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**DEBATES**

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**LOK SABHA SECRETARIAT  
NEW DELHI.**

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## LOK SABHA DEBATES

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### LOK SABHA

Monday, 9th September, 1957

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

[MR. SPEAKER in the Chair.]

### ORAL ANSWERS TO QUESTIONS

#### Class III and Class IV Staff of Rourkela Steel Plant

\*1571. Shri Sanganna: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the Government of Orissa have suggested to the Government of India for the appointment of people of Orissa only in class III and IV Services of the Rourkela Steel Plant, and

(b) if so, with what results?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The Government of Orissa suggested in a recent communication that recruitment to class III and class IV posts in the Rourkela Steel Project should be made as much as possible from the local people including the displaced persons.

(b) Instructions have already been issued to the Rourkela Steel Project that the agency of the employment exchange should be utilized to the maximum extent possible and that all posts, appointments to which are made locally by the project authorities, should be notified to the employment exchange who should be asked to submit names of suitable candidates that they may have on their lists. If the employment exchange is unable,

within a reasonable time to offer suitable candidates, selection may be made from other sources.

Shri Sanganna: At present what is the strength of persons from Orissa appointed in class III and class IV Services of the Rourkela Steel Project?

Sardar Swaran Singh: The present position in respect of class III and class IV staff in the Rourkela Steel Project is as follows:

Class III: 258 Oriyas out of 880, that is 29.3 per cent.

Class IV: 250 Oriyas out of 345, that is 72.5 per cent.

Shri Gajendra Prasad Sinha: May I know whether similar concession will be allowed to the residents of Chota Nagpur so far as the future employment in Tata Iron and Steel industry is concerned?

Sardar Swaran Singh: That, I think, is a matter for the management of the Tata Steel Works to consider and take such action as they might think appropriate.

Shri Mahanty: We find from the reply of the hon. Minister that only less than 30 per cent in class III service are from among the displaced persons and local people. Is it a fact that in most cases the Project authorities are not taking into consideration the views of the local Employment Exchange? If so, will the hon. Minister kindly see to it that in future appointments the Employment Exchange is taken into account?

Sardar Swaran Singh: With regard to the functioning of the Employment Exchange I have already enunciated the Government policy and the instructions issued, and that is contained

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in part (b) of my reply. With regard to the others, it is only a suggestion for action.

**Shri S. M. Banerjee:** May I know whether the retrenched employees from D.V.C. have been employed in this Steel Plant and, if so, the number of such employees?

**Sardar Swaran Singh:** I want notice for that, I have not got the information.

**Shri Supakar:** What percentage of the persons registered in the Employment Exchange at Rourkela have been employed in class III and class IV Services in this Project?

**Sardar Swaran Singh:** That is a question which might be addressed to the Labour Ministry. As to what is the total number that stands at any particular moment on the register of the Employment Exchange is a matter for the Labour Ministry.

#### Removal of Untouchability

\*1572. **Shri D. A. Katti:** Will the Minister of Home Affairs be pleased to lay a statement on the Table showing:

(a) the names of the voluntary organisations who have been given a financial aid to be utilised towards the removal of untouchability;

(b) what is the scope of such financial aid; and

(c) whether it is a fact that such financial aid has been utilised for purposes other than the removal of untouchability by some of the organisations?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) to (c). A statement is laid on the Table of Sabha. [See Appendix V, annexure No. 1]

**Shri D. A. Katti:** May I know whether it is a fact that a sum of Rs. 30,000 has been misappropriated by the Nagpur Branch of the Depressed

Classes League and, if so, what action has been taken against them?

**Shrimati Alva:** There has been no misappropriation, but there has been a complaint against that Association and we are examining it.

**Shri S. R. Arumugham:** May I know whether there is any periodical survey to assess the work done by these organisations?

**Shrimati Alva:** Yes.

**Shri S. R. Arumugham:** Who is the authority to assess the work?

**Shrimati Alva:** The Commissioner for Scheduled Castes and Scheduled Tribes is represented on the Committee and looks both into the accounts as well as the work done.

**Shri S. R. Arumugham:** Are they satisfied ...

**Mr. Speaker:** Order, order. The man who put the question is elbowed out and is not given an opportunity.

**Shri D. A. Katti:** May I know whether the Servants of the Indian Depressed Classes Society, Poona is making use of such financial aid for propaganda against the spread of Buddhism instead of utilising it for the removal of untouchability?

**Shrimati Alva:** None to our knowledge. I may here mention that this particular Association is getting funds from the State Government.

**Shri Siva Raj:** Will the hon. Minister be pleased to state the names of the voluntary organisations which have been given grants by the Central Social Welfare Board and the amounts given so far?

**Shrimati Alva:** Regarding the Social Welfare Board I am not able to give the list of names.

**Shri Thimmalai:** Is Government aware of any instance wherein husband and wife start organisations in different names and get money from

the Government and spend the whole money within one month?

**Shrimati Alva:** We are not aware, but husband and wife may do it. They are also here in Parliament.

**Shri Thirumala Rao:** May I know whether it has come to the notice of Government that certain organisations receiving money from Government indulge in violent political activity?

**Shrimati Alva:** Not that we know of.

**Shri Sonavane:** What is the machinery set up by Government to see that the amount given to the voluntary agencies is utilised properly?

**Shrimati Alva:** I have just said that the Commissioner of Scheduled Castes and Tribes is represented on this Board. We have put one more condition to see that these funds are properly used. We have introduced a test check system from this year by which the Comptroller and Auditor-General can look into the accounts at any time.

**श्री नारायणकुट्टी राम:** क्या सरकार को यह जात है कि उत्तर प्रदेश को जो अस्थूल्यता निवारण के लिए ग्रान्ट दी गई थी वह पिछले वर्ष भी नहीं खर्च की गई और इस वर्ष भी नहीं खर्च की गई, और नानाप्राक्षिल आगेनाइजेशन्स के लिए जो रुपया मजूर किया गया वह भी नहीं दिया गया?

**श्रीमती आल्बा:** मुझे इसका पता नहीं है।

Some Hon. Members rose—

**Mr. Speaker:** Hereafter I am not going to allow more than three questions because I find it is becoming a debate on any question. I will allow one question to the hon. Member who has tabled the question, another question to any hon. Member and come back to the same Member. That is the

only way in which I can get through as many questions as possible. Members do not know how many letters I get. If a person is not given an opportunity he at once writes a letter saying "I protest". I am not going to yield to these protests.

**Shri Ranga:** That need not restrict your power.

**Mr. Speaker:** My power is unrestricted, but I will restrict it. Hon. Members ought not also to rise, all of them, asking that I should call them.

**Shri B. K. Gaikwad:** On questions which are of an important nature more supplementaries may be allowed.

**Mr. Speaker:** Very well.

**Russian Credit for Oil Refinery in India**

†  
•1575. **Shri Narayananakutty Menon:**  
**Shri Punnoose:**

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

(a) whether Government have accepted the offer of the Government of U.S.S.R. to provide equipment machinery of the value of Rs. 60 crores for construction of an oil refinery in India; and

(b) if so, whether Government have taken steps for the establishment of the refinery and if so, where?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) and (b). The utilisation of the Russian offer is still under consideration.

**Shri Narayananakutty Menon:** On page 57 of the report of the Ministry of Production it is stated that the Government of U.S.S.R. has offered machinery for construction of a refinery. May we know whether the new refinery that is going to be constructed for refining oil that is struck at Naharkatia and Jwalamukhi is going to be a refinery exclusively in the public sector?

**Shri K. D. Malaviya:** Yes, Sir, It is under the consideration of the Government. To a certain extent we are also committed that the proposed refinery in the eastern part of the country will be in the public sector. Further details, I am afraid, cannot be given now.

**Shri Ranga:** Are we to understand that the Government have already decided to take this assistance from the U.S.S.R. but they are only considering where the refinery is to be started and so on?

**Shri K. D. Malaviya:** No, Sir. There is a general offer by the U.S.S.R. which contains several proposals. Those proposals, I learn, are just now under negotiation. More than that, I cannot give a specific answer.

**Shri V. P. Nayar:** May I know on what date the proposal was received by the Government and when a final decision would be taken?

**Shri K. D. Malaviya:** I haven't got those specific details.

#### Displacement of Persons in Neiveli Project Area

\*1583. **Shri Kanakasabai:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the number of persons so far displaced on account of mining operations at Neiveli and the number likely to be displaced before the end of 1960; and

(b) the steps taken by Government to rehabilitate them?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) So far no person has been displaced. The number of persons that is expected to be displaced before the end of 1960 is about 27,000.

(b) The Government of Madras have made a gift of 11,657 acres of reserve forest land for rehabilitating the displaced persons. The Government of India have sanctioned an expenditure amounting to Rs. 10 lakhs

for this purpose. About 155 acres in the Kuppanatham reserve forest have been cleared and house sites over the cleared area marked. Bore wells are being put in, and a model plan for the village has been prepared and approved. All the above are in addition to the compensation payable for the properties acquired.

**Shri Kanakasabai:** May I know whether any representation has been received from the displaced persons and, if so, what action has been taken?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** I do not know what particular representation is in the mind of the hon. Member. We have been receiving representations from time to time about the amount that they claim by way of compensation and we have been considering them. But it is principally for the State Government to take a final decision about the quantum of compensation.

**Shri Tangamani:** In reply to the question, the hon. Minister said that no person has been displaced so far. But actually under the pilot scheme several persons have been displaced and representations have been made. The latest representation was given to the Prime Minister when he visited Neiveli. May I know what action has been taken on the representations made by these displaced persons?

**Sardar Swaran Singh:** The representation about which the hon. Member is referring, and which is said to have been handed over to the authorities at the time of the last visit of the Prime Minister, is receiving the consideration of the Government.

**Shri H. C. Dasappa:** May I know what the time lag will be between displacement and rehabilitation?

**Sardar Swaran Singh:** Our intention is that the two should marry.

**Tribal Advisory Committee**

**\*1585. Shri Bangshi Thakur:** Will the Minister of Home Affairs be pleased to state:

(a) whether any Department or Committee formed by Government exists in Tripura to look after the interests of the Backward Classes, Scheduled Castes and Scheduled Tribes of Tripura;

(b) if so, what is the percentage of the Backward Classes, Scheduled Castes and Scheduled Tribes represented on that Department or Committee; and

(c) what are the suggestions or recommendations made by the Department or the Committee so far and with what effect?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) Yes, Sir A Committee has been formed to advise the Administration in matters pertaining to the welfare of the Scheduled Tribes. There is also a Department in charge of the work for the welfare of backward classes.

(b) Till recently 78 per cent of the members of the Tribal Advisory Committee belonged to tribal communities.

(c) A statement is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 2]

**Shri Bangshi Thakur:** May I know whether the Tribal Advisory Committee mentioned by the Minister has any function in Tripura also?

**Mr. Speaker:** Has the Tribal Committee any jurisdiction over Tripura?

**Shrimati Alva:** The Committee relates to Tripura.

**Shrimati Renu Chakravarty:** There is a Central Advisory Board for Harijan and Tribal Welfare. I want to know whether the recommendations made by the Committees which are appointed at the States are sent to the Board at the centre and whether

there is any connection between the Central Board and the State Boards.

**Shrimati Alva:** There is bound to be connection because there is a local administration and the Committee that operates there advises the local administration, and they, in turn, advise the Centre.

**Shri Dasaratha Deb:** In the statement, which has been laid on the Table, it is stated that 40 boarding houses are to be constructed in the Second Five Year Plan and 12 more will be constructed under the Centrally sponsored programme, in addition to the existing 37 hostels. May I know how many of these boarding houses will be located at such places where there are high schools so that the students of the boarding houses may be able to get their education in the secondary schools?

**Shrimati Alva:** We welcome the suggestion from the hon. Member.

**Mr. Speaker:** They are all suggestions?

**Shri Dasaratha Deb:** Not suggestions. In the statement, which has been laid on the Table, it is stated that co-operative and collective methods for rearing pig buffaloes should be introduced. As war is in operation there, may I know whether any such co-operatives have been established and, if so, their number.

**Shrimati Alva:** I have not followed the question.

**Mr. Speaker:** He wants to know the number of co-operatives for rearing pigs and buffaloes.

**Shrimati Alva:** I have not got the exact number of co-operatives for rearing pigs and buffaloes. If the hon. Member wants, I can supply it.

**Shri Thimmalah:** May I know whether all the States have formed the Harijan Welfare Advisory Committees, whether the Central Advisory Committee has been re-constituted and how many appointments have they made?

**Shrimati Alva:** The Central Advisory Committee has been reconstituted and the information has been placed on the Table.

**Shri Bangshi Thakur:** May I know how many boarding houses have been established so far out of the provision made in the Second Five Year Plan?

**Shrimati Alva:** There is provision for 40 boarding houses.

#### National Laboratories

\*1587. **Shri R. S. Lal:** Will the Minister of Education and Scientific Research be pleased to state the steps taken or proposed to be taken by Government to disseminate scientific knowledge acquired by the National Laboratories to common man?

**The Deputy Minister of Education and Scientific Research (Shri M. M. Das):** A statement giving the required information is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 3].

**श्री रामचंद्र लाल :** ये जो पीरिया—डीकल्स हैं, जरनल आव साइंटिफिक एंड इंडस्ट्रियल रिसर्च, विज्ञान प्रगति और काउंसिल आव साइंटिफिक एंड इंडस्ट्रियल रिसर्च न्यूज, इनको कम्प्युनिटी प्रोजेक्ट, नेशनल एक्सटेंशन सरविस ब्लाक्स और डिस्ट्रिक्ट प्लानिंग कमेटीज को भेजा जाता है?

**Shri M. M. Das:** I have got no information. I will enquire.

#### Police Manual

\*1588. **Shri Yajnik:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government is considering suitable amendments in the Statutory and Departmental rules set out in Police Manuals or elsewhere in regard to firing on unarmed crowds; and

(b) whether a copy of the proposed amendments or new rules to be

followed in police firings all over India will be laid on the Table?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). This matter has been fully examined. No amendments in the rules have been made. Suitable instructions have been issued to ensure that the firing by the police is not resorted to except when absolutely necessary and after other methods have proved ineffective.

**Shri Yajnik:** May I know if the practice of using dum dum bullets and dum dum rifles is now being discontinued in all the police firings which are made?

**The Minister of Home Affairs (Pandit G. B. Pant):** We have suggested that muskets should be used on such occasions and not rifles.

**Shri Yajnik:** Is it not a fact that in the two firings in the Bombay State and in the Bhangi Colony dum dum bullets have been used?

**Pandit G. B. Pant:** I do not think they were dum dum bullets.

**Shri B. K. Gaikwad:** What bullets were they?

**Pandit G. B. Pant:** Anything but dum dum

**Shri V. P. Nayar:** May I know whether there is any rule by which, when the police open fire, they do it only in such a way as to hit the persons below the knee and whether the Government are trying to enforce the rule, because we find in several cases, they hit in the chest and even people even in the first and second floor?

**Pandit G. P. Pant:** The rule formerly was that they should hit not below but high up so that the men may feel that if they did not run away, then, there will be serious and grave danger for them. But, we are considering if the rules should not be amended so that the hit may be below and not high up.

**Shrimati Renu Chakravarty:** The hon. Minister said that the entire matter has been discussed in detail. I should like to know whether the Central Government is informed about the various shootings that have taken place in the whole country with regard to this particular aspect, that is, exactly the type of injury, exactly where the shooting has been made and whether the decisions now taken are based on actual objective facts.

**Pandit G. B. Pant:** Whatever view is formed, it is based on objective facts, knowledge and experience that the persons who have to tackle the question possess.

**Shri Yajnik:** I want to know whether, as has been said by several Ministers in different States, the bullets must, according to the present rules, be used just to kill. That is to say, they are aimed at a particular portion of the body: not the lower part, feet, but right at the chest or head.

**Mr. Speaker:** That is what was exactly asked now: above and not below.

**Shri Yajnik:** I want to know the rule which is operative under which people are killed.

**Pandit G. B. Pant:** We wish that occasions for firing may not arise.

**Mr. Speaker:** What is it that the hon. Member wants? The hon. Minister, as I understood, said that the rule as it exists today is to shoot not below the knee, but above.

**Shri Nagi Reddy:** The point is, at the time of the warning, it is shot into the air, that is, in the sky, as warning. After the warning is over, the rule is that shooting should be below the knee or below the hip. The point is whether the Government is changing from that rule to the rule above the hip so that the shooting is directly for killing.

**Pandit G. B. Pant:** I shall take you into confidence.

**Some Hon. Members:** When?

**Pandit G. B. Pant:** Just now. We do not want people to be hit in such a way that their life is in danger. But, we do not want to say so. As, if this goes round, people may go on defying order and yet there will be no danger and then it will not help the cause which you and I commonly share. But, the rules have been framed in such a way as, I think, to cause the least loss of life or the least injury.

**Mr. Speaker:** Next question. Dr. K. B. Menon.

**Some Hon. Members rose—**

**Mr. Speaker:** No discussion can take place on a question.

**Shri Tangamani:** This is a different question.

**Shri Nath Pai:** It is a question of life and death.

**Mr. Speaker:** Hon. Members may choose another occasion. You cannot exhaust every question. I am not going to allow. Why can't the Members look into the rules? If they consider the matter to be important, they can have a discussion in some other manner.

**Shri Gajendra Prasad Sinha:** One matter was not clear.

**Mr. Speaker:** It cannot be cleared. Next question.

#### Basic and Non-Basic Education in Delhi

\*1589. **Dr. K. B. Menon:** Will the Minister of Education and Scientific Research be pleased to lay a statement on the Table showing:

(a) the per capita expenditure incurred on pupils in a basic school in Delhi as compared to that in a non-basic school; and

(b) the amount spent by Government on basic education as compared to the amount spent on non-basic type of education during 1956-57?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall):** (a) and (b). The information is being collected and will be laid on the Table of Lok Sabha in due course.

**Dr. K. B. Menon:** May I know whether the Government agree with the findings of the Bihar Enquiry Committee that the standard of education in the basic schools in spite of the expenditure is not equal to the standard reached in the traditional school?

**Dr. K. L. Shrimall:** I do not know to which particular report the hon. Member is referring. There have been several investigations in Bihar itself. My information is that the standard in a basic school is superior to that of an ordinary traditional school.

**Shri Nanjappa:** In the assessment made regarding the income derived as a result of the craft introduced in the basic schools, what is the average income per school?

**Dr. K. L. Shrimall:** This information is not readily available.

#### Residential Accommodation for Army Officers

**\*1590. Shri Ayyakkannu:** Will the Minister of Defence be pleased to state the progress made in providing residential accommodation to the married officers in Army?

**The Deputy Minister of Defence (Shri Raghuramaiah):** Nearly 73% of married officers of the Army have been provided with married residential accommodation by Government.

**Shri Ayyakkannu:** Is it not a fact that many officers are undergoing a lot of difficulties for want of accommodation?

**Shri Raghuramaiah:** It is so. The policy of the Government is to do as much as they can consistently with their financial circumstances.

**Shri Bhakt Darshan:** May I know if any provision has been made for this purpose in the Second Five Year Plan?

**Shri Raghuramaiah:** Provision made in the Plan for the allotment of resi-

dential accommodation for the Army alone, is Rs. 29.5 crores.

**Shri S. M. Banerjee:** May I know the total number of quarters constructed for other ranks during the last two years and what percentage of them have been provided with quarters?

**Mr. Speaker:** This question relates to married officers.

**An Hon. Member:** Married other ranks.

**Mr. Speaker:** Does not arise out of this question. Next question.

#### Ex-Servicemen's Welfare

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**\*1591. { Shri B. S. Murthy:**  
**Shri Warior:**

'Will the Minister of Defence be pleased to state:

(a) what special provisions are made in the Second Five Year Plan to allocate more funds for the welfare of ex-servicemen;

(b) whether Government had received any representations in this matter from any of the ex-service men's organisations; and

(c) if so, whether Government propose to take any steps in the matter?

**The Parliamentary Secretary to the Minister of Defence (Shri Fatesinghrao Gaekwad):** (a) No special provision has been made, nor any funds allocated, in the Second Five Year Plan specifically for the warfare of ex-servicemen. They, along with other citizens of the country, derive equal benefit from the various welfare schemes in the Plan.

(b) No.

(c) Does not arise.

**Shri B. S. Murthy:** May I know what is the special responsibility of the Defence Ministry as far as ex-servicemen's welfare is concerned?

**The Minister of Defence (Shri Krishna Menon):** This Ministry has

no special legal responsibility in this matter. But, ever since the conclusion of the war, a number of efforts have been made with the co-operation of other Ministries to resettle these men. I would submit that this is a matter in which the Government would like Parliament and the public to have as much information as possible and as such, we would lay the information on the Table of the House.

**Mr. Speaker:** The hon. Minister said that he would lay a statement on the Table of the House regarding the amenities, conveniences, etc. He can do so.

**Shri Nath Pati:** When is the statement proposed to be laid? Today or sometime?

**Shri Krishna Menon:** I will lay on the Table.

**Mr. Speaker:** He will gather it and lay it on the Table.

**Shri B. S. Murthy:** May I know whether the Defence Ministry is in touch with certain of the ex-service-men's colonies, especially the agricultural colonisation schemes and if so, what are the types of help being rendered in these colonisation schemes?

**Mr. Speaker:** The hon. Minister will lay the statement on the Table. Possibly, in view of the statement, it is not necessary to pursue the matter. If the statement is laid on the Table, then, the hon. Member will have an opportunity.

**University Grants Commission's Employees**

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\*1592. { **Shri N. R. Munisamy:**  
          { **Shri H. N. Mukerjee:**

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

(a) whether there is a rule that a superannuated Grade I officer under a Ministry of the Government of India cannot accept re-employment without the prior sanction of the Home Ministry, particularly, if the said officer is over sixty years of age;

(b) what is the number of superannuated officers in the University Grants Commission and what are their special qualifications; and

(c) whether in the case of such officers in the University Grants Commission sanction of the Home Ministry was obtained prior to their re-employment?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali):** (a) Yes, Sir. Such permission has, however, to be obtained by the officer before accepting (a) commercial employment or (b) employment under a Government outside India only if re-employment is taken up within two years of his retirement.

(b) Two; they have got varied experience in administrative and financial problems of universities and accounts of Govt. Departments.

(c) No, Sir; such sanction was not necessary as service under the University Grants Commission does not constitute employment under the Government of India.

**Shri N. R. Munisamy:** May I know the educational qualifications of the present Assistant Secretary of the Commission, whether he has applied for extension of his period by another one year, and if so, what is the reaction of the Government.

**Dr. K. L. Shrimali:** The present Assistant Secretary is H. S. Varma, retired from the Ministry of Education as Under-Secretary. He was permanent Under-Secretary there and has a lot of experience with regard to university education. He was then re-employed by the University Grants Commission. He is still there. I am not sure whether he has applied again to the University Grants Commission for extension of his service.

**Shri N. R. Munisamy:** May I know whether the service conditions under this Commission have been brought into conformity with the rest of the Central Services?

**Dr. K. L. Shrimall:** No, Sir. The University Grants Commission will draw up its own service conditions. The service rules have not yet been drawn up by them.

**Shri Ranga:** When we were passing that Act we were under the impression that the Government rules would apply to the staff of this Commission also. Now we are told that they are not to apply and they are to draft their own rules. How is it that they have not so far drafted their own rules, and when are they going to draft them? Are they going to be placed on the Table of the House, or will they be at least submitted to the Government of India for approval?

**Dr. K. L. Shrimall:** According to sections 25(2)(d) and 26(1)(c) of the Act, the University Grants Commission will draw up its own rules. The rules have not yet been drawn up. I expect they will be drawn up early.

**Shri Ranga:** Has their attention been drawn to this particular lapse of duty on their part, because it is more than one year since the Act has come into existence, and it was the Government of India's duty to see that these provisions of the Act are implemented?

**Dr. K. L. Shrimall:** In the absence of the new rules to be drawn up after it had become a statutory body, the Commission is governed by the rules laid by the Government. Resolution under which the Commission was formally formed, and those rules are still governing the staff.

**Shri Ranga:** Is that not in contradiction of what the hon. Minister himself has said in extenuation of the fact that these two gentlemen were there irrespective of the fundamental rules of the Government of India where they are obliged to take the permission of the Home Ministry?

**Dr. K. L. Shrimall:** The hon. Member is aware that before the University Grants Commission became a statutory body, it was functioning under the Government of India's reso-

lution and there were certain rules under which it was functioning. Now, after becoming a statutory body, it has to provide its own rules and these rules have to be framed.

**Salem Magnesite Syndicate Ltd.**

\*1593. **Shri V. P. Nayar:** Will the Minister of Steel, Mines and Fuel be pleased to refer to the debate on the Demands for Grants for the Ministry of Commerce and Industry and state:

(a) whether it is a fact that the mining lease held by the Magnesite Syndicate Ltd., for Salem and Omalur Districts of the Madras State have been transferred to Messrs Burn & Co., Calcutta and if so for what consideration;

(b) whether the order of the Madras Government refusing to approve the transfer has been set aside in appeal by the Government of India; and

(c) the foreign exchange involved in the transaction?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a). No, the lease has not been transferred.

(b) No, Sir.

(c) Does not arise.

**Shri V. P. Nayar:** May I know whether the attention of Government has been drawn to press reports to the effect that the Government of India and the State of Madras will subscribe to a company to operate these mines and also start a factory and that this company, which will be registered as a private limited company, will be given over to Messrs. Martin Burn & Sons on a managing agency basis for further management?

**Shri K. D. Malaviya:** My attention was not drawn to these press report referred to by the hon. Member.

**Shri V. P. Nayar:** Do I take it that the hon. Minister assures us that the private company will not be given to Burn & Co. for management on the basis of managing agency?

**Mr. Speaker:** The hon. Member cannot ask for an assurance on the basis of this question.

**Shri V. P. Nayar:** He says it was reported....

**Mr. Speaker:** He does not say. He says he does not know. If he knows, what is the assurance? Let him consider.

**Shri V. P. Nayar:** I wanted to know whether it is a fact because he might have seen the press report. I want to know whether it is in the contemplation of Government to set up a private limited company and to give the management of it to Burn & Co.

**Shri K. D. Malaviya:** I have answered that at present there is no decision like the one as has been suggested by the hon. Member. This question is being considered as to how this mine has to be disposed of whether the Madras Government will do it or the Central Government or somebody else will do it. As the matter is under consideration, I cannot give any specific answer till any decision is taken.

