolutely. In the twelfth year of Independence, if we do not trust our people who are our masters, what is to happen? I can understand, the Government has to consider so many things. Government has to maintain peace and order. Keeping all these in view, I would suggest that licensing in proper cases should be very liberal in the case of licensing of revolvers and rifles.

One thing hurts me. When we are amending the Arms Act, there is no amendment absolutely. I feel that. Because, all the sections that are in the Arms Act are only renewed in this Bill. There is no change absolutely. I would like to say to the hon Minister, when India was not free, there were so many other States in the country. We used to call them absolute monarchs and by so many other words. In those States, possession of M.L. guns was freely allowed. Licence was not required. I would cite to him some cases. In Baroda, everybody could carry a muzzle-loading gun. No licence was required. I would give another case. My hon friend is sitting just by me, the Thakore of Ghodasar. It was a small State of 27 villages. There also, no licence was required to possess muzzle-loading guns.

An Hon Member: Even in the villages.

Shri P. R. Patel: Everywhere. If after Independence, we are required to ask for licence for muzzle-loading guns, I think that is too much. We distrust our people. That is my feeling. I do not know why the ruling party has in its mind so much distrust for the people. Are the people going to revolt against the ruling party? Ours is a democratic State. If at all they shall be removed, they shall be removed in a most constitutional way. I do not think people are in a mood just to take arms and revolt against the present rulers. I feel that if at all we say that sovereignty lies in the people, then, naturally, it is rather desirable that we should trust our people and allow them to possess arms. I can understand registration of arms. I have no objection to it. I wish that all arms are registered. Let a Register be kept. I do not object to it. So far as these revolvers, rifles and such other guns, are concerned, they may be reviewed from year to year or after three years. That would be adequate. Why should there be a renewal for a muzzle-loading gun? That, I do not understand. It is not a harmful weapon, I would submit to the Government.

[Shri P. H. Patel]

In the end, I would say one word. The Bill is to go to the Joint Committee. The Joint Committee will consider the measure fully, I am sure. I would expect the Joint Committee to come out with a Bill which would give credit to our country. I know my district is on the border of Pakistan. Some day—God forbid—we shall be required to face some difficulties. If our people are not trained in arms, how are we to defend? I am of opinion, the Army comes later on, but the people there can defend the country. We should desire that our people should be so armed and they should be trained in the use of arms that they may be able to defend the country and obstruct any invasion of our country. Do we desire it? On the contrary, what do I find? People leaving the train and going to the village are robbed on the way. They cannot defend themselves because they are armless. The dacoits and robbers do not require any licence. They are good enough not to approach any authority for licences. They do possess guns. By having such a Bill, we are giving a long rope to the evil genius, anti-social elements and take away the protection of the civilised people, the law abiding people. So, I would submit that the Joint Committee might consider all these points.

Shri Ajit Singh Sarkadi (Ludhiana): Mr. Deputy-Speaker, Sir, I am glad that the Government has at long last felt that the Act of 1878 calls for repeal and replacement and has brought forward this Bill. But I cannot congratulate the Government for this because this Bill does not liberalise the provisions of the old Arms Act. The old Act of 1878 is a reminder of the slavery under which the country had been passing through. It is a lamentable relic of the foreign rule. It is rather unfortunate that it has remained on the statute-book for the last twelve years.

The Bill that is under discussion should have been on the statute forty

years earlier. I recollect that it was as early as 1918 that questions were put in the old Assembly that the old Act should be amended. In 1938, when Dr. Katja was the Home Minister, he laid down certain principles, which should form the basis of approach. While discussing Shri U. C. Patnaik's Bill to amend the Indian Arms Act of 1878, Shri Katju said as to what should be our approach to the new Bill, to which I would like to draw the attention of the hon. Minister. Shri Katju said as follows:

"I am quite willing to subscribe to the doctrine that the whole of this Arms Act, as my hon. friend, Shri Tek Chand said, requires reconsideration, revision and review. You may enact the same thing if you consider it desirable, but then the stigma which attaches to the Arms Act of 1878 will disappear. What is required really is that keeping in close view our national requirements, the requirements of the situation, on the one side the desirability that every citizen should have an opportunity for defending himself, and on the other, the desirability that peace should not be endangered—keeping everything in view, this Parliament should enact that law, so that people may feel that it is something our own which we have enacted."

Now, that should be our approach. I would like to categorise this approach in three parts.

The first point is the desirability that every citizen should have a right to defend himself.

The second point is that internal peace should be maintained in the country and that internal peace should not be endangered.

The third point is the national requirement. Keeping these three points in view, let us see how far this present Bill meets the situation.

It is an inherent right of an individual and a free citizen to be able to defend himself. All the legislations that we pass should be based on this right commensurate with the maintenance of peace of the country. This Bill, as it stands now, does not meet the situation. I find from the provisions of the Government Bill that it gives wide powers to the licensing authorities, even in respect of the smooth bore guns having a barrel less than 20 inches, to be used for protection or for sport. Likewise 22 inches bore rifle cannot be given unless certain conditions are satisfied. Section 13, as the hon. Minister was pleased to remark, is a mandatory provision allowing the licensing authority to give licenses in respect of certain categories. The result is going to be that those people have to pass through certain hurdles to get the licences. As my hon. friend Shri Sharma pointed out, it will not be difficult to prescribe certain procedures. If you really want to liberalise the provisions of the Arms Act, you should really eliminate these categories and the principle of licensing also, and there should be only registration. We have got such a system in the Western countries. I would not agree with the view that the indiscriminate grant of licences would endanger the peace of the country. I am not going to subscribe to that view. I originally come from a State in N.W.F.P. which was a part of pre-partitioned India. There in certain parts, no licenses were required for keeping arms, and persons who keep arms who endanger even for manufacturing arms. It is not the peace of the country. It is only the disarmed condition of the people and unlicensed arms that endanger peace. That is my feeling. From my experience at the Bar I can say, if you take the offences committed there, you find that the offences come from the unlicensed section and not from the licensed section. If any offences are committed by the licensed section, it would be due to provocation or some other reason. I would submit to the House that clause 17, sub-clause 3(b) nullifies the mandatory

provisions of section 13. It lays down that if the licensing authority deems it necessary for the security of the public peace to suspend or revoke the licence, he may do it at any time. What you give by one hand you take away by the other. This provision does not meet with the situation and does not liberalise the restrictions relating to arms.

The third approach which I suggested is the national requirement. The old Act was intended to enslave the people and to take away the fighting spirit in them. But now the national requirement demands that the people should be armed. In the present state of affairs in the world, with all the developments in war technology, in armaments and all that, you will concede that there is no line of defence now left. Then, the Armed Forces cannot be of much use. Future wars will be more in the nature of people's war. And it is not on the soldier but on the civilian that the duty will devolve to save his country. There should be a sort of resistance force for this purpose. And how can we have a resistance force unless the people are armed, unless they have practice in arms, and they know how to use the arms? And how can they learn to use the arms unless you give them arms freely?

15 hrs.

Therefore, my respectful submission for the consideration of Government and this House is that the exigencies of the time and the conditions now demand that there should be free arming of the people, so that they would be able to use the arms when required.

The restriction in clause 13 that it is only the members of a rifle association that can carry a .22 bore rifle or the restriction that nobody can carry a revolver or a pistol even is, I submit, a restriction which the present conditions do not call for. Therefore, I would submit that the present Bill does need drastic change

[Shri Ajit Singh Sarhadi]

It does not meet the situation at present. It does not keep in view the approach that Dr. Katju had laid down in 1953 as regards the shape of the Bill that was to be brought forward. The present Bill is not liberal at all, for, not only does it place restrictions in regard to the taking of the licences but it also empowers the licensing authority to revoke the licence at any stage.

So, from whatever aspect we look at this Bill, we find that it does not meet the situation at all. I am sure the Joint Committee will be well advised to liberalise this Bill to a very large extent and allow the people to carry arms or at least arms of a small kind.

Dr. M. S. Aney (Nagpur) The present Bill has been criticised and to some extent rightly criticised by some of the hon. Members who have spoken before me. But I wish to bring to the notice of the House one fact, namely that the motion before the House is to refer this Bill to a Joint Committee. And this motion gives an opportunity to the House to discuss the principles which should guide the Joint Committee in considering the Bill when it goes before them. From that point of view, whatever defects there may be in the Bill, if the broad principles laid down are touched so as to enable us to put all our suggestions before the Joint Committee, then there is no reason for us to despair. On the other hand, I would like to congratulate Government for having come forward before the House with a Bill of this kind.

You can imagine that the Act which is going to be amended or replaced by this Bill is of 1878. That is, more than eighty years have passed since that Act was passed. That Act was passed when we were subjects of a foreign people, the Britishers who were dominating over us. They made laws for certain purposes, and these Acts have been going on from those days till the present time. In fact, one of the grievances which I have

always been feeling against the present Government of the Union is that although nearly twelve years have passed since we achieved Independence, and we have been thinking of progress in all directions in this country, yet, on two points, I find that there is not the same enthusiasm to make progress as there is in the case of economic and other matters; and those two points are the question of defence and the question of arms.

I find that national planning commissions have been appointed which are exclusively confined to matters of economic upliftment of this country. Gradually, even the scope of that economic uplift has been so expanded as to include the question of education, health and everything else. But even in that broader conception of the uplift—I have tried to read through those reports—I find that there is not that same enthusiasm for the improvement of our defence and for the improvement of our people as a martial and a fighting people, people who will be capable of defending themselves in any emergency. I have found that loophole there; I have found that enthusiasm lacking all along in the progressive steps which we have been taking for all these years. Of course, I do not want to minimise the importance of those progressive steps. India has to make a march, and India has to come up to the level of other countries, and we have to adapt ourselves to the new economic and social ideas which are coming in. But none-the-less I cannot consider a country as sufficiently cultured, sufficiently improved, and sufficiently civilised if it is lacking in its arrangements for defence and it has not trained its people to protect themselves against odds internally, and also to repel the enemy in case the country is invaded.

The Arms Act had kept the country and its men permanently crippled, always dependent on the foreigners. They had to look to the foreigners

for their protection in case any difficulty came in. In fact, the Act of 1878 was an Arms Act which was there for the purpose of taking away the arms of the people and giving them arms only at the pleasure of the foreign government, whenever they wanted it and on such conditions as they had liked to impose. That was the policy underlying the Arms of 1878, and that policy has been going on from 1878 till this day. Therefore it was rather one of the major things which our Independent Government ought to have taken up in their hands as early as possible for amendment. But, I say, better late than never. I really thank my hon. friend Shri U. C. Patnaik for having awakened the conscience of our Government to an important matter of this kind by frequently putting questions, bringing forward Bills and doing a thousand and one things, and Government, though it may be a belated step according to the ideas of certain people, ultimately came forward to give the promise that they would in course of time bring forward a Bill to consider the whole question of an comprehensive amendment of the Arms Act, and the present Bill which is a consolidating Bill is placed before us for that purpose in accordance with that promise. So, Government have taken, in my opinion, a step in the right direction. If this Bill contains certain defects, it is for the Members of the Joint Committee to sit round the table and discuss the matter in the proper way, bearing in mind the two main principles which have been laid down in the Bill to guide them.

The main principles have been laid down very well by the hon. Minister in his speech while moving the motion for reference of this Bill to a Joint Committee. The first principle is that the Bill contains only the minimum restrictions necessary in the interests of the security of the country and the maintenance of public peace. So, Government's idea is to keep the restrictions to the minimum. It is

for the Joint Committee to see that the restrictions are kept to the minimum, or whether they can still reduce them to a lower limit for the sake of keeping the restrictions to the absolute minimum. It is within their power to do that. That is one of the principles. The second principle is that every effort has been made to protect the legitimate interests of all citizens in the context of the independent status of the country. India is an independent country. We claim to be on a par with all the civilised countries in the world. In fact, we feel proud that in spite of our being a new democracy, or perhaps one of the youngest democracies which has come into existence, we claim a certain status in the civilised world, and we claim a certain position in the world. We have to consider the status which the Indian citizens have acquired not only as citizens of India but as citizens of the world, a world which India is pledged to usher in, a world full of hope for peaceful men of the world to live hereafter. The Indian citizen is going to be a citizen of that kind. Are the restrictions put here consistent with the status of an Indian who is not a citizen of his own city, State or country even, but is a citizen of the world, who is going to be a citizen of the civilised world hereafter? That is the point we should think of. I have no doubt that the progressive ideas of the Members in the Joint Committee will be brought out in the deliberations very clearly and that the Bill will emerge as a more progressive measure than it appears now. There is no reason to be pessimistic about that.

The impression that the history of the evolution of the world has produced on my mind is that its progress has been measured by the progress it has made in the kind of arms from the earliest times to this day. The first age was called the stone age, and then came the iron and other ages and with that the history of evolution was practically over according to the theorist, but in reality it was followed by the age of gunpowder. It is also

[Dr. M. S. Aney]

going out and the age of scientific warfare has rushed in, and before it could become stable, the age of nuclear warfare has come in. The arms are making progress like this. In defining arms we should bear all these things in mind. What was a popular and effective arm yesterday may not be so today; what is arm today may not be tomorrow. In that way we have to look at the requisite quality of the article which is to be called an arm, and revise the definition from this point of view.

This country believes in the goodness of every man, that every man has something innately divine in him, that he is not possessed only of evil ideas. That is the presumption on which the entire democracy is based, and we have accepted it. We are making a bold effort to make a success of the largest democracy in the world by adopting universal suffrage. Our Arms Act should be so moulded as to make it clear that it is not mere theory, and that we are not afraid of arming our people in the same way as men are armed in other countries.