**Shri Tangamani:** In these magnesite mines in Salem there are 1,573.34 acres and the lease period lapses on the 10th January 1959. This was admitted on the floor of the Madras State Assembly by the Industries Minister. As a result of this, the mines will automatically revert back to the State Government. May I know whether the Central Government will help the State Government to run the mines without any expenditure, and to develop it in the public sector?

**Mr. Speaker:** These are all suggestions for action. The hon. Minister is considering.

**Shri Tangamani:** The point is there was....

**Mr. Speaker:** All that may be true. The Question Hour is meant only for eliciting facts, and hon. Members have no right to give suggestions saying why not help the State Government to run it.

**Shri Tangamani:** In answer to Unstarred Question 1234 on 4-9-57 the hon. Minister was pleased to state: "The Government of India do not have any proposal at present to develop the magnesite mines in Salem. The question of their exploitation as a State enterprise is being examined by the Government of Madras". So, am I to understand that the Government of Madras is examining it and the Government of India will also help in the process of development?

**Mr. Speaker:** What is this demand about? The hon. Minister has said already that they are examining the question as to whether it will be a State enterprise or not.

**Shri Tangamani:** It is a matter agitating the minds of the people there.

**Mr. Speaker:** It may be. What is the use of asking the Government to commit themselves before considering it finally?

**Shri P. C. Bose:** May I know whether the present leaseholders are working the mines properly, according to rules and regulations?

**Shri K. D. Malaviya:** The presumption is they are working the mines in a proper way. The question of the renewal of the lease will arise only on 10th January, 1959. Before that the whole question will be examined.

**Mr. Speaker:** What is this presumption? The hon. Member wants to know as a fact whether these people, to the knowledge of Government, are working the mines properly. The hon. Minister may say he has not received any complaint.

**Shri K. D. Malaviya:** That is what I meant.

**Shri V. P. Nayar:** It appears from an answer given by Shri R. Venkata-raman, Minister of Industries in Madras, that the Madras Government had information that the company's lease had been transferred to Burn & Co. for a consideration of £100,000. Do I take it that the Government have no information about this also?

**Shri K. D. Malaviya:** In answer to part (a) of the question I have already said: "No, the lease has not been transferred." In reply to part (b) of the question, namely, whether it is a fact that the mining lease held by the Magnesite Syndicate Ltd., have been transferred to Messrs. Burn & Co., I have said "No". And part (c) of the question the answer is "Does not arise", because foreign exchange is not involved.

**Shri V. P. Nayar:** Then what is the appeal about?

**Shri Tangamani:** The hon. Minister has said that the lease is not going to be transferred. Is the hon. Minister aware that the Madras Government opposed this transfer and is it a fact that the Government of India requested the Madras Government to effect the transfer?

**Shri K. D. Malaviya:** There were certain suggestions made by the Central Government to the State Government on the background of specific proposals that were examined at that time. The situation has changed now and all these questions are being considered between the Madras Government and the Central Government. As soon as a decision is taken, I am prepared to lay the information on the Table of the House.

#### Non-Indians in Defence Services and Establishments

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\*1594. { **Shri Jadhav:**  
**Shri B. S. Murthy:**  
**Shri Goray:**  
**Shri Nath Pai:**  
**Shri S. M. Banerjee:**

Will the Minister of Defence be pleased to lay a statement on the Table showing:

(a) the number of non-Indian officers serving in the Navy, Air Force, Ordnance Factories and various Defence Establishments;

(b) the reasons for their retention; and

(c) their service conditions?

**The Parliamentary Secretary to the Minister of Defence (Shri Fatesinghrao Gaekwad):** (a) to (c). A statement is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 4.]

**Shri Jadhav:** May I know whether there have been any efforts to train suitable Indian candidates, and if so, with what result?

**Shri Fatesinghrao Gaekwad:** As the hon. House is aware, the ultimate object is to nationalise these appointments as early as possible and every step towards that is being taken.

**Shri Nath Pai:** In view of the fact that more than ten years have lapsed since independence and in view of the very important fact that the negotiations for the transfer of power with Lord Wavel had broken down because we were not regarded competent enough to hold the portfolio of defence, was not a period of ten years long enough to have trained suitable Indians, and is there any job for which an Indian cannot be trained within two or three years?

**Mr. Speaker:** These are all arguments.

**Shri Nath Pai:** No, Sir, this is a very important question.

**Mr. Speaker:** What he wants to know is simply this. 13 years have elapsed. Is it necessary to take more time to train up our persons to replace the non-Indian element?

**Shri Raghuramaih:** May I say that the total number given in the statement is only 62 compared to the thousands of officers and lakhs of other employees? Most of these people are on contract basis, nearly two-thirds of them for periods of two or three years or more. They are employed in some cases in highly technical jobs, as the technical know-how is available with them. We are training our own people to take their places. The number, I submit, is very small indeed. For instance, in defence industries alone, we have employed about 65,000 people, let alone the army and other departments.

**Shri Nath Pai:** Key jobs are always small in number.

**Mr. Speaker:** Progressively they are reducing the number.

**Shri B. S. Murthy:** Will the hon. Minister be pleased to state the countries to which these people belong, and the nature of the work entrusted to them?

**Mr. Speaker:** That will require a separate statement.

**Shri Goray:** My name is there in the question.

**Mr. Speaker:** I want to make this clear to hon. Members. If a number of hon. Members ask questions on the same matter, I put their names together. This was not the practice before. I started this practice so as to give them opportunity to ask supplementary questions, if possible. Otherwise, I won't admit those questions. I will admit only one question, and let only one or two hon. Members ask questions. If every hon. Member feels that because I have included his name, he must have a chance and if he insists on his being called to ask questions, I will put them separately, they will take their chance.

Their names won't appear at all before the House.

**Shri Nath Pai:** This was not mentioned as a matter of insistence. But once you gave a ruling....

**Mr. Speaker:** As soon as I find that a particular question....

**Shri Nath Pai:** Let me finish my sentence....

**Mr. Speaker:** .... has been sufficiently answered and sufficient information has been elicited and the Minister is not in a position to give anything more, there is no good spending the time merely because a number of hon. Members have tabled the question and their names appear there. You must allow discretion to me to find out if the question has been sufficiently answered or not. The hon. Member, Shri B. S. Murthy,

wanted that he must be called because his name appeared in the question. But I find that no more questions can be usefully asked. Therefore, I am entitled to proceed to the next question. But now it appears hon. Members feel that because their names appear here, they have got the right to ask questions until it is exhausted.

**Shri Goray:** I wanted to ask when they thought they would complete the Indianisation of the services. I do not think this question was asked by anybody.

**Mr. Speaker:** I do not deny that a number of questions can be asked from all aspects. But 'as soon as possible' will be the answer.

#### Scheduled Castes Students

\*1595. **Shri Wasnik:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether it is a fact that tuition fee is charged from the Scheduled Castes students prosecuting their studies in the Government educational or research institutions; and

(b) whether this fee is deducted from the amount of scholarships the Scheduled Caste students receive from Government?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall):** (a) The Scheduled Castes students in most of the Government educational and research institutions of the country are exempted from the payment of tuition fees.

(b) No, Sir, on the other hand the Scheduled Castes students in receipt of the Government of India Scholarships, who are not exempted from the payment of tuition fees, are paid such fees as a part of their scholarships.

**Shri Balkrishna Wasnik:** May I know whether in the Agricultural Research Institute at Izzatnagar, the amount of tuition fees is deducted from the amount of scholarship and

the amount that is left is so small that it is very insufficient to meet the needs of the scholars?

**Dr. K. L. Shrimall:** The hon. Member is asking a question with regard to a particular institution. I do not have that information. But my information is that we do not deduct tuition fees from the amount of scholarships. In fact, tuition fees are paid as part of the scholarships. If the hon. Member has any difficulty in regard to a particular institution, he may kindly draw my attention to it; I will look into it.

**Shri Barman:** Is the hon. Minister aware that there are certain States where fees have to be paid even in government institutions as for instance in West Bengal?

**Dr. K. L. Shrimall:** As far as I know, the West Bengal Government is the only Government which has not granted exemption from payment of tuition fees.

**Shri Sonavane:** Are Government aware that scholarships awarded to Scheduled Castes and Scheduled Tribes students in colleges do not reach them in time? If so, what steps are Government taking to see that such delay is avoided in future?

**Dr. K. L. Shrimall:** Government place certain *ad hoc* grants at the disposal of the educational institutions and they are expected to disburse these amounts, because scholarships are given to all eligible Scheduled Castes and Scheduled Tribes students.

**Shri Thimmaiah:** May I know whether Government propose to take any steps to see that the States completely exempt these students from payment of tuition fees, and instead the Central Government pay the tuition fees?

**Dr. K. L. Shrimall:** The attention of the West Bengal Government was drawn to it, but they were unable to accept our proposal because of financial reasons.

**Shri K. U. Parmar:** Is the hon. Minister aware that sons of Scheduled

Caste people who are serving the railways have to pay their tuition fees, and their fees are deducted from the pay of these servants?

**Dr. K. L. Shrimall:** I have made a categorical statement. The hon. Member may refer to the answer to part (b).

**Shri B. C. Mullick:** May I know whether Government are aware that Scheduled Caste students in basic schools in Bihar are charged tuition fees?

**Mr. Speaker:** Individual cases may be brought to the notice of the Minister separately.

**Dr. K. L. Shrimall:** It is not possible for me to give information regarding particular States.

**Shrimati Renu Chakravarthy:** The hon. Minister has said that the Government of West Bengal is the only Government that find it impossible to bear the financial liabilities which would arise from granting exemption to Scheduled Caste students from paying fees in government institutions. Have the Government of India enquired as to what is the total amount, and whether they are convinced that a State like West Bengal cannot bear this small additional liability?

**Dr. K. L. Shrimall:** If that Government say that they are unable to pay, naturally the Government of India have to accept their statement. I do not think the Government of India can force any State Government to exempt students.

**Shri Basumatari:** Whether the students belonging to the Scheduled Castes and Scheduled Tribes awarded scholarship are exempted from paying fees in all States?

**Dr. K. L. Shrimall:** I could not follow the question.

**Mr. Speaker:** Nor could I.

**Shri Dasappa:** It is very simple. How many States make education free for students of Scheduled Castes and Scheduled Tribes?

**Mr. Speaker:** All, except West Bengal, which has not made education free for Scheduled Castes.

**Dr. K. L. Shrimall:** I have already answered it.

#### Excise Duty on Tobacco

\*1598. **Shri K. U. Parmar:** Will the Minister of Finance be pleased to state:

(a) whether Government are aware that nearly 1 lakh maunds of inferior grade tobacco of 1952-53 crop has remained duty un-paid (unsold) in C. Ex. Baroda Collectorate so far due to heavy rate of excise duties;

(b) whether any requests have been received from tobacco merchants or their associations to reduce the rate of duty on such inferior crop of 1952-53; and

(c) if so, the action taken thereon?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) The reason for non-disposal of nearly 1 lakh maunds of tobacco of 1952-53 crop in the Baroda Collectorate of Central Excise is not the heavy rate of duty but the inferior quality of these stocks which were not cleared even at the concessional rate of duty which remained in force for about 1-3/4 years.

(b) and (c). Yes, Sir. They are under consideration of Government.

**Shri Fatehsinh Ghodasar:** May I know whether Government have received any petition from growers requesting Government not to give any concession in the rate of duty on the 1952-53 tobacco? If so, what action do Government propose to take in the matter?

**Shri B. R. Bhagat:** I could not follow the question. So far as representations are concerned, we received representations from merchants which the Government considered and said that in view of the fact that only a very little amount out of the 320 million lbs. of tobacco which were given concessions of reduced taxation

—only 8 million lbs.—are left and as it is the considered opinion of Government that no concession in taxation would enable the holders of the stock to dispose them of because they are of inferior quality and good quality tobacco of later years has flooded the market, we reject the applications. But, we have received representations from two hon. Members of this House to which, as I said, we are giving further consideration.

**Shri C. D. Pande:** Has Government received any representation this year that owing to the faulty interpretation of the excise duties, crops were burnt in Farrukhabad and Bareilly districts?

**Shri B. R. Bhagat:** This refers to U.P. to which, I think, the hon. Finance Minister also replied that in certain cases we have taken the hardships caused by change in the specification of the duty into account and we have given concessions in some cases.

**Shri Ranga:** What happens to this 8 million lbs. of stuff which is placed at the disposal of the Collectorate? If the merchants or the growers themselves are unable to pay the duty and are unable to sell it, would the Government exonerate them from payment and themselves take possession of the stuff and dispose it of or burn it or throw it in the sea?

**The Minister of Finance (Shri T. T. Krishnamachari):** The hon. Member is not aware of the circumstances in regard to the particular matter raised by an hon. Member opposite. It happens to deal with certain stocks of tobacco in the Collectorate of Baroda and these stocks go up to 1952-53. The bulk of these stocks have been cleared by concessions given from time to time and a small residue is left. Naturally, the question now remains whether they want to destroy it or they want to pay the duty and sell it. It is generally believed that these stocks are not saleable. I do not see what Government could do in this particular matter. In fact, I think, if anything, the Government was at

fault in going on reducing the duties from time to time in which case it happened that the middlemen got the advantage. And the Committee that went into this matter has recommended that Government should not reduce the duties in future.

**Shri Yajnik:** I have not been able to clearly follow everything what the hon. Minister said. May I take it as a definite fact that no further exemption will be given to the 1952-53 tobacco?

**Shri T. T. Krishnamachari:** That is near enough correct.

**श्रीमती भरणीन घटेलः** मैं पूछना चाहती हूँ कि गुंतूर का मामला जिस तरह से हल किया गया इसी तरह यह मामला कब तक हल होने वाला है?

**Shri T. T. Krishnamachari:** If a question has to be settled in the categorical terms mentioned by the hon. Member opposite, I think, nothing further needs to be done.

#### Symposium at Central Leather Institute, Madras

\*1599. **Shri Subodh Hasda:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether it is a fact that the governing body of the Council of Scientific and Industrial Research held a symposium at the Central Leather Institute, Madras on the 28th March, 1957;

(b) if so, what was the object of the symposium; and

(c) the number of delegates who participated in the symposium?

**The Deputy Minister of Education and Scientific Research (Shri M. M. Das):** (a) Yes, Sir.

(b) The object was to discuss scientific and technical questions relating to curing and preservation of raw hides and skins.

(c) Over 270 delegates participated in the Symposium.

**Shri Subodh Hasda:** May I know whether the symposium made any recommendation and, if so, what it is?

**Shri M. M. Das:** We do not know whether this symposium made any recommendation but the symposium set up the Indian Hides and Skins Improvement Society to guide the Government and the public on the various means and methods to improve the quality of raw hides and skins.

**Shri Subodh Hasda:** May I know what was the expenditure on this symposium and who bore the expenditure?

**Shri M. M. Das:** The total expenditure was Rs. 55.00 and it was borne by the Central Leather Institute of Madras.

**Shri Subodh Hasda:** May I know whether any technical session was held at that symposium and, if so, whether any foreign experts were invited?

**Shri M. M. Das:** That information is not at my disposal.

#### Inter-State Sales Tax

\*1600. **Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether Government propose to suspend the recent orders regarding imposition of Inter-State Sales-Tax pending finalisation of question of amalgamation of Sales Tax with excise duty;

(b) whether the question of uniform application of Sales Tax in the country is also being considered; and

(c) whether the State Governments have agreed to exempt food-stuff from Sales Tax?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) No, Sir.

(b) Uniform rates of sales tax for certain relatively less essential goods and goods having large value in small bulk are under consideration.

(e) the desirability of exempting foodgrains from sales tax has been taken up with the State Governments concerned. The reactions of the State Governments concerned are awaited.

**Shri S. M. Banerjee:** May I know whether the partial exemption of inter-State Sales Tax to Delhi businessmen has caused serious repercussions in other States and, if so, whether any uniform decision is likely to be taken in this regard?

**The Minister of Finance (Shri T. T. Krishnamachari):** Does the hon. Member mean exemption of inter-States Sales Tax?

**Shri S. M. Banerjee:** Partial exemption.

**Shri T. T. Krishnamachari:** It is a matter entirely with the State Government because under the amended Act we have given powers to the State Governments to exempt partially, totally or fractionally as they like.

#### Income Tax Evasion

\*1602. **Shri B. S. Murthy:** Will the Minister of Finance be pleased to state:

(a) the steps taken to reduce the period of investigation and prosecution in order to prevent income-tax evasion; and

(b) the result thereof?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) The steps taken to reduce the period of investigation in cases of suspected income-tax evasion mainly are:—

(i) the creation of special Commissioners Charges called Central Charges at Bombay and Calcutta to deal with cases of suspected evasion;

(ii) setting up of the Income-tax Investigation Commission in 1947 to unearth huge secret profits earned during the year. After the operative portions of the Income Tax Investigation Commission Act were declared ultra vires of the Constitution, the

affected cases were entrusted to a separate Directorate of Inspection (Special Investigation);

(iii) setting up of a Directorate of Inspection (Investigation) to deal with complicated cases of concealment; and

(iv) creation of special Income-tax Circles working under the direct supervision of the above Directorate at important places in the country other than Bombay and Calcutta.

As these special circles deal with all the connected cases of a group, suspected of evasion, completion of investigation into such cases is facilitated and expedited.

Besides these administrative steps, various amendments to the Income-tax Law have been made from time to time investing the Income-tax Officers with additional powers with a view to speeding up investigation.

(b) The reduction in the period of investigation is not capable of easy quantitative measurement. However, substantial results have been achieved in completing investigations.

**Shri B. S. Murthy:** May I know whether there are any rules standing in the way of the quick disposal of these cases and, if so, is the Government contemplating to change the rules to enable the expeditious disposal of these cases?

**Shri B. R. Bhagat:** Does the hon. Member mean any rules? I said that whatever defects there were in the law, as a result of experience and as a result of the recommendations of the Taxation Enquiry Commission, we have made certain amendments in the Income-tax Law and I do not think there is at present any rule which stands in the way of the expeditious investigation. I think the period of investigation is very much reduced and we are tackling these cases rather expeditiously.

**Shri B. S. Murthy:** Are there any more amendments contemplated in the Income-tax Law?

**The Minister of Finance (Shri T. T. Krishnamachari):** The question is as stated by the hon. Member. These are being constantly reviewed from time to time and often times, as the hon. Member knows, and as I have mentioned it on the floor of the House, sometimes assessments are delayed by means of writs even in cases which are at the point of settlement. The matter goes to court and a writ is taken and we have to await the decision on that particular matter. Subject to this, whatever can be done to expedite the decision is being done. But the overall question whether any revision is necessary is a matter which is being examined and we will come to some conclusion. When we come to a conclusion in this matter, proposals will, naturally, be put before the House.

**Shri Jadhav:** May I know the total amount of arrears of income-tax to be recovered up to 31st March, 1957?

**Shri T. T. Krishnamachari:** Up to 31st March, 1957, I think, the total arrears will be of the order of Rs. 200 crores. But, we expect that by about March 1958, there will be substantial reduction in this.

**Mr. Speaker:** Next question.

**चौ मंडत बर्खान :** मेरा निवेदन है कि मेरा प्रश्न संख्या १५८४ बड़ा महत्वपूर्ण है। मैं जरा दे दी से आशा था। उसे ले लिया जाए।

**Mr. Speaker:** The question hour is over.

**Shri Bhakt Darshan:** I was late by few minutes.

**Mr. Speaker:** The question hour cannot be extended.

## WRITTEN ANSWERS TO QUESTIONS

लोहे और इस्पात का सामान

\* १५७०. श्री हरिहरलाल भर्ता : क्या इस्पात, सान और इंचन भंडी यह बताने की कृपा करेंगे कि :

(क) दिल्ली में ऐसे कन्ट्रोल रजिस्टर्ड स्टाकिस्टों तथा इस्पात का सामान बनाने वालों की संख्या कितनी है, जिन्हें टीन, लोहे और इस्पात का नियंत्रित सामान दिया जाता है और वह सामान कितना और किस काम के लिये दिया जाता है;

(ख) क्या सरकार ने यह जानने के लिये कि दिया जाने वाला सामान नियंत्रित काम के लिये ही प्रयोग किया जाता है कभी इस विषय में जांच कराई है; और

(ग) क्या सरकार को मालूम है कि कन्ट्रोल रजिस्टर्ड स्टाकिस्टों और इस्पात का सामान बनाने वालों को दिया जाने वाला अधिकासा नियंत्रित सामान चोरी से निकटवर्ती राज्यों को ऊंची दरों पर भेज दिया जाता है?

इस्पात, सान और इंचन भंडी (सरदार स्वरं सिंह) : (क) दिल्ली में ७३ कन्ट्रोल और रजिस्टर्ड स्टाकिस्ट और ४७१ इस्पात का सामान बनाने वाले हैं। कन्ट्रोल, रजिस्टर्ड स्टाकिस्टों को इस्पात, क्रमशः कोटा सर्टिफिकेट और परमिट वालों को बाटने के लिए दिया जाता है। इस्पात का सामान बनाने वाले सामान बनाने के लिए इस्पात प्राप्त करते हैं। प्रतील, १६५६ से जून, १६५६ तक के समय में कन्ट्रोल स्टाकिस्टों को १०,४५४ टन, रजिस्टर्ड स्टाकिस्टों को १२,२७२ टन, तथा इस्पात का सामान बनाने वालों को लगभग १०,६०० टन इस्पात दिया गया था।

(ख) और (ग). जी, नहीं।

**"Invisible Earnings"**

**\*1573. Shri Damani:** Will the Minister of Finance be pleased to state:

(a) the total amount of "Invisible Earnings" on Government account and on account of private agencies during 1956-57, and

(b) whether there has been any increase in the amount of "Invisible Earnings" as compared with the figures of 1955-56?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) The net total invisible earnings of the country amounted to Rs 147 crores in 1956-57; Rs. 75 crores on Government account and Rs. 72 crores on private account according to preliminary estimates.

(b) Yes; there was an increase of about Rs. 21 crores in net total invisible earnings.

**Representation of Andaman and Nicobar Islands in Lok Sabha**

**\*1574. Shri Shree Narayan Das:** Will the Minister of Home Affairs be pleased to state:

(a) whether the question of representation of Andaman and Nicobar Islands in the Lok Sabha by direct election is being considered by Government;

(b) whether any representations on behalf of some organisations there have been received;

(c) if so, the names of such organisations; and

(d) the reaction of Government to such representations?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) No, Sir.

(b) and (c). Yes, a representation was received from Shri Ratnam, President of the following organisations in Andamans:

(i) Andamans Forest Labour Union;

(ii) Marine Employees Union; and

(iii) General Workers Union.

(d) As the nomination has already been made by the President for the seat allotted to the Andaman and Nicobar Islands no action can be taken at present on this representation.

**Basic and Traditional Schools in Delhi**

**\*1576. Pandit D. N. Tiwary:** Will the Minister of Education and Scientific Research be pleased to state:

(a) the number of non-basic schools converted into basic schools in Delhi during 1956-57; and

(b) whether it is proposed to prohibit the opening of new traditional schools in Delhi?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimati):** (a) Nil.

(b) Although the ultimate objective is to have only the Basic type of schools at the elementary stage, it is not feasible at present—due to practical difficulties—to prohibit the opening of new traditional schools with immediate effect.

**Law and Order situation in Kerala**

**\*1577. Shri Subbiah Ambalam:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government have received any representation from the affected people in Kerala State regarding inadequate protection being given to the employees and non-Communist Trade Unionists from threats and assaults by the Communist Labour Unions; and

(b) if so, the action taken thereon?

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

(b) The representations have been referred to the State Government.

**Office of the Registrar of Companies,  
Calcutta**

\*1578. **Sardar A. S. Saigal:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1009 on the 17th December, 1956 and state:

(a) whether it is a fact that the large arrears that had accumulated in the Office of the Registrar of Companies, Calcutta have not yet been cleared;

(b) what investigation Government had made in the matter and what steps have been taken against the officer concerned;

(c) whether it is a fact that this officer was sent to England for training; and

(d) if so, the reasons therefor?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) No, Sir.

(b) Departmental investigations have been completed and the detailed explanations of the officers concerned including this Registrar have been received and are under consideration.

(c) & (d). Yes, Sir. As the new Companies Act was largely based on the corresponding law and procedure prevalent in the U.K., Government considered that before the new Act came into force, it would be a great advantage to the Department of Company Law which had been just set up to administer this Act and other related matters, if one of the Senior Registrars of Joint Stock Companies with sufficient knowledge of the working of the Registrars Office in the country to make a detailed on-the-spot study of the organisation, methods & procedure and working of the office of the Registrar of Joint Stock Companies, London. Accordingly, the Registrar of Joint Stock Companies West Bengal, the then Seniormost Registrar in the Department and who had just been selected for a Grade I post of Registrar in the new Department was deputed to the U.K. for training under the Colombo Plan.

**Assam Oil Company**

\*1579. **Shri L. Achaw Singh:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether compensation has been paid to the peasants whose lands have been acquired for Oil Company in Moran, Hoogrijon and Naharkatiya areas in Assam;

(b) on what basis the compensation was calculated;

(c) whether the compensation paid was adequate; and

(d) whether there was any discrimination in its payment?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) Yes, Sir.

(b) The compensation for lands, houses etc is calculated according to prevailing market value in respective areas and by mutual agreement between the licensee and landowners and in the manner prescribed in Rules 35. (iii) of the Petroleum Concession Rules, 1949. A special condition has been imposed in the Moran and Hugrijon Prospecting licences that in order to facilitate rehabilitation, the licensee shall pay additional compensation for dwelling houses and for outhouses to the people who will be displaced as a result of their lands being acquired by the licensee.

(c) Yes, Sir.

(d) No, Sir.

**Educational Standard in Andamans**

†

\*1580. { **Dr. Ram Subhag Singh:**  
{ **Sardar A. S. Saigal:**

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

(a) whether the percentage of successful candidates from Andamans in the Matriculation Examination this year was only about 20 percent;

(b) if so, the reasons therefor; and

(c) whether Government are contemplating any measures to raise the

educational standard in the Andamans?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali):** (a) No, Sir.

(b) Does not arise.

(c) Yes, Sir.

#### Pension Rules

**\*1581. Shri M. C. Jain:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the pension rules have been further liberalized recently and the maximum limit of retiring pension has been raised from Rs. 6750/- to Rs. 8100/- per annum, mainly for the benefit of higher ranks;

(b) whether the limit of emoluments for purpose of Death-cum-Retirement Gratuity has also been raised to Rs. 1800/- per mensem;

(c) whether the maximum amount of Death-cum-Retirement Gratuity has also been raised to Rs. 24,000/- for the benefit of higher ranks; and

(d) if so, what concrete benefits have accrued to the lower ranks of Government servants?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) to (d). The pension rules have been liberalised in the directions indicated and also in some other respects which are of benefit to the lower paid employees.

It will be seen from the copies of the orders now placed on the Table of the House that Class IV servants have been enabled to get pension according to the same formula as applicable to other classes of employees.

Low paid employees will also benefit from the liberalisation of the terms and conditions relating to the grant of pensions to families of Government servants who die in service. The decision to fix a minimum limit for such

family pensions will be of particular benefit to the lower-ranks. [See Appendix V, annexure No. 5.]

#### Hereditary Renewal Commission

**\*1582. Shri Sadhan Gupta:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Life Insurance Corporation has issued a circular directing its different Units not to make any payment of hereditary renewal commission to heirs of agents who died after 1st September, 1956;

(b) if so, the reasons therefor; and

(c) how long the payment of hereditary commission will remain suspended.

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) to (c). Payment of hereditary renewal commission to heirs of agents who died on or after 1st September, 1956 was withheld by the Life Insurance Corporation pending a detailed examination of the whole question. The Corporation has since decided to make payment of such commissions to the heirs of all agents who are normally entitled to it under the Insurance Act and necessary instructions in this regard have already been issued by the Corporation.

#### राष्ट्र-मण्डलीय देशों के सेनाध्यक्षों का सम्मेलन

**\*1584. श्री भवन दर्शन :** क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भ्रमी हाल ही में इंग्लैण्ड में राष्ट्र-मण्डलीय देशों के सेनाध्यक्षों का एक सम्मेलन हुआ था;

(ख) यदि हां, तो उस सम्मेलन में भारत का प्रतिनिधित्व किन-किन पदाधिकारियों ने किया था; और

(ग) उस सम्मेलन में किन-किन बातों पर विचार किया गया?

प्रतिरक्षा मंत्री (श्री हृष्ण मेनन):  
(क) जी हाँ; ७ अगस्त से ६ अगस्त, १९५७ तक।

(ख) जेनरल के० एस० विमया, चीफ आफ आर्मी स्टाफ और मेजर जेनरल एस० पी० सेन, मास्टर जेनरल आफ आर्डेंस।

(ग) प्रायः सम्बद्ध वेशों की सेना और व्यवसाय सम्बन्धी हचि वाले मामलों पर विचार किया जाता है।

#### Price of Coal

\*1586. Shri T. B. Vittal Rao: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 70 on the 16th May, 1957 and state:

(a) whether any final decision has been arrived at regarding the proposal to have uniform prices for coal all over the country;

(b) if not, the reasons therefor; and

(c) when a firm decision will be taken in this regard?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No.

(b) & (c). Before taking a final decision in the matter, it is necessary to consider the recommendations of the Rail Sea Co-ordination Committee and the Railway Freight Structure Enquiry Committee. The reports of these two committees are still under examination.

#### New Oil Refinery

\*1596. Shri Liladhar Ketoki: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to short Notice Question No. 2 on the 5th August, 1957 and state whether a body of experts has been selected for preparing the project studies for Barauni and Gauhati with a view to take a final decision regarding the location of the new Oil Refinery?

The Minister of Mines and Oil (Shri K. D. Malaviya): The matter is still under consideration.

हिन्दी टाइपराइटर का की-बोर्ड

\*१६०१. श्री बोहन स्वाम्य: क्या शिक्षा और वैज्ञानिक वेबेक्षण मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि सरकार द्वारा स्वीकृत हिन्दी टाइपराइटर की की-बोर्ड में हिन्दी प्रकारभाला के संयुक्त प्रकारों जैसे ह, द, त, व, रु, द्व, ह्य, य आदि को कोई स्थान नहीं दिया गया है;

(ख) क्या यह भी सच है कि इस नये की-बोर्ड की ऊपरी लाइन में प्रत्येक 'की' में तीन अक्षर होंगे, जिससे हिन्दी की पहले ही अति कठिन टाइपिंग की भीभी गति के और अधिक धीमा हो जाने की आशंका है; और

(ग) इन नये परिवर्तनों से हिन्दी टाइपिंग में जो भद्दापन आ जाने की संभावना है, उसके निवारण के लिये सरकार क्या कदम उठा रही है?

शिक्षा तथा वैज्ञानिक वेबेक्षण मंत्रालय मेराष्ट्र-बंशी (डा० का० ला० शीलाली):

(क) जी, हाँ। यह की-बोर्ड लखनऊ सम्मेलन की सिफारिशों पर आधारित है। लखनऊ सम्मेलन ने ऐसे संयुक्त अक्षरों को अस्वीकार कर दिया थी।

(ख) की-बोर्ड की सब से ऊपर की लाइन से प्रत्येक 'की' में तीन अक्षर होंगे परन्तु इससे हिन्दी टाइपिंग की गति पर कोई प्रभाव नहीं पड़ेगा। तीसरी शिफ्ट के बेल दूसरे प्रकार के ग्रंथों के लिए होगी और टाइप करते हुए ऊपरी लाइन में एक समय में केवल दो शिफ्टों का ही प्रयोग होगा।

(ग) प्रश्न नहीं उठता।

### Death of Frogman Pethkar

\*1603. **Shri Assar:** Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 887 on the 13th August, 1957 and state:

(a) whether Government have received the final report about the death of Frogman Pethkar; and

(b) if so, the findings thereof?

**The Minister of Defence (Shri Krishna Menon):** (a) No.

(b) Does not arise.

### Bank Advances Against Foodgrains

\*1604. **Shri Shree Narayan Das:** Will the Minister of Finance be pleased to state:

(a) whether any and if so, what steps have been taken by the Reserve Bank against those Scheduled Banks which have not acted according to the directions issued to them regarding reducing their advances made to the businessmen for stocks of foodgrains held by them;

(b) the number of banks which have not obeyed the directions; and

(c) the extent to which other banks have reduced their advances in this regard?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) to (c). The Banks have generally made efforts to comply with the provisions in the Reserve Bank directive regarding margins. But in regard to levels, 39 out of 50 banks with advances against rice and paddy and 37 out of 55 banks with advances against other foodgrains were unable to comply fully with the directive by the date indicated. The Reserve Bank, at the end of July, impressed strongly upon the banks the immediate necessity of bringing down their advances to the prescribed levels. Advances against paddy and rice declined by about Rs. 15 crores or 69 per cent between the end of May and

the middle of August this year and advances against other foodgrains declined by Rs. 5.8 crores or 28 per cent during the same period.

### Educational and Vocational Guidance Career Committee

\*1605. { **Shri Subiah Ambalam:**  
**Shri Thanu Pillai:**

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

(a) whether there is any proposal to extend the Educational and Vocational Guidance and Counselling Services for students to Colleges and Universities; and

(b) whether a Pilot Scheme will be introduced in the Secondary Schools of the States?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall):** (a) No, Sir.

(b) Pilot projects of educational and vocational guidance have been introduced in four Higher Secondary Schools in Delhi only. The Ministry has no information about other States.

### Grants for Centrally Sponsored Schemes in Andhra Pradesh

\*1606. **Shri Sanganna:** Will the Minister of Home Affairs be pleased to state:

(a) whether the Government of India have sanctioned a grant of Rs. 56 lakhs in addition to the provisions of Rs. 181.25 lakhs made in the Second Five Year Plan to the Government of Andhra Pradesh for implementation of the Centrally Sponsored Schemes;

(b) if so, what are those schemes; and

(c) whether such facilities are extended to the tribal areas of the country?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) The revised ceiling for the Centrally spon-

sored schemes for Scheduled Tribes in Andhra Pradesh is Rs. 80 lakhs in addition to the provision of Rs. 200.51 lakhs under the State sector.

(b) A statement is laid on the Table of Lok Sabha. [See Appendix, annexure No. 6.]

(c) Yes, Sir.

### उत्तुग गवेषणा केन्द्र

\*१६०७. श्री भक्त दर्शन : क्या शिक्षा और वैज्ञानिक गवेषणा मंत्री २० दिसम्बर, १९५६ के ताराकिन प्रश्न मेंन्या १३६८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि उत्तुग गवेषणा केन्द्र की स्थापना करने के बारे में इस बीच और क्या प्रगति हुई है ?

शिक्षा और वैज्ञानिक गवेषणा मंत्रालय में राज्य-मंत्री (दा० का० ला० अ०मा०री) कोस्मिक रे पर गवेषणा करने के लिए उत्तुग गवेषणा केन्द्र की स्थापना का प्रश्न मंत्री एटोमिक अनर्जी विभाग के विचारधीन है।

कोस्मिक रे के अनिवार्य अन्य समस्याओं तथा स्थूल किजियांलोंजी पर गवेषणा करने के लिए उत्तुग गवेषणा केन्द्र की स्थापना का प्रस्ताव पर, नैशनल इंस्टीट्यूट आफ साईंसज आफ इंडिया तथा गुनर्मन रिसर्च लेबोरेटरी के नत्वावधान में हुई संगोष्ठी की कार्यवाही का पूर्ण परीक्षण करने के पश्चात वैज्ञानिक और औद्योगिक अनुसंधान परेपद बचार करेंगी। मंगोष्ठी की कार्यवाही की रूपों अभी आर्ना है।

### Shipping between India and Andaman Islands

\*१६०८. Sardar A. S. Saigal: Will the Minister of Home Affairs be pleased to state:

(a) when the "State of Andaman?" will make her first maiden voyage linking Andaman and Nicobar Islands

with the mainland and what are the special facilities and amenities provided for the deck and bunk class passengers;

(b) the total tonnage of the ship and its total capacity of carrying maximum passengers and cargo respectively;

(c) whether the present rates of freights for both passengers and cargo will be reduced; and

(d) whether there will be facilities for booking passages on the mainland open to all intending Indian visitors?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) The exact date of the maiden voyage of this vessel to the Andaman and Nicobar Islands is not yet known. The vessel is expected to be ready by the end of October, 1957. It is being provided with normal facilities and amenities for bunk class passengers.

(b) Gross Tonnage	5858 approx.
Net	3398 approx.
Dead weight	2000 tons
Passenger-Babins	68
Bunk Class	550

(c) It is not proposed to reduce either passenger fares or cargo freights.

(d) Yes.

### Coal Reserves

\*१६०९. Shri T. B. Vittal Rao: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether there is a proposal for re-estimation of coal reserves;

(b) if so, whether any procedure has been formulated; and

(c) when the work of re-estimating the reserve of coal will be undertaken?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c): The Coal Council of India has appointed a committee called Committee on Assessment of Resources to

review the present methods of determination of reserves of coal in working collieries and virgin areas and to draw up a standard procedure for estimation of actual and potential reserves of coal and classification of the reserves quantitatively and qualitatively, fieldwise and regionwise.

This Committee has drawn up a tentative standard procedure and has invited the comments of eminent Mining Engineers and Geologists in the country. As soon as their comments are received, the Committee will finalise the revised procedure and thereafter take up the work of re-estimating the reserves of coal.

### Coal Deposits in Gare Hills

**\*1611. Shri Liladhar Kotok:** Will the Minister of Steel, Mines and Fuel be pleased to state the steps taken to exploit coal deposits of Garo Hills in Assam?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** Drilling operations have been started by the Geological Survey of India to find out the potentialities of these coal deposits. The manner and method of exploitation will be determined by the drilling data, which will be compiled and analysed as soon as drilling operations are completed.

## **Scheduled Castes Research Students**

\*1612. **Shri Wasnik:** Will the Minister of Education and Scientific Research be pleased to state:

(a) the amount of scholarship, money paid by Government to post-graduate research students belonging to the Scheduled Castes;

(b) whether any representations have been received from the Scheduled Castes students to increase the amount of scholarship money; and

(c) if so, the action Government have taken in view of the fact that other Ministries are paying more scholarship money for conducting similar research work?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall): (a) to (c). A Statement is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 7.]

### Missing I.A.F. Dakota

\*1613. { Dr. Ram Subhag Singh  
Shri Bhadur Singh:  
Shri Kamal Singh:

Will the Minister of Defence be pleased to state:

(a) whether Dakota No. 918-A carrying four officers left Leh for Srinagar on the 8th May, 1957 but never reached the destination.

(b) whether any trace has since been found of the aircraft or any of its crews;

(c) whether any committee of enquiry was constituted:

(d) if so, what is its report;

(c) what are the conclusions reached by Government as to the probable causes of its loss and the ultimate fate of the aircraft or its occupants;

(f) if no enquiry has been instituted, what are the reasons for departure from the normal routine;

(g) whether Government will now institute an enquiry into the matter; and

(h) whether any compensation has been awarded or is proposed to be awarded to the heirs of the crew?

**The Minister of Defence (Shri Krishna Menon):** (a) IAF Dakota No. 918-A carrying four officers left Leh for Srinagar on 8th May 1957; but did not arrive at Srinagar. It is feared that the aircraft met with an accident.

(b) No.

(c) to (g). A Court of Inquiry was set up to enquire into the matter. The proceedings are still pending.

(h) Two of the members of the crew were married men; and the other two were unmarried men. Pending formal confirmation of the fact that the two married officers are no longer alive, special family pensions have been sanctioned for their wives. Final awards will be made after completion of the proceedings of the Court of Inquiry. Claims to defendant's pension have not been received from the defendants of the two unmarried officers. When received, those claims will also be considered in accordance with the rules.

**Educational Programmes for Scheduled Castes and Scheduled Tribes in Orissa**

**\*1614. Shri Sanganna:** Will the Minister of Home Affairs be pleased to state:

(a) whether any allocation of funds has been made in the Second Five year plan for the educational programmes of the Scheduled Tribes and Scheduled Castes in the State of Orissa;

(b) if so, to what extent; and

(c) the salient features of these programmes?

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

(b) Rs. 145.545 lakhs for Scheduled Tribes; and Rs. 20.715 lakhs for Scheduled Castes.

(c) (i) Opening of special types of institutions like Ashram Schools and Sevashrams for Scheduled Castes and Scheduled Tribes students.

(ii) Grant of stipends for general and technical education.

(iii) Establishment of Hostels

(iv) Opening of one Technical Training Institute and two Training-cum-Production centres for giving training in mechanics, welding, smithy, carpentry, draftsmanship etc.

आवानी बोर्डी की तदर्थ समिति

\*१६१५. श्री भक्त दर्शन : क्या प्रतिरक्षा मंत्री १२ दिसम्बर, १९५६ के तारांकित प्रश्न संक्ष्या ११११ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) जिन नौ आवानी बोर्डों के बारे में तदर्थ समितियों की सिफारिशों पर विचार किया जा रहा था, उनमें से किन-किन के बारे में अन्तिम निर्णय कर लिया गया है;

(ख) क्या उन तदर्थ समितियों की सिफारिशों का विवरण और उन सिफारिशों पर किये गये निर्णयों की प्रतियां सभा-पटल पर रखी जायेंगी;

(ग) शेष आवानी बोर्डों में से प्रत्येक के बारे में अभी तक निर्णय न हो सकने के क्या कारण हैं; और

(घ) उनके बारे में अन्तिम निर्णय कब तक कर लिया जायेगा ?

**प्रतिरक्षा उपमंत्री (श्री रघुरामेश्वर):**

(क) दीनापुर, फैजाबाद, झाँसी, सागर और सेंट टामस माऊंट सौहत पल्लवरम।

(ख) एक विवरण सभा के पटल पर रख दिया गया है जिसमें उपरोक्त ५ आवानियों की तदर्थ कमेटियों की सिफारिशें और उन पर सरकार द्वारा किए गए निर्णय दिखाये गये हैं। [वेस्टिये परिशिष्ट ५ अनुबन्ध संख्या ८]

(ग) विलम्ब के कारण ये हैं —

(१) अलाहुबाद और लैन्सडाउन आवानियों की भूमि विषयक आवश्यकताओं का पुनर्निर्णय हो रहा है।

(२) जहां तक दूसरी दो आवानियों प्रथम् अम्बाला और रानीखेत का सम्बन्ध है, अम्बाला और रानीखेत आवानियों में इन सिफारिशों के परिणामस्वरूप दी जाने

वाली सुविधाएं और उनके विस्तीर्ण प्रत्येक भाषी विचाराधीन हैं।

(अ) दीघ ही।

कह जाने वाले भारती शिक्षा विद्यारदों के प्रतिनिधि-मण्डल की दीपोंट

\* 1616. सरदार डॉ तिं. सहगल: क्या शिक्षा और वैज्ञानिक गবेशणा मंत्री यह बताने की कृपा करेंगे कि भारतीय शिक्षा विद्यारदों के प्रतिनिधि—मण्डल की, जो कि रूस की शिक्षा प्रणाली की जात करने के लिये गत वर्ष वहां गया था, रिपोर्ट पर सरकार में क्या कार्यवाही करने का विचार किया है?

शिक्षा तथा वैज्ञानिक गवेशणा मंत्रालय में राष्ट्रपति—मंत्री (डॉ. का० ला० शीमाली): इस रिपोर्ट पर सरकार का कोई कार्यवाही करने का विचार नहीं है।

#### Police Raid

\*1617. Dr. Ram Subhag Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some live bombs, explosive materials, Pakistani flags and receipt books bearing the name of the Dacca Muslim League (Bhabda Branch) were recently recovered from the residence of Shri Haji Abdul Hamid, Member of the West Bengal Legislative Assembly;

(b) whether Shri Hamid was present at the time when his house was searched; and

(c) whether any action has been taken against him in this regard?

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

(b) Yes.

(c) He was arrested and later released on personal recognisance bond. The case is under investigation.

#### English Channel Swimming Contest

1359. Shri H. N. Mukerjee: Will the Minister of Education and Scientific Research be pleased to state:

(a) whether any assistance has been rendered to Shri Mihir Sen in his attempt to swim the English Channel; and

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

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) A grant in pounds sterling equivalent to Rs. 5,000/-

#### Preservation of Jain and Buddhist Relics in Madurai

1360. Shri R. Narayanasamy: Will the Minister of Education and Scientific Research be pleased to state:

(a) whether steps have been taken for preserving the Jain and Buddhist relics found in the district of Madurai and its surroundings; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali): (a) The Jain monuments as per list attached which were found in the Madurai District are preserved by the Union Department of Archaeology, but no Buddhist relics are preserved by the Department. [See Appendix V annexure No. 9.]

(b) These monuments are preserved in situ by removing the accretion, clearing the jungle and pathways leading to the monuments, providing roof etc., where necessary, to give protection from the sun and rain, cleaning and putting up enamel steel warning Notice Boards.

**Hindustan Steel Ltd.**

**1361. Shri F. G. Deb.** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) what are the rates of compensation recommended by the Government of India for the acquisition of lands at Rourkela for the construction of the Hindustan Steel Ltd?

(b) the rates actually fixed by the Hindustan Steel Ltd. for the above purpose;

(c) whether it is a fact that Mukerjee Report of 1936 has been taken into consideration for the above fixation of rates; and

(d) if so, the reasons therefor?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) The Government of India did not recommend any rates of compensation for the acquisition of the lands in question

(b) The rates of compensation for the different classes of lands (acquired at Rourkela) as fixed by the Government of Orissa are as under:—

1. Bhal	Rs. 900/- per acre
2. Berna	Rs. 600/- .. ..
3. Barchha	Rs. 748/- .. ..
4. Mal	Rs. 401/- .. ..
5. Goda	Rs. 200/- .. ..
6. Kudar	Rs. 227/- .. ..
7. Gharbari	Rs. 227/- .. ..

(c) and (d). We are not aware whether or not "Mukerjee Report of 1936" was taken into consideration by the special land acquisition officer appointed by the Government of Orissa for fixing the amounts of compensation for the lands. The market value of the land plus 15% solatium for the compulsory nature of the acquisition and a certain multiple of the deduced rent plus 15% solatium were the basis for fixing the compensation.

**Employment Position in Laccadive Islands**

**1362. Shri Nallakoya:** Will the Minister of Home Affairs be pleased to state:

(a) the steps taken by Government for improving the employment position in Laccadive, Minicoy and Amindivi islands; and

(b) the progress of the scheme undertaken in this connection?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) and (b). The schemes for the development of these islands including those which will improve the employment position are at present under consideration and a Five Year Plan for these Islands will be finalised shortly. However 21 islanders have already been given employment under medical, educational and agricultural schemes, since these islands came under Central Administration.

**Silver Loan**

**1363. Shri Morarka:** Will the Minister of Finance be pleased to state how much of the U. S. Silver Loan has been returned so far?

**The Minister of Finance (Shri T. T. Krishnamachari):** Against the total quantity of 172.5 million ounces of fine silver, which the Government of India have to return to the Government of the U. S. A., they have so far shipped about 49.1 million ounces of fine silver in the form of silver bars and have handed over to the U. S. Government, through their Embassy in New Delhi, by means of exchange of letters, about 122.2 million ounces of fine silver in the form of quaternary alloy silver coins and bars at the places in India where they lie.

**Assets of Ex-Rules**

**1364. Shri Morarka:** Will the Minister of Home Affairs be pleased to state:

(a) the total assets in sterling and/or foreign currencies held by the former rulers of the Indian States;

(b) whether such rules have made a full and complete return or disclosure of such foreign assets held by them to the Government of India;

(c) if not, whether Government have made any appraisal or estimate of such foreign assets held by the aforesaid rulers; and

(d) if so, the total of the estimate so made?

**The Minister of Home Affairs (Pandit G. B. Pant):** (a) and (b). Most of the Rulers have furnished information regarding the foreign assets held by them, but it is not considered desirable in the public interest to disclose this information. Government have no reason to believe that the disclosures made by the Rulers are not full and complete.

(c) and (d). Does not arise.

#### Depreciation and Other Allowances

**1365. Shri Morarka:** Will the Minister of Finance be pleased to state:

(a) the total amount of initial depreciation allowance given to the Joint Stock Companies in India ever since the scheme of special allowance and development rebate was introduced;

(b) the total amount of special development rebate allowed to the companies ever since its inception;

(c) the total amount of special depreciation or any other allowance given to the Joint Companies; and

(d) the total benefit in terms of money given to the new industrial undertakings under the tax holiday scheme?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) to (d). Statistics containing this information are not complied in the Income-tax Department. The collection of these statistics will mean scrutiny of the individual income-tax records of a very large number of joint stock companies in the income-tax Circles scattered all over the country. The amount of time

and labour involved will not be commensurate with the result likely to be achieved by the compilation of such figures.

#### Civilians in Defence Services

**1366. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) the total number of employees discharged under Rule 5 of Civilians in Defence Services (Temporary Service) Rules during the years 1955 and 1956; and

(b) whether their cases are being reconsidered?

**The Deputy Minister of Defence (Shri Raghuramiah):** (a) The information is being collected and will be laid on the Table of the House.

(b) Such cases are reconsidered and reviewed if necessary on receipt of a representation from the discharged employee concerned.

#### Civil Employees in Defence Establishments

**1367. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) the total number of Civilian employees in the various Defence Establishments including Ordnance Factories; and

(b) the total number out of them declared permanent and quasi-permanent?

**The Parliamentary Secretary to the Minister of Defence (Shri Fata-Singhrao Gaekwad):** (a) and (b). The information is being collected and will be laid on the Table of Lok Sabha.

#### I.A.S. Emergency Recruitment

**1368. Shri Ajit Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the procedure for promotion to I.A.S. cadre under Emergency

**Recruitment Scheme 1956 from State Civil Services and other Services;**

(b) whether it is a fact that Government have fixed six years experience as on the 31st December, 1956 in a State Civil Service for being eligible for promotion to I.A.S. under the above Scheme;

(c) how many Scheduled Castes and Schedule Tribes Officers in each State fulfilling the conditions laid down in (b) above have been considered as eligible for selection to I.A.S.;

(d) the number of officers so far selected to I.A.S. from State Civil Services and the number of Scheduled Castes amongst them from each State; and

(e) number of persons selected from other Government Services from each State and the number of Scheduled Castes amongst them?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) The procedure for promotion to I.A.S. cadre under Emergency Recruitment Scheme, 1956 is contained in the Indian Administrative Service (Special Recruitment) Regulations, 1956, a copy of which is placed on the Table of Lok Sabha. [See Appendix V, annexure No. 10]

#### **U. S. Investment Guarantee Scheme**

**1369. Shrimati Tarkeshwari Sinha:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 585 on the 29th May, 1957 and state at what stage the proposal of U.S. Investment Guarantee Scheme stands now?

**The Minister of Finance (Shri T. T. Krishnamachari):** The matter is under consideration.

#### **Use of Departmental Cars**

**1370. Shri L. Achaw Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the number of departmental vehicles allotted to officers in Manipur;

(b) the reasons why officers do not use departmental vehicles on official tours; and

(c) steps taken by Government to prevent charging of tour allowance at enhanced rate per mile by officers by travelling in privately owned cars?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) No departmental vehicle is allotted to any particular officer.

(b) Apart from the fact that departmental vehicles cannot be made available to all officers for tours, the rules allow officers to use staff cars or private or hired vehicles according to the needs of the situation.

(c) Touring officers using privately owned cars for journeys by road are entitled to mileage allowance at the rates prescribed under rule 46 of Supplementary Rules which were fixed in March 1944 after taking into consideration the general rise in cost.

#### **Excise Inspectors**

**1371. Shri Narapa Reddy:** Will the Minister of Finance be pleased to state:

(a) the number of Excise Inspectors working under each Collector;

(b) whether all these persons have been confirmed;

(c) if not, the reasons therefor; and

(d) the policy adopted for confirmation?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) The number of Central Excise Inspectors working under each Collector of Central Excise is as follows:—

S. No.	Name of Collectorate	No.
1.	Mysore	343
2.	Patna	368
3.	Hyderabad	661

[Shri T. T. Krishnamachari]

4.	Baroda	615
5.	Bombay	743
6.	Nagpur	217
7.	Calcutta	1013
8.	Delhi	539
9.	Allahabad	665
10.	Madras	799
11.	Shillong	416

(b) About 57% of the Inspectors have not been confirmed.