Therefore, in making this law we may keep before ourselves the arms law existing in the U.K., the U.S.A., and other civilised countries. I do not know what the law is in the U.S.A., but the hon. Minister must know something about it. Let us see the conditions under which arms can be had easily and without difficulty in other countries, and if there is some difficulty in adopting them, we can make some slight changes here and there. These general considerations may be borne in mind and the Bill may be approached from this standpoint by the Joint Committee.

I think the Government must be thanked for giving us an opportunity for giving due consideration to this question which has been a standing grievance for so many years. For fifty years and more the Indian National Congress had been crying every year that this Act must go. Now for twelve years we have been

an independent nation. At least now we should change it in such a way as to make the world feel that India not only wants peace for everybody else, and asks other people to live in peace, but has also got confidence in its own people. It does not mind the most dangerous weapons being possessed by its citizens. Of course, I do not mean to say that we should be reckless and not sufficiently cautious, because we know our own conditions, but as law-makers, as the accredited representatives of the people, hon. Members should approach their work in the Joint Committee in such a way that they make it a model Act. In this hope I give my support to the motion which has been moved by the hon. Minister.

Shri Supakar (Sambalpur): I feel that this Bill should have come before the House at least ten years ago.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Better late than never!

Shri Supakar: We feel that in the context of the crippling effect of the Arms Act of 1878, in view of the atmosphere of non-violence that has been prevalent in this country for about a century, in view of the danger our country is threatened with from its neighbours and the refusal at the same time of our Government to give an opportunity to organise a civil defence organisation in the country, the importance of a Bill like this cannot be over-emphasized.

Although the intention of the hon. Minister is very good and he claims that this Bill seeks to liberalise the provisions of the Act, there is reason to doubt how far the intention will succeed in practice.

In order to justify his contention that this Bill is more liberal than the existing Act, the hon. Minister put forward the argument that now firearms are being licensed, and so far as arms defined in clause 2(1)(c) are

concerned, there is only the restriction contained in clause 4, otherwise people are free to use them

It is also contended that the provision of licences as contemplated in clause 13 is very liberal inasmuch as it makes it almost obligatory on the part of the licensing authority to issue a licence, but what is given with one hand is taken away by the other, as you will find from clause 14 where certain very stringent restrictions are provided which will place the licensing authority in the same arbitrary position as he used to enjoy under the Act of 1878

I have compared this clause with the provision prevalent in other countries, especially the British law, but this provision which gives a very arbitrary power to the licensing authority will not be found anywhere else. I refer to clause 14(3) where it is stated—

"Where the licensing authority refuses to grant any licence to any person it shall record in writing the reasons for such refusal and furnish to that person on demand a brief statement of the same unless in any case the licensing authority is of the opinion that it will not be in the public interest to furnish such statement"

Sir this nullifies the advantage given to the applicant for a licence under clause 13 where there is a provision for appeal. Where the licensing authority furnishes absolutely no reason and says that for purposes of security he is refusing to give it and refuses to give anything in writing, then, what is the basis on which the aggrieved person can go in for appeal? So, if we compare this clause 14 with the provision in the original Act we will find that there is ample justification for the doubts expressed by some of the hon. Members of this House that the provisions of the present Bill are not at all liberal as compared with the original Act

I will place some points for the consideration of the Joint Committee, regarding this clause 14 which deals with the refusal of licences and on which there has been some debate. It is said

"(1) where such licence is required by a person whom the licensing authority has reason to believe—

(1) to be prohibited by the Act or by any other law for the time being in force from acquiring, having in his possession or carrying any arms or ammunition, or

(2) to be of unsound mind, or

(3) to be for any reason unfit for a licence under this Act, or

(ii) where the licensing authority deems it necessary for the security of the public peace to refuse to grant such licence"

These sub-clauses give more or less a subjective power to the licensing authority, and I do not know how far under these restricted conditions the appellate authority will be in a position to help the applicants for licence

Then there is a clause for the refusal of licence to minors or persons who have been convicted for offences involving moral turpitude and who have been sentenced to imprisonment for a term of not less than 6 months etc. I am referring to clause 9. It says

(ii) who has been sentenced on conviction of any offence involving violence or moral turpitude to imprisonment for a term of not less than six months, at any time during a period of five years after the expiration of the sentence, or

(iii) who has been ordered to execute under Chapter VIII of the Code of Criminal Procedure, 1898, a bond for keeping the peace or for good behaviour, at any time during the term of the bond."

[Shri Supakar]

The British law which is much more liberal than the law prevalent in this country provides some other restrictions. It does not grant licences to persons who have been under preventive detention and persons who have been sentenced to any kind of imprisonment for a term exceeding three months. There is no question of moral turpitude or violence because there are certain offences which justify the suspension of licence although they may not involve a question of moral turpitude. For example, there are those people who do offend against forest laws and those who destroy the wild animals recklessly because they possess certain licence. They are punished under the forest laws. That does not involve moral turpitude. In such cases, I would submit that more strict action should be taken against them. In order to strike a balance, I would submit that there should be more liberal granting of licences to persons who apply for them not merely because there is a necessity of the protecting their crops for food purposes but for the dire necessity that the country should be prepared

Mr. Deputy-Speaker: The hon. Member should conclude now.

Shri Supakar: I will conclude, Sir.

More and more persons should learn how to use arms. It is a necessity. There should be a more liberal grant of licences and those who commit offences against the Arms Act should be punished more severely as was submitted by my hon. friend Mr Bharucha.

Shri Eungang Suia (Outer Manipur—Reserved—Sch. Tribes): Mr. Deputy-Speaker, Sir, I had no thought or mind to speak anything about arms or defence because, before I speak, I have to confess to the peculiar conditions in which I find myself today. I being a Naga and though I am a Member of Parliament my sincerity is doubted and again being a member

of this House, my own people doubt my sincerity for the future good of the Nagas. That is why up to this time I have been keeping silent regarding arms and defence.

My own people are in rebellion. So, I thought it wise for me not to speak for defence. But, today the way the amendment is put before us and the way the Home Minister is praising his amendment by repeating the words 'liberalising' it hurts me like anything. It is very unfortunate to find that our Government is behind the times.

While speaking about this Bill, let me say something about the remarks made by one of our hon. Members. He said that Government is taking the right step. But I say Government is taking the wrong step or the slow step. Is it the time for us to talk about the question of restricting and liberalising the grant of arms licences to villagers? I do not think it is the right time. It is time for us to take action before legislation takes place. We have to see what other people are thinking or doing something against us from behind. We have to be careful. This is not the time for restrictions.

While the hon. Member says that it is the minimum amount of restriction I say it is the maximum amount of restriction. Let me tell you from my own experience. In 1949, I found that my gun was not suitable for my use. So, I exchanged that gun for a buffalo, and then applied for the renewal of my licence. What do I find today? I do not know where my petition is. It is 10 years now. Can I expect like the hon. Member who spoke—that the minimum amount of restriction will be there, I say, by putting the word minimum, it will be maximum restriction for the villagers.

Mr. Deputy-Speaker: But the buffalo is there.

Shri Eungang Suia: If my words are not parliamentary I beg pardon of the House.

Some hon. Members: They are parliamentary

Shri Kungnung Suiza: I feel it very much

I am a villager, though I am standing on the floor of this House. I am a person who works with my own hand and who produces crop and I find that the birds and animals destroy my crops, which I cannot bear it to see. It is not a man who lives in the town who needs not use of arms. But it is the man who works in the field and feeds the nation. He should have arms. Let us think of our economy. If I find that at least one-tenth of my produce are robbed away by wild animals and beasts. How can you expect me not to possess arms. You may not believe me but I am a hunter. This tip of my hand is a witness, I lost this tip while fighting with an animal, hand to hand. Wild animals, beasts and birds are so numerous that we cannot get all the products of our fields at the time of harvest. In July, August, oh, what an elevation of spirit we feel within our selves. We see our crops very good. We feel that there would be a good harvest next year but in October the animals and birds are there to eat them away. The statesmanship of India is regarded high in the whole world. But what do they want? Unfortunately, when I say this, I am not minimising the importance of others, but to speak the truth, we have to bow down to a small country like Burma in asking for rice. Is it not humiliation for us, for our leaders? Let us think of it.

An hon. Member has said that the arms of today may not be the arms of tomorrow. But I say to him with all respect: unless a man learns A, B, C how can you expect him to pass the Master's course. It is impossible. The arms of tomorrow will be the improvement of the models we use today. Unless we know how to use the arms of today, how can we use the arms of tomorrow, can we wait for them? We are living today, not tomorrow,

and we have to train the people of tomorrow from today. Today is what we have done yesterday and tomorrow will be what we do today. That is the way we should look at things. Now, let me come to the amendment before us. Is this the way to do things? Do you think that the Government is in advance of the times or behind the time I say? It is far back way, behind the time. We are speaking here again and again. But Pakistan has determined against our stability. We think that our army will defend. I am not a soldier technically. But practically I am a soldier. In 1944, I was caught in the War. I marched from Kohima to my village, between two armies. I was with the soldiers and I know what is the tactics of hit and run policy and how to embarrass and how to demoralise the army. We have found the use of the small arms and the Infantry are the ones who win the battle. Do you think that our army can defend our borders? No, I do not think. You may not agree. I do not know if we have to use nuclear weapons, I am not an expert in that field. But so long as you are not going to use them, what is to be done? I say that our army should not be used or should not be taken as the machinery for defence. It should be the machinery for training the population and we shall find the use of small arms most useful. That is the way we have to take things. We have to face facts. The facts stare straight into the face. Unless we teach our people to use arms, these ordinary arms, how can we expect them to go and defend their freedom and not to go back and bend on their knees like this. (Laughter.)

Mr. Deputy-Speaker: Order, order. He may be a villager. There are certain principles that must be observed here. He cannot walk away and act like this. It is only what he speaks that is to be recorded and not other things.

Shri Kungnung Suiza: I beg your pardon, Sir. It hurts me. We have to see facts as they are. From the

[Shri Rungsung Suva]

national point of view, we have to encourage the villagers to use arms. We must give them arms at concessional rates, if we cannot give them free. How can you expect them to defend your freedom and learn to defend theirs? You use the police in defending the villages now but if you give arms to the villagers, they will defend themselves. Let us give arms to the villagers in place of police, how can we provide police to defend the villagers, let them defend themselves. Then let us say to the villagers: "you feed your own stomach; nobody is responsible to feed your stomachs". If so, then you have to defend your crops. For that you must buy arms and use them. We should say: even if you cannot buy the arms and pay the price, we are going to give you arms at concessional rates and the amount may be paid after two or three years. Can we not do this? Is it too hard? I ask this question very sincerely. Instead of going to foreign countries and asking for rice, can we not ask our villagers to protect our rice crops and feed the people? We have to see things from the practical point of view. A person who has got to learn things from books only can say impractical things. If the question of starvation comes, when the question of the protection of our freedom comes, when the question of our defence comes, when it is a question of the defence of our country, it is not the Parliament which will defend but it is the villagers who will do it. They are eighty per cent of the people and they will defend the country. I say that the Government must realise the facts as they state us in the eyes and not in the face. What are the conditions today? If we go on only making eloquent speeches on this and that, and changing from this section to that section, I am sorry to say that the time will be too late for us.

Some Hon. Members rose—

Mr. Deputy-Speaker: The hon. Minister. I am sorry I cannot call any other hon. Member.

Pandit Thakur Das Bhargava (Hisar): Sir, I want to speak only for two or three minutes.

Mr. Deputy-Speaker: The hon. Minister may take 20 minutes. At 4.00 we have to take up another discussion.

Shri Datar: He may be given three or four minutes, Sir.

Mr. Deputy-Speaker: All right.