(c) All the posts have not been sanctioned on a permanent basis. Confirmations of some of the incumbents in the available permanent vacancies are being considered by the Collectors. Some of the permanent Inspectors are officiating in higher posts or are on deputation to other Departments, and their liens have to be kept on the permanent posts of Inspectors. These posts of Inspectors can be filled permanently only after the substantive holders thereof have been permanently absorbed in the higher posts or elsewhere. This necessitates the continuance of officiating arrangements in good many cases.

(d) Posts are initially sanctioned on a temporary basis. In accordance with the general policy of the Government 80% of the posts which have been in existence for more than 3 years and which are required on a long term basis are subsequently made permanent. Confirmations of Inspectors in the permanent posts are made in the order of their seniority, provided they are considered fit for confirmation on the basis of their records of service.

#### Excise Duty on Tobacco

1372. Shri Narappa Reddy:  
Shri S. R. Arumugham:

Will the Minister of Finance be pleased to state:

(a) the amount of excise duty collected by the Central Government

on tobacco from each State during the last four financial years;

(b) the amount of share given to each out of this; and

(c) the basis on which this allocation is made?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) Two statements—Statement No. 1 for the years 1953-54 to 1955-56 and Statement No. 2 for the year 1956-57—showing the required information are laid on the Table. [See Appendix V, annexure No. 11.]

(b) In accordance with the recommendations of the Finance Commission 40% of the net proceeds of excise duties on tobacco, matches and vegetable product taken together are allocated to the States. Separate figures for tobacco only are not maintained. A statement (No. 3) showing the amounts allocated to the various States during the years 1953-54 to 1956-57 is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 11.]

(c) The basis for the allocation of the States' share is given in Chapter V—Division of Union Excises—of the Report of the Finance Commission, 1952, a copy of which is available in the Library of the Lok Sabha.

#### Health Examination of the Students of M.B.B. College, Agartala

1373. **Shri Dasaratha Deb:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether there is any arrangement for the examination of health of the students of the M.B.B. College, Agartala, Tripura; and

(b) if not, whether Government have such a proposal before it?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall):** (a) No, Sir.

(b) There is no proposal at present under consideration of Tripura Administration.

### Property Returns

**1374. Shri Shree Narayan Das:** Will the Minister of Home Affairs be pleased to state:

(a) whether after the issue of instructions under the Central Civil Services (Conduct) Rules regarding property returns the scrutiny of such returns have revealed any cases of failure of proper returns or any other matters which required investigations by Government;

(b) the nature of such failure and action taken by Government;

(c) whether the results of scrutiny made from time to time are available; and

(d) the present manner and method of inquiry of such returns?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a), (b) and (c) The information is not readily available. It will be collected and laid on the Table of the House.

(d) These returns are scrutinised annually by the authority specified on that behalf, who is generally the Head of the office, the Head of the Department, or the Administrative Ministry, as the case may be.

### Co-operative Labour Canteen at Andamans

**1375. Dr. Ram Subhag Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a Cooperative Labour Canteen run by the Marine Labour Union of Andamans was recently closed; and

(b) if so, the causes thereof?

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

(b) The Canteen which was housed in a Government building was used for political discussions even during working hours. Warning notices to stop this practice were ignored and the Administration had, therefore, to take over the building to put an end to this nuisance.

### Expenditure on Educational Institutions in Orissa

**1376. Shri Sanganna:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether any expenditure on Educational Institutions which have come into existence in the course of the First Five Year Plan has been taken as committed expenditure during the Second Five Year Plan so far as the State of Orissa is concerned;

(b) if so, the names of such institutions; and

(c) the reasons therefor?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall):** (a) to (c). The requisite information has been called for from the Government of Orissa.

### अनुमूलिक जातियों और अनुमूलित आदिम जातियों के आत्रावास

**१३७७. श्री क० भ० मालवीय :** क्या गृह-कार्य मंत्री अनुमूलिक जातियों और अनुमूलित आदिम जातियों के आयकृत द्वारा वर्ष १९५५ में लिये प्रकाशित पाचवीं रिपोर्ट के पाठ ३३ पर दिये गये आंकड़ों के मम्बन्ध में यह बताने की कृपा करेंगे.

(क) मध्य-प्रदेश के किन किन स्थानों में अनुमूलिक जातियों और अनुमूलित आदिम जातियों के लिये ८५१ आत्रावास खोले गये हैं; और

(ख) क्या यह आत्रावास हैं अवका होटल हैं?

**गृह-कार्य उपर्यांत्री (श्रीमती अहसा):**

(क) तथा (ख), १९५५ में हरिजन सेवक मंघ के प्रयत्नों से मध्य प्रदेश के ८५१ होटलों में अनुमूलिक जातियों के प्रवेश की व्यवस्था की गई। होटल के स्थान पर होस्टल गलत आ गया है। इसलिए यह प्रश्न ही नहीं उठता कि किन-किन स्थानों में इन जातियों के लिये आत्रावास खोले गये।

### Profits of Foreign Companies

**1878. Shri Tangamani:** Will the Minister of Finance be pleased to refer to the decision of the Supreme Court as reported in 1958 Income Tax Reports Vol. XXIII on page 101 and state:

(a) whether the Government propose to assess the profits accrued abroad in the case of foreign companies; and

(b) if so, the action taken thereon?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) and (b). Foreign companies fall into two categories (i) resident in India and (ii) non-resident in India. Under the Indian Income-tax Act, resident companies are liable to tax on profits accruing in India as well as profits accruing outside India. Non-resident companies are assessable only on the profits which arise or are deemed to accrue in India and not profits which accrue outside India. This position is recognised by the judgment quoted by the Hon'ble Member. Therefore, the question of taxing the foreign profits of non-resident companies does not arise.

### Displaced Persons in Andamans

**1389. Sardar A. S. Saigal:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that displaced persons who have gone to Andamans after 1953 have not been supplied with ploughing animals and cleared lands;

(b) if so, the reasons therefor;

(c) whether it is a fact that the lands allotted in middle and North Andamans to displaced persons are full of big stumps;

(d) if so, what has happened to the provision of Rs. 50 lakhs for uprooting of stumps;

(e) whether it is a fact that many displaced persons have not been given the full quota of land as yet; and

(f) if so, how many displaced persons are there with less than the fixed quota of land?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) and (b). All the 1465 families, who have settled in Andamans after 1953, have been given cleared land; but ploughing animals have so far been supplied only to 572 families due to bottleneck of transport.

(c) No, but there are stumps of big trees scattered in all the land so far cleared for colonisation in North and Middle Andamans.

(d) The provision of Rs. 50 lakhs has been made for clearing of jungle and uprooting of stumps, but there is no separate provision for uprooting of stumps exclusively.

(e) and (f). In colonisation area, all settlers have been given full quota of cleared land, but the promised quota of 5 acres of hilly land per family for horticulture purposes could not be allotted so far to any one of them. Clearance and allotment of hilly land will start after the paddy land has been brought fully under cultivation.

### Sale of Salt in Andamans

**1389. Sardar A. S. Saigal:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that salt was sold at Diglipur, North Andamans at Rs. 1 $\frac{1}{2}$  per seer in June last; and

(b) if so, the reasons therefor?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) No, Sir. Salt was being sold at 31 Naya Paisa per 2 lbs.

(b) Does not arise.

### Transport Arrangements in Andamans

**1381. Sardar A. S. Saigal:** Will the Minister of Home Affairs be pleased to state how many trunk and feeder roads have been laid in the middle

and North Andamans and what is the existing transport arrangements in these areas?

**The Deputy Minister of Home Affairs (Shrimati Alva):** In all 8.8 miles of road have so far been laid and are under construction in Middle Andaman. No road has yet been laid in North Andaman. Survey of the proposed roads in this Island also will be taken up shortly.

Existing means of transport by sea is a ferry steamer service from Port Blair to Long Island in Middle Andaman and to Mayabunder and Port Cornwallis (Aerial Bay) in North Andaman. Small ferry steamed Service is also available in these Islands.

#### Agra Cantonment Board Teachers

**1382. Seth Achal Singh:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Dearness Allowance at the rate of Rs. 20/-p.m. is being paid to the teachers by the Cantonment Board, Lucknow and no objection was ever made against the same by the Command Headquarters;

(b) whether it is a fact that the Command Headquarters held in abeyance the proposal of the Agra Cantonment Board to grant Dearness Allowance to their teachers at the rate at which other Cantonment Board employees were being paid on the ground that it was unlikely that the Government of India would entertain the Board's application for the necessary recurring grant;

(c) whether it is a fact that the Agra Cantonment provided the necessary amount in their Budget for 1953 to pay their teachers the increased Dearness Allowance and the U.P. Government began to grant a recurring grant-in-aid for the purpose since 1954-55;

(d) whether the Command Headquarters turned down the proposal of the Cantonment Board to provide the

necessary amount in their Budget; and

(e) the action Government propose to take in the matter?

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

(b) Yes

(c) Yes. The grant-in-aid from the State Government for maintaining primary schools is being received by the Cantonment Board Agra from 1955-56 and not from 1954-55.

(d) Yes

(e) In view of the improved financial position of the Cantonment Board Agra, the question of granting Dearness Allowance at enhanced rates in consultation with the State Government of U.P. is under active consideration of the General Officer Commanding-in-Chief, Eastern Command.

#### Tribal Students in Manipur

**1383. Shri L. Achaw Singh:** Will the Minister of Education and Scientific Research be pleased to refer to the reply given to Unstarred Question No. 363 on the 30th July, 1957 and state:

(a) whether representations have been made by tribal students reading in private institutions which are affiliated to and recognised by the Gauhati University requesting the Manipur administration to grant them the privilege of free tuitions as in other institutions; and

(b) if so, what steps are being taken to extend free tuition facilities to those tribal students?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali):** (a) and (b). A statement is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 12].

**Manipur Secretariat Staff**

**1384. Shri L. Achaw Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware that most of the Assistants in the Manipur Secretariat and other Government departments have to rent houses and especially those coming from outside Imphal are put into a disadvantageous position, and

(b) if so, the action Government propose to take to remove the difficulty of those Government employees?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Yes. Government are aware of the shortage.

(b) This is not a difficulty peculiar to any particular classes of Government employees in Imphal. The employees of the Manipur Administration are provided with Government residential accommodation to the extent such accommodation is available.

**Manufacture of Liquor**

**1385. Shri L. Achaw Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether the manufacture of liquor at Sekmai by the Scheduled Castes and Scheduled Tribes people has been completely stopped or restricted;

(b) whether any person has been appointed as Government authorised vendor at Sekmai for the purpose; and

(c) if so, the reasons therefor?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) The distillation of liquor at Sekmai except by a licensed distillator was prohibited for all persons including the Scheduled Castes and Scheduled Tribes in 1949 under the Assam Excise and Opium Act, and the prohibition continues.

(b) A wholesale and Retail Country Liquor Licensee has been appointed.

(c) To regulate the purchase and sale of liquor in accordance with the law.

**Survey of India Maps**

**1386. Shri Tyabji:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether the Survey of India maps on all scales are available for sale to the public;

(b) if not, the areas and the scales for which they are not available for sale; and

(c) the reasons why they are not being made available?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall):** (a) Yes, Sir. But the approval of the Central and/or the State Government concerned is required before maps containing information of strategic importance are made available to public

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

**Travancore-Cochin Banking Enquiry Commission**

**1388. Shri Warior:** Will the Minister of Finance be pleased to state:

(a) which of the recommendations of the Travancore-Cochin Banking Enquiry Commission have been accepted by Government and which have been rejected; and

(b) what measures Government have taken to implement the accepted recommendations?

**The Minister of Finance (Shri T. K. Krishnamachari):** (a) and (b). A statement giving the required information is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 13.]

## State Associated Banks in Kerala

1289. **Shri Warrier:** Will the Minister of Finance be pleased to state:

(a) whether the Government of India have received any representation from the All Kerala Bank Employees Union regarding the question of the merger of the three State Associated Banks of the Kerala Government with the State Bank of India; and

(b) if so, what steps Government contemplate to take in the matter?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) Yes, Sir, but the Union have suggested that the merger of the Travancore Bank Ltd. with the State Bank of India should be effected as soon as possible, and that the Indo-Mercantile Bank Ltd., Cochin and the Central Banking Corporation of Travancore Ltd., Alleppey, should be reorganised suitably. The merger of the Indo-Mercantile Bank with the other State-associated banks in the State or, in the alternative, with the State Bank of India has also been proposed.

(b) The amalgamation of the Travancore Bank Ltd. with the State Bank of India has been suggested by the Rural Credit Survey Committee and is under examination along with the other recommendations of this Committee. As regards the other two banks, it will be open to the State Bank of India to consider, in terms of Section 35 of the State Bank of India Act, whether it can take over their business but the initiative in the matter rests with the management of the two banks themselves.

## Cannanore Military Cantonment

1290. **Shri Jinachandran:** Will the Minister of Defence be pleased to state:

(a) whether there is any proposal to abolish the Military Cantonment in Cannanore, Kerala;

(b) if so, the reasons therefor;

(c) whether it is a fact that the Defence Department had a proposal to erect sea walls in the Cantonment area in Cannanore to prevent sea erosion; and

(d) if so, whether this proposal has been shelved now?

**The Deputy Minister of Defence (Shri Raghuramaiah):** (a) No, Sir.

(b) Does not arise.

(c) and (d). It is a fact that some time ago a Board of officers convened by the Military Engineering Service had examined the problem of sea erosion at Cannanore on the spot and submitted schemes for checking it. The Central Water and Power Commission, however, considered that before they could advise on the adoption of these schemes it would be necessary to conduct a model test at the Central Water and Power Research Station at Poona. The proposal for conducting such a test has recently been approved. Depending on the results of the test which would be known in about six months, the question of taking further steps would be considered.

## Re-employment of Released Officers

1391. **Shri M. C. Jain:** Will the Minister of Defence be pleased to state:

(a) whether 45 years is the lower age limit prescribed for re-employment of released non-regular officers;

(b) if so, whether that is the reason for their being considered ineligible for Regular Permanent Commission;

(c) whether any released non-regular officers have been granted Short Service Commissions in the Regular Army (as distinct from the Territorial Army and the N.C.C.) for employment with the N.C.C.; and

(d) if so, how many of them were below the age of 45 years at the time of re-employment?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes, under the existing orders.

(b) No.

(c) Yes, but under orders which were previously in force. These orders have now been superseded.

(d) 42.

### Coal Production

**1392. Shri T. B. Vittal Rao:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the total quantity of Coal raised during the year upto the end of July 1957 by Public and Private Sectors; and

(b) the steps taken to increase the production during the year?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) Production of coal during January to June 1957

Public Sector	Private Sector	Total
	(Million tons)	
1.71	19.94	21.65
(Figures for July, 1957 are not available).		

(b) A statement is laid on the Table of Lok Sabha [See Appendix V, annexure No 14]

### Gold Smuggling

**1393. { Shri D. C. Sharma:  
Shri Raghunath Singh:**

Will the Minister of Finance be pleased to state:

(a) whether the Cold Storage Room of M.V. Rebeverett was searched recently by the Customs authorities in Calcutta; and

(b) if so, whether any gold was discovered?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) and (b). Vice-Sir.

चन्द्रगुप्त मौर्य का निवास स्थान

१३६४. श्री मोहन स्वकृपयः क्या विज्ञा तथा वैज्ञानिक गवेशणा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि चन्द्रगुप्त मौर्य के निवास-स्थान का पता चला है; और

(ख) यदि हां तो सरकार को इस सम्बन्ध में जो जानकारी प्राप्त हुई है उसका व्योरा क्या है ?

विज्ञा तथा वैज्ञानिक गवेशणा मंत्रालय में राष्ट्रपत्री (डा० का० सा० शीर्षकी) :

(क) जी, नहीं।

(ख) प्रश्न नहीं उठता।

पाकिस्तान-राजस्थान सीमा पर तस्कर व्यापार

१३६५. श्री वं० सा० बालपाल : क्या विज्ञ मंत्री यह बताने की कृपा के में कि :

(क) १६५६ और १६५७ में अब तक पाकिस्तान-राजस्थान सीमा पर वित्तने तस्कर व्यापारी पकड़े गये;

(ख) उनके पास से जिस प्रकार जा और वित्तने भूल्य का माल-बरामद हुआ; और

(ग) क्या यह सच है कि निविद वस्तुओं के तस्कर व्यापार को घटनाये अधिकारी राजस्थान के बाड़मर ज़ेसलमेर, बीकानेर और श्रीगंगांव ज़िला के सीमांचों पर बढ़ते हैं?

विज्ञ मंत्री (श्री तिं० ट० कृष्णमाचारी) :

(क) १६५६ और १६५७ (३१ जुलाई तक) में पाकिस्तान-राजस्थान सीमा पर चोरी-छिपे माल लाने या ले जाने वाले १०२ आदमी पकड़े गये।

(ख) उनके पास से कपड़ा, दिल्ला-जरो, जीवित पश्चिमा, भारतीय

मुद्रा, प्राक्तिकानों मुद्रा, घफीम, भोजे-बनियान, सूझाया आदि मिली और उन सब का मूल्य ३,१२,७६३ रुपये था।

(ग) ऐसो घटनाये अविक्तर राजस्थान के बाड़मेर, बांकानेर और झंगगानगर जिलों को सोमाओं पर या उनके आसपास हुई है।

#### Reservation for Scheduled Castes in Defence Establishments

**1396. Shri Daljit Singh:** Will the Minister of Defence be pleased to state:

(a) the number of vacancies reserved for Scheduled Castes in the various Defence Establishments in 1956-57; and

(b) the actual number of vacancies filled in by the Scheduled Castes in each such Establishment during the same period?

**The Deputy Minister of Defence (Shri Raghuramaiah):** (a) and (b) The information is being collected and will be laid on the Table of Lok Sabha.

#### Reservations for Scheduled Castes

**1397. Shri Daljit Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the number of vacancies reserved for Scheduled Castes in each of the Departments of the Ministry of Home Affairs in 1956-57; and

(b) the actual number of vacancies filled in by the Scheduled Castes in each such Department during the same period?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b) The information is being collected and will be laid on the Table of the House as early as possible.

#### Assistants' Grade Examination

**1398. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a limited departmental Assistants' Grade

Examination is being conducted by the Union Public Service Commission in the near future;

(d) if so, when?

(c) whether it is also a fact that those Assistants who have been temporarily appointed as a result of November, 1955 examination are not required to take the ensuing test while those who were appointed in 1954 on the basis of December 1951, test are required to appear; and

(d) if so, the reasons therefor?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Yes.

(b) The announcement is expected to be made by the Union Public Service Commission shortly.

(c) and (d) Persons appointed on a temporary basis on the result of the November, 1955 examination are to be absorbed in a proportion of vacancies in the direct recruitment quota within the next 3-4 years. They are not therefore eligible to appear at the limited competitive examination to qualify for confirmation in Grade IV. Persons who had qualified at the Union Public Service Commission Assistants' Grade examination held in 1951, are eligible for appointment to the Regular Temporary Establishment in the quota prescribed for them, and, as such, it is not compulsory for them to appear at the limited departmental examination for obtaining positions in the Regular Temporary Establishment. They may, however, do so in order to better their chances and obtain higher positions in the R.T.E.

#### Sales Tax on Books.

**1399. Shri Radha Raman:**

**Shrimati Sucheta Kripalani:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the National Development Council in their meeting held at New Delhi on the 3rd

and 4th June, 1957 recommended that the State Governments should exempt books from the purview of their local State Sales Tax; and

(b) if so, which of the States have accepted this recommendation and are acting upon it?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) Yes, Sir.

(b) The reactions of the State Governments are awaited.

**Payment of Compensation to the Victims of Police Firing**

**1400. Shri Yajnik:** Will the Minister of Home Affairs be pleased to state-

(a) the amount of compensation that has been paid to the dependants of the person who died due to the police firing near the Bhangi Colony in Delhi recently; and

(b) the amount of compensation paid to the wounded or their families?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):**

(a) Nil

(b) Nil.

**Arrest of Pakistani Nationals**

**1401. { Shri D. C. Sharma:**  
**Dr. Ram Subhag Singh:**

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Delhi Police has arrested several Pakistani nationals who had entered Delhi, without passports or other necessary travelling documents;

(b) if so, their number during the months of May to August, 1957, month-wise; and

(c) whether any one of them is suspected of having a hand in the explosions in Delhi in which several persons were killed or injured?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Yes.

(b) May, 1957—13, June, 1957—8, July, 1957—12, August, 1957—8 (upto 29th August).

(c) No.

**Monuments of National Importance in Bombay**

**1402. Shri Pangarkar:** Will the Minister of Education and Scientific Research be pleased to state:

(a) the number of monuments of national importance in the State of Bombay where repairs have been undertaken during the period from 1954-55 to 1957-58 (so far); and

(b) the expenditure incurred for carrying out these repairs during the same period?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali):** (a) and

(b) The information is being collected and will be laid on the Table of the House in due course

**Grants for Removal of Untouchability**

**1403. Shri Wasnik:** Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 431 on the 29th May, 1957 and state:

(a) the total amount sanctioned State-wise for the removal of untouchability and for the welfare schemes of Scheduled Castes for the first Five Year Plan period;

(b) the amount that each State did not spend during the first Five Year Plan period from the sanctioned amount for these schemes;

(c) the amount that is not spent State-wise from the sanctioned amount for the period 1956-57 for these schemes; and

(d) the reasons therefor?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) Attention is invited to the Statement laid on the Table of the House in reply to part

(c) of Shri Wasnik's Unstarred Question No. 431 dated the 28th May, 1957.

(b) A Statement giving the information so far received from the State Governments is laid on the Table of Lok Sabha.



(ल) उनमें से कितने व्यक्ति तुलिस  
मारती हैं तथा गये?

गृह-कार्य मंत्रालय में राज्य-मंत्री (भी बातार): (क) तथा (ल), संविधान को बारा ३०६ के अन्तर्गत राज्य से सम्बन्धित कार्यों के पदों की भर्ती का नियमन राज्यों की विधान सभा या राज्य पाल द्वारा किया जाता है परन्तु ऐसा करते समय बारा ३३५ में की गई व्यवस्था के अनुसार, प्रशासन की कार्यसमता का बराबर ध्यान रखते हुए, इन जातियों के सदस्यों के दावों का ध्यान रखा जाता है। भारत सरकार प्रश्न में पूछी गई इस प्रकार को सूचना के पाकड़े एकत्र नहीं करती।

#### Recruitment of Assistant Commissioners

1408. Shri Siddiah: Will the Minister of Home Affairs be pleased to state:

(a) whether the Union Public Service Commission called for applications to fill up the vacancies of Assistant Commissioners for Scheduled Castes and Scheduled Tribes recently;

(b) if so, the total number of applications received; and

(c) the number of applications received from Scheduled Castes and Scheduled Tribes?

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

(b) 149.

(c) 56 from Scheduled Castes, 26 from Scheduled Tribes.

#### Foreign Investments

1409. Shri Bhagavati: Will the Minister of Finance be pleased to state:

(a) the total amount of private foreign investment in India at the end of March, 1957, country-wise;

(b) how much of such investment has fallen down after 1947; and

(c) what percentage of tea industry in India was owned by foreign companies, State-wise at the end of March, 1957?

The Minister of Finance (Shri T. T. Krishnamachari): (a) and (b). Information as at end of March 1957 is not available. Total foreign business investments as at end of June 1948 was Rs. 287.57 crores, as on 31st December 1953 was Rs. 415.73 crores (revised figures) and on 31st December 1955, was Rs. 477.97 crores (figures preliminary and not checked).

(c) Information is not available.

#### तीन वर्ष का डिप्री पाठ्यक्रम

1410. { डा० राम सुरेण्ठ सिंह :  
भी ब० स० सूरी :

क्या शिक्षा तथा वैज्ञानिक ग्रन्थालय भंग्री यह बताने का कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश सरकार ने विश्वविद्यालय शिक्षा में तीन वर्ष का डिप्री पाठ्यक्रम आरम्भ करने से इनकार कर दिया है;

(ल) क्या किसो न्य राज्य सरकार ने भी तीन वर्ष का डिप्री पाठ्यक्रम आरम्भ करने से नकार किया है; और

(ग) यदि हा, तो उन्होंने इसके लिये क्या कारण बताये हैं?

शिक्षा और वैज्ञानिक ग्रन्थालय भंग्री में राज्य-मंत्री: (डा० राम स० श्रीमाती): (क) और (ल), वस्तुत किस भी राज्य सरकार ने, जिसमें उत्तर प्रदेश सरकार भी शामिल है, अपने यहां तीन वर्ष के डिप्री पाठ्यक्रम को लागू करने से इनकार नहीं किया है। परन्तु उत्तर प्रदेश तथा अन्य कई राज्यों ने इसको लागू करने के लिए अपनी अच्छी भभी तक प्रकट नहीं की है।

(ग) विभिन्न राज्यों ने इसको प्रभी तक लागू न करने के अनेक प्रशासनिक और धार्यों का रण बताये हैं।

### Scheduled Caste Students

**1411. Shri Kumbhar:** Will the Minister of Education and Scientific Research be pleased to state:

(a) whether the Scheduled Caste students of different sections are admitted into the Ashram Schools of the Social and Tribal Welfare Department managed by the States and Union Government; and

(b) if not, the reason therefor?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimali):** (a) and (b). A statement is laid on the Table of the House.

[See Appendix V, annexure No. 16.]

### Income-Tax Arrears

**1412. Shri Jadhav:** Will the Minister of Finance be pleased to state:

(a) how many of the income-tax payers have income-tax arrears more than Rupees one crore;

(b) the reasons why this amount is in arrears with them; and

(c) the steps Government have taken to recover the balance from them?

**The Minister of Finance (Shri T. T. Krishnamachari):** (a) to (c). The required information is being collected and a statement will be laid on the table of the House as early as possible.

Part (a)

Year

Quantity sold  
(000 lbs.)

1955-56

59,514

1956-57

57,412

Part (b)

### Scheduled Castes in Orissa and Assam

**1413. Shri B. C. Kamble:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Commissioner for Scheduled Castes or Scheduled Tribes has made inquiries into the incidents of recent harassment of Scheduled Castes in Orissa and Assam States; and

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

**The Minister of State in the Ministry of Home Affairs (Shri Datar):**

(a) Inquiries were made by the Assistant Commissioner for Scheduled Castes and Scheduled Tribes in Orissa in regard to certain incidents of assault and arson involving Harijans which occurred in that State in May-June, 1957, and a report was submitted by him to the Commissioner for Scheduled Castes and Scheduled Tribes. No such inquiries were made in Assam.

(b) No.