पंडित ठाकुर दास भार्गव: जनाब डिप्टी स्पीकर साहब, इस मौके पर मेरा इस धार्म्स ऐक्ट के डिटेल्स में जाने का कोई सवाल नहीं था। मैं हाउस को एक बात याद दिलाना चाहता हूँ। जब महात्मा जी ने एक चिट्ठी लिख कर एक प्रपोज के हाथों उस वक़्त की गवर्नमेंट के पास भेजी थी तो उसमें जो सब से बड़ी शिकायत उन्होंने की थी वह कि उस गवर्नमेंट ने हिन्दुस्तान को इस धार्मिक कर दिया और इस तरह से सब को एनस्लेव कर दिया। महात्मा जी का मशवा कि मुल्क की पार्लियामेंट में जो पहला कानून बने वह धार्म्स ऐक्ट को मसूख करने वाला हो।

मैं स्विटजरलैंड में गया तो पता चला कि दुनिया की कोई ताकत पिछली बड़ी नडाई में स्विटजरलैंड की तरफ इसलिये ध्यान उठा कर नहीं देख सकी कि वहाँ २४ घंटे के अन्दर मुसल्ला मर्द और औरतों की पांच लाख फौज तैयार हो सकती थी।

जब हम अपना कास्टीट्यूशन बना रहे थे तो, मैं हाउस को याद दिलाना चाहता हूँ हम फंडामेंटल राइट्स में राइट टु विअर धार्म्स को भी शामिल करना चाहते थे। लेकिन उस वक़्त की गवर्नमेंट के यह कहने पर कि धार्म्स ऐक्ट में उसका लिहाज रखा जायेगा, हमने उस राइट को फंडामेंटल राइट्स में शामिल नहीं किया। मैं प्रदव से अर्थ करना चाहता हूँ कि गवर्नमेंट ने जो बिना

बनाया है उसके बारे में कोई बात शिकायत नहीं करना चाहता क्यों कि हमारा और उनका एक ही प्वाइंट आफ व्यू है। लेकिन मैं ज्वाइंट कमेटी के लिए यह प्रार्थना करना चाहता हूँ कि वह इस बिल को इस लिहाज से देखे कि हम राइट टु विन्नर आर्म्स को फंडामेंटल राइट्स में शामिल करना चाहते थे।

आज हम जब बंगाल की तरफ देखते हैं तो पाते हैं रोज हाउस में यह शिकायत की जाती है कि दो सौ पाकिस्तानी हमारी सरहद बँधे और लोगो को लूट मार कर चले गये। इसी तरह से हम आगरे और मुल्क के दूसरे हिस्सों के बारे में पढ़ते हैं कि डाकू आते हैं और लोगों को लूट कर चले जाते हैं और वह उनका कुछ नहीं बिगाड़ सकते। एक अच्छी गवर्नमेंट इसका यही इलाज कर सकती है कि राइट टु विन्नर आर्म्स को फंडामेंटल राइट्स में शामिल कर दे। मैं चाहता हूँ कि आजाद हिन्दुस्तान में हर शख्स, जो आर्म्स रखने का हक होना चाहिए।

सन् १९४६ में हम कांग्रेस के मेम्बरो के पास जो बीस बीस तीस तीस माल से आर्म्स बँधे उनको उस वक्त की गवर्नमेंट ने जब्त कर लिया था क्यों कि वह समझती थी कि वह पब्लिक इंटेरेस्ट में नहीं है कि हम आर्म्स रखें। मैं चाहता हूँ कि यही बरताव यह सरकार उन लोगो के साथ न कर सके जो कि कांग्रेस के नहीं हैं। मैं चाहता हूँ कि हर हिन्दुस्तानी को आजाद हिन्दुस्तान में आर्म्स रखने का पूरा हक होना चाहिए।

मैं चाहता हूँ कि इस बिल को इसी प्वाइंट आफ व्यू से देखा जाये। मैं और कुछ नहीं कहना चाहता।

Shri Datar: Mr. Deputy-Speaker, Sir, I was happy to find that there is a considerably large measure of support. . . .

An Hon. Member: Opposition.

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Shri Datar: Let the hon. Member wait—... to the principles enumerated in this Bill, and also a growing sense of appreciation that Government have gone to a very large extent. I was surprised to find an hon. Member suggesting that the system of licensing should be done away with altogether. Another hon. Member suggested that radical improvements should be made in the provisions of this Bill.

I was prepared, Sir, for my hon. friend opposite, Shri Easwara Iyer's criticism that this Bill do not contain any improvements on the provisions of the Act of 1878. That was all that I expected from him, inspite of the fact that there are a number of substantial improvements. But may I tell you, I was not prepared at all for the very unfortunate and unrealistic criticism of my hon. friend, Shri D. C. Sharma. He complained that we did not take into account the realities of the situation. May I point out to him that his approach was academic in the wrong sense of the term, was highly unrealistic, because on a number of points he had not cared to note what the Bill has provided for.

I would like to tell all hon. Members that in the case of this Bill as also in respect of other Bills we take considerable pains. We consult the State Governments. We have also the advantage of the opinions of a number of private bodies. Only after considering all those things we have brought forward this Bill. It is perfectly open to the Joint Committee to make improvements as they deem fit. Therefore, I am prepared to point out to this House that on a number of points where highly constructive suggestions were made, the Joint Committee will look into the cases regarding these points with as much zeal as possible, because these things have got to be properly looked after.

I was happy, Sir, that a number of hon. Members including our elderly leader Dr. Aney pointed out the other side of the picture from the one that was painted, or over-painted, by

[Shri Datar]

certain hon. friends opposite and certain other hon. friends here also under a possible misapprehension. All the same, I should like to make a very short reference to some of the points that the hon. Members have raised.

Now, so far as the definition of the word "arms" is concerned, there was considerable misapprehension due to the fact that the Bill proceeded on the principle that ordinarily a licence will have to be required for firearms. There are, as I have already pointed out, circumstances like emergencies or otherwise, as I have explained, where it would be necessary to control the use or the exercise of all arms. That is the reason why the general definition of the word "arms" had got to be given.

But my hon. friends do not look at the substantial change that we have made, namely, that the question of licensing has been confined normally only to firearms. That is a point which ought to have been appreciated by the hon. Members. But that question was slurred over and, unfortunately, a wrong interpretation was put in. I made it very clear that ordinarily only licence would be required for firearms, but when an emergency arises then, perhaps, the Government will have to control, as I have stated, the use of all arms. That is why the word "arms" had to be defined in the manner that it was done. I have also pointed out that domestic articles have also to be excluded. That also is a factor which has to be duly appreciated.

Certain hon. Members made reference to some other sections, and they stated that we did not go as far as we ought to have gone. In this connection, a prominent reference was made to clause 9. So far as clause 9 is concerned, it deals with the classes or categories of what can be called, prohibited persons for the purpose of grant of arms. In clause (9) (1) (a) (ii) it has been made very clear that every conviction passed against a

person or every sentence that he has undergone does not *ipso facto* constitute a prohibition. We have put in very important expressions which ought to be duly noted. It will be found that in sub-clause (a) (ii) it is said:

"who has been sentenced on conviction of any offence involving violence or moral turpitude.."

Violence is a factor which, all would agree, has to be eschewed altogether. Therefore, violence has been put in. Moral turpitude also has been duly included here. Barring violence, barring moral turpitude, if there are any other convictions naturally they would not come under the mischief of this particular clause.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Otherwise all of us will be disqualified.

Shri Datar: Otherwise, as my hon. friend says, all of us will be disqualified. It is also stated here: "for a term of not less than six months".

Another hon. Member suggested that often-times securities are demanded, bonds have to be filed by a number of persons under the security provisions of the Code of Criminal Procedure and so on. Therefore, they suggested that we might further relax the provisions of the next sub-clause. Unfortunately, my hon. friend or friends who made a reference to this did not read the words in sub-clause (iii) which reads as follows:

"who has been ordered to execute under Chapter VIII of the Code of Criminal Procedure, 1898, a bond for keeping the peace or for good behaviour, at any time during the terms of the bond."

The last phrase is to be noted, namely, "at any time during the term of the bond." After the term of the bond has expired, *prima facie*, they would be

eligible for consideration and therefore, if these words are duly taken into account, they would see that all persons who have been bound over at some time in the dim past would not necessarily come within the mischief of prohibited persons, because the disqualification has been confined to "any time during the term of the bond". So, the difficulty that was felt or the misapprehension that was experienced by certain hon. friends is, I am afraid, entirely out of place.

Some hon. Members further contended that nothing has been done for agriculturists. So far as the agriculturists are concerned, we are anxious that as large a measure of grants as possible should be given to them. My friend Shri P. R. Patel has made out a case about the muzzle loading guns. That is a question which requires examination. I should like to go into it as early as possible.

Secondly, a number of hon. Members contended that the licensing authorities were only urban-minded and could not look after the interests of the rural population.

Shri Rungsung Sukra: It is a fact that cannot be denied.

Shri Datar: May I request the hon. Member to wait for sometime? It is true that till now we had the old Act of 1878, with rules made here and there. They were not full. Therefore, the Government have brought forward this Bill and proper rules will be made.

Another hon. Member, possibly Shri D. C. Sharma, went into a rhetoric over a number of clauses wherein rules have to be made. I wish the hon. Member had been here, and I wish he had read what we have stated about the delegated legislation. We cannot take away from the Bill those essential provisions or points or principles which have got to be included in the Act or the Bill. It has been clearly stated in the note which the hon. Member ought to have read: "These are either matters of procedure

or matters of administrative detail...". If we go beyond the scope of such a delegated legislation, then you are there to check up the whole matter and you are there to look to the interests of the House also.

May I, in this connection, further point out that whenever rules are made—and the rules, as I have stated, are confined only to details—it would not be proper and it would not be in conformity with the dignity, if I may say so, of the Bill that all the rules as to how much stamp has to be fixed, what is going to be form of application, etc., are to be mentioned. Such rules cannot be naturally included in the body of the Bill. They have to be mentioned only in the rules themselves.

Again, I may point out, as you are aware, a healthy convention has been evolved in this respect and clause 44(3) mentions as follows:

"All rules made under this Act shall be laid for not less than thirty days before each House of Parliament as soon as may be after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following"

Therefore, if the rules are made, the rules would be placed here and they would be subject to the scrutiny of all hon. Members of the House. So, it should not be said that anything has been reserved. Even assuming it is so, the rules are further subject to the full scrutiny of the hon. House and if the House so decides, it can also amend or revise the rules. Therefore, I would submit that there is no point so far as this matter is concerned.

I have dealt with most of the points. I have only one point more. The Government cannot accept the position that arms can be got merely for the asking. My hon. friend Pandit Thakur

[Shri Datar]

Das Bhargava wanted to have such thing included as one of the fundamental rights. That was not accepted by the Constituent Assembly at all. Now, every man, every citizen of India, is entitled to hold arms, is entitled to possess arms and use arms subject to the conditions that have been laid down in this respect.

In this connection, may I point out that the rules that we have made and the provisions that we have followed in this respect are generally on a par with similar rules and provisions in other independent countries.

Shri Easwara Iyer: No, no.

Shri Datar: They are to a large extent, we have also added on a number of occasions new provisions. We have introduced new provisions so as to bring them in line with modern currents of thought so far as the legislation in various other countries is concerned. Therefore, I may submit again that this is a liberalising measure. This is a measure where the number of restrictions that have been put down are to the lowest necessary limit. That limit has to be maintained and that limit cannot be forgotten. After all, even apart from our personal, fundamental rights, we have the obligation, the most sacred obligation, of looking after the security of the nation and maintaining law and order. Whatever some other friends may say, that is the most fundamental and primary duty of Government. So keeping all these things in view, what we have done is, as an hon. Member rightly pointed out, we have tried to follow the golden mean, and the golden mean, if I might suggest, is more on the side of giving larger rights to the people than on the side of putting in more restrictions.

Sir, I commend the Bill.

Mr. Deputy-Speaker: The question is—

That the Bill to consolidate and amend the law relating to arms and ammunition be referred to a Joint

Committee of the Houses consisting of 45 members, 30 from this House, namely—

Shri Upendranath Barman, Shri Missula Suryanarayanamurti, Rani Manjula Devi, Shri Bibhuti Mishra, Shri Mohammad Tahir, Dr. Gopalrao Khedkar, Shri Chhaganlal M. Kedaria, Shri M. K. M. Abdul Salam, Shri R. S. Arumugam, Shri Vidya Charan Shukla, Shri K. R. Achar, Shri Mathew Maniyangadan, Shri Bakt Darshan, Shri Jagan Nath Prasad Pahadia, Shri Raghubir Sahai, Shri Ansar Harvani, Shri Devanapalli Rajiah, Shri Bangshi Thakur, Shri Radha Charan Sharma, Shri Satis Chandra Samanta, Shri Ranbir Singh Chaudhuri, Shri Harendra Nath Mukerjee, Shri K. K. Warior, Shri Mohan Swarup, Shri Shambhu Charan Godsora, Thakore Shri Fatesinhji Ghodasar, Shri Uma Charan Patnaik, Shri Atal Bihari Vajpayee, Shri Shankarrao Khanderao Dingo, and Shri B. N. Datar.

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.

The motion was adopted.

*Purchase of Railway
Sleepers from
Abroad at Higher
Prices*

15-58 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission I want to announce a slight change in the order of Government business for tomorrow, Friday, the 24th April, 1959. The discussion on the report of the Commissioner for Scheduled Castes and Scheduled Tribes for 1957-58 will be taken up before taking up the resolution regarding the recommendations of the Railway Convention Committee.

Shri Braj Raj Singh: Sir, may I submit one thing. The Minister of Parliamentary Affairs usually announces such changes. But the Members who are not present here now will not know that the report of the Commissioner for Scheduled Castes and Scheduled Tribes will come up tomorrow. Certain Members who might like to participate in the discussion of the report may not be available tomorrow. So, this aspect may be kept in view for the future.

Shri Satya Narayan Sinha: Tomorrow, if at all it comes, it will be discussed for an hour or so. Tomorrow, half the day is non-official day, and naturally, it will be carried over to Monday. Six hours are allotted to it. Unfortunately, it has become necessary to make this change, because the Railway Minister has got a very important conference tomorrow—the Railway Users' National Consultative Committee—and the Minister and the Deputy Ministers will not be free. Otherwise, we would not have inconvenienced the House that way. This is a very minor change. It does not matter. After all, in any case, the major portion of this discussion will take place on Monday.

16 hrs.

Shri Kaswara Iyer: The hon. Minister must understand that it takes a lot of time to study the report and be prepared. So, suddenly putting it up tomorrow is rather inconvenient.

Shri Satya Narayan Sinha: It is a very minor change.

Shri Kaswara Iyer: It is not a minor change.

Mr. Deputy-Speaker: The change itself is not minor. The discussion on the Report of the Commissioner for Scheduled Castes and Scheduled Tribes is very important and a very large number of Members are interested. They should have prior notice; so, a change made in that certainly is a matter of concern to the Members. But as has been explained, some necessity has arisen and then again, most of it would be discussed on Monday. Perhaps a Member or two might have chances tomorrow. Therefore, that explanation, I think, is enough and that should satisfy hon. Members.

Shri Braj Raj Singh: Did the Minister of Parliamentary Affairs not know about the Railway Users' Consultative Committee meeting to be held tomorrow formerly when he announced the order of business?

Mr. Deputy-Speaker: The Minister of Parliamentary Affairs might not have known it; it might have been known to the Railway Minister. That should not surprise hon. Members.

**DISCUSSION RE. PURCHASE OF
RAILWAY SLEEPERS FROM
ABROAD AT HIGHER PRICES**

Shri Vidya Charan Shukla (Baloda Bazar): Mr. Deputy-Speaker, ever since it became known to the House that we have been obliged to purchase and import large amounts of railway sleepers from abroad, the House has been very much interested to know how such a situation arose, because we have got a large amount of potential supply of timber at home. We are also equally anxious that henceforth we should not spend even a penny on the import of any railway sleeper from abroad. From the common sense

[Shri Vidya Charan Shukla]

point of view, it would appear that we should be not only self-sufficient in regard to wooden sleepers, but, on the other hand, we should have been exporting railway sleepers, because we have one of the largest forest wealth in the world.

Until recently, we never imported any railway sleeper from abroad for our use; all the requirements of our railways were met from indigenous sources. After the second Five Year Plan was initiated and was being implemented, a large amount was provided for the railways for expansion, because they were supposed to carry manufactured goods, raw materials, etc. The present difficulty whereby we have to import railway sleepers worth Rs. 15½ crores from abroad arose mainly because sufficient planning and forethought had not gone into this problem and because of which we were faced with an immediate problem. If we had not imported these railway sleepers, our railway expansion programme could not have gone through. It was mainly because of the needs of the railways for the Second Five Year Plan that we had to import sleepers worth Rs. 15½ crores. When I say sleepers, I include wooden as well as cast iron and steel sleepers. It is not hard to realise that if this money of Rs. 15½ crores was properly capitalised in a working plan to develop our forest resources, we could have not only met our requirements of railway sleepers in the Second Plan from this working plan on the development of forests, but we could have enough confidence to look to the third Plan, where the requirements of sleepers would be much larger than they have been now.

In the third Plan, we hope we will not again face such a difficulty, where because of immediate requirements, we will have to purchase sleepers at whatever price they are available all over the world. The railways' requirements are not so uncertain as say, requirements of food, where because of famine conditions

and other things, we have to rush for supplies to overcome immediate difficulties. The requirements of the railways are known fairly in advance. We have been facing the sleeper difficulty since 1950-51 and actually we have begun importing sleepers from 1955-56. If proper planning and thought had gone into it, we could have easily avoided this.

This question of import of sleepers from abroad has to be examined from three points of view: firstly, whether the import was necessary at all; secondly, what penalty we have to pay because of the lack of planning and the emergency under which we have to import these sleepers and thirdly whether these sleepers were purchased from the cheapest source or not. Several times it has been stated that sleepers were in short supply in our country. We have a very strong feeling that proper and intensive efforts have not been made in the country to procure the necessary supplies. Otherwise, all the quantities that the railways need could have been easily procured inside our country and we would not have been obliged to import sleepers from abroad. Proof is lent to this strong belief by the fact that the railways were able to step up their procurement of wooden sleepers in the country from 11 lakh sleepers in 1951-52 to 23 lakh sleepers in 1955-56. Surely, this was not the saturation point. If we had continued our efforts in right earnest, we would have been able to procure the sleepers very easily from our own sources.

As a matter of fact, in 1953, the Railway Minister addressed a letter to all the State Chief Ministers and solicited their fullest co-operation to maximise the supply of sleepers from their respective States. In the reply sent by the Chief Ministers and other Ministers of State Governments, they pointed out two factors which were generally responsible for railways not getting sleeper supplies from those States. The first reason given by the State Governments was that the costly

accessible areas of the forests have been worked already and they thought it was necessary to go into the interior remote and untapped forests for more supplies. The second reason is the present ceiling rates fixed by the railways are not enough, because if the timber is converted into other things, it fetches higher prices.

After getting these two reasons from the State Governments, the Railway Board did not take any action to remove those difficulties. They refused to revise their ceiling prices they have fixed for procuring sleepers from Indian suppliers and State Governments.

The attitude the railway adopted can easily be described as penny-wise and pound-foolish, because this mentality has very amply been demonstrated by the deal the railways had with the Kerala sleeper suppliers from west coast. While rejecting the offer of the sleeper suppliers of the west coast, the Deputy Minister, Mr. Ramaswamy, gave this reason that if those prices quoted by the west coast suppliers were accepted, that would have disturbed the equilibrium of prices obtaining in the country, because they demanded Rs 20.50 nP whereas the Kerala Government had fixed the rate at Rs. 18 and odd. So, they refused to purchase sleepers from west coast suppliers. But it is surprising that after one year, they placed huge orders for the supply of wooden sleepers from abroad, on which the railways had to pay Rs. 32 per sleeper at the Indian ports. This Rs. 32 c.i.f. cost does not include the port handling charges and the Indian customs duty. Because of this purchase we have been obliged to pay Rs. 9 extra per sleeper, and that too entirely in foreign exchange. It is absolutely impossible for us to understand why the Railway Board preferred to pay Rs. 9 extra to the foreign suppliers per sleeper and why did they not think of purchasing the sleepers offered by the west coast suppliers, even though they were slightly higher

than the agreement rate of the Railway Board with the Kerala Government. I have certain figures which I have taken from the Estimates Committee and, according to my calculations, if Rs. 9 extra has been paid for each sleeper the amount of loss would be at least Rs. 1½ crores to the Exchequer, and that too entirely in foreign exchange.

Even if our timber was not of a superior variety, even if it was not as good as the Australian timber, we should have gone for it, because we have not been importing Australian timber or Australian sleepers for ever. We have got to continue or proceed with our work with our own sleepers. The cast iron and steel sleepers which have been imported are more costly. Each cast iron sleeper costs Rs. 57 to Rs. 68 c.i.f.

The Deputy Minister of Railways (Shri Shah Nawaz Khan): They will last longer.

Shri Vidya Charan Shukla: These sleepers will last for 60 years, but they cannot be used in places where there is salinity. There are several places where these sleepers cannot be used. All over the world wooden sleepers are preferred to iron sleepers, because the trains run much better on the wooden sleepers than on cast iron sleepers. Cast iron sleepers have not been taken by preference; they have been taken by other countries because wooden sleepers are not available in the market.

Mr. Deputy-Speaker: The trains would run on rails or on sleepers?

Shri Vidya Charan Shukla: Sleepers are the things on which the rails rest.

Mr. Deputy-Speaker: Trains run on the rails and not on the sleepers.

Shri Vidya Charan Shukla: The trains run on the rails and the rails run on the sleepers.

Sardar A. S. Saigal: Let us have technical opinion on this!

Mr. Deputy-Speaker: Is it from Madhya Pradesh?

Shri Vidya Charan Shukla: My point is that if the railways had been paying competitive prices for wood and timber in the markets of our country, we would never have been required to import wooden sleepers from abroad.

The price of sleepers began rising from 1946 or 1948 and the railways had good control over the market till 1955. Their procurement was constantly increasing. After that their procurement began falling and, at the present day, their procurement of wooden sleepers is much less than what it was in 1956-57. All this prove that if the railways were willing to pay the market price which was obtaining then, that is to say, the price demanded by the suppliers, they could have easily avoided the import of sleepers by paying Rs 9 per sleeper extra.

In this connection, it is relevant to quote the Estimates Committee's observations. They have observed:

"The Committee are not convinced that the country's forests cannot meet a major portion of the requirements of the railways"

This observation was made by the Estimates Committee while they examined the shortage of railway sleepers in their track renewal programme.

The second angle from which we have to view the import of sleepers is the amount of total loss we have suffered on account of these imports and whether part of it could not have been avoided. A statement laid on the Table of the House on 17th February regarding the programme of importing wooden and metal sleepers into the country for meeting the requirements of the railways for 1958 says that approximately five lakh wooden sleepers of various gauges are expected to be imported into India in 1958-59

from Australia and Burma. And the difference in price, as I have already said, is Rs. 9 per sleeper.

We are now anxious to know from the Railway Minister how much more wooden sleepers or cast iron or steel sleepers we are going to import whatever we have imported till now, is that all, or we are going to import more and, if so, how much more are we going to import and at what price.

The third angle from which we have to examine this question is whether we purchased the sleepers from the cheapest sources. Some questions were raised about the Brazilian offer but the Deputy Minister replied in a very short sentence that it had a very interesting and long story. Then he concluded by saying that a lot of allegations were made and they were found to be false. We have no knowledge of that story. We would like to know what that story was, what type of offer was made from Brazil and what happened to that offer. It was conceded that the offer made by the Brazilian suppliers was the lowest. It was lower than the Australian and other offers from countries from where we purchase the sleepers. Probably they were not found suitable for our purpose. We would like to know what happened to that offer.

Another important point is this. What attempts are we making to increase our own supply of sleepers from our own country. Generally, there are three or four measures which, the railways have been repeating, they are taking to increase the indigenous capacity from our country. The first thing that they often say is that they are trying the exploitation of inaccessible areas hitherto untapped. Secondly, they often say they have begun accepting a number of non-durable species of trees. The third measure is the relaxation of size specifications etc. Fourthly, they are increasing the cast iron sleeper manufacturing capacity in the country.

Now let us take these points one by one. Firstly, we would like to know how many square miles of hitherto inaccessible forest areas have been opened up by the efforts made by the Railway Ministry, where are these areas and how many wooden sleepers have been obtained from such areas which have been opened by the efforts made by the Railway Ministry. Secondly, we would like to know what has been the specific increase in the number of railway sleepers as a result of acceptance of non-durable varieties of woods for the railway sleepers and since when this has been introduced. When I was going through the report of the Estimates Committee, and also going through the proceedings of Lok Sabha, I came across a question in which it has been stated that after this order was passed to accept non-durable and softer wood for use as railway sleepers, the receipt of such wood by the railway treatment plants has actually been reduced. That means that the railways were getting a greater number of softer wood and non-durable quality woods for making railway sleepers four years back than they are getting now.

The main reason here again is that the Railways have not agreed to pay the competitive price in the market to obtain their supplies. Personally I do not feel that these efforts could have produced any tangible results mainly because they did not strike at the root of the problem. The whole base of the effort of the Railway Ministry is struck off when they refuse to pay reasonable prices which are demanded by the State Governments. The State Governments would be willing to undertake large-scale exploitation of their forest resources if the Railway Ministry were to enter into long-term contracts with them and pay them the price.

The Minister of Railways (Shri Jagjivan Ram): Which State Government?

Shri Vidya Charan Shukla: State Governments of the country.

Mr. Deputy-Speaker: Which one in particular?

Shri Vidya Charan Shukla: This Report of the Estimates Committee says that all the 20 State Governments, that is, before re-organisation, had a conference and they all indicated to the Railway Ministry that if proper long-term contracts were entered into with them and if they were given the prices they wanted, they could have increased their supplies. I shall come to a specific instance, that of Bombay Government, and shall try to show how the un-imaginative dealing of the Railway Board resulted in stopping supplies completely from Bombay State.

Dr. M. S. Aney: What price did they ask?

Shri Vidya Charan Shukla: All those figures have not been given in the Estimates Committee's Report.

The Railway Board also appointed a Timber Adviser, who is a very competent and a very experienced officer but the total receipt of wooden sleepers in our country, which was 60 lakh cft. in 1955-56, after these earlier mentioned steps were taken by the Railways and after all these earlier mentioned special efforts were initiated by the Railways the supplies went down to 50 lakh cft. Instead of increasing from 60 lakh cft. they have come down to 50 lakh cft. of timber in 1957-58. I do not know what is the present situation, whether the supplies are increasing or they are still decreasing.

The Estimates Committee again pinpointed this problem in its Twenty-seventh Report. They have observed thus—

"The Committee considers that the question of prices which seems to be a stumbling block in the way of getting more sleepers should be amicably settled between the representatives of the Railways and of the State Governments. The Committee are not

[Shri Vidya Charan Shukla]

convinced that the forest resources of the country cannot meet a major portion of the requirements of the Railways "

I am sure every hon. Member of this House will agree with the observations made by the Estimates Committee

I will now come to the instance of the dealing of the Railway Board with the Bombay Government. An *ad hoc* committee was formed to go into the question of wooden sleepers' supply from Bombay State. It was set up by the Railway Board under the chairmanship of Shri C. R. Ranganathan, the then Inspector-General of Forests, with the Chief Conservator of Forests, Bombay, and two other officials of the Central Government. The Bombay Government earlier had informed the Railway Board that if the wood of the other variety were exploited and treated as suggested by the Bombay Government, the present target of 3,58,000 sleepers could be increased up to 6 lakh sleepers. The House will note that these negotiations between the State Government of Bombay and Government of India broke down on the score of prices only. These negotiations took place in May 1956 and the Railway Board did not agree to pay the price demanded by the Government of Bombay. The Chairman of the *ad hoc* committee was compelled to drop the departmental supplies of wooden sleepers from Bombay. It is, therefore, surprising that the very next year of the refusal by the Railway Board to pay slightly higher than the conventional price to the State Government of Bombay, the Railway Board placed a very big order at much higher prices with the foreign suppliers of wooden sleepers. I have already said that the price that the Railway Board has paid at our port comes to Rs. 32. I do not have the exact figure. But, I suppose the price demanded by the Bombay Government was Rs. 21 per sleeper.

Here, I again emphasise that all efforts, however good-intentioned

they may be, are bound to fail unless the realities of the situation are taken into account, and the Railways agree to pay the reasonable and prevailing market price to the State Governments so that they can increase the exploitation of their own forest resources and increase the supply of wooden sleepers to the Railways.