### Tobacco Stock in Madras

**1414. Shri S. R. Arumugham:** Will the Minister of Finance be pleased to state:

(a) the quantity of tobacco sold and the unsold quantity that have been converted into manure during the last two years in Madras State; and

(b) the present stock of tobacco unsold up-to-date?

**The Minister of Finance (Shri T. T. Krishnamachari):** Part (a).

Unsold Quantity  
converted into manure  
(000 lbs.)

10,877

11,220

Q. Quantity (000 lbs.)

59,597

**Communal Representation in  
Semi-Government Bodies**

**1416. Shri Wasnik:** Will the Minister of Home Affairs be pleased to state:

(a) in view of the instructions of Government that the orders relating to communal representation have been made applicable to semi-Government and Statutory Bodies wherever Government have powers to do so, how many and which of the semi-Government and Statutory bodies have not so far complied with the Government instructions; and

(b) what action has been taken against such semi-Government and Statutory Bodies?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). These instructions are being followed except in three organisations with whom the matter is under correspondence.

**Reserved Vacancies for  
Scheduled Castes**

**1417. Shri Wasnik:** Will the Minister of Home Affairs be pleased to state:

(a) in view of Government policy that if a suitable number of sufficient candidates of the communities for whom reservations are made are not available, the unfilled vacancies will be carried forward for the two following years in addition to such number as would ordinarily be reserved for them in these years and in the event of suitable Scheduled Caste candidates not being available, a Scheduled Tribes candidate can be appointed to the reserved vacancy and vice versa, how many of such unfilled vacancies have been carried forward up till now in the various departments of Government since the issue of above instructions; and

(b) how many of the Scheduled Caste candidates have been appointed in the reserved vacancies for the

Scheduled Tribes, because of the non-availability of the Scheduled Tribe candidates so far and vice versa.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):**

(a) A statement containing the information for 1955 is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 17] The figures for 1956 are being collected and will be laid on the Table of the House in due course.

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

**Reserved Vacancies for Scheduled Castes**

**1418. Shri Wasnik:** Will the Minister of Home Affairs be pleased to state:

(a) in view of the instructions of Government that an annual report of reserved vacancies which were treated as unreserved for want of suitable candidates from Scheduled Castes and Scheduled Tribes as the case may be, are required to be forwarded to the Ministry of Home Affairs, along with the annual communal returns and in addition, Ministries themselves will take adequate steps to ensure that any lapse on the part of subordinate authorities in observing the reservation rules do not go unnoticed by the reviewing authority within the Ministry itself at a sufficiently early date, how many cases were so far noticed in the various Ministries of lapse on the part of subordinate authorities in observing the reservation rules since the issue of above instructions;

(b) what action had been taken against such subordinate authorities; and

(c) whether he will lay on the Table annual reports of reserved vacancies which were treated as unreserved for want of suitable Scheduled Castes or Scheduled Tribes candidates, separately which were

forwarded to the Ministry of Home Affairs by the various Ministries along with the annual communal reports for the past five years?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) No such case has come to notice so far.

(b) Does not arise.

(c) Reports about reserved vacancies treated as unreserved were prescribed in 1955. Figures for that year are given in the statement laid on the Table. [See Appendix V, annexure No. 18]. The information for 1956 is being collected and will be laid on the Table of the House.

#### P.T.O. Concessions

**1419. Shri S. M. Banerjee:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that many of the staff are unable to avail of the P.T.O. concession because the requisite forms are not available; and

(b) if so, when these forms will be made available?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) No.

(b) The matter is under examination in consultation with the Ministry of Railways.

#### I.A.F. Employees

**1420. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether there is a proposal to make 50 per cent. of the civilian employees in Indian Air Force permanent; and

(b) if not, the reasons therefor?

**The Deputy Minister of Defence (Shri Raghuramaiah):** (a) General orders already exist for the conver-

sion of temporary posts of civilians in the Indian Air Force into permanent ones to the following extent:—

Non-industrial posts (Class III)	—80%
Industrial posts other than No. 1 Basic Repair Depot	—50%
Industrial posts in No. 1 Basic Repair Depot	—60%
Class IV posts	—25%

These general orders are already being implemented.

(b) Does not arise.

#### Contract System in M.E.S.

**1421. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state whether there is a proposal to abolish contract system in Military Engineering Service?

**The Deputy Minister of Defence (Shri Raghuramaiah):** No, Sir.

#### Pay Scales of Army Officers

**1422. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether there is a proposal to revise the pay scales of the other ranks in the Army; and

(b) if so, whether this will also deal with the pay structure of the Ministry of Defence Security Corps personnel?

**The Minister of Defence (Shri Krishna Menon):** (a) There is no such proposal.

(b) Does not arise.

#### Rural Colleges in Andhra

**1423. Shri B. S. Murthy:** Will the Minister of Education and Scientific Research be pleased to state the Central grant-in-aid given to Rural Colleges in Andhra Pradesh so far?

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimati):** There

are no rural colleges in the country. There are Rural Institutes for higher education but none has been established in Andhra Pradesh so far and the question of giving any grant-in-aid does not, therefore, arise.

प्रधान मंत्री के लिये सुरक्षात्मक प्रदर्शन

१४२४ श्री यादव: क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या जब प्रधान मंत्री देश के किसी भाग का दौरा करते हैं तब गृह-कार्य मंत्रालय को उनकी सुरक्षा का प्रबन्ध करना होता है; और

(ल) इसका व्यय केन्द्रीय सरकार बहन करती है या सम्बन्धित राज्य सरकारे?

गृह-कार्य मंत्रालय में राज्य- मंत्री (श्री दातार): (क) प्रधान मंत्री के दौरे के समय उनकी सुरक्षा का प्रबन्ध सम्बन्धित राज्य सरकारों द्वारा किया जाता है।

(ल) लंच सब राज्य सरकार बहन करती है।

#### Government Employees in Himachal Pradesh

1425. Shri Nek Ram: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Government of India had issued instructions in January 1955 that Himachal Pradesh Government should count the services of an officer rendered in a local body for fixing his seniority and for purposes of payment of pension;

(b) if so, whether the orders have been implemented; and

(c) if not, the reasons thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Employees of Local Bodies transferred to Himachal Pradesh were by

an order of the Government of India allowed the option for surrendering the employers' contribution to the Contributory Provident Fund in lieu of counting the past service for pension. No instructions were, however, issued for counting the past service of such employees for seniority.

(b) and (c). Information is being collected and will be placed on the Table of the House.

#### State Bank of India

1426. Shri Warrior: Will the Minister of Finance be pleased to state:

(a) whether the State Bank of India has been instructed to follow the decision of the Government of India regarding relaxation of age limit in favour of bona fide displaced persons from Pakistan upto the end of 1959; and

(b) if not, the reasons therefor?

The Minister of Finance (Shri T. T. Krishnamachari): (a) No, Sir.

(b) The State Bank being a commercial organisation run on business principles cannot be fettered in the administration of its policies governing recruitment of its staff. The Bank has, however, relaxed the age limit upto 30 years in respect of displaced bank employees for recruitment to its clerical and supervisory cadres, subject to their possessing the requisite minimum qualifications.

#### Finance (No. 2) Bill, 1957

1427. Shri Supakar: Will the Minister of Finance be pleased to state the total amount of duties of excise and customs collected after the introduction of the Finance (No. 2) Bill 1957 and before the commencement of the Act by virtue of declaration under the Provisional Collection of Taxes Act, 1931 contained in the Finance (No. 2) Bill, 1957 but in respect of which no refund is to be made in accordance with new clause 16 added to the Finance (No. 2) Bill, 1957?

**The Minister of Finance (Shri T. T. Krishnamachari):** The information is being collected and will be laid on the Table of Lok Sabha.

12 hrs.

**PAPERS LAID ON THE TABLE.**  
NOTIFICATION ISSUED UNDER THE EMPLOYEES' PROVIDENT FUNDS ACT

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** Sir, I beg to lay on the Table, under sub-section (2) of section 4 of the Employees' Provident Funds Act, 1952, a copy of the Notification No. SRO 2705 dated the 24th August, 1957, extending the provisions of the Employees' Provident Funds Act, 1952 to the four classes of mines, viz., Gold, Iron-Ore, Manganese and Limestone, with effect from the 30th November, 1957.

[Placed in Library. See No. S-249/57]

**AMENDMENTS TO EMPLOYEES' PROVIDENT FUNDS SCHEME**

**Shri L. N. Mishra:** I beg to lay on the Table, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952, a copy of the Notification No. SRO 2706 dated the 24th August, 1957, making certain further amendments to the Employees' Provident Funds Scheme 1952.

[Placed in Library. See No. S-250/57]

**AMENDMENT TO IRON AND STEEL (CONTROL) ORDER**

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** Sir, I beg to lay on the Table, under sub-section (6) of section 3 of the Essential Commodities Act, 1955, a copy of the Notification No. SRO 2681 dated the 24th August, 1957, making certain amendment to the Iron and Steel (Control) Order, 1956.

[Placed in Library. See No. S-251/57]

**REPORT OF COMMITTEE ON ELECTRIC FURNACES, STEEL FOUNDRIES AND STEEL RE-ROLLING MILLS.**

**Sardar Swaran Singh:** I beg to lay on the Table a copy of the Report of

the Committee on Electric Furnaces, Steel Foundries and Steel Re-Rolling Mills.

[Placed in Library. See No. S-252/57]

**AMENDMENTS TO CENTRAL EXCISE RULES**

**The Deputy Minister of Finance (Shri B. R. Bhagat):** Sir, I beg to lay on the Table, under section 38 of the Central Excise and Salt Act, 1944, a copy of the Notification No. SRO 2666, dated the 24th August, 1957 making certain further amendments to the Central Excise Rules, 1944.

[Placed in Library. See No S-253/57]

**AMENDMENT TO RESERVE BANK OF INDIA (NOTE REFUND) RULES**

**Shri B. R. Bhagat:** Sir, I beg to lay on the Table, under the proviso to section 28 of the Reserve Bank of India Act, 1934, a copy of the Reserve Bank of India Notification No. 17, dated the 23rd August, 1957, making certain amendment to the Reserve Bank of India (Note Refund) Rules, 1935.

[Placed in Library. See No. S-254/57]

**MINUTES OF COMMITTEE ON GOVERNMENT ASSURANCES**

**Pandit Thakur Das Bhargava (Hissar):** Sir, I beg to lay on the Table a copy of each of the Minutes of the sittings of the Committee on Government Assurances held on the 8th and 20th August and 6th September, 1957.

[Placed in Library. See No. S-255/57.]

**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 sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Wealth-Tax Bill, 1957 which was passed by the Lok Sabha at its sitting held on the

29th August, 1957 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

(ii) '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 6th September, 1957, agreed without any amendment to the Foreign Exchange Regulation (Amendment) Bill, 1957, which was passed by the Lok Sabha at its sitting held on the 31st August, 1957.'

the space thus relieved will be used for increasing the repair capacity as required. The shop is working to capacity at present, but it must be made capable of taking a bigger load of repair." This policy was approved by the then Minister late Shri Asaf Ali.

The House may be interested to know the number of locomotives manufactured in the Ajmer Workshop annually from 1940-41 onwards:-

1940	9 M G
1941	9 M G
1942	Nil
1943	Nil
1944	Nil
1945	2 M G and 4 B G for shuttle services
1946	6 B G
1947	1 B G
1948	2 B G
1949	4 B G
1950	3 B G

The then General Manager of the ex-BB & CI Railway in February, 1944, referred to the difficulty of expanding the Ajmer Workshop for both locomotive manufacture and locomotive repairs and it was on consideration of this that it was decided in April, 1944, to make no provisions for the development of Ajmer for locomotive manufacture, but to remodel the Ajmer shops to meet efficiently the periodical overhaul requirements.....

**Shri Punnoose (Ambalapuzha):** Sir, on a point of order. It is understandable that the Minister makes a correction to the statement that he made on a previous occasion. But, here it seems he is making a statement with facts and figures and all the rest on very important subject which was discussed. Now, where is the occasion to discuss it?

**Mr. Speaker:** The hon. Ministers can always make statements. Correction is one part of the statement. Independent of correction, the hon. Ministers always seek the permission of the Chair to make statements as and when necessary in the interest of public administration.

#### STATEMENT RE POINTS ARISING OUT OF DISCUSSION ON AGREEMENT WITH TELCOS

**The Minister of Railways (Shri Jagjivan Ram):** Sir, Shri Feroze Gandhi, in the course of his speech on the 5th instant, referred to the existence of the Ajmer Locomotive Works, which, according to him, Government decided to kill in 1950. He went on to say that he did not understand the hurry with which the Ministry of Railways took action to close down this fine Locomotive Works before the production at the TELCO had commenced.

The Ajmer Locomotive Repair Shop embarked, in addition to its normal repair work, on the manufacture of locomotive in 1896 and built its last locomotive in 1950. I regret that I stated that the manufacture of locomotives was discontinued at Ajmer in 1940. That was an error. The decision, however, that it was impracticable and uneconomic to consider the manufacture of any locomotive at Ajmer in future was taken by the Government in December, 1946. In a note recorded by the then Chief Commissioner of Railways (Sir Ralph Emerson), it was stated that "When the loco buildings ceases at Ajmer,

[Mr. Speaker]

Any other Government will be allowed to do so by the Speaker for the time being. So far as the other part is concerned, he may treat it as an independent statement.

**Shri Jagjivan Ram:** Subsequently, an order was issued in March, 1946 for the construction of 18 YB locomotives at Ajmer. This order was enhanced in August, 1946 to 58 YB locomotives. A decision was taken in December, 1946, that no more locomotive would be manufactured at Ajmer. Therefore, the order placed in 1946 was cancelled in November, 1948, as no work had been done on the manufacture of these locomotives. In fact, the Ajmer Workshops were at the time engaged on the construction of a batch of 10 Broad Gauge XI locomotives, work on which had been commenced in 1945-46 and the last of which was completed, as already stated above, in 1950.

**Shri Feroze Gandhi (Rai Bareli):** You have allowed a very long statement to be made. I just want to point out one thing. I will not take more than two minutes.

**Mr. Speaker:** He may take two minutes. But, the practice is not to allow questions.

**Shri Feroze Gandhi:** I am not putting any questions. It appears a very serious mistake has occurred. The Tariff Commission themselves were informed that the Ajmer Locomotive Works were closed in 1940. Now, it is a very important factor because TELCO started production in 1951-52. If the Tariff Commission had been informed that the Ajmer Locomotive Works were closed in 1950, they would have gone into the cost of production at Ajmer and they might have been able to come to a fair estimate. Since the Railway Board informed the Tariff Commission that Ajmer workshop was closed in 1950, they attached no importance to it and proceeded with their en-

quiry. This throws a completely new light on the report of the Tariff Commission and I would request the Government to examine this particular point and see if something can be done about it. Even at this stage, some re-examination is possible because the basis seems to be wrong. That is what I wanted to say. The Minister can give some assurance that this will be looked into.

**Shri Jagjivan Ram:** I will. That day a mistake on my part was also committed. But, it is not clearly stated in the Tariff Commission's report whether the manufacture of locomotives was discontinued in Ajmer in 1940.

**Shri Feroze Gandhi:** It says that it was closed in 1940.

**Dr. Sushila Nayar (Jhansi):** It is clearly stated. (Interruptions.)

**Shri Jagjivan Ram:** They have said that from 1896 till 1940, so many locomotives were manufactured. That was responsible for the mistake that I committed that day. I have since then checked up and what I found I have said in the statement. I will look further into the matter and see whether the Railway Board submitted anything about Ajmer Workshop to the Tariff Commission.

**Shri Khadilkar (Ahmednagar):** I want to know whether any opportunity will be given to the House to discuss this as the matter is very important. In the discussion raised on this issue the Railway Ministry was impeached, and now this is a defence statement. Shall we have an opportunity to discuss the matter again?

**Mr. Speaker:** The hon. Members are aware that there is no time this session. Let us wait and see.

## BUSINESS ADVISORY COMMITTEE

## NINTH REPORT

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** Sir, I beg to move:

"That this House agrees with the Ninth Report of the Business Advisory Committee presented to the House on the 7th September, 1957."

**Shrimati Renu Chakravarty (Basirhat):** Sir, as a member of the Business Advisory Committee I want to say that the cyclostyled copy of the ninth report of the Business Advisory Committee meeting which has been circulated to us seems to me to have two omissions; one is regarding the allocation of time to Shrimati Parvathi Krishnan's motion for discussion on the Plantation Enquiry Committee's Report, and the second is about the one-hour discussion about the transport workers. These two matters were allotted time at the meeting and neither of these two seems to have been incorporated in the Ninth-Report. I should request the hon. Minister for Parliamentary Affairs to correct it.

**Shri Satya Narayan Sinha:** Shrimati Parvathi Krishnan's motion has been put down on the agenda.

**Shrimati Renu Chakravarty:** But allocation of time was made and, therefore, that should also be given in the Business Advisory Committee's Report. That is why I am pointing this out. The one-hour discussion about the transport workers should also be included.

**Shri Satya Narayan Sinha:** I think 1½ hours have been allotted for discussion on the motion by Shrimati Parvathi Krishnan.

**Shri H. N. Mukerjee (Calcutta-Central):** Could I have one clarification, Sir? I find that the Business Advisory Committee has allotted 2½ hours for the discussion on the food situation. In the printed bulletin

dated 7th September, 1957 circulated to us, the discussion on the food situation has an asterisk noted against it. The idea is that this will be held if time permits—I wish to have a definite clarification that, in view of the allocation of time by the Business Advisory Committee for the discussion on the food situation, we shall definitely have this discussion and not contingent to time permitting. There is a confusion between the printed bulletin and this. I know that the hon. Minister would say that the Business Advisory Committee only allocates time and the Government decides what to bring forward and what not to bring forward. In regard to the food situation, Sir, you know how you have been approached by people from different groups and parties in this House, and I want to have a clarification that this discussion will definitely be held.

**Shri Khadilkar (Ahmednagar):** Regarding this Report, I cannot possibly agree with paras 3 and 5 for the following reasons. Though in para 3 the time allotted to the Life Insurance Corporation (Second Amendment) Bill has been raised from two hours to three hours, I think this is a matter involving the general investment policy and therefore this time is very insufficient.

Another very important point is, and I would like to have a ruling from you on this point, nowhere in parliamentary institution's the procedure of guillotine is applied to Bills, so far as I know. I do not know how here on the decisions of the Business Advisory Committee it is applied to important policy matters like this particular Bill. Therefore, my suggestion is that either time should be extended or the Bill should be postponed for the next session.

Regarding item 5, we are now really working almost at a supersonic speed and the whole legislature, if I may say so, has been turned into a sort of legislative mill. I would like to say on this point, are we following the ancient procedure where the

[Shri Khadilkar]

brahmins used to recite the vedic mantras and the sudras used to say mama, amen or yes? By working at such a speed we have hardly any time to study the papers.

**Mr. Speaker:** The hon. Members may go slow. There is no good casting aspersions on an institution where the hon. Member is also an hon. Member.

**Shri Khadilkar:** I am not inclined to cast any aspersions.

**Mr. Speaker:** It is self-condemnatory. It is very wrong. Nobody is anxious to rush through. There is the Government business. The hon. Member cannot have the cake and eat it also. Hon. Members must be prepared to sit longer hours. I am willing, I have got able assistance also who are trying to accommodate me. Hon. Members can advise others to continue sitting. One after the other they are going away, slipping away. I am seeing all that daily.

What I would like to submit to the hon. Members for consideration is this. There is a lot of work that has to be done. How is it to be done. Shall we relegate it all to the executive. With one stroke we may say, hereafter the executive will carry on. Either we must do, or allow the executive to carry on or allow chaos.

**Shri Nanshir Bharucha (East Khandesh):** Extend the session.

**Mr. Speaker:** Are hon. Members willing to extend the session?

**Several Hon. Members:** No, no.

**Mr. Speaker:** There are equally good number of voices as against one voice for extension.

So far as the motion for adoption of the report of the Business Advisory Committee is concerned, any general statement made is not put to vote. If any hon. Member wants that a particular point shou'd be put to the vote of the House he must table an amendment saying that three hours are not

enough, it may be raised to four hours and so on. In the absence of any such amendments I am not going to put any of the points made here to the vote of the House. I will only put the original motion.

**Shri Sonavane (Sholapur-Reserved-Sch. Castes):** May I just ask.....

**Mr. Speaker:** Order, order. Hon. Members ought not to go on interrupting me like this.

Shrimati Renu Chakravarty said that mention has not been made in the report about the time allotted to the motion by Shrimati Parvathi Krishnan and the discussion about transport workers. It is not usual to include them. The Business Advisory Committee only allocates the time available. The order of precedence, whether a particular thing comes up or not is included in the minutes. We do not prescribe that a particular business ought to be taken at a particular time or a particular occasion. Whether a particular business ought to come up or not is included in the minutes

**Shrimati Renu Chakravarty:** May I submit, Sir, that as far as the motion by Shrimati Parvathi Krishnan is concerned, that had been discussed earlier, but we had made certain allocation of time again yesterday, which was a little different from the earlier one. Therefore it is only right that the House should be informed of it. In fact, I was asked by certain Members—they rang me up—about the allocation of time and I had to tell them that it was a little different from what it was earlier. It was from that point of view that I raised this question. I think it is a mistake on the part of the Department of Parliamentary Affairs and it ought to be corrected.

**Mr. Speaker:** Very well, we will include it.

I have already told the Business Advisory Committee, and I will also inform the House, that the normal business of the Government is carried

on between 12.00 and the time we adjourn except on days which are specially allotted for Private Members' Bills and Resolutions. Therefore, these other matters I am freely allowing. This is not the proper time for getting through their objections. They will have to table independent motions on such matters.

So far as the time is concerned, we are short of time.<sup>1</sup> If hon. Members are willing to sit after 5.30 every day I am prepared to allow every kind of motion to be discussed almost every day for an hour, a half hour and a half or two hours. In important matters they must be prepared to sit. At any rate, for this coming week let us sit every day after 5.30, so far as non-official resolutions or motions given notice of are concerned.

**Shri Thirumala Rao (Kakinada):** In the bulletin it is said that we are going to sit up to 6.30.

**Mr. Speaker:** And, if necessary, some time more also.

**श्री गणरात्रि राम** (जो पूर्व-गणित-अनुगृहित जायियाँ) में एवं बैंगिक सेशन चाहता हूँ मानन्मय मंत्री जी से। पिछले दूरस्थिति में वहा गया था कि शिल्प और कास्ट कमिशनर की रिपोर्ट पर बहस होगी, लेकिन इस दूरस्थिति में इसका जिक्र नहीं किया गया है। क्या मैं पूछ सकता हूँ कि इसके लिए इस सेशन में सभापति निर्वाचित किया जायगा या अगर ने मेशन में रखा जायगा और अगर अगले सेशन में रखा जायगा, तो क्या १६५५-५६ की रिपोर्ट और १६५६-५७ की रिपोर्ट हो अलग अलग लिया जायगा या दोनों को एक साथ लिया जायगा?

**श्री सत्यनारायण सिंह:** यहाँ भी एक दिन इस के बारे में यहाँ पर जिक्र हुआ था। मानूस होता है कि हानारे मानन्मय सदस्य उस दिन मौजूद नहीं थे। हम लोगों ने कहा है कि यह रिपोर्ट दूसे सेशन में ली जायगी और १६५६-५७ की रिपोर्ट लेयार नहीं हुई है, इसलिए वह नहीं आ सकती है।

**श्री गणरात्रि राम:** क्या इसबार दोनों रिपोर्ट एक साथ ली जायेगी? क्या उन के लिए अलग अलग सभाय नहीं दिया जायेगा?

**Mr. Speaker:** Both of them will be discussed simultaneously.

**Shri Sonavane.**

**Shri Sonavane:** I wanted to speak about the same point.

**Shri Satya Narayan Sinha:** With regard to this Life Insurance Corporation (Second Amendment) Bill, to which my hon. friend opposite has taken some objection. I shall be able to announce within an hour whether we shall have this Bill postponed for the next session.

**Mr. Speaker:** I shall now put the motion regarding the Business Advisory Committee to the vote of the House.

The question is:

"That this House agrees with the Ninth Report of the Business Advisory Committee presented to the House on the 7th September, 1957."

The motion was adopted.

#### MINIMUM WAGES (AMENDMENT) BILL—contd.

**Mr. Speaker:** The House will now take up further consideration of the following motion moved by Shri Abid Ali on the 7th September, 1957, namely:—

"That the Minimum Wages (Amendment) Bill, 1957, as passed by Rajya Sabha, be taken into consideration".

The time allotted was 5 hours. Time taken is one hour and fifty-four minutes. The balance is three hours and six minutes. Shri B. K. Gaikwad will kindly continue his speech.

**Shri B. K. Gaikwad (Nasik):** Last Saturday I was describing about the

[Shri B. K. Gaikwad]

class of workers who are called inferior village servants. Many of the hon. Members including the Deputy-Speaker were surprised to hear the pitiable condition of the inferior village servants in the villages. For the information of the House and for their information, I just want to explain what the position of the inferior village servants in the villages is.

These village servants are called by different names in different States. In Bombay, these inferior servants are called Mahars, Jaglyas and Ramoshis. In Gujarat, they are known as Rawniyas. In Uttar Pradesh and Punjab they are called Chawkidars and so on. Now, they have got several duties to perform. Several questions were put to me by some of my hon. friends last time, including the Deputy-Speaker, and it was said that the inferior village servants might be part-time servants. The Deputy-Speaker said that they must be getting some other kind of remuneration in order to discharge the government duties. Of course, that point was explained to a certain extent but in order to enlighten the House, I want to clarify the position further.

Now you will find that the duties which the inferior village servants, particularly, in Bombay have to discharge are numerous. If comes to 19 items. I have, of course, no time to describe the whole thing. There is very short time at my disposal, and so I will be very brief. The first duty they have to discharge is the collection of land revenue amount and take it to the Taluk Office. Whatever land revenue is collected in the villages, has to be taken to the Taluk Office by the village servants without any help or assistance. Secondly, whenever any departmental officer visits the village, the village servant has to be present in the village and discharge his duties for him, by giving him every support and help, whatever the officer wants. Not only that. If there is any epidemic such as cholera, small-pox, plague, etc., every day, the inferior village servant is to go to the Taluk Office and report about it. He

must report that so many attacks were known and so many deaths took place. Even if there is no attack, he will have to say "No attack, no death". That report will have to be made to the Taluk Office and he will have to go to the Taluk Office for that purpose. The distance between the village and the Taluk Office in several places is more than 20 miles. Every day, the man has to go on foot only. But he is not paid any kind of allowance for this. Even if there is motor traffic, he is not given any kind of allowance. He has to go on foot only. These village servants have to collect the information about births and deaths in the villages and report the information to the Officer when he visits the village.