The expansion of the railways in the Third Plan has to be very immense to cope up with the economic growth that we are planning. If the supply of the basic construction material is not ensured from now on, we will again face the same difficulty we have faced now. It will be of much greater magnitude and we may have to pay a greater price for it.

I will suggest a few correctives which could be taken up and it might save us future difficulties. The first essential is that we must immediately try and approximately formulate our tentative requirements of railway sleepers up to 1967, that is, the remaining two years of the Second Plan and the five years of the Third Plan. It is only after we have tentatively calculated our requirements, that we can prepare a big working plan which can be taken in hand with the co-operation of the State Governments which are interested in co-operation. The Railway Board could put Rs. 10 or 12 crores along with the investment made by the State Governments and they could develop the forest resources, make roads and open up inaccessible forest areas. It may be calculated how much of railway sleepers this type of effort will yield.

Moreover, the capacity in the Ordnance factories, other railway workshops and other factories in the country can be increased to produce more cast iron sleepers. Previously, we had difficulty in obtaining supply of pig iron. After the steel mills in the public sector have gone into production, we will have ample supply of pig iron. A great deal of supply of cast iron railway sleepers can be obtained in this manner.

There has also been a suggestion that the Railways should examine the question of using cement sleepers. There is a great deal of difficulty in doing so. It has been pointed out that the Railways in France are using this. Here, we have got some climatic and temperature differences and it may not be possible to use the same type of sleepers as in France. If a different kind of mixture is made, may be, we may be able to use cement sleepers also. This might also help to obviate the difficulty.

The other thing that has been suggested is the creosoting plants, the number of which we must increase. These creosoting plants are used to treat inferior varieties of wood to make them usable and increase their life. If these plants are set up in each zone of the Railways, we will be able to utilise such timber which is not at present serviceable as far as sleepers are concerned.

The situation at present is not very satisfactory. I wonder, in spite of all that we have imported from foreign countries, what are the arrears in track renewal at present. According to the report of the Estimates Committee, 7,500 miles of track is in arrears of renewal at present. It has not been renewed. Eight hundred and ninety-eight miles of track has been put under speed restriction for safety reasons. That is, it is dangerous to run trains on those railway lines at a high speed because the track may be damaged because of that. It is most distressing, Sir, to find that the position today has not improved in respect of sleepers' supply position. Various questions have been answered in Parliament by the hon. Minister and the hon. Deputy Minister of Railways. But we find that there has not been any fresh thinking in this regard. We would like to know as to what plans they have formulated to ensure adequate supply of sleepers for our railways in the future.

My last point is this. The purpose of my raising this discussion in the House will be fulfilled if the hon. Rail-

way Minister will give his categorical assurance that apart from whatever orders have already been placed for the supply of sleepers from abroad, henceforth not a single sleeper will be imported from any foreign country for use in Indian railways. If he is really earnest and serious about solving this problem, then, I am sure he will be able to give this categorical assurance.

Mr. Deputy-Speaker: I find that there are six hon. Members who want to speak. I will allow 10 minutes each. The hon. Minister will require half an hour. Now, Mr. Kodiyam.

Shri Kodiyam (Quilon—Reserved—Sch. Castes): Whenever the question of supply of sleepers for our railways is raised in this House we are being told that the country is in short supply of wooden sleepers. Now, Sir, nobody denies the fact that the indigenous sources of supply would not meet the entire requirements of the railways in respect of wooden sleepers. But here the question is this. Are the Railways utilising the available resources in the country to the fullest extent possible? In reply to a question asked on the floor of the House, the hon. Deputy Minister of Railways stated the other day that they are taking all steps to increase the supply of indigenous sleepers. What do we find now? We find that in preference to indigenous sleepers, sleepers are imported from outside, from the foreign countries. As has already been pointed out by my hon. friend, Shri Vidya Charan Shukla, in preference to Kerala timbers Australian sleepers were imported. The reason for rejecting the offer of Kerala merchants, we were told by the hon. Deputy Minister of Railways last time, was that the price demanded by the merchants was slightly higher than the ceiling rate. Now, instead of purchasing those sleepers from Kerala, the Railway Ministry imported them from Australia. If the freight charge and also the transport charge from the landing port to take the sleepers to the various work-spots are added to

the f.o.b. price it will come to about 1½ times the cost of Kerala's timbers.

Shri Jagjivan Ram: And what is the quality of the Kerala sleepers? Its life is only five years whereas the life of the Australian sleepers is about twenty years.

Shri Kadiyan: As for the quality of the Kerala sleepers, the hon. Deputy Minister stated last time that that was inferior to the Australian sleepers.

Shri Jangda (Bilaspur): Much inferior.

Shri Kadiyan: I cannot understand why there is this rush for foreign sleepers. When we are badly in need of foreign exchange and when we are facing difficulties in getting foreign exchange, why should we unnecessarily rush in for foreign sleepers and thus spend a considerable amount of foreign exchange?

The hon. Deputy Minister in reply to a question stated that the indigenous supply of wooden sleepers was declining. He has stated that the procurement of wooden sleepers in 1951-52 was 11 lakhs; in 1952-53, it was 16 lakhs, and it rose up to 23 lakhs in 1955-56, but from the next year onwards, it began to show a decline; in 1956-57 it was 20.6 lakhs, and in 1957-58 it was 19 lakhs. What are the real reasons for this decline? Have the Railway Ministry examined this problem and analysed the reasons for this decline?

Of course, the hon. Minister stated last time that the impact of the Second Five Year Plan and the increasing demand for timber for other construction works has its effect on the supply of wooden sleepers. That may be correct to a certain extent. At the same time, I would like to ask the hon. Minister what steps have been taken by the railways to increase the indigenous supply.

Apart from the question of steps being taken by the railways, I have to point out one other thing. We have

a considerably large area of forests in our country. Nearly 22 per cent of the land surface of the country is covered with forests. And our forests can be favourably compared with any other rich forests in any other foreign country. Even then, we have had to depend upon foreign countries for the import of timber. It is a pity that we have had to do that. If we want to become self-sufficient in the matter of timber, we have to develop our forests. And the State Governments are trying to develop their forests in their own way. But the development of forests is a very difficult problem. The regeneration, rejuvenation and renovation of the forests require a large number of trained technical personnel. Also, it requires a large amount of money. So, unless the Central Government come into the picture, unless the Central Government come forward with a co-ordinated and well-planned programme to help the State Governments to develop the forests in their areas and also to grow valuable timber like teak in new areas, this problem cannot be solved. Of course, this may not be the responsibility of the Railway Ministry. But I take this opportunity to urge the Central Government to understand the importance and urgency of the problem.

So far as the Railway Ministry are concerned, I would suggest that they must draw up a long-term plan; they must, in consultation with the State Governments, assess the real potential of forests in each of the States, and to what extent each State can supply or meet the requirements of the railways. If such a long-term plan is worked out, and if a long-term agreement is entered into with the State Governments concerned, I think most of these difficulties can be overcome. Unless such a long-term agreement is reached, there will be no coordinated, consistent exploitation of our resources. Therefore, I would request the hon. Railway Minister to consider this suggestion seriously.

The hon. Minister has rightly raised this question of the quality of the timber. I do not think that all our timber is inferior in quality compared to foreign timber. Of course, we have some inferior varieties also, but the question is how we can utilise the inferior varieties. There are inferior varieties of timber, but they can be made use of by properly treating them with proper preservatives. So, if we have enough number of creosoting plants in our country, the supply of wooden sleepers can be increased.

16:41 hrs.

[Mr. SPEAKER in the Chair]

So far as my own State is concerned, we have one creosoting plant now in Olavakot which is working to full capacity, and in two shifts. The requirements of that area itself cannot be met by that plant alone. One more plant is urgently needed in that area. Therefore I would request the hon. Minister to find some money to get a new creosoting plant, and to locate it somewhere near Calicut where there is a large number of timber yards.

Shri Jaganatha Rao (Koraput): For each State there should be one

Shri Kodiyan: I agree that less each State must have such a plant.

It is stated that since the beginning of the Second Plan up to the end of February this year we have spent Rs. 15.5 crores on sleepers including steel sleepers. I do not have the break-up for wooden sleepers. It might be a considerable amount. If a small portion of the foreign exchange that we spend on importing sleepers is used for buying creosoting plants, I think we can increase the indigenous supply of wooden sleepers, and it will help to a great extent in achieving self-sufficiency in this respect.

The last point that I would like to stress is that the procedure in regard to the purchase must be made as simple as possible. On account of technical or procedural defects there

must not be any delay and the offer of sleepers should not be rejected on that account alone. Every single available sleeper must be made use of by the Railway Ministry because we are in such dire need of wooden sleepers and if we can increase the supply of wooden sleepers by taking corrective measures it will save valuable foreign exchange. It will not only be beneficial to the railways; the railways will be giving a fillip to the timber industry of the country also.

When the Kallai timber merchants' offer was rejected and when a slump was feared by the merchants, we took keen interest in the matter, and the M.Ps. from Kerala State belonging to all the parties approached the hon. Minister because it is a vital industry in our State. Thousands and thousands of workers are employed in that industry. About 5,000 workers are employed in the Kallai area alone, apart from the workers engaged in the forest department of Government. That was why we took keen interest on the subject. Therefore, I would earnestly appeal and request the hon. Minister to consider these suggestions seriously. I hope the hon. Minister would take corrective measures to save the situation.

Mr. Speaker: Shri Maniyangadan; and then I will give an opportunity to Shri Ramaswamy.

Shri Maniyangadan (Kottayam): Sir, I am glad to throw my weight with my hon. friend on the other side in demanding that the question of wooden sleepers, especially from Kerala, should be considered very seriously. My hon. friend referred to the recent refusal of the Railways to purchase sleepers from contractors in Malabar. Subsequently, all the Members from Kerala met the Railway Minister in a deputation and the Railway Minister was good enough to hear us and to accede to the demand. I take this opportunity to thank him for the kindness shown by him.

Now, the Kallai timber yard is reputed to be the second largest timber

[Shri Maniyangadan]

market in the world (Interruption). More than 25 per cent of Kerala is forest, and a large quantity of timber, both hard and soft, is available there. If properly exploited, the timber from that area would be sufficient at least for sleepers for that region.

There is objection that it is soft wood or inferior variety. It is for that purpose that one creosoting plant has been set up at Olavakkode. The capacity of that can be increased or another plant could be installed; and soft wood that is available ought to be made use of by proper treatment and by scientific treatment.

When we are very badly in need of foreign exchange, why should we go in for foreign sleepers when these things are available? The Minister might say, because the quality of the wooden sleepers in Malabar is inferior to those that we import. May be true. By creosoting treatment I do not know what will be the proportionate difference. Even if there is, still my submission is that indigenous sleepers should be made use of in preference to those imported from outside (Interruption).

No question of risk to life arises. The life of the sleepers may be a bit shorter than that of the imported variety. There is plenty of timber available and they can be replaced. There is no question of risk to life. Reports say that the railway sleepers have not been replaced due to want of sleepers. There we are having the risk of life. My suggestion does not involve any risk of life.

Moreover a large number of people live on this business. In the Malabar area of Kerala especially, it is a great business. My submission is that if this indigenous enterprise is supported it would be of great help to the unemployed there and it will also increase the wealth of the State. There are already large quantities of timber available in the forests. That should be exported and utilised.

I have to make one suggestion regarding the system now adopted by the Railways. They invite tenders, when they are in need of sleepers, for very large quantities of sleepers together in one lot. That means that only people who can afford to invest large capital can tender for the requirements of the Railways. If that system is changed and tenders are invited for smaller quantities—I do not say 1000 or 2000 sleepers—people who could not afford to invest a huge amount of capital can take advantage of it and the railways also can get sufficient number of sleepers. I believe that this method would be adopted by the railways.

There was a suggestion that each State should have a re-assorting plant. I do not object to that. But in places where larger quantities of timber are available and the capacity of the plant is not sufficient to meet the demand, some more plants should be installed. As far as Malabar is concerned, I am sure one more plant, if installed, would not be sufficient to meet the demand. That matter should be looked into so that all available timber may be utilised for this purpose.

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Sir, Shri Shukla has raised very many points. The points were all mentioned in the 21st report of the Estimates Committee and the House will be pleased to note that detailed replies have been given to all the points raised therein, in the 27th report. Therefore, I believe that the answers given there are quite satisfactory.

With regard to the sleeper position, I wish to clear certain misconceptions. The idea seems to be that while we could get these sleepers in our own country, we rush to foreign countries, spend the money and waste it away. I am sorry the impression is very wrong. On the other hand we were put to the necessity of doing that because of the circumstances which I shall place before the House.

In the Second Plan, the total requirements were estimated at 315 lakhs of sleepers. On an average we require 63 lakhs of sleepers per year. In the first two years, we could procure only 99 lakhs, on an average less than 50 lakhs per annum. Therefore, we had to consider what would be the situation in the remaining three years. We assessed the requirements and what we can possibly get and what would be the short-fall. After working it out in great detail, we found out that we can at best get 164 lakhs of sleepers of all varieties—80 lakhs cast iron, 12 lakhs steel, 61 lakhs timber and five lakhs concrete and all-told 164 lakhs—in the remaining three years which makes up a total of 263 lakhs of sleepers for the whole of the Five Year Plan period.

Mr. Speaker: Are they all purchased together or from year to year so that the timber may be cut from year to year?

Shri S. V. Ramaswamy: It is spread over the remaining three years.

Shri Vidya Charan Shukla: Our complaint is that these figures were worked out too late; they should have been done much earlier. It was done only when the whole necessity was forced upon us by the Second Plan.

Shri S. V. Ramaswamy: I am sorry that argument is not correct. We assessed it and we found that we were able to procure only 99 lakhs of sleepers. We had to work out in great detail. In the remaining three years, we found that we could get only 164 lakhs of sleepers, the total being 263 lakhs for the whole of the five years, leaving a shortfall of 52 lakhs. We have to see what we should do to meet this shortfall.

An Indian railway purchasing mission was sent abroad to purchase fifty lakhs of steel sleepers at a cost of Rs. 16.5 crores. We could procure only 22 lakhs of sleepers at a cost of one crore of rupees. We surrendered Rs. 15.5 crores of foreign exchange. Then we found out it was cheaper to

import wooden sleepers than go in for steel sleepers.

Mr. Speaker: What is meant by cheapness?

Shri S. V. Ramaswamy: Relatively.

Mr. Speaker: Can we sell away our country also to some other country because it will be cheaper? The hon. Deputy Minister forgets that if the money remains in the country, after all, it flows from one hand to the other.

Shri Jagjivan Ram: Sir, he did not make it clear. What he meant was that it was cheaper to purchase wooden sleepers in foreign market than to purchase steel sleepers. He is not comparing the indigenous market with foreign market.

Mr. Speaker: The hon. Deputy Minister evidently wants to impress upon the House whether the cost is high or low. But if it is purchased here the money will roll here. Merely because the cost is less by a few pias there if we purchase things worth so much from outside, our money flows away to foreign countries.

Shri Jagjivan Ram: I am sorry, Sir, you are not interpreting him correctly. What he was saying was that it would be cheaper from foreign exchange point of view to purchase wooden sleepers from foreign countries than to purchase steel sleepers. He was not comparing foreign market with indigenous market.

Shri Vidya Charan Shukla: What you have said, Sir, is absolutely correct.

Mr. Speaker: Order, order. Let the hon. Deputy Minister continue. Even my interruption was wrong.

Shri Vidya Charan Shukla: May I point out, Sir,.....

Mr. Speaker: Order, order. Let him go on.

Shri S. V. Ramaswamy: Sir, the country was passing through a crisis in foreign exchange. We had to save

[Shri S. V. Ramaswamy]

that, and at the same time meet our requirements. Here, Sir, let me make one correction. It is not 20 lakh steel sleepers but only two lakh sleepers that we could procure at Rs. 1 crore. We gave up Rs. 15.5 crores and went in for this. We were able to place orders for a total of 12 lakhs B.G. sleepers from West Australia, East Australia and U.S.A.—all the three countries put together—and for metre gauge about eight lakhs from Australia making a total of 20 lakhs. The cost was only Rs. 4 crores. Even then we found that there was a shortfall of 32 lakhs. We thought it would be better to place some more orders on some other countries and reduce this gap. Therefore we placed an order on Burma State Timber Board for about 44 lakh sleepers at a cost of Rs. 60 lakhs. Then, from Canada under the Colombo Plan we will be getting about 12 lakhs. We have placed exploratory orders with Australia.

Shri Vidya Charan Shukla: Sir, I would like to ask a question.

Mr. Speaker: He may note down the points, and when the hon. Deputy Minister has finished I will allow him to put the question.

Shri S. V. Ramaswamy: Therefore, by the additional order we covered another 18 lakhs, making a total of 38 lakhs out of a shortfall of 52 lakhs still leaving a balance of 14 lakhs. That is the situation, Sir, in which we had to go in for this timber.

Mr. Speaker: What about other countries? There are railways everywhere, all over the world.

Shri S. V. Ramaswamy: As regards the availability of timber in our own country, reply has been given at page 16 of the Twenty-seventh Report of the Estimates Committee. Sir, it is not a question of cutting down all trees in one day and supplying the sleepers immediately. The yield must be sustained so that forests are not denuded and other ill effects are not felt on the economic structure of the country

and the price structure. It is therefore that we think of the sustained yield. Remember also that based on that there is a limit to which wooden sleepers can be produced in the country. It has been assessed that the sustained yield in our country at the present rate would be of the order of 23 lakhs to 25 lakhs a year.

Mr. Speaker: How much will be the demand per year?

Shri S. V. Ramaswamy: The demand will be much more.

Shri Vidya Charan Shukla: 90 lakhs per year

Shri S. V. Ramaswamy: About 75 lakhs to 80 lakhs per year, but we will be able to supply only this much on the sustained yield principle.

My hon. friend has been urging that the price today is too much. My friends from Kerala have spoken about the supply of timber. My friends urged that another creosoting plant should be set up. This plant itself is being worked two shifts. This is a new plant. To work a third shift, it would be difficult. Still, we have accepted more than 60,000 sleepers in addition, and it will have more than two shifts now. To set up a creosoting plant costing Rs. 30 lakhs to Rs. 40 lakhs, the yield must be so high and it should spread over 30 to 40 years of assured supply before we launch upon it.

I may submit that though four or five years ago we were treating only two lakhs sleepers we are at present treating over 18 lakh sleepers. We are making all efforts to increase the capacity. There is also another limiting factor, namely, the supply of creosote. It is not in free supply. Sir, I have done.

Shri Vidya Charan Shukla: The hon. Deputy Minister said that—

Mr. Speaker: He has taken as much as half an hour. Shall I give all the

time to him? This is a kind of too much intrusion. There are other hon. Members here who want to speak. Shri Mohammed Imam.

Shri Mohammed Imam (Chitaldrug): Mr. Speaker, I have listened with interest to the opening remarks of the Mover and also to the speech of the Deputy Minister of Railways. This subject has raised various issues, and I think it has to be viewed from various angles.

First of all, you must find out what is the extent of the renewal and the rehabilitation of our railway lines. Secondly, are we self-sufficient, or is the country self-sufficient regarding the materials that are needed for the rehabilitation of our railway lines? Thirdly, was there a genuine need to import these materials, especially these sleepers, from far off countries like Canada or Australia? Fourthly, granting that there was need for the import, were proper methods adopted by the railway administration in obtaining favourable quotations and in guarding against the leakage or wastage or malpractices?

The country owns nearly 35,000 miles of railway lines. All these were acquired from companies and from the States. When the Government of India became the owners of these railway lines, it must be admitted that a large portion of these railway tracks required renewal and rehabilitation and re-tracking. Nearly 8,000 miles of railway lines were in arrears. So, it was provided in the second Five Year Plan that at least Rs. 100 crores should be spent for rehabilitation because the responsibility of the railways has increased and they have to ensure safe travel for the public.

During the year 1956-57, I find from the report that nearly 42 lakhs of railway sleepers, of which 28 lakhs were wooden sleepers and 24 lakhs were iron sleepers, were used. During the next year, nearly 24 lakhs of iron and cast iron sleepers and about 72 L.S.D.—7.

20 lakhs of wooden sleepers were used. I agree with them over that as far as possible, we must depend upon our internal resources available to step up production in all our undertakings. But in cases where it is absolutely necessary to go out, where the internal supply is inadequate, it is quite necessary then to import from abroad, especially in concerns like railways, which are essential services.

It must be admitted that the condition of our tracks is not as satisfactory as it ought to be, as evidenced by a number of railway accidents we have been encountering every month. It is specially so on tracks where we have used wooden sleepers. I may give you the example of the line between Poona and Bangalore, where I am afraid almost every week we see derailments. Recently, I think during this month, they had had three derailments between Poona and Hubli. As I was returning from my place to Delhi, I witnessed two scenes where two goods trains had derailed. This is a positive evidence that the tracks are not maintained in proper order. Tracks which were constructed long ago require a thorough renovation.

The mover suggested that we must give preference to wooden sleepers. There I differ from him. I am for using cast iron and iron sleepers. But unfortunately on the metre gauge section, wooden sleepers are used more; I think there 70 per cent of the sleepers are wooden and only 30 per cent are iron, whereas on the broad gauge system, it is the other way about; 80 per cent are iron and 20 per cent wooden.

If we use wooden sleepers, it creates its own inconvenience. Its life is shorter. Of course, many have advocated that wooden sleepers should be used. The difficulty is, what kind of wood must be used, whether it should be teak, rose wood or gurga as we call it in Kannada. The life-time of the wooden sleeper is very limited; its longevity is very little and unless

[Shri Mohammed Imam]

it is subjected to creosoting, it cannot last long. These wooden sleepers are the source of many troubles and accidents. So, I would suggest that in future all wooden sleepers must be replaced by either cast iron or iron sleepers and I think wooden sleepers must be given up. But till then, I submit that even if wood is used, it must be of a superior quality. We cannot use every kind of wood for sleepers.

I sympathise with my Keraia friends that the money which ought to have gone to Kerala has not gone there. I also sympathise with myself, because I also come from Mysore, where there are extensive forests. But from my own experience, my own information is that every kind of wood cannot be used for sleepers. There are special varieties of wood that can be used as sleepers, and those special varieties, I think, are not available in abundance. So, I am only speaking, taking into consideration the urgent necessity for the renovation and renewal of the railway lines. Sleepers in many places have to be renewed. When we are dealing with such an important commodity of which we are hopelessly short, we should not be chary of going outside the country and getting the required materials.

But there is one thing. We import these sleepers from other countries just as we import many other materials. We have been importing rolling stock and various other materials. But the railway administration must be careful to see that in importing these things they get favourable terms and conditions. The entire system of placing orders by the railway administration seems rather confusing. There are four systems of getting things by the railways. Firstly, some materials are purchased through the Works, Housing and Supply Ministry; secondly, some materials are purchased through other Ministries; thirdly, the Railway Board purchases some materials

directly; fourthly, the railways themselves purchase materials locally. I think locally also the railways are the biggest purchaser because I find from the report for 1957-58 that they have purchased materials worth crores and crores of rupees. Previously, only the Railway Board used to purchase materials directly. But then the Railway Board thought it fit to delegate powers and purchases began to be made at the lower level. Now purchases are made through various sources and nobody seems to be responsible for them. So, I would suggest that these things should be looked into to see that there is no leakage.

Regarding this particular transaction of purchasing railway sleepers, I would request the Railway Minister to satisfy himself on whether proper quotations were called for, whether competitive rates were accepted, whether they were satisfied with the quality of the material and whether the supply was made in time. If the Minister is satisfied, or if he satisfies me, that they have obtained competitive rates and they have secured favourable terms and conditions, then I feel personally that the railways did well in importing these materials, taking into consideration the large-scale necessity that we have, taking into consideration our requirements to renovate and rehabilitate our railway lines, because it is a very important job, and a job which the railways have to do in the interest of the safety of the travelling public.

Shri D. C. Sharma (Gurdaspur): The problem of sleepers has been studied by the Estimates Committees. It has also come to us through the questions and answers on the floor of this House. It has also served as a subject for many reports. Several members have also given careful attention to this problem. But I want to look at this problem, not from any regional point of view or from any local point of view but from the point of view of the overall needs and the overall policy of the Railway Ministry.

So far as I know, ever since we attained independence the Railway Ministry has been aiming at self-sufficiency. We are making a big drive for self-sufficiency in the domain of locomotives, coaches, wagons etc. Now, if we have a target of self-sufficiency in these big things such as locomotives, I do not understand why the Railway Ministry should not have some plan for achieving self-sufficiency, so far as these sleepers are concerned. I feel that if the Railway Ministry has not been able to do that, it is because it has not applied its mind to it, and because there had been a lack of co-ordination between the railway Ministry and the other Ministries and also the State Governments. Therefore, I would urge upon the hon Railway Minister to call a conference of the Ministers of various States ...

An Hon. Member: One more conference?

Shri D. C. Sharma: who are in charge of forests and also a conference of the Managers of the various Railways who know as to what the needs of the Railways are going to be during the remaining years of the Five Year Plan. He should call a conference. He should assess the requirements and he should also ask them as to how far those requirements can be fulfilled through our local supplies. After it has been done, I think something can come out of it; otherwise the whole of this discussion will lead to nothing.

For instance, the hon Minister, who intervened in the debate, was talking about Burma, Canada and Australia. He was saying for how many sleepers we have placed an order in this country or in that country. Perhaps it may be necessary to place orders for sleepers on other countries in terms of other overall requirements, but I think that no scientific approach either in the matter of assessment of our needs or in the matter of the supply of those needs, has so far been

made by the Railway Ministry. The Railway Ministry has been living in this matter, if not in other matters, from hand to mouth, so to say. Therefore, I think that this is a matter of policy decision which has to be taken.

I do not want to enter into the question whether wooden sleepers are better than cast iron sleepers or cast iron sleepers are better than cement sleepers. I do not want to enter into that argument because these are technical matters and when one deals with these technical matters one has to take into account the climatic conditions and the topographical conditions of the various regions where these are to be placed. I do not want to enter into that. I am at present concerned with one thing and that is that this is one of the anomalies of our national life that a country which should have so many forests, and when a country should pride on its forests, should be in short supply so far as sleepers are concerned. This matter has got to be looked into.

At the same time I would request the hon Railway Minister to look at this problem from another point of view. I come from a constituency where timber trade is very brisk thing. This constituency adjoins timber-producing Jammu and Kashmir State of which we are all proud.

Shri A. M. Tariq (Jammu and Kashmir): You were born in Jammu and Kashmir?