During the period of the temple entry satyagraha, in Bombay State, particularly in Nasik, those people who participated in this movement in several villages—the Mahars, Jaglyas, etc.,—were boycotted by the villagers and when they were boycotted by the villagers, they were not allowed to enter the village. In spite of that when the officers visited the village, they were asked to report to the officer as to how many births and deaths took place in the village. Just imagine the condition of the village servant. How can he get this information when he is boycotted? Of course, any information about death may be known because the dead bodies are removed from the village and taken outside. But about births, when he is not allowed to enter the village, how can he furnish this information? If the officer finds that he is not in a position to supply the information, the village servant is fined. There is the State of affairs even now.

Some friends, associations and Harijan Sevak Sanghas go to the villages in order to remove untouchability. These Social Workers take the Scheduled Caste Inferior Village Servants to the temples or to the public wells. The next day, the village servants concerned are boycotted and they are not allowed to enter the villages. When they are not allowed to enter

the villages, how can they discharge the duty of collecting information about births and deaths? So, such is the peculiar condition. If they do not supply this information, they are fined. Such is the nature of these 19 items of work which they are asked to discharge.

Some of my friends were telling me on Saturday last that they must be part-time workers. In this connection I want to bring to the notice of this House the fact that they are not part-time workers alone but some-thing more. I do not know how to define it. But, generally, a time-limit is specified for such full time work, is for six or seven hours as the case may be. But in the villages, the village servant is put on duty in the chawri for 24 hours. If the man goes on leave, and in the mean time if an officer comes to the village, the father of the village servant will be called. If the father is not available, the brother will be called. If the brother or nobody else is available, his wife will be called and be asked to discharge the duty. This shameful thing is going on in the States at present.

In this connection, I have to point out that no leave is granted to these village servants. Only wages are given for discharging the duties. The hon. Deputy-Speaker said the other day that there must be some other kind of remuneration earned by these people. I do admit that there are certain villages where there are government lands which are allotted to them. But there are also so many districts such as Kolaba, Ratnagiri, Thana and so on where no government land is given to these people. Further, you will find that the remuneration given was just Rs. 4 per mensem. Of course, I said last Saturday that Government was kind enough to increase that pay by cent. per cent., that is, from Rs. 4 to Rs. 8 per mensem. But I ask, is this the adequate wage in these days? You want to have the socialist pattern of society. Are you going to bring it by this way by giving most inadequate wages to these people who are all down-trodden and whom you call Harijans? I do not call them Harijans

or the sons of God? Just imagine how these people live. Of course, I do admit that some of the Members might have visited these villages, especially those who are born in the villages. But others may not be aware of the circumstances. When the people from the cities go to villages—I think they are not in the know of things. The untouchability is observed in three ways. (1) Untouchable (2) Unapproachable (3) Unseenable. These Inferior village servants come from the Scheduled castes and Scheduled Tribes. To the local people they are untouchables. But Hon'ble members of this house who live in cities and when they visit villages, these Inferior Villages servants are kept far away. They are unapproachable to them. In case of Hon'ble Minister when they visit villages during their tour these Inferior Village servants are unseenable to them. So, this is the state of affairs. Even during night-time, if an officer comes to the village, you know how many departments the village servants have to serve. If a peon is appointed here, for parliamentary affairs, he will discharge the duty pertaining to the parliamentary affairs alone, and nothing else. But this man will have to discharge duties for the revenue officer, the forest officer, the police officer and whatever officers there are for the various departments. If there is small-pox in the village, he will have to go from door to door. All these duties he has to perform in every village. But still you will find that the hon. Labour Minister was kind enough not to include these people, so that they may get the benefit of this Act. I would, therefore, earnestly appeal to the hon. Minister.

**AN HON. MEMBER:** He does not know the problem.

**Shri B. K. Gaikwad:** I do not know whether they know the problem. Many of them say that they know the problem, but when they are not in touch with these people, what can they know about their problems? They want to establish a socialist pattern of society, but where? In big cities of people like Tata, Birla, etc. they might be doing

[Shri B. K. Gaikwad]

It. My submission is that while amending the Act, Government have failed to include the working classes.

I have given an amendment follows:

"In the Schedule to the principal Act, after item 12 under Part I, the following items shall be added; namely, employment in shops and establishments covered by the Shops and Establishments Acts in force in the various States and inferior village servants serving under States Governments such as Mahars, Jaglyas, etc."

I have not got the time at my disposal to mention the names by which these inferior servants are called in different States. But you will see that they are not in a small number; I think the number will not be less than 1 crore. In every village there are 3 or 4 such servants. So, at least those people should get the benefit of this Act.

So, I request the hon. Deputy Minister to accept my amendment. If he does not, I request hon. Members opposite to support this amendment of mine and press the Government to include it. As far as speeches are concerned, I know they will speak in favour of me, but while voting, they will vote in favour of the Government in order to have discipline. I do not come in the way of your observing this discipline. But when there is real service to be done to the country, I hope they should come to our rescue and help us.

You will find that it has been stated in the second Five Year Plan, on page 320 as follows:

"During the first five year plan, minimum wages have been fixed over their entire territories in the States of Punjab, Rajasthan, Ajmer, Coorg, Delhi, Himachal Pradesh, Kutch and Tripura. In Assam, Bihar, Bombay, Uttar Pradesh....." etc.

As far as Bombay State is concerned, I know it definitely that this Act has not been enforced so far as agricultural labour is concerned. If it has been enforced anywhere in Bombay State, I will ask the hon. Deputy Minister to enlighten what villages and in what parts it has been enforced in Bombay State. About other States, I know nothing. But I know definitely about Bombay. In the second Five Year Plan they have said that in Bombay also minimum wages have been fixed.

Mr. Speaker: 5 hours have been allotted. The hon. Member took 11 minutes on Saturday and today he has taken 15 minutes. There are other groups who have had no representation at all.

Shri B. K. Gaikwad: I will finish in one minute. Through you, Sir, I will bring to the notice of the hon. Deputy Minister the advice given by our Prime Minister. Of course, it is printed on the back-side of this book, *Small Industries Corporation*: "I am not interested in excuses for delay. I am interested only in a thing done". Government have delayed this matter for a long period. So, I request the House as well as the Deputy Minister not to delay or postpone it up to 31-12-59, but to see that this is done as early as possible, namely, 31st December, 1957. I hope the hon. Deputy Minister will agree to this.

Dr. Melkote (Raichur): Mr. Speaker for the past nearly two hours, various speakers have eloquently placed before the House the very important question.....

Mr. Speaker: The hon. Member will resume his seat for a minute. I would like to ascertain from the House what time should be allotted for the general discussion, what time for the clause-by-clause consideration stage and what time for the third reading, if there are any speeches then. Out of the 5 hours allotted, we have taken already 2

hours and 3 hours remain. It means that by 3.30 we must finish all the stages of this Bill. How much time would the Minister like to have?

**The Deputy Minister of Labour (Shri Abid Ali):** 25 to 30 minutes.

**Mr. Speaker:** All right. What time should be allotted for clause-by-clause consideration?

**Shri Tangamani (Madurai):** There are certain amendments.

**Mr. Speaker:** There are amendments to clauses 3, 4, 14 and 18. I think it will take one hour. The hon. Member has already spoken. There are other parties like the PSP, the Socialist Party and so on and they should be given opportunities.

**Dr. K. B. Menon (Badagara):** I shall not press my amendment to clause 18.

**Mr. Speaker:** All right; I am not taking up amendments now. So, it is the general desire of the House that there should be one hour for clause-by-clause consideration. In the third reading, there will not be any speeches.

**Shri Tangamani:** There will be one speaker.

**Mr. Speaker:** So, I will call the hon. Minister at about 2 O'clock. There are 1 hour and 20 minutes left. Hon. Members will try to be brief.

**Dr. Melkote:** I was saying that the Members were eloquent in placing before the House the problem facing the country. It should be understood as to why people have been speaking so eloquently. It was said by one Member that the agricultural landless labour form about 22 per cent. of the population. Some said, the number was 3.5 crores. If it is 22 per cent., it would come to 7 crores of our population.

Apart from that, there is the industrial sector, because in the Schedule, there are two parts: organised industries and non-organised industries, where there are more than 1,000 people pertaining to a calling. If that

number and the number in the industrial sector are added, it would come up to more than 9 or 10 crores, which means roughly about 33 per cent. of the population of India. So, the problem that we are discussing here is a problem that affects nearly 10 crores of the people of India. In a matter of this type, I am sorry to note that the total time allotted has been only 5 hours. The House is very thin, with a poor Press and a poorer public to attend to the woes and miseries of the section of the people who are denied the benefit of this Act. That is the problem with which we are being faced today.

The principle enunciated in this Minimum Wages Bill is the question of giving a minimum living wage. A minimum living wage cannot differentiate between a man and a woman. It is a minimum wage after all, it is not a fair wage. In this, as one of the Members pointed out, there have been disparities made in several States, and I do not know on what reason. Can a woman live—suppose she is the only bread-earner for the whole family—no less than what is necessary for a man worker?

These disparities are so enormous between State and State and between industry and industry that it immediately calls for the attention of the Government and the public to review the whole situation. And during the past six or seven years the Central Advisory Board has met only twice to consider this problem. The problem is so colossal that I feel that the Committee should have a continuous sitting and not an ad hoc sitting. Unless that is done this problem cannot be tackled to the extent we desire.

It is about ten years now since we have won our independence. When this Act was enacted in 1948 the poor man held it as a charter of his rights for a minimum living wage. Even today the whole of the agricultural sector is left out, almost untouched. Where do we stand? Is this right? This is the problem which we have got to consider most dispassionately.

[Dr. Melkote]

But it should be said to the credit of the Labour Department in the Government that it has enacted this law, it has taken all measures that it could, and it has brought to our notice the enormity of the problem that faces us. Several lakhs of people, I should say millions, have been affected and their living wage has gone up.

But then, as I said, there are two aspects of the question, the industrial and the agricultural. What the Government cannot do it will never be able to do. The whole problem is one of finance. Finance usually stints money to the Labour Department. The Labour Department takes only a sum of about twenty-five or twenty-six crores of rupees during the five-year period to implement all its schemes. If we also have the agricultural sector as well as inspectorate for shops and other establishments, we would be having somewhere about seventy thousand or a lakh of people. Even then, a sum of three or four lakhs of rupees for an establishment annually spent is well worth it, because it affects ten crores of the population of India.

If that has to be done, and if minimum wage is to be enforced, naturally the Plan targets will get upset, as more money will have to be found for the Inspectorate as well as for the labour class who work in the private and public sector. Therefore I do not want the Planning Commission to go ahead just now with this increase in the outlay. But since the problem is so enormous, since there is no census and data collected with regard to this, and possibly since no assessment of the extra cost that would be involved has been made by the Planning Commission, I personally feel that this is the time, when there are still four years to go ahead to the next census, to consider as to what type of census we need and we have to give instructions to the Census Commissioner as to the items on which he is going to collect data. This is also the time, when pos-

sibly next year or the year after that the Third Five Year Plan will be in the offing, to consider the changes that may be necessary in the financial structure if the minimum wage that is fixed is to be enforced, so that the Planning Commission may take note of this and make adequate arrangements for the implementation of this Act.

I was saying that the minimum wage has disparities in various sectors. The Department has supplied us with various notes. I would like to make only one point. Certain States have fixed a minimum of ten annas, and the maximum goes to two rupees four annas. Even the cottage industries sector which operates in the village side feels—a couple of annas put into the pocket of an agriculturist who is partially employed may be a different thing—but an unemployed person should get a minimum of twelve annas. And here the Minimum Wage Committee goes and fixes ten annas. The cottage industries sector is prepared to pay twelve annas, but the minimum wage in the rural sector is fixed at ten annas.

Apart from this, there has been no discrimination made, in certain States like U.P., between the minimum that ought to be paid to the rural sector as against the urban sector. How can a person live on twelve annas in a town like Lucknow or other such places?

These problems are so colossal, since it affects, as I said, seven lakhs of people of various callings and various groups, who have to be questioned and answers obtained from them, that it is necessary, if the freedom is worth anything, to enthuse this sector and see that they live in India in a respectable manner. And that respectable manner is not even by a fair wage but by a living wage. I have also had the opportunity of working this scheme in a State and I know the colossal nature of the problem and the poor position of the finances. But I feel that ways have got to be deviated.

With regard to the agricultural sector I understand that even in a place like China which has had its independence for more than six years or in Russia which has had its present government for over forty years, the agricultural sector is not treated just on par with the industrial sector. Where is the equity then? If this problem cannot be tackled on a totalitarian method even in a place like Russia or China, in a democratic country like India the problem that faces us has got to be very well understood. I therefore feel that methods have got to be adopted in a poor country like India which could be enforced and which would ensure that the poor man gets his rights.

We have heard sufficient criticisms here, but nobody has placed before us constructive suggestions as to how to end this. Whenever the financial proposition comes in, it brings in more taxes, and that is opposed by the Members of the Opposition. Somehow or the other the Government has to find the money. They take cudgels against the Government for not constituting a Pay and Service Commission. After all is said and done, they seem to feel that if it is put in their hands, they could manipulate, whether it is with regard to government employees or the industrial sector, and they would be able to go ahead. But this problem is not so easy. This problem has got to be faced by the country and by every section of the population.

Therefore, my suggestion is this. In the U.S.A., in the agricultural sector it is not necessary either to register or license. The inspectorate would go and examine only those places or shops and establishments which are registered and licensed. It is not necessary to register any person in the agricultural sector by licensing. He carries a book with him and the employer has got to note in the book as to what he has paid. If the employee feels that he has not been paid a living wage, he immediately reports the matter and the case is taken up. This way, we would avoid having a number of inspectors employed. This would save money. At the same time, those that have a grouse against the employer may re-

sort to measures which would give them succour. But possibly we cannot adopt it for the simple reason that for a paltry sum of eight annas a worker cannot go to the inspector of the town and make his representation. But there seems to be no other remedy. This is what I want to bring to the notice of the Government. Now Government has come forward with certain amendments. There are certain lacunae and they are trying to overcome them.

I welcome this small measure for the benefit it would confer on employees. But this problem has to be looked into in a wider perspective. Mere criticism of the Government would not do. All sections of the population should come together and help the Government in implementing this scheme. They could do it. But we must appreciate the enormity of the problem. Even ten years after independence this problem has not been tackled to the extent it should have been done, not because Government is not willing to do it—the Central Government is very anxious to do it—but because of other difficulties. The State Governments find various difficulties. Often time the vested interests come in the way. Sometimes it is the Finance Department that says that even the small sum they collect in the shape of licence and registration fee ought to go to the pockets of the Exchequer and not spent on employing more inspectors.

This problem could be overcome if a committee like the Pay Commission which was appointed recently, is appointed for the whole of India to investigate and report on these matters. It is a stupendous problem that I am referring to. I do not want to waste the time of the House by bringing amendment after amendment. That will not solve the problem. The problem has to be solved once and for all and that can be done only by going into the root of the problem. That can only be done when a Pay Commission is appointed.

I want to draw the attention of the Deputy Labour Minister to another problem and that is with regard to

[Shri Melkote]

village officials. It is a problem which we have to look into. Government paying Rs. 3 or Rs. 4/- per month to their employees and making them work for the whole of the day is not at all just. In these matters finance should not come in the way. We must give succour to them quickly.

There are various other matters where there are pin-pricks. Take, for instance, the case of the Delhi tongawallas. Now, because of the modernisation of the modes of conveyance, they are getting lower and lower earnings every day. When they go to get their licences registered, they are asked to come over and over again for eight months. Then, they have to get it registered over and over again every year, whereas a motor driver need registered only once in three years. Why there is this harassment of a poor worker, I cannot understand.

I want Government to look into these problems and give them succour. I am sure that the Labour Department will, understanding the situation as it does, place before this House a very well-conceived plan in the near future for the betterment of the poor man, to whom we have given this charter or rights for a living wage.

**Mr. Speaker:** I am now calling Dr. K. B. Menon. Thereafter I will call Mr. L. N. Mishra and Shri Anthony Pillai.

**Shri Thimmaiah** (Kolar-Reserved-Sch. Castes): Could we also get some chance?

**Mr. Speaker:** I will try.

**Dr. K. B. Menon:** I feel that there is considerable truth in the charge that the Government have no wage policy. I am doubtful whether the Government have any definite conception even about the minimum wage, whether it is to be calculated on the efficiency standard or whether it is to be calculated in some other way. This discussion has often taken place in some of the State Assemblies and I have had the privilege of both listening and participating in those discussions. And I should say that at none

of these discussions they have been able to arrive at any definite conclusions for the simple reason, I believe is that Governments are afraid to touch the problem or to deal with the problem of the minimum wages, particularly in agriculture, because they will be handling a problem about which they are themselves not quite sure. I do not wish to devote the little time that I have in the discussion of these general problems but I would like to concentrate my attention upon the Bill that is before the House for amendment.

We have had an opportunity of seeing the working of this Act for the last nearly one decade and, I believe, we are in possession of sufficient information to assess the advantages and disadvantages that this Act has given to the employer and the employee. This decade has been significant, not only in the length of time that has lapsed, but also in the richness of experience that this decade has, being the period immediately following the winning of freedom. This Act has come for amendment three times and this is the fourth time that it has come up again for changes. I wish to submit that even with this amendment the Bill is by no means a perfect one. There are certain loopholes and pitfalls in the Act to which I would like to invite the attention of the House and that of the hon. Minister.

Sections 5, 6, 7, 8 and 9 of the Act deal with the composition and constitution of committees, sub-committees and advisory-committees. These committees are appointed or nominated committees. My feeling is that the time for nomination is over and so these committees should not be nominated or appointed, but should be elected. I can understand that in certain cases Government may reserve the privilege of nominating part of the members, but complete nomination, I believe, is not necessary today. During the discussion of the Legislative Councils Bill we have heard insistent and persistent protests against the alleged nomination of members on the district boards in some of the States.

We have had considerable amount of experience—I won't say considerable amount—some experience in the working of democracy in the last ten years, and considerable changes have also come over the country. Labour is more conscious, is more organised and is more capable of collective bargaining. Under such conditions, I believe that labour is in a position to take care of itself and that the places on these committees should be filled by elected representatives of registered trade unions.

13 hrs.

Another submission that I wish to make is this. The power of these committees should not be restricted to mere rendering of advice. If it is limited to rendering of advice, I am afraid it is likely to remain only on the minutes book. Section 19 provides for the appointment of Inspectors who are government employees. But, being of the subordinate service, I am afraid, these Inspectors may, sometimes, be influenced by the employers and may not always be in a position to render service to the employees. I, therefore, feel that these advisory committees or advisory boards may be given some supervisory powers so that the employees may go to these members in case of need. I also feel that, if these committees or boards are given more than advisory powers, and if they are vested with supervisory authority they will exercise a certain amount of healthy influence over the subordinate Inspectors who are appointed by the Government and give greater service to the employees themselves.

Now, I would like to say a few words about section 20 which deals with adjudication of disputes. When there are disputes between the employees and employers, there is a limitation provided in sub-section (1) of section 20 limiting the time to six months. I feel that this is too short a time. Ordinarily, under the Limitation Act, three years are given for filing claims with regard to moneys that are due. In case of employees,

I do not know why it should be restricted to six months whereas in other cases a claim may be made within three years. Ordinarily, an employee is an ignorant and illiterate man, who may yet have information that he can file claims within three years. I understand the dictum that ignorance of law is no excuse. But, that legal dictum will not hold where the ignorance is universal. It would even be cruel to exercise or impose that dictum in the case of employees who are generally ignorant. My submission in that connection is that time should be executed, if not to three years, at least from six months to one year.

I have also a submission to make in connection with sub-section (3) of section 20 when it says that an employee may file a claim for the difference of wage paid, less than what is prescribed by the Minimum Wages Act. Because of the rather loose wording or lack of clear wording, it has been interpreted by the lawyers of the employers in such a way that that the court, because it has to take a purely legalistic viewpoint, often has refused to pay anything or grant anything to the employee where the employer has claimed that he has paid no wages at all. The sub-section says, what is paid less than the minimum wage. It implies that some part of the wage has been paid. When no wage at all has been paid, it is argued before the court, that the employee has no right for any claim at all. I am not merely quoting theory. Many courts have refused to grant the appeal of the employees when the employer came and stated that no wages at all were paid. This is the experience of some of the lawyers who have attended these courts and pleaded for labour.

Very often, both the court as well as the Labour officers are lenient to the employers. Even though there is a provision in section 22 for imprisonment, I do not know yet of any single case where an employer has been sentenced to imprisonment. Oftentimes, he escapes with a light

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punishment of a fine of a few rupees. How this can be overcome, I do not know unless the Government takes up the question of issuing instructions or in some way tightens the Act.

I would like to conclude with just a few words about minimum wages in agriculture. It is rather pathetic that Government have not found it possible to enforce minimum wages in agriculture. Government have gone only to the extent of experimenting and conducting research with regard to the enactment of Minimum Wages Act for agriculture. In the first place, I do not understand why there should be research, why there should be experiment as to whether there should be minimum wages in agriculture. I believe that the very object of minimum wages is to protect labour from exploitation by the employer and also to safeguard the interests of labour to the extent that they get sufficient remuneration for the labour that they put in. If these principles underlying minimum wages are accepted, I do not understand the hesitation on the part of the Government to enforce payment of minimum wages for agriculture. Agricultural labour being the largest section,—more than 50 per cent of the people are engaged in agriculture—I wish that the Government would see to it that minimum wages are enforced with regard to agriculture. It is also more necessary because there are greater fluctuations in the prices of raw materials. The agricultural labour is less sophisticated, less aggressive, less organised, and less capable of collective bargaining. It is they who need the protection of the Government. I wish that the Government would extend that protection without any further delay.

#### BUSINESS OF THE HOUSE

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** In view of the opinions expressed by a large number of Members from all sections of the House that more time

should be allotted to the Life Insurance Corporation (Second Amendment) Bill which is not possible in this session, Government has decided that this Bill should be taken up next session. So, as soon as the Minimum Wages (Amendment) Bill is finished, the Delhi Municipal Corporation Bill for reference to a Joint Committee will be taken up.

#### MINIMUM WAGES (AMENDMENT) BILL—contd.

**The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra):** I seek your indulgence and the indulgence of the House to intervene at this stage of the consideration of the Bill.

The House will recall that some hon. Members, especially Dr. Menon, Shri Shibanlal Saksena and Shri Jadhav, while speaking on this Bill day before yesterday, made certain general remarks about the labour policy of the Government, and they tried to give a very distorted picture of the policy of the Government, as regards minimum, fair and living wages.

Strictly speaking, the question of living and fair wages should not have come within the purview of the discussion of this Bill. I say that these two points were outside the scope of this amending Bill not only because we are mainly concerned with the minimum wages, but also because of the fact that only a few days back, the Minister of Labour, Shri Nanda, had made a very lucid clarification of the general labour policy of the Government. While explaining the general labour policy of the Government he had also emphasized and clarified the wage policy of the Government. Explaining his policy, he had referred to the wage policy and said:

"Our intention is that the maximum should be done in the matter of wages, in the matter of social security to satisfy the claims of the workers. But there is some limitation to that. That

limitation does not arise on account of want of goodwill on our part, that is inherent in the economic situation in the country."

He proceeded further and said:

"Considering the situation here, considering what we are in this country, considering the stress of the Plan which is intended to help us later on and also now, I think what we are doing is nothing of which we need be ashamed."

However, some hon. Members have chosen to raise these points again and it would be my endeavour here to meet them in my own humble way.

Let me begin with the minimum wages question. It has been accepted that the minimum wages should be need based. If that is so, we will have to think of the needs of the different sections of the country, to look to the vast expanse of the country and we will have also to accept the needs of each State or region are not the same, but that they differ from place to place, from region to region. The purchasing power of the people also is not the same in every State. It differs and the needs differ. Therefore, there cannot be anything like a uniform minimum wage throughout the country.

It is because of this that the Minimum Wages Act provides that regional committees and local committees should be set up to take into consideration the various local conditions before fixing minimum wages. And these committees, before deciding what should be the minimum wage in particular industries, have to look into these matters and find out the needs of the local people, the normal purchasing power of the people in the local area and then fix the wages. Therefore, there cannot be uniform standards throughout the country so far as minimum wages are concerned.

There is also a fact that while considering the minimum wages, these committees took into consideration the question as to what should

be the basic requirements of the persons, and therefore, it is not correct to say that we have no basis for fixing the minimum wages. Our basis is this, namely the requirements of the people, their purchasing power etc., as I have enumerated earlier.

Further, the House is aware that the last labour conference which was held in Delhi has come out with a tripartite agreement in which it has been clearly stated that the minimum wages should be calculated on certain minimum food requirements, clothing requirements, requirements in terms of housing, fuel, lighting and other miscellaneous items. For example, any future committee, while fixing the minimum wages will take into consideration these minimum requirements of the working people. Furthermore, there has been a special recommendation also made by this conference which we did not have so far, and that is that if the minimum wage is fixed below the norms in any industry or any State, they will have to explain what prompted them to go below the prescribed norms. They will have to convince the State Government, the parties concerned etc., as to what special factors made them depart from the prescribed norms. Therefore, I would appeal to the Members to give a fair trial to this decision. Before they demand anything drastic or radical, they should wait and see the working of this recommendation of the tripartite agreement arrived at at the last labour conference. Such an onus had not been thrown on the wage-fixing authorities till now, and we do hope that this will fetch better results and that the complaints that we have heard thus far will no more be heard in future.

Now, let us come to the question of fair wages and living wages. The question of fair wages and living wages is not as simple as stated by some Members. It might be easier to fix minimum wages in an industry, but it is not so easy to fix fair or living wages. At times it becomes a very abstract thing. What might be a living wage in one part of the

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country may not be so in another part of the country. You can prescribe certain norms for minimum wages, but it is very difficult to prescribe them for living wages.