Shri D. C. Sharma: Now, Sir, the people tell me—I do not know whether they are right or wrong; I am not in a position to go into the merits of the case, but they tell me—that the supply of timber to the various departments of Government, and among them is the Railway Ministry also, is full of procedural difficulties, that is to say, they find it very difficult to get payment on time for the work that they have done.

[Shri D C Sharma]

That is also one of the reasons why we do not get as many indents for the supply of this timber as is necessary. I would, therefore, ask the hon. Railway Minister to go into the procedural aspect also of this problem and make it as simple and as easy as possible. I think that will also lead us to this conclusion that we need not go to other countries for the sleepers.

My third point is that whereas we are suffering from shortage of foreign exchange we are also interested in stepping up of the consumption of our own products and the consumption of our own things. From that point of view, I find that every year, an appeal is made for grow more food and other things. Unless we also make a big drive for making use of these various forest products of whatever kind, timber or anything else, I think all these appeals will not bear as much fruit as possible. Therefore, in the interests of our national pride, in the interests of our economy, in the interests of our need, it is necessary that we should gradually and in as short a time as possible give up our dependence on other countries so far as sleepers are concerned. Sleepers are also acquired from the point of view of urgency. That point cannot be ignored.

The right kind of sleepers, the right replacement of sleepers, the renewal of track, all these things are bound up with safety of travel. Our country is more concerned about the safety of our travelling than anything else. At the same time, when you get consignments from abroad—I speak with a due sense of responsibility—when you get consignments from abroad, you are not always sure of the quality of the thing. We are getting wheat from other countries. We get so many other things. There is a great deal of complaint against the quality that we are getting. If you get timber from Australia or Canada or Burma or any other country, I can assure you, you cannot always be

sure of the quality. If you do not get the right kind of quality, it is not possible for you to make a hullabaloo about it because the country about which you are speaking is far far away. Therefore, I say, as this is a matter on which depends our safety of travelling, we have to be one hundred per cent self-sufficient. We have to be Swadeshi in spirit in this matter. Without that, we cannot improve matters.

सेठ अचल सिंह (भागरा) अध्यक्ष महोदय, यहाँ पर ये बताया गया कि हमारे रेलवे में लाखों स्लीपर्स की जरूरत होती है और वे ज्यादातर विदेशों से मगाये जाते थे। लेकिन अब वह समय आ गया है कि हम को विदेशों से उन को मगाने की जरूरत नहीं होगी क्योंकि हमारा यहाँ दो तीन नोहे के बाग़वाने खुल गये हैं। उन में लाखों टन आयरन होता है। लेकिन मैं देखता हूँ कि अभी हमारे रेलवे बोर्ड में ऐसी भावना नहीं है कि वह इस इंडस्ट्री को हमारे देश में पनपा कर तरक्की दे। मिमाल के तौर पर मैं बताऊँ कि आगे में एक फर्म है। उस ने १०,००० लोहे के स्लीपर्स सप्लाय करने का ठेका लिया था। वह एक एजुकेशनल आर्डर था जिस को कि उस ने हिम्मत कर के लिया। इस वक्त स्लीपर की इंडस्ट्री ज्यादातर कलकत्ते में है, शायद और भी कहीं होती हो। तो उस ने हिम्मत कर के इस काम को लिया। लेकिन जब उस ने इस काम को लिया तो उस को पिग आयरन भी नहीं मिला और कोल भी नहीं मिला। कलकत्ते की फर्म ने यह कोशिश की कि जो मिस्त्री वह कलकत्ते के लाया था उन को भगा दे। इस तरह उस के काम को खराब करने की कोशिश की। लेकिन वह अपने काम में लगा रहा और मिस्त्रियों को ला कर काम जारी रखा। उस ने ४००० स्लीपर्स तैयार कर दिये और सरकार द्वारा वे पास भी हो गये। लेकिन सप्लाय में १५ रोज की देर हो जाने की वजह से वह

जो बाकी ५००० स्लीपर तैयार कर रहा था वे उस से नहीं लिये गये और कहा गया कि ६०० रु० के बजाय ४०० रु० टन के दाम मिलेंगे। मैं निवेदन करना चाहता हूँ कि इस तरह से किसी इंडस्ट्री को भी एनकरेजमेंट नहीं होता है। जब कि कलकत्ते वाले ने ६०० रु० टन में रेलवे को स्लीपर्स दिये थे तो आज उन के दाम ४०० रु० टन रह गये हैं। ठीक है, पिग आयरन हमारे यहाँ होता है इस लिये उन के दाम गिर गये हैं, लेकिन मैं चाहूँगा कि इस इंडस्ट्री को ठीक ढंग से एनकरेज किया जाय। अगर ऐसा किया गया तो हम को बाहर से स्लीपर्स मंगाने की जरूरत नहीं पड़ेगी क्योंकि हमारे यहाँ मैटीरियल बहुत है, काम करने वाले आदमी भी हैं और वे काम को सीख भी गये हैं। मैं रेलवे मिनिस्टर से यह निवेदन करूँगा कि उन को इस इंडस्ट्री को एनकरेज करना चाहिये और प्रोत्साहन देना चाहिये। आज लाखों स्लीपर्स का उपयोग हो सकता है। आगरे में पहले एक कारखाना था आज ८ कारखाने हैं जिन्होंने टेन्डर्स दिये हैं। इस के अलावा उन्होंने जो टेन्डर्स दिये हैं वे ६०० रु० टन के हैं। मैं मंत्री जी से निवेदन करूँगा कि वे इस पर गौर करें और अगर वे इस इंडस्ट्री को एनकरेज करें तो हमारी आवश्यकता के स्लीपर हमारे देश में ही हो सकते हैं और हम को उन को बाहर से नहीं मगाना पड़ेगा। मैं चाहता हूँ कि इस पर पूरा ध्यान दिया जाय।

Shri Supakar (Sambalpur): Since there is not much time left, I would like to put a few questions to the hon. Minister so that he may furnish the answers. In the case of how many States was the offer of timber rejected on account of high price or inferior quality, and what is the amount of sleepers involved? Secondly, I want to know whether the economics of both these timbers have been worked out. The hon. Deputy Minister stated that the average price of the imported sleepers was Rs. 20 each. I want to know whether the economics of

transporting these sleepers from the ports to the works site where the tracks are renewed have been calculated and whether they were found to be cheaper than the timbers offered for sale by the State Governments concerned. Thirdly, I want to ask this question. We find that in some of the Centrally-administered Union Territories like Himachal Pradesh, Andaman and Nicobar islands etc. there are huge forests. Some of them are worked by Government agencies. I would like to know what attempts have been made to procure the whole of that production and at what rates. I request the hon. Minister to kindly answer these points.

Shri Basappa (Tiptur): The hon. Minister sometime back said that some investigation is going on regarding the defective sleepers supplied by the Hanuman Foundry, Calcutta. What has happened to the investigation? Has it been completed or not? I would like to know that. I want to know whether our factories are able to produce such sleepers or not. I want to know whether it is inevitable to fetch these sleepers from outside the country. More than that, I would like to know, whether the capacity of the Bhadravati Iron and Steel Works to supply these sleepers has been fully utilised. I would like to know whether greater encouragement can be given so that they can produce more of cast iron sleepers. What is the rate at which Bhadravati sleeper will be available and what is the rate at which Hanuman Foundry sleeper will be supplied? Now, Bhadravati is the only sleeper manufacturing industry in the south. May I request the hon. Minister to see that the full capacity of the Bhadravati Iron and Steel Works is utilised?

Shri Jagjivan Ram: It is utilised.

Shri Narasimhan (Krishnagiri): Since iron and steel production will be improving in the country, will it be necessary to resort to wooden sleepers to the extent visualised?

Mr Speaker: Shri Vidya Charan Shukla wants to ask one question. He wants clarification on some point.

Shri Vidya Charan Shukla: I want the hon. Minister to reply to this pointed question whether the wooden sleepers were offered at a price of Rs. 20.50 by the West Coast suppliers, and immediately after that offer was made, that offer was refused, because, as the Deputy Minister has stated here, to give that price which was slightly above the conventional price would disturb the equilibrium of the timber market in India. And then orders for wooden sleepers were placed abroad, and these sleepers were obtained at the rate of Rs. 32, that is Rs. 32 at our ports, which does not include Indian customs duty and the port handling charges. I would like to know the justification for doing this.

Secondly, the hon. Member from opposite was mentioning about the Andamans forests. Until recently, there has been a drive by the Government of India themselves to export wood from the Andamans forests to Sudan and UK where the Andamans wood is used for manufacturing Railway sleepers and other railway articles, whereas we were ourselves short of sleepers. The Andamans forests are directly under the administrative control of the Government of India. But we find that Government are having a drive to export the Andamans wood abroad for manufacture of wooden sleepers, whereas we do not have proper wood to manufacture our own sleepers.

Shri Jagjivan Ram: As a matter of fact, I was expecting that some concrete suggestions would be made during this discussion. But the one tangible suggestion that has been made by my hon. friend Shri Vidya Charan Shukla is to increase the price of the indigenous wooden sleepers.

Shri Vidya Charan Shukla: I suggested a working plan, assessment and all that.

Shri Jagjivan Ram: When I took over the Railway Ministry, I was myself under the impression, as most Members of the House are, that the country is more than self-sufficient in regard to its requirements of timber. But when I went into the question I found that the position was not so comfortable as we ordinarily imagined, the reason being that during the war years our forest wealth was highly denuded and depleted.

The exploitation of forests has to be done on certain scientific lines, on the basis of sustained exploitation of the forest wealth. If the available timber is exploited expeditiously during a year or two or three, it will mean depletion of the forests and in the years to come, perhaps, the timber that is anticipated will not be forthcoming.

On the basis of the anticipations worked out by the experts in this line, it is expected that our annual output from the forests, of wooden sleepers will be to the extent of 23 to 25 lakhs. If we take up the exploitation of certain very remote and inaccessible areas, perhaps, it may be that we can increase the supply by a lakh or two more. More than that, it will not be possible to exploit the forests. Our requirement during the Second Plan period, as has been indicated is to the extent of 315 lakhs of sleepers.

Mr Speaker: Per annum?

Shri Jagjivan Ram: No, for the Second Plan period.

Mr Speaker: And we are able to get only 25 lakhs per year as the maximum?

Shri Jagjivan Ram: Yes.

Mr Speaker: That comes to 125 lakhs during the Second Plan period.

Shri Jagjivan Ram: I have said that 23 to 25 lakhs is the maximum. But during the Second Five Year Plan, in the initial stages, as has been pointed out by Shri Vidya Charan Shukla.

and other Members also, the actual supply was less, in 1957-58 it was only 19 lakhs, in 1958-59, our expectation is that the supply will be to the tune of 24 lakhs due to the special efforts that have been made

Questions have been asked as to what steps we are taking to increase the supply of indigenous timber for sleeper purposes. The country has to depend for its various works requiring timber on our indigenous supplies. Timber is required not only for the railway sleepers, we also need timber for our coach-building works and other purposes. Apart from the railways, there are other departments of the Government of India and the private sector where also timber is required, and all have to be drawn from the same source of the Indian forests

Then there are certain species of timber which can be utilised only by the railways and nobody else, just like the char and other species which can be used only for railway sleepers and which are not useful for any other purpose. Then there are certain species which had not been used in the past as they were regarded as inferior, soft especially the Kerala variety

Shri Kodiyam: Is no other variety supplied from Kerala?

Shri Jagjivan Ram: I am not talking of all the varieties from Kerala. I am mentioning the variety which was especially mentioned in this House. That is the special variety of Kerala, and I think most of the timber that is produced in Kerala is of that variety

An Hon. Member: Soft?

Shri Jagjivan Ram: Not only soft but also, if it is stored for three or four months, fungus growth take place

An Hon. Member: Even the people?

Shri Jagjivan Ram: In recent years, during the last three or four years—I am also to some extent responsible for that—we have added to the number of species which we can utilise for railway sleeper purposes, and, as the hon. Deputy Minister has said, during

these two or three years the number of sleepers of these species which are regarded as soft and non-durable varieties, has increased from 2 lakhs to 13 lakhs. We have got a number of creosoting plants where we are treating but even after treatment, the life of these sleepers does not compare favourably with the hard wood that we get in our country or which we have imported from other countries

The life expectancy of indigenous hard wood is 15 to 20 years, whereas in the case of the soft treated wood, that is of good variety, it may go up to 12 years, but if it is of that variety where there is much sap in the wood and fungus growth takes place, after storage for some time the life expectancy may be eight to ten years only, even after treatment

So when we compare the price, we must take into consideration the life expectation of the timber, untreated or treated. That is a very important consideration

I may make another categorical statement. There is perhaps a misapprehension in certain quarters that indigenous timber was available, the Government or the railways did not accept that timber, and they started importing from foreign countries. That is not a fact. I may say again that whatever timber which can be used for sleeper purposes is available in the country at the price which has been fixed in consultation with the State Governments will be purchased

Most of the hon. Members, especially my hon. friend Shri Sharma, said that perhaps there were delays, procedural delays in the payment of the price of the timber, and therefore tenders were not forthcoming

As a matter of fact, except to a very small extent in the State of Kerala our dealings for the procurement of sleepers are not with private suppliers but with the State Governments only. We are purchasing from the State Governments, and, except with regard to Madhya Pradesh and Bombay, our procurement programme

[Shri Jagjivan Ram]

is with the State Governments themselves. Our timber Supply Officers and the Conservators of Forests of the State Governments come together and negotiate the price and fix the quantity to be supplied by the State Governments during a particular period. All that is done well in advance for the succeeding periods.

In Kerala also the Kerala Government is supplying. And, when this question arose, nobody has narrated the full story though they know the things.