So far as the question of fair wages is concerned, Government have been very serious about this. We know the recommendations of the Fair Wages Committee, and we do hope and believe that the study made at the labour conference gives ample facts to know the working of the mind of Government so far as this question of fair wages is concerned. The thousands of awards of the central industrial tribunals, as also those of the labour appellate tribunals, have been studied, and the conclusion of this study has been broadly accepted by the Indian labour conference. I may quote here one or two paragraphs from the conclusions:

"Regarding wages the tribunals have generally followed the principles laid down in the Fair Wages—Committee's Report."

Attempts have been made by the tribunals to fix the fair wage between the two limits recommended by the Fair Wages Committee. Tribunals have also taken into account the criteria which govern the fixing of wage differentials.

Some Members demanded a comprehensive legislation as regards fair wages. I must ask your indulgence to tell them that it is not very easy to have some kind of comprehensive legislation. What is the need for it at the present moment when we feel that there are still some ways of getting the principles of fair wages accepted by the wage-fixing authorities? So long as these ways are open to us, I do not see why there should be any statutory obligation of the type demanded. If they have some complaints against the working of the Minimum Wages Act, they might have similar complaints against the working of the Fair Wages Act also.

**Shri Tangamani:** May I know whether they will give directions to the State Governments to fix the minimum wages on the basis of the recommendations of the Indian Labour Conference held in Delhi, namely there should be three consumption units for every wage-earner and that on that basis the wages should be fixed?

**Shri L. N. Mishra:** The decisions of the Indian Labour Conference have been published, and the hon. Member was one of the participants, and I believe he must be knowing all the norms that have been prescribed. We believe the State Governments will try to implement them subject to their capacity.

Talking about fair wages, I would draw the attention of the House to the Wage Board for the textile industry established by the Centre. In the terms of reference constituting this Board, hon. Members will find that enough of prominence has been given to the question of fair wages.

This has been very much highlighted in the terms of reference of the Cotton Textile Wage Board. We hope and believe that the Board will take into consideration the recommendations of the Fair Wages Board to a considerable extent before making any concrete suggestions in this respect. Therefore, it will not be wrong to say that Government are very much alive to the question of fair wages. We believe that the implementation of the recommendations of the last Labour Conference will go a long way to ensure fair wages to the working people in this country.

I may say a word about our wage policy also. Some Members deplored what they called the absence of wage policy or norms of wages. What they have in mind is that Government should come out with a resolution that wage should be fixed at a particular level and a certain percentage of increment might be given to wages in certain industries. As I

have said earlier, it is not so easy as that. It is not a mathematical thing that we can calculate some wages and prescribe that such and such industry will have to make such and such wages available for its working people. It is not so. Moreover, I do not know how Government can arrogate to themselves the responsibility of pleading the case of one side or the other. Fixing a minimum wage or prescribing a percentage increase in certain industries would precisely mean that. All that Government can do is to enumerate the various elements that will go in the determination of a living wage or a minimum wage or a fair wage, and leave the weightage to be given to these various factors by the adjudicating authorities. If Government intervene and ask the adjudicating authority to give weightage to one side or the other, it will not be a fair and workable proposition also. All that the Government can do at the most, and that they have been doing, is to enumerate the considerations that should be taken into account before fixing any wage. I may venture to say that in no country have attempts been made so far to establish a mathematical relationship between the wages which it considers fair and the various considerations which go in arriving at such a wage. We have our documents; we have our papers; we have the decisions of the Labour Appellate Tribunals and the Indian Labour Conference. We hope and believe that they enumerate the wage policy of Government to a great extent.

We may look to the Second Five Year Plan also. Along with that there is the First Five Year Plan and the resolution of the last Labour Conference. From these, it cannot be said that Government have got no wage policy. If this Government have got no wage policy, I am very much afraid if any government has got one. It is suggested that it is not as exact or as accurate as one hon. Member wants it to be. We hope and believe that all possible norms and principles have been taken into consideration while fixing normal wages.

Before I conclude, I would like to refer to one point referred to by my hon. friend, Shri S. M. Banerjee, who is not here. He said something about contract labourers and building labourers, and referred to the conditions of labourers in Kanpur. It is a fact that the conditions of building labourers are not happy. As the hon. Member himself has said, they are so much disorganised and so much scattered that it is difficult to organise them also. It is difficult for the Labour unions to organise them. It is also very difficult to just say how they can be benefited through the existing laws.

However, a tripartite committee, for reviewing the difficulties experienced by these workers, from time to time has been set up. Members will realise that if there are difficulties and their condition is not happy, it is largely because of the peculiar nature of their work and the peculiar way in which they are working, the contractors themselves being not under direct control; so they are not on the same footing as those in other industries. It has been so far difficult for us to look to their conditions. But the Government are very much sympathetic, and they hope that some review will be made by the tripartite committee from time to time and some concrete steps will be taken to improve the conditions of the building workers. I may also invite Members to make some suggestions so far as the improvement of the conditions of these labourers is concerned. This is a new thing. We are taking up this matter. It should be our joint endeavour to improve the conditions of these building labourers.

**Shri Anthony Pillai (Madras South):** Mr. Speaker, Sir, that the Government has come forward with this piece of amending legislation is, in my opinion, a shameless confession of administrative bankruptcy. For the last 9 years, this particular piece of legislation has been on the Statute-book and during these last 9 years,

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no efforts have been seriously made to administer this law.

This amending legislation, again, is only a piece of prestige legislation in that Government would like to feel that it has got a minimum wages legislation which it can talk about at organisations like the ILO. Apart from the question of administrative bankruptcy, I cannot refrain from saying that this Government is incapable of carrying out any other directive principle of the Constitution. My most serious charge is that there is intellectual bankruptcy about this legislation. There is no fixed and firm policy with regard to what they mean by minimum wages.

I have listened very carefully to the last hon. speaker. I have never heard a more confused jumble of ideas, with regard to minimum wage fixation, than was adumbrated by the last speaker. He referred to the Indian Labour Conference and the resolutions adopted there. He must realise that as far as those resolutions are concerned, they will very largely have effect on organised labour; they will hardly have any effect with regard to unorganised labour, for whom this Bill caters. I hope he will concede that if we are going to accept the subsistence standards suggested by the Indian Labour Conference, the minimum wage at subsistence levels would work out at Rs. 4 to 5 per day adopting the lowest possible subsistence standards according to the general resolution adopted by that conference.

But today we have in many sweat-ed industries minimum wages fixed at As. 10 per day. Is it being suggested by him that overnight because of the Indian Labour Conference having adopted some resolution, the As. 10 will be raised to Rs. 4 or Rs. 5? The administration of minimum wages is a most complicated piece of work. I admit it is not easy or possible to work out a norm of subsistence wages and then say that all industries throughout the country, organised or

unorganised, sweated or exploited, should immediately adopt that particular standard, of wages, because there is the complex problem of wage and employment. For instance, is it possible in any unorganised industry where productivity is very low to suddenly fix the wage at Rs. 3 or Rs. 4 a day and expect that industry to survive?

With regard to the agitation of the Central Government servants, we were told that Government was not pressured into appointing a Second Pay Commission, but that of its own free will, it thought that in the present circumstances it would be advisable to have a Second Pay Commission. I support the plea made by my hon. friend on my left that it is absolutely necessary to appoint a Commission—do not call it Pay Commission—regarding the administration of minimum wages, because, as I said before, it is a complex question—the question of employment *versus* wages. There is no fixed policy with regard to fixation of minimum wages.

I know that the Central Advisory Board has made some general recommendations that for class A it should be Rs. 2, for class B it should be Rs. 1-10, for class C it should be Rs. 1-6 and for class D it should be Re. 1.

13.29 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

Which regional committee has ever been able to adopt these standards? Has the Central Advisory Committee given clear directives as to what it means by class A, class B etc.? Does it refer to class A industries and class B industries, or class A areas and class B areas? No. It is a general and vague recommendation. If you go through the proceedings of the meetings of these committees that have been appointed, for fixing minimum wages, you will find that there is no policy followed, there is no discussion and no decision with regard to whether they are going to subordinate the question of subsistence wages

to considerations of employment or whether they are for implementing it, at the cost of employment.

This is a piece of legislation which can affect the lives of crores of people. With regard to something which can affect the lives of crores of people in respect of their employment and in respect of their consumption standards, there is a complete lackadaisical policy, a complete lackadaisical attitude. We want a Minimum Wages Act. Let it be there on the statute-book. Let it be there. If we want we can bring in an amendment asking for extension of time.

I can speak with a certain amount of confidence that with regard to unorganised industries we cannot expect to fix a wage Rs. 4 or Rs. 5 per day. We are not unconscious of the fact that any realistic wage can reduce the potentialities of employment. But, is there a possibility of raising the wages even by stages to a subsistence level? Is there a consciousness that the laws of supply and demand are pushing the wages far below the animal standard of living and that administrative measures must be taken to break the inexorable law of supply and demand? To be able to break the inexorable law of supply and demand, we must adumbrate a clear, realistic and long term policy.

As far as Madras is concerned, I know a little more about it, than about other States. We have there a peculiar kind of fixation of wages. They fixed the basic wages under the Minimum Wages Act at some nominal level and notify that dearness allowance can be fixed according to the law of supply and demand. What does the concept with regard to the fixation of minimum wages by this particular policy reveal? It reveals a complete bankruptcy of thought with regard to the basic fundamentals minimum wage fixation. We fix the minimum wages because we know that the law of supply and demand will push the wage down and therefore it is necessary to enforce this wage by legislative means. But, here, the Madras Government says that the dearness allowance can

be fixed by the supply and demand process. In other words, they have no knowledge, no idea, no vision, no imagination with regard to the fixation of minimum wages. That is true not only of Madras but also of other States. We have wide variations ranging from 0/10/- to Rs. 2/8/- per day. But the why, how and the wherefore, of all this there is no knowledge.

Some States have fixed minimum wages on the basis of a uniform minimum wage throughout the State. There is no sense in fixing a uniform rate for a large area as mobility of labour in minor industries is low. You must take the wage as it is today. We can push it by another 5 per cent or 10 per cent. We have the example of Kerala where a committee decided consciously to increase the wage by 20 per cent and there was widespread unemployment. A committee was appointed subsequently to discover whether the employers were machiavellian in not granting that wage.

There are industries and industries; industries which cannot pay subsistence wages and industry which are exploiting labour. Biri manufacture is an exploiting industry. It is capable of paying a better wage. In the Bombay State the minimum wage fixed is Rs. 2/8/- But there are States in India in which it is not even 0/10/- or 0/12/. In Madras it has now been raised to Re. 1/4/. But, in some places, it is not possible to implement it. Even if you attempt to fix the minimum wage, there is the subsidiary question of de-casualisation of labour. And, my friend who spoke before me has referred to the problem of the building industry workers. It has been the plea of building workers that a scheme of de-casualisation be adopted so that the minimum wages fixed under the Minimum Wages Act can be implemented. They must take some steps with regard to de-casualisation. If they do not it is either a machiavellian policy of pretending to do something and practically doing nothing at all. Therefore, I have heard a eloquent plea from my left that some particular

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category of workers should be included.

I am afraid that my friend does not know that while minimum wages are fixed, the present practice is to fix them only at prevailing rates. We are not concerned with this particular industry or that particular industry. We are only concerned with the policy that this Government is going to adopt. My submission is that there has been no policy, that the Government does not even discover what are the details, the complexities of the problems that exist, what is the employment potential etc. Unless a clear and categorical policy decision is taken and that decision is communicated to the various wage fixing authorities, no good will result. You may pass any legislation but it will be a dead letter for another decade.

My earnest plea is that minimum wage affects not only 2 million workers; it may affect the whole of the country. It may affect crores of people; it may affect the question of inflation if a wrong policy is followed. But, it does affect the lives of crores of people. Therefore, if this Government is really serious about its intention to break the inexorable law of supply and demand, may we know the policy it is going to have? If it has no policy and if it is incapable of thinking out any policy, let it at least appoint a Commission that will go into the complexities of this question and find out the success or failure in solving wage fixing problems in other countries and evolve some workable scheme by which at least there will be a 5 per cent increase per year in the wages prevailing, particularly in the unorganised sectors. Let the Government give us an assurance that they will appoint a Commission for analysing the problems concerned in fixing the wage structure, in the several sweated industry.

Shri Ranga (Tenali): I am afraid my hon. friend has overstated the case.

He said that the Government of India has no wage policy.

Mr. Deputy-Speaker: He has a right to do that also.

Shri Ranga: But I wish to concentrate myself on one specific side of this subject alone and that is agricultural workers. I recognise the validity of some of the objections raised by our friend, Shri Mishra, to any attempt to fix these minimum wages on an all India scale, especially for agricultural workers. But at the same time, we cannot forget the fact that we have given sufficiently long time to the State Governments to set up their own wage fixing machinery to conduct necessary local enquiries, even district by district, and thereafter to attempt to fix the minimum wages for the different types of agricultural work connected with different crops also. The Government of India themselves have conducted an enquiry into agricultural labour conditions. And, they have published a good number of monographs of the results of these enquiries. As a result of these enquiries, it has come to light that most of our agricultural workers are obliged to live on less than subsistence allowance and they suffer from long periods of under-employment and fairly long periods of total unemployment during any one year. It was thought that one of the means by which their conditions could be improved was the implementation of the Minimum Wages Act.

I was also one of the people who welcomed the move of the Government at that time to get this Act passed. I have been advocating the need for fixing the minimum wages for agricultural workers for all these last 30 years. But, unfortunately, what I find is that the Government of India as well as the State Governments are so averse to making any constructive effort to fix these wages for various reasons, one of them being that they are unwilling to fix the minimum price for agricultural produce. Once a minimum wage is fixed for the agricultural worker, necessarily they have got to

assure the agricultural producers of this country a minimum price for their agricultural produce. In that case, they must be prepared to negotiate with the opposition that may arise from the town or non-agricultural class of people. Unfortunately or fortunately, this class of people always wants the supply of agricultural products at too low a level of prices which have come to rule in this country. They happen to be a very powerful section in this country as in other countries. The agricultural class of people be it landless peasants or small proprietors are so hopelessly unorganised and in the political life, they are so powerless except on the rare occasions of elections. It is only then that the Government are beholden to heed the voice of these people. At other times, they have to heed the voice of the townspeople including the organised proletariat. That is why we have not so far succeeded in any kind of minimum wage for agricultural workers.

Here and there, minimum wage has been fixed to a few categories of workers in different States in a few villages and that way a kind of salvaging of conscience has been provided by the local Governments. But, this is not a satisfactory state of things. We cannot any longer neglect this. We ought not to.

When we went to the electorate, we had this very bitter experience of having to explain to the agricultural workers who form a substantial part of our society. We had to explain to them why this Act is not being implemented. When we trotted out those arguments which Mr. Mishra and various others gave out, they turn round and say: you are fixing minimum prices for agricultural produce. Our Government has come out with a policy of keeping up the floor price of wheat and rice. Then, why not have a corresponding minimum wage also for at least labour connected with the production of rice and wheat.

It is easy to say that things go on changing from district to district or that the cost of living or standard of

living changes from district to district. But, it is not so easy to justify all these varied levels of wages that are today ruling in different parts of the country for labour connected with the production of rice and wheat when a minimum price is assured for these producers.

Power is given to the State Governments to fix these minimum wage levels in accordance with the local customs as well as local conditions. Giving due recognition to all these facilities that you have provided, it should be possible for the Government, when they take action to maintain the floor prices for certain agricultural commodities, to insist that the State Governments should fix the minimum wages for certain minimum norms of work or minimum hours of work or for different types of work connected with these crops.

I am extremely anxious that the Government should get those reports on agricultural labour conditions which have already been placed at their disposal studied specially by some high level officer and with his guidance and assistance, they should try to convene a labour conference. I do not mean the sort of labour conference—tripartite labour conference—where the industrial labour alone predominates with its representation. In that conference, there should be the Labour Ministers of the States, representatives of the Harijan Sevak Sangh, for instance, Anti-Untouchability League and various other people who have been concentrating upon the welfare of Harijans and other agricultural workers in this country and also the land-owning peasants and their organisations. They should take counsel with them as to in what manner and direction, effect can be given to this Act in order to enable the State Governments to fix minimum wages for different types of agricultural workers. Unless they take time by its forelock and begin to do something substantial within the next two or three years, they would find it extremely difficult to go again to the agricultural working classes in this country and give any satisfactory answer.

[**Shri Ranga**]

or reliable assurance that the Government consider the improvement of their social and economic conditions to be of much greater importance than the conditions of industrial labour.

This is a very urgent matter and I sincerely hope that Shri Abid Ali who understands the significance of this labour *vis-a-vis* industrial labour in this country would be able to give his early and earnest consideration to this matter and try to get a much better implementation of this Act during the next three or four years than has been the case till now.

Lastly, I would like him to take into consultation the Food and Agriculture Ministry and their experts. In consultation with them, let some definite and satisfactory action be taken which would result in the early improvement of the economic conditions of our agricultural workers and indirectly through them, improve the conditions of self-employed owner-cultivators and peasants.

**Shri B. S. Murthy** (Kakinada—Reserved—Sch. Castes): Mr. Deputy-Speaker, I wish the Labour Ministry had not moved this amending Bill. This is the fifth time they are coming before this House. It is better to recapitulate the idea of fixing a minimum wage and how it has taken shape in this country. If I am right, it was in 1928 the Royal Commission on Labour gave a suggestion that the wage-fixing machinery might be tried and experimented. It has taken nearly twenty years for the Indian Government to bring some sort of a Bill in—allowed to escape their responsibility before the Central Assembly.

Sir, when the late Dr. Ambedkar proposed a Bill like this in 1946 the whole working class in India acclaimed it as a Magna Carta but, unfortunately, it could not see the light of the day, and two years had to elapse before it emerged as the first Minimum Wages Act in India under the stewardship of Shri Jagjivan Ram, that is in 1948. After having got the Act passed in 1948 the Government has taken nearly

a year to frame the rules. The rules had to be sent to the State Governments for their approval and for their acquiescence. And, what happened? They thought that before 1st March, 1950, nearly all the schedules for the employments required will be fixed. Later on it was considered that the date did not give them sufficient time. So, from 1950-51, 1951-52 and 1952-53 the amending Bill has been coming before this Parliament.

This amending Bill has given some more time asking the State Governments to do their best to see that everything is being done, as far as agricultural labour is concerned, before 1959. I am afraid this will be a dead letter and it will be only adorning the archives of Government unless and until the attitude of the Central Government and the attitude of the nation as a whole is focussed towards this problem of fixing minimum wages for all categories, especially those who are engaged in the agricultural sector.

In the speech delivered by my friend the Deputy Minister, Shri Abid Ali, he was good enough to say that so far this Act has been able to cover only 1.7 million workers in the matter of fixation of minimum wage. I think according to the modest estimation of both the labour organisations as well as the economists and writers on labour affairs, the working class population in India including the agricultural labour comes to somewhere about 7 to 9 cores of people. Out of these if only 17 lakhs of people are covered by this Act, I do not think it is doing full justice to the provisions adumbrated in this Act.

Therefore, it is time that courage is taken into both hands by the Minister and the Deputy Minister and also by the Parliamentary Secretary, Shri L. N. Mishra, and they go about, if necessary, from State to State and persuade the Chief Ministers of States and also the Ministers dealing with labour problems in the States, so that something tangible is done in

this matter which is of vital importance. I am afraid the working class as a whole are mostly disappointed with the manner in which the Government is dealing with their day-to-day life as well as their living conditions. You promise them something and you say, these are our assurances. Assurance is given at the time of elections, assurance is given when the Minister goes and presides or inaugurates conferences of labourers. But the assurances are not put into effect. I do not think an independent India can afford to have the Ministers give assurances which are not transferred into deeds. Therefore, the very mention of only 17 lakhs people being covered by this Act out of the huge innumerable lakhs of people who are wage-earners in this country is itself an argument to say that we are not proceeding well and it is high time that we devise our plans.

Again, this amending Bill has tried to add a proviso to clause 3. I do not think it is quite essential. In the parent Act, if I remember correct, it is said that for every five years the conditions and the rates of minimum wage should be revised. This proviso gives a handle for the employers to say, let the existing minimum wage structure remain, let us see afterwards. Therefore, this quinquennial revision should not have been given this sort of an interpretation giving a handle for those employers who are very keen to avoid their responsibility towards the workers. They should not have been encouraged by adding this proviso. They should not have been allowed to escape their responsibilities.

I am very happy that in sections 22D and 22E there are very salutary provisions, because the employer cannot escape by saying that the payments are not to be attached. I do not understand why in 22D it is said that money is to be deposited with the prescribed authority, who shall deal with the money so deposited in such manner as may be prescribed. I do not think it is quite justifiable. As far as this money is concerned, it should go to the

worker who has earned his wages. The plea is that he or his family is not to be found anywhere and, therefore, what should be done. The Government asks the employer to give the money and says that if the man is not to be found the money may be deposited with the prescribed authorities. So far it is good. I want a clause to be added here that in such a case where payment was not made in time and the employer could not find the man, the employer must be penalised for that because he did not give the money in time to the man who earned that. Perhaps, the man who worked and did not get his salary for two or three months might have committed suicide, his family might have died of hunger. Therefore, the employer must be penalised for not having paid the wages in time and thus causing great hardship to the family of the wage-earner.

My last point is about the agricultural labour. I do not agree with my very good friend, Shri Abid Ali, the Deputy Minister, that the agricultural labour in India is 3.5 crores. It should anywhere be 7 crores. Unfortunately, this agricultural labour has got a taint with it.

**Shri A. C. Guha (Barasat):** According to Government figures 22.7 per cent of the total population is agricultural labour.

**Shri B. S. Murthy:** I do not know what Shri Guha means. I think he is only supporting me. But there is one peculiar, unwelcome, very heart-burning point as far as agricultural labour is concerned, which I want to tell the Minister. The majority of the agricultural labour belong to the Harijan community.

**Shri B. K. Gaikwad:** And Scheduled Tribes.

**Shri B. S. Murthy:** And a very few backward classes. The fate of the Harijan community today is very well known and I am not here to talk about that. Nearly 6 to 7 crores of Agricultural labour today are being

[Shri B. S. Murthy]

neglected and the Central Government is not trying to do anything. Shri Nanda with all his exuberant enthusiasm, real and sincere as it is, is not able to tackle this question. In his speech Shri Abid Ali said that to fix a minimum wage for agricultural labour, the man is illiterate and the conditions are not permanent: the yield is less and the tenant question is not solved. There are a number of questions, I do admit. But something must be done and what has to be done now? For centuries, until conditions are solved, is the agricultural labour to lie low and lead a life of the slave or lead the life of an underdog? No, Sir. Something must be done and therefore, I would suggest that instead of depending upon the sweet will of the State Governments and the State Governments' Labour Ministers, something must be done by the Centre either through persuasion, or, if persuasion fails, in the national interests, by coercion. Coercion must be used and the coercion is in the form of making a law here and making it soon and implement it as we are doing in other sectors.

14 hrs.

Therefore, my suggestion is this. Before the resentment and the dissatisfaction of the working classes in India get fossilised and very hard to remove, I want the Labour Minister to do something both by the working classes and also by the agricultural labour.

One more point and I have done. They have got the tripartite conference for organised labour. I would suggest that the Government, to begin with, should also have a sort of tripartite conference as far as agricultural labour is concerned. They can invite some States' representatives from the agricultural labour organisations and the Ministers or the Secretaries as the case may be who are dealing with the States' agricultural labour and with them the Central Ministry could sit together, deliberate, discuss and

come to a decision as to make the life of the agricultural labourer tolerably good and better than it is today. Therefore, I think this suggestion may be given thought to and also a form devised as and when the Minister and the Deputy Minister are able to do it. I think that then only we shall be able to do some justice for all the working classes. If not, they will go out of our hands and in course of time there may be resentment for having neglected a problem like this.

Shri Abid Ali: Mr. Deputy-Speaker, my colleague the Parliamentary Secretary, has dealt with some of the points and has lightened my burden. Moreover, most of the friends from the Opposition Benches who have spoken have chosen to remain absent; that implies that they are not expecting me to attend to the points they raised during the course of the debate. But the difficulty is, we come with sincere expectation that the hon. Members opposite may be able to tell us how the working of this Act or other Bills which we bring in, can be improved and give considered suggestions which may be workable. But they indulge in general sorts of criticism most of which have nothing to do with the working of the particular enactment which is now considered for being amended. That is what happened on Saturday and today, when this Bill was taken up. One hon. Member, the Member from Nasik—was referring to Chawkidars on Saturday and today also, he took nearly 20 minutes on that aspect. He should be aware that so far as Chawkidars are concerned, they are not within the purview of this Act nor can they be brought in. They are part-time workers, though some of them may be busy for 12 hours continuously, but they have to attend to particular jobs in the villages and they may not have any item to attend for weeks together. They are quite a different category, and have some privileges.

Of course, the figures that can be mentioned with regard to their wages may be small, but they have some

other avocations also. Taking all that into consideration, the criticism which the hon. Member was good enough to level here was completely beside the point and is not justifiable.

It has been said that this Bill is a useless one and the Act itself is useless; that it is harmful and derogatory. In the same breath, the hon. Members complain that they are angry on account of the delay. If it is useless, derogatory and harmful to the workers, why complain about its delay? It is useless and they should be happy even if it has not seen the light of day!

**Shri Tangamani:** It is not so simple as that.

**Shri Abid Ali:** I have noted it. Hon. Members have used those words. But, still, so far as I am concerned, I may submit that all the workers in the industrial field and particularly those who could be covered by the Central Government have been covered by the Minimum Wages Act. Also in the State sphere, in the industrial field, the workers have been mostly covered. So far as agricultural side is concerned, I have myself made clear in the opening remarks that the situation is not as satisfactory as it should have been, and the reasons also have been mentioned.

Some of the hon. Members who have taken part in the discussion, especially, Shri Ranga and Shri B. S. Murthy, have given good suggestions. I may submit that we have been writing to the State Governments from time to time. Again, perhaps in the month of October next, a Labour Ministers' Conference will be held most probably in Delhi. We have placed this item on the agenda, and we are placing before the State Governments all that the hon. Members suggest here, and it is entirely within their jurisdiction to do or not to do as they may consider proper.

It should be appreciated that we have a federal democracy in this country and the powers the State Governments also have got under the

Constitution should always be appreciated before levelling the criticisms which some of the hon. Members thought fit to mention here.

**Shri Tangamani:** May I know whether any of the State Governments has implemented these minimum wages, so far as agricultural labour is concerned? Even in the original Act itself—the Act of 1948—in Part II of the Schedule, the agricultural labourers have been included and repeatedly this matter has come up in the various conferences. May I know whether there is any State or States where these minimum wages have been fixed at least?