An Hon. Member: They will not.

Shri Jagjivan Ram: When we invited the tenders, it is a strange coincidence that all the tenderers, the Kallai merchants, quoted the same price. All the merchants from that area tendered separately but the price quoted by them was the same price. And, the price was higher than the price which we had settled with the Kerala Government. The Kerala Government had undertaken to supply the sleepers to the Railways at a certain price; and legitimately the Railways said that they were not going to pay a higher price to the private suppliers—higher than what had been agreed to with the Kerala Government.

I have realised—after meeting the deputation of certain hon friends from this House and the other House—that the Railway Administration did very wisely in not accepting their tenders.

Shri Dasappa (Bangalore): But there were some others who did quote the low price and agreed to supply.

Shri Jagjivan Ram: That was taken. The Railways did a very wise thing in not accepting the higher price because ultimately these suppliers came round and said that they were prepared to offer at the same price and at the same place. (Interruption). If we had delayed by some time, it made them supply at the agreed price.

Railways are one of the biggest operators in the timber market. And,

as I said more than once to some of the timber dealers, if I stop operation in the timber market for one year, I am sure the prices of timber will crash. That aspect should not be ignored when the demand is made for an increase in price or when comparison is made with the price offered by small purchasers. That makes a lot of difference. There may be even some Government department itself whose requirements may be a few thousand cft, which can afford to pay Rs 2 or Rs. 3 more than the price offered by the Railways.

Our requirement is enormous. If as I said, we stop operating in the timber market for one year, I do not know what the position of the timber market would be. But, we have to make every effort to become self-sufficient.

I will say here that if we have to meet our requirements of sleepers only by wooden sleepers it will not be possible to make the country self-sufficient in wooden sleepers; in the foreseeable future, whatever steps we may take. Of course, forests cannot grow in one, two or five years.

Shri Sharma suggested something and I have myself asked the Railway Board and the Railway Board have issued a circular that we should undertake the plantation of suitable trees—that variety of which grows in different regions of the country—on both sides of the railways where space permits, so that we can plant a few lakhs of suitable varieties of trees on the railways which in course of time, 20, 30 or 50 years, can supply a certain percentage of the railway's requirements.

The whole question is whether there was necessity for import of sleepers or not. Having explored the possibility of the availability of sleepers in this country, whether it is wooden, cast iron or steel, as has been said by the Deputy Minister, the Railways decided that we will have to import steel sleepers from the foreign countries and the foreign exchange set apart for that purpose was Rs. 15.5

crores. Two lakhs of steel sleepers were purchased and it was found that if we import wooden sleepers it will be cheaper in comparison to steel sleepers and there was necessity for the import of sleepers will become available. But he conable in the country put together fell much short of the requirements of the Railways during the Second Plan. Even if we accepted the timber that is available in Kerala and other parts, taking everything together, we find that our country can give us sleepers much short of our requirements. My friend, Seth Achal Singh has said that if some foundries are started, sleepers will become available. But he conveniently forgot that we require pig iron for this purpose and unless there is pig iron, I do not know if Agra manufacturers can produce sleepers... (Interruptions.) Therefore, it becomes necessary to import sleepers and the Railways had to consider whether they were to import steel sleepers or wooden sleepers. Import of steel sleepers was costlier and would have cost us more foreign exchange than the import of wooden sleepers. Iron sleepers would have cost us Rs. 15.5 crores whereas the wooden sleepers have cost us nearly Rs. 4 crores.

Another aspect to be considered is whether we have paid a reasonable price to the imported sleepers or we have paid a higher price. Global tenders were invited and experts who can determine the quality of the various species and varieties of timber which can be used for the railways scrutinised those tenders and after scrutinising and comparing the price of those species in our own country, the tenders were accepted. I may inform the House that in no case the F.O.B. price is higher than the price paid in this country, species for species...

Mr. Speaker: Shri Shukula said that it was Rs. 22.

Shri Vidya Charan Shukula: That is the c.i.f. price, at port.

Shri Jagjivan Ram: Of course, c.i.f. price will be higher in certain cases.

When I say F.O.B. price, naturally the transportation charge will be there. My hon. friend, Shri Supakar wanted to know whether the transportation of the sleepers from ports to the work-site would not cost more money? But even in the case of the other sleepers it is there; it is a common factor whether it is imported sleeper or indigenous sleeper. The transportation of the sleeper from the source of supply or the port to work-site is more or less a common factor. Whether we take the sleeper from Orissa or from Assam, if it is to be transported to the work-site, the transport element is there in both cases.

Then, Sir, my hon. friend, Shri Shukla asked about some offer made about Brazilian sleepers. That is a very interesting story. Some enterprising foreign adventurer made an offer to supply sleepers at inconceivably low prices. The very fact that it was quoted so cheap naturally aroused the curiosity of the officers to go into its details, because they thought that perhaps no party or no country will be in a position to supply it at such a cheap price. In the first place, he did not give details of the species, the names of the species, and even after insistent demands they were not made available. But he came here and made all sorts of allegations against the railway officers. We thought that a thorough investigation should be made by the most reliable agency that the Government of India had possessed. After investigation it was found that these wild offers and these wild allegations were made by some adventurer who left the country before the investigations were completed.

An Hon. Member: Who was that?

Shri Jagjivan Ram: As I said, some foreigner.

An Hon. Member: A journalist.

Shri Jagjivan Ram: Some enterprising journalist who styled himself as a journalist and a writer. He wanted to see me. I refused to see him.

Shri Feroze Gandhi (Rai Bareilly): It pays the journalists more to sell sleepers now.

Shri Jagjivan Ram: So I am personally satisfied and all the experts are satisfied that the price that we have paid for the imported sleepers has been very reasonable, and perhaps no other country has been able to strike such a good bargain. Ours is not the only country which uses imported sleepers. There are other countries which also have to depend on sleepers imported from other countries.

Sir, as far as the capacity for manufacturing cast iron sleepers is concerned, I might tell the House that during the last two years tremendous capacity has been created in the country, and depending upon the availability of pig iron even at present the capacity for manufacture of cast iron sleepers is to the extent of 40 lakhs sleepers annually. If we get more pig iron, as it is expected that we will get, we will be going in more and more for cast iron sleepers, of course, in addition to whatever wooden sleepers are available in the country.

Mr. Speaker: 40 lakh sleepers per year?

Shri Jagjivan Ram: Capacity to manufacture 40 lakhs of cast iron sleepers every year.

Shri Basappa: May I know how the cost of imported cast iron sleepers compares with the cost of indigenous cast iron sleepers?

Shri Jagjivan Ram: The cost of cast iron sleepers depends upon the cost of pig iron. What we have done at present is this, that for making one ton of cast iron sleepers we pay making charges, including of course soft coke and other materials which are required, of Rs 146 per ton—this is for conversion of one ton of pig iron into cast iron sleepers. That is the basis on which we invited tenders and they are manufacturing. My hon. friend Seth Achal Singh quoted one example where we had placed orders on a certain manufacturer of Agra. It was determined that he will supply so many tons of cast iron sleepers by such and such a date at such and such a price. He failed to supply by that

date. We were lenient to him. When he said that he will manufacture so many sleepers by such and such a date we accepted that. But after that the price of pig iron had fallen. And then we said that the price of pig iron plus the making charges would be the cost of the sleepers manufactured after the stipulated period and we would pay at that rate. Government cannot be expected to continue the higher price, paying to the party that much price even if the price of pig iron plus the making charges would be should not have made a grievance of that.

Shri Tangamani (Madurai): The capacity is 40 lakhs. How much is manufactured actually?

Shri Jagjivan Ram: For the current year, we have been allotted 25 lakh tons of pig iron and 25 lakh tons of pig iron will give us nearly 32 lakhs of broad gauge sleepers. But we expect that we might get more pig iron and we can manufacture more. Of course, technical opinion is in favour of wooden sleepers.

Then about the planned development of our forests, as my friend Shri Vidya Charan Shukla or some other hon. Member quoted, my predecessors wrote to the State Governments. I sent the Timber Adviser to all the State Governments. I personally met the Chief Ministers twice in a conference and whenever I visit the States I emphasise the necessity of increasing the supply of sleepers as much as they can possibly do. But there are certain limitations, and it is not the price factor alone. With all the State Governments we have entered into agreements, and they have offered to supply sleepers. I can give the figures for the current year. Andhra Government, 45,000; Assam, 11,10,000; Bihar, 1,35,000; Himachal Pradesh, 50,000; Jammu and Kashmir, 9 lakhs; Kerala, 58,000; Madras, 15,000; Mysore, 5,25,000; Orissa, 1,87,000; Punjab, 25,000; Uttar Pradesh, 6,65,000; West Bengal, 31,000.

Shri Vidya Charan Shukla: Madhya Pradesh?

Shri Jagjivan Ram: Madhya Pradesh and Bombay are the two solitary States where we operate in the private sector and purchase from the tenderers and not from the State Governments. All these commitments are through the State Governments and our agreement with the State Governments is that we will not purchase from private parties in those States. Whatever sleepers are to be purchased is through the State Governments and not from the private parties. What is what I wanted to emphasise: that we have price agreements with the State Governments.

Mr. Speaker: Is there not a Government Saw Mill in Chanda, Madhya Pradesh?

Shri Jagjivan Ram: There is

Mr. Speaker: They refused to supply?

Shri Jagjivan Ram: We are negotiating with them.

Shri Vidya Charan Shukla: They are not getting the price they want.

Shri Jagjivan Ram: I do not know whether Shri Vidya Charan Shukla is speaking on behalf of the State Government. We have not heard from the State Government. I do not know whether he has been given the authority of the State Government.

Shri Vidya Charan Shukla: That is my information.

Shri Jagjivan Ram: In inaccessible areas, if the forests are exploited, we give certain bonus to the State Governments per sleeper, varying from Re. 1 to Rs. 1-8-0 or some thing like that.

Mr. Speaker: What does it work out to for one cubic foot?

Shri Jagjivan Ram: I cannot say, Sir. If the State Governments supply more than the quantity stipulated, then in that case also, we give certain increase in the price of the sleepers. So, we have been requesting all the States to increase the supply of sleepers. But, as I have said, it is a matter where we cannot afford to

exploit the forests quickly in a year or two or three, years so that we may become self-sufficient for three, four or five years or for the Third Plan.

18 hrs.

We have to take a long-range view of these things, so that our forests are not depleted and denuded and in years to come we have to depend more and more on other sources. It has been said that concrete sleepers should be used. We are also doing that. As a matter of fact, on the Hindustan Housing Factory, we have placed orders for 50,000 concrete sleepers. We are going to try them in our marshalling yards. If they prove successful, we will try them at other places.

Mr. Speaker: So much cement is surplus.

Shri Jagjivan Ram: Yes, but that requires a certain skill to manufacture it.

I may assure the House that every effort will be made to meet our demands from indigenous sources of wooden sleepers, cast iron and concrete sleepers. Whatever orders have been placed have been placed. I have stopped it and said that no further orders should be placed for the import of sleepers from abroad. I am equally anxious that we should as far as possible, meet our demands from the indigenous sources.

Mr. Speaker: What about Andamans? He said something about Andamans.

Shri Jagjivan Ram: We are getting from there also. As a matter of fact, when certain forest areas in Andamans were settled with some private firms, they had some agreement that they will supply certain percentage of timber to Sddan. As a matter of fact, a very little has been supplied to Sudan; that was the agreement. We are taking from there also whatever is available.

18.02 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, April 24, 1959/Vaisakha 4, 1881 (Saka).

WRITTEN ANSWERS TO
QUESTIONS—contd.

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3460.	Payment of construction allowance at Durg, Bhilai and Rourkela . . .	13042
3461.	Dispute Between railway magistrate and Railway employees at Kanpur . . .	13042-43
3462.	Diesel engines on Northern Railway . . .	13043
3463.	Linking different parts of Himachal Pradesh by rail . . .	13043-44
3464.	Diesel railcars on Southern Railway . . .	13044-45
3465.	Urban water supply schemes in Uttar Pradesh . . .	13046
3466.	Advisory Committees in Ministry of Railways . . .	13045
3467.	Telegraph staff on Northern Railway . . .	13046-47
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3469.	Cadastral Survey in Manipur . . .	13048
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3473.	Fire in a parcel van . . .	13049-50
3474.	Soil conservation measures in D.V.C. Area . . .	13050
3475.	Amendment of Damodar Valley Corporation Act . . .	13051
3476.	Agreement between the participating states and Damodar Valley Corporation . . .	13051-52
3477.	Ship repairing facilities . . .	13052
3478.	Road Transport . . .	13052-53

PAPERS LAID ON THE
TABLE . . .

13053

A copy of each of the following Orders was laid on the Table under subsection (6) of Section 3 of the Essential Commodities Act, 1955 --

(i) The Rajasthan Foodgrains (Restrictions on Border Movement) Order, 1959 published in Notification No. G.S.R. 432 dated the 9th April, 1959.

(ii) The Madhya Pradesh Foodgrains (Restrictions on Border Movement) Order, 1959 published in Notification No. 450 dated the 14th April, 1959.

MESSAGES FROM RAJYA
SABHA . . .

13053-54

Secretary reported the following two messages from Rajya Sabha --

(i) That at its sitting held on the 21st April, 1959 Rajya Sabha had agreed without any amendment to the Indian Railways (Amendment) Bill, 1959, passed by Lok Sabha on the 12th February, 1959.

(ii) That at its sitting held on the 20th April, 1959 Rajya Sabha had passed the Census (Amendment) Bill 1959