**Shri Abid Ali:** Page 48 of the report gives the details. Also, in Bihar, they have appointed an inspectorate for this purpose,—with an Inspector of Factories, Assistant Labour Commissioner, labour officers and chief inspectors of agricultural wages. In Madhya Pradesh, an agricultural employment staff has been appointed. In Punjab and several other States, they have appointed inspectors also to see that the minimum wages fixed for this category are implemented. A machinery has been set up.

What I was submitting was, whatever has been suggested here will be communicated to the State Governments and, as I said, this matter is on the agenda of the forthcoming labour conference. The hon. Members should realise that the Minimum Wages Act is for the workers who are known as sweated labour. It is not for others. Some hon. Members said that lakhs of workers remain uncovered; textile or jute or steel or sugar and so many other industries. Cement industry, of course, has got the minimum wages act. They have got much more than the minimum wages fixed for them. There are other categories who need not be covered by this Act. That also hon. Members will appreciate.

**Shri B. S. Murthy:** As far as contract labour is concerned, the hon. Deputy Minister said in his speech

[**Shri B. S. Murthy**]

that the total number of workers who have been covered is only 17 lakhs. We are not criticising what has been said, but we are only anxious that the speedy implementation of the Act is quite essential.

**Shri Abid Ali:** So far as this matter is concerned, we have appointed competent active inspectors to take care of them. Prosecutions are filed and workers are being served very adequately. In case any hon. Member finds out any defect in the working of the Act anywhere, I shall always welcome his suggestions. If it is communicated to us, I assure hon. Members that all that is possible to remove the defect will be done, so far as we are concerned.

So far as agricultural workers are concerned, I have said about the non-availability of data and I have informed the House that for 3,600 villages, we are having the necessary survey. Both the employers and the employees being illiterate, the holdings being small, are difficulties which should always be appreciated.

About the labour policy, my hon. friend Shri Mishra has already explained that there is a sufficiently big chapter in the Five Year Plan. That is our labour policy. As my senior colleague said the other day, it is a national policy; it is not the policy of any particular party, because it has been accepted by all.

**Shri Tangamani:** What about wage policy?

**Shri Abid Ali:** That covers the wage policy also. Some hon. Member was so unkind to say that we are influenced by the land-holders in the villages and therefore, we are determined not to implement the Minimum Wages Act for the workers in the villages. I submit that there cannot be anything more unkind than that. I request hon. Members not to search for abuses when arguments are lacking. If there is no room for argument, there is no argument. It is not necessary to resort to abuses.

About the number of agricultural workers, I submitted it was 3.5 crores. It is true and the figure given by hon. Members is also correct. That is with regard to the agricultural population. There is difference between agricultural population and agricultural workers.

**Shri A. C. Guha:** Here in the report it is said:

"The income of agricultural labour families, who formed 22.7 per cent of the total number of families of the Indian Union, accounts only for 8.3 per cent of the national income."

That is their number and that is their income.

**Mr. Deputy-Speaker:** Both are right.

**Shri Abid Ali:** A remark was made with regard to High Court. The Rajasthan High Court has given a decision not concerning the defect in the provisions of the Act, but with regard to the procedure adopted by the Government of Rajasthan. I could not appreciate the relevancy of it when the hon. Member referred to it.

One hon Member said that whenever I go to Kanpur, I make it a point to be in the company of Shri Jaipuria, and I never go to workers' quarters. I would submit that nothing could be more unfair, because I have myself lived in a place called Gwaltoli, which is the workers' quarters in Kanpur. Whenever I go to Kanpur, I go there, stay for at least a couple of hours, meet my old friends, because I myself know quite a large number of the workers. Some of them have retired and some are still working. It may be that the hon. Member may not be aware of what I do in Kanpur, but when he says that I remain in the company of Shri Jaipuria, I must submit that not even once I have gone to the factory of Shri Jaipuria. Of course, I should meet everybody—the workers' section and the industrial section. But I have not been there, by

accident. If there would have been any occasion, I would have certainly gone to the factory of Shri Jaipuria also.

**Mr. Deputy-Speaker:** The hon. Member must have been invited on the same occasion and both of them happened to be there together!

**Shri Abid Ali:** I said I would have gone to his factory, but there has been no occasion. But it is not proper to make a completely unfounded statement in this House. Hon. Members should appreciate that they are elected Members of Parliament and they should not make such statements.

About the wage for workers in the leather industry, it was said that they are paid six annas. From the book it will be found that their minimum wage is fixed at Re. 1 and not six annas. These minimum wages are fixed not by the Government, Central or State. There is a tripartite committee who, after investigation, come to a certain conclusion, which is submitted to Government. Generally their conclusions are accepted.

A complaint has been made with regard to statistics. Hon. Members here rely on statistics and again complain that statistics are wrong. If the statistics are wrong, why rely on them? Leave them alone.

**Mr. Deputy-Speaker:** They say that these statistics are wrong. They say, when the Government provide them the statistics, why should not they use them? The Government claims that these statistics are right. They say, the statistics are wrong.

**Shri Mohiuddin (Secunderabad):** With regard to agricultural labour, the complaint is that for the last six years, there are no statistics.

**Shri Abid Ali:** With regard to male and female, there was a complaint made. There was a decision of a tripartite board in which the representatives of the central organisations of the workers were present. There it was said:

'It would, however, be permissible to fix differential rates for men and women, because their

rate of output is demonstrably unequal. In some cases, it may be desirable to fix minimum wages for different categories even of same jobs, namely, light or heavy.'

On this basis, the minimum wages are fixed. There is some difference at certain places. My answer to the hon. Members is that their counterparts in the trade unions are themselves a party to this. Therefore, this charge that the Government is responsible for this is not reasonable.

With regard to December, 1959, a criticism has been made. I submit it is not the intention that the fixing of minimum wages should be delayed till December, 1959. If the State Governments do it in the month of September or October, 1957, we will be very happy. It is only an enabling clause that if they are not able to fix the minimum wages for agricultural workers earlier, then at least by December, 1959, they should be able to do it. That is the intention and it should be satisfactory to hon. Members opposite also. It should be appreciated that only by passing enactments, the condition of workers will not improve. Everybody should acknowledge that a healthy, responsible, trade union organisation of workers is very necessary, free from exploitation by political parties. Then only, it will be possible for the workers to get all that they deserve. Ours is a big country. Things take time to spread in every sector and every region. That also should be kept in mind.

One hon. Member said that for one post of driver, thirteen persons were recommended by the Employment Exchange. I believe that the information given to the hon. Member is not correct. I shall be very much obliged to the hon. Member concerned if he sends me the list because, for one vacancy, only four or at the most five can be submitted. Sending thirteen is not correct. I hope the hon. Member will send me the statement. Sometimes, some statements are made here which we cannot get connected with facts. I write to hon. Members opposite and it has happened that never

[Shri Abid Ali]

have they been able to be helpful so that we may reach the facts. Therefore, I may again submit that things which have no relevancy, which are far from truth, should not be said in this hon. House.

About biri workers, I am in complete sympathy with them. But, what to do? In some places, it has happened that where Minimum Wages Act has been applied or factories have been brought under the Factories Act, by arrangement with the employees, factories have been closed, biri leaves, tambaku and thread are given to the workers, they go to their own homes and do the work there and take a lesser wage than the amount to which they are entitled under the Minimum Wages Act. The moment factories are dispersed, it becomes difficult for the Factories Inspectors to take action under the Factories Act, other difficulties arise. What I have submitted, the hon. Member knows is a fact. Ours is a democratic system of Government. Things go according to a law. We are not dictators to keep the law apart and go on whipping the people according to the wishes of a person in the village or on the spot. Law should be followed with all the respect that it deserves.

**Shri Tangamani:** About biri workers, the point raised was not that they are not getting minimum wages. They did not know who the proprietor was. There was an attempt in the Madras State to bring a Bill. It is being held up.....

**Shri Abid Ali:** Why not the counterpart of the hon. Member in the Madras Legislature raise this issue and bring it to the notice of the Government there? Why do they need our help to approach the Madras Government?

**Shri Tangamani:** They did raise....

**Mr. Deputy-Speaker:** I am sorry, this cannot be settled now.

**Shri Anthony Pillai:** On a point of clarification, Sir, because an allegation has been made, it must be rebutted,—the hon. Minister said that no

attempt has been made in the State Legislature concerned to bring up this matter. An attempt was made in the Madras State Legislature and we were informed that the Central Government has not yet given them the necessary assent to go ahead with the legislation. We would like to know whether the Central Government has given the assent or withheld the assent and for what reason.

**Shri Abid Ali:** I did not make any allegation. I said that the hon. Members, through their counterparts in the Madras legislature, should go on persuading the State Government to do all that is necessary for them to do. Once it has been made, one can go on making it a second time, third time and so on.

About de-casualisation of building workers, it is not possible to introduce it because most of the workers come to towns and cities for that particular job during the particular period they are not required in the villages. They go back to the villages as soon as they are needed there. Therefore, the suggestion to bring the decasualisation scheme is not appropriate.

I submit that the people are nearer to our heart. They are supreme in our thought. They deserve and they have a claim on us. So far as we are concerned, we are also alive to our responsibility towards them. We shall never be found wanting in discharging our responsibility towards the villagers, kisans, those who are unemployed and every citizen of this country. I have submitted that those who are poor deserve more attention from our side and that is what we are doing and we shall continue to do.

**Shri S. M. Banerjee (Kanpur):** On a point of clarification, Sir.

**Mr. Deputy-Speaker:** So many hon. Members are wanting clarifications.

**Shri S. M. Banerjee:** Just one second. The hon. Minister said that the minimum wage fixed for leather workers is Re. 1. May I ask, Sir, whether this particular wage is applicable

there? Whatever I mentioned, six annas or seven annas for the tannery workers, was correct. I would request the hon. Minister to make some enquiry and see whether this wage of one rupee is applicable and whether they are paid.

**Shri Abid Ali:** One has to see that the minimum wage which has been made applicable is implemented. If anywhere it is not implemented, a complaint should be made to the appropriate authority which is also mentioned in the book.

**Shri B. K. Gaikwad:** Sir, I did not like to interrupt the hon. Minister when he was speaking. Now that he has concluded, I would like to have one point clarified. The hon. Minister said that inferior village servants like Mahars, Jaglyas, Ramoshis, Chawkidars, etc. are part-time servants. May I know whether this information that they are part-time servants is correct and for what part of the day they have to be present? Has he got this information? I know it definitely and I have said in my speech that they are not only full time servants, but they have to be present in the chavadi day and night.....

**Mr. Deputy-Speaker:** It is unfortunate that two hon. Members differ. I cannot help.

**Shri Abid Ali:** This is my information.

**Mr. Deputy-Speaker:** He has given his information that they are part-time servants. The hon. Member says that they are not part-time servants. There is difference of opinion. Both are entitled to equal respect from me. I cannot resolve this.

**Mr. Deputy-Speaker:** The question is:

"That the Bill further to amend the Minimum Wages Act, 1948, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

**Clause 2—(Amendment of section 2).**

**Mr. Deputy-Speaker:** Clause 2. No amendment.

The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

**Clause 2 was added to the Bill.**

**Clause 3—(Amendment of section 3).**

**Shri Tangamani:** I beg to move amendment No. 24.

**Mr. Deputy-Speaker:** It is the same as No. 1.

**Shri Tangamani:** It is not the same. One is 1958; another is 1957.

**Mr. Deputy-Speaker:** Is No. 1 being moved?

**Shri B. K. Gaikwad:** Yes I beg to move:

(1) Page 1, line 16, for "1959" substitute "1957".

(2) Page 1, line 16, for "1959" substitute "1958".

**Shri Oza (Zalawad):** I beg to move:

(1) Page 1, after line 16, insert—

"(a) in clause (b), omit "such intervals not exceeding five years" and after "if necessary" add "and until they are so revised the minimum rates fixed shall continue in force".

(2) Pages 1 and 2, omit lines 17 to 20 and 1 to 8 respectively.

**Shri Jadhay (Malegaon):** I beg to move amendments 7 and 10.

**Mr. Deputy-Speaker:** Amendment No. 7 is the same as No. 2. So. No. 7 cannot be moved when No. 2 has been moved.

Shri Jadhav: I beg to move:

Page 2, lines 2 to 8—

for "nothing contained in this clause shall be deemed to prevent it from reviewing the minimum rates after the expiry of the said period of five years and revising them, if necessary, and until they are so revised the minimum rates in force immediately before the expiry of the said period of five years shall continue in force". substitute—

"the minimum rates be reviewed forthwith".

Shri A. C. Guha: I beg to move:

(1) Page 1, after line 16, insert.

"(1a) sub-clause a(i) and (ii) following further proviso shall be added, namely:—

'Provided further that the appropriate Government shall every year after report to the Central Government the progress made in the year and with the approval of the Central Government may extend the time by one year in the first instance and by two subsequent periods of six months each.'".

(2) Page 2, line 2, after "five years" insert—

"it shall submit a report to the Central Government explaining the reasons of its failures, and".

(3) Page 2, lines 2 to 5,

for "nothing contained in this clause shall be deemed to prevent it from reviewing the minimum rates after the expiry of the said period of five years and revising" substitute "it will undertake such review within the next two years and may revise".

Shri Tangamani: In moving amendment No. 24.....

Mr. Deputy-Speaker: First, I wanted to be satisfied whether it is not the same as No. 1. It is the same. He has some mistaken idea.

Shri Mohiuddin: I beg to move:

Page 1, for lines 15 and 16, substitute—

'(i) in clause (a), the words and figures "before the 31st day of December, 1954" wherever they occur shall be omitted.'

Shri Tangamani: This amendment which seeks to replace 1959 by 1957, although it is simple, goes into the very root of the purpose of the Bill itself. The object has been accepted, and when this enactment was passed in 1948 we incorporated agricultural labour in part II of the Schedule and some twelve industries, in which the labour is of a sweated nature in part I of the Schedule. As early as 1953 when the Indian Labour Conference met in Mysore, it was agreed by all the parties that the minimum wages would be made applicable in all the States. Again in 1955 when the Labour Ministers of the various State Governments met, it was agreed that the minimum wages applicable to agricultural labour would be implemented forthwith. Though all these assurances were given, the date in the principal Act was extended to 1959 by an amendment, and now we are asked to extend it to 1959 which I submit is begging the very question itself. If the Government is serious about this particular legislation, then without altering the date, a directive must go to the various State Governments to fix the minimum wages immediately for the industries covered by Part I of the Schedule as also for agricultural labour.

I ask the hon. Minister whether minimum wages have been fixed for agricultural labour. I can give him this information that they have been fixed in Madras State for agricultural labour, but in its actual implementation the Madras Government is finding it extremely difficult because they do not get any guidance from the Centre as to how to enforce it.

So far as industrial labour is concerned, the minimum wages were fixed in 1952 and again they have been

revised in 1956. So, a certain *modus operandi* has been followed, but in regard to agricultural labour implementation is very difficult. So I was expecting the hon. Minister, both at the time of introducing the Bill and in his reply, to give us some idea as to how this is going to be implemented in regard to agricultural labour, because as an hon. friend has already pointed out, agricultural labourers number nearly seven crores in this country. Certainly a specific proposal has to come in respect of these seven crores of agricultural labourers, and if at least an explanation comes from the hon. Minister as to how he is going to enforce this even after extending the period to 1959 I will be very grateful. But at present we are in the dark as we were in 1954. If there is no attempt on the part of the State Governments to fix minimum wages by 1959 what are we going to do?

These State Governments were asked to fix the minimum wages in December 1954 but nothing was done by that time. In 1957 we are extending the period again to 1959. Whether they have fixed minimum wages during these three years seems to be immaterial to us. Hence extending the date to 1959 is simply to inform the State Governments that the Centre is not at all serious about the fixation of minimum wages. That is my complaint, and I am making it in all seriousness, because if we extend the period to 1959 we will not be compelling them to fix minimum wages before 1959 and that will be giving them a loophole. That is why though my amendment is a simple one, it is very important for the purpose of this Act and for carrying out the spirit of this legislation.

श्री श्रीनारायण बास (दर्शनगा) :

उपाध्यक्ष महोदय, इस बिल की तीसरी बालाज एक बहुत महत्वपूर्ण कलाज है। एक तरह से इस कानून को फिर से लागू करने वाली यही कलाज है। मुझे दुल के साथ यह कहना पड़ता है कि मालूम नहीं कि जब सरकार की तरफ

से इस कानून की अवधि को बढ़ाने का प्रस्ताव आता है, उस समय इस प्रवेश की कठिनाई और इस कानून को लागू करने में जो दिक्कतें होंगी, उन का भनुमान केन्द्रीय सरकार को या विभिन्न राज्य सरकारों को होता है या नहीं। अगर इस कानून को लागू करने की कठिनाई का कुछ अनुमान केन्द्रीय सरकार और विभिन्न राज्य सरकारों को होता, तो ऐसा प्रस्ताव लाने के पहले वे एक ही बार विचार कर लेते कि कितने दिन के अन्दर यह कानून हिन्दुस्तान के खेतिहार मजदूरों के सम्बन्ध में लागू किया जा सकता है। अभी जो प्रस्ताव हमारे सामने आया है, उस में इस की अवधि १९५६ तक बढ़ाई जाने वाली है। इस बात का कोई अन्याय हमारे सामने नहीं है कि इस सम्बन्ध में जो आशा की जाती है, वह पूरी होने वाली है या नहीं। क्या विभिन्न राज्य सरकारों से इस बारे में परामर्श कर लिया गया है और क्या उन से इस बात का आश्वासन लिया गया है कि वे खेतिहार मजदूरों के सम्बन्ध में इस कानून को १९५६ तक पूरे तौर से लागू कर सकेंगे।

उपाध्यक्ष महोदय, इस सम्बन्ध में मैं वह कहना चाहूँगा कि भारत में रहने वाले जितने वर्गों के लोग हैं, या जितने व्यवसायों के लोग हैं, उन में खेती का व्यवसाय करने वाले सब से उपेक्षित हैं और उन में भी किसान सब से उपेक्षित होते हैं और किसानों में भी खेतिहार मजदूर, जो मजदूरी कर के अपना निर्वाह करते हैं, सब से उपेक्षित हैं। यह कानून पहले १९५८ से पास हुआ था। मैं तो कहूँगा कि यह कानून भी उतना ही उपेक्षित है तभी तो बार बार इस कानून को लागू करने की अवधि बढ़ाई जाती रही है। यद्यपि इस कानून को चालू करने के लिये केन्द्र और राज्य के स्तर पर बहुत सी सलाहकार समितियां बनाई गई हैं और केन्द्र में भी एक सलाहकार समिति है, जिस का काम इस सम्बन्ध में सरकार को राय देना है, मुझे दुल के साथ यह कहना पड़ता है कि मालूम नहीं कि जब सरकार को राय

## [श्री श्रीनारायण दास]

कि स्टेट्स एडवाइजरी बोर्ड की, १६५४ तक सिर्फ दो बैठक हुई थी। उस के बाद उस की कोई बैठक हुई या नहीं, यह ठीक पता नहीं है। हिन्दुस्तान का यह उपेक्षित बर्ग खेतिहर-मजदूर संगठित नहीं है, जो एक जगह रहते नहीं है, जो सून पसीना एक कर के अपना जीवन-निर्वाह करते हैं, उन के हृकों की हिफाजत करने और इस बात की व्यवस्था करने के लिये इस कानून का निर्माण हुआ था कि रोजगार लगाने वाले लोग उन के साथ अन्याय न कर सकें। हम ने अपने संविधान में भी इस बात को मान लिया है कि जो शोषित है, जो उपेक्षित है, उन पर अल्दी से जल्दी और अधिक से अधिक ध्यान दिया जायगा। मुझे यह भी दुख के साथ कहना पड़ता है कि हम में से भी जो लोग मजदूर आनंदोलन में काम करते हैं, खेतिहर मजदूरों की तरफ उन का ध्यान बहुत कम जाता है। सब के सब संगठित मजदूरों में, जोकि कारखानों में काम करते हैं, कार्य करते हैं। उन मजदूरों के संगठन और उन के द्वितीय की रक्षा के लिये तो बड़ा हल्ला होता है। जब जब हम लोग यहां पर अधिकारेशन के लिये आते हैं, तब तब हम देखते हैं कि पार्लियामेंट हाउस के सामने उन सोगों के प्रदर्शन होते हैं और हमारे मजदूर दल के नेता लोग जा जा कर उन के साथ बात-चीत करते हैं और उन को आश्वासन देते हैं। लेकिन करोड़ों खेतिहर मजदूरों में, जिन वा संगठन बड़ा बड़ा हैं, जाने वा साहम बहुत बोड से लोगों को हैं, आहे वे कार्रारेस दल के ही या उस के विरोधी दूसरे दलों के। कारखाने के मजदूरों के पास अपेक्षित अधिक पैसा है, उन का संगठन आसान है, उन के संगठन को चलाना आसान है, इसलिये उन के लिये काम हो जाता है।

जहां तक इस कानून का सम्बन्ध है, मैं कुछ तथ्य इस सदन के सामने रखना चाहूँगा। जब १६५८ में यह कानून बना तो शिफ्यूल

के प्रथम भाग की अवधि १५ मार्च, १६५० तक रखी गई और दूसरे भाग की १५ मार्च, १६५१ तक रखी गई। चूंकि उस अवधि में काम नहीं हो सका, इसलिये १६५१ में उस कानून में संशोधन किया गया और प्रथम भाग की अवधि बढ़ा कर ३१ मार्च, १६५२ तक कर दी गई और दूसरे भाग की अवधि ३१ दिसंबर, १६५३ तक कर दी गई। लेकिन काम फिर भी न हो सका। इसलिये १६५४ में एक संशोधन उपस्थित किया गया, जिस के अनुसार दोनों भागों की अवधि ३१ दिसंबर, १६५४ तक रख दी गई।

मैं यह निवेदन करना चाहता हूँ कि हम लोगों का यह कर्तव्य है कि हम जो भी कानून पास करे या किसी कानून की अवधि बढ़ायें, तो हम का इस बात का अन्दाज होना चाहिये कि जो मिडान्ट उम कानून में माना गया है, वह निश्चिन समय में कार्यान्वित कर निया जायगा और कार्यावाही करने के लिये जो आदेश हुआ है, उस आदेश का पूर्णनया पालन कर लिया जायगा। अगर हम समझते हैं कि किसी कानून को कार्यान्वित करने में किसी जबर्दस्त कठिनाई का मामला करना पड़ेगा, तो हम को उस के लिये अधिक गमय रखना चाहिये। अगर ऐसा नहीं किया जाता है, तो देश में यह धारणा पैदा होती है कि जब हम किस वा कानून पर विचार करते हैं, तो उस की गम्भीरता पर और उस के सब पहलुओं पर हम सुचारू रूप में विचार नहीं करते हैं—और यह बिल इस का एक नमूना है, प्रमाण है। मैं मदन का ज्यादा समय नहीं लूँगा, लेकिन मैं यह कहना चाहता हूँ कि हिन्दुस्तान गावों का देश है, एक खेती प्रदान देश है और खेती में उपज करने वाले कौन है? वह है एडी चोटी का पर्मीना एक वरने वाले सनिहर मजदूर। हो सकता है कि बाढ़ की बजह से या अनावृष्टि की बजह से उस के परिश्रम का वह परिणाम न निकलता हो, जो परिणाम कारखाने में काम करने वाले मजदूर के परिश्रम से

निवालता है। फिर भी सुबह से शाम तक, गरमी म, धूप म, दर्दी में, जाडे में ठिरुर कर वह खेत म काम करता है और उपर हो या न हो, वह आठ दस घंटे परिश्रम करता है। इन पर भी अगर समाज उस के जीवन-निवाह वा सामाज न करे, तो वह समझ का लाला लाला की बात हो सकती है। यहां पर इन्हें सम्मेलन हुआ करने हैं, जिन में गजरों के मत्री और मचिव आया करते हैं। एक प्रकार से सम्मेलनों की होड चल गई है। मैं माननीय मत्री जी से कहूँगा कि उन को खेतिहार मजदूरों की दशा को सुधारन के बारे में गम्भीरता से विचार करन और उन पर न्यूनतम पारिश्रमिक देने का कानून, जिस को अवधि १६५६ तक निश्चित की गई है, लागू करने वे नियंत्रण एक बड़े स्तर पर सम्मेलन करना। चाहिये, ताकि फिर इस कानून की अवधि को बढ़ान का मौका न आये। १६५६ के बाद भी अगर इस कानून का अवधि को बढ़ान का मौका आया, तो मैं ममता हूँ कि वह सरकार के लिये और हमारे नियंत्रण भी ऐसे बहुत हो अकाली और लज्जा का बात होगा। इसलिये इन बात को बड़ी आवश्यकता है कि इन्हें महत्वपूर्ण सवाल भर, छठे कराड जेना को, जोंकि बिल्कुल असर्गठित है, उर्भेश्वर है, गावों में रहन वार्न है, जिस का समग्रत करन वाला कोई नहीं है तेव भाल करन वाला कोई नहीं है, जिस का शोषण होना है।—समस्या पर भी विचार करने की व्यवस्था आप जन्द में जल्द करे।

एक बात और कह कर मैं स्वतंत्र करता हूँ यद्यपि इस विधेयक का उद्देश्य जो मजदूरी उन लोगों को मिलती है उस का न्यूनतम स्तर ठंक करना है लेकिन इस काम को पूरा करने में जबर्दस्त कठिनाइया सामने आ सकती है। जब आप मजदूरी की दर कानून द्वारा ठंक करना चाहते हैं तो उस कानून की देखभाल करने वाला भी कोई होना चाहिये और यह देखने वाला भी कोई होना चाहिये कि आया ठीक मजदूरी

मिल रही है या नहीं। हमारे देश की आज जो परिस्थिति है, मुझे अफसोस के साथ कहना पड़ता है, वह अत्यन्त ही शोचनीय है। जमीदारों एवं लिशन के बाद एक दूसरा वर्ग हमारे देश के अन्दर आ लड़ा हुआ है जो खेतिहार मजदूरों का शोषण कर रहा है। जब जमीदार लोग यहां पर थे उस बक्त यह वर्ग हो सकता है कुछ दबा हुआ हो, लेकिन आज यह अपना गिर ऊचा कर रहा है। जो बड़े बड़े किसान नाम है जिन के पास काफी जमीन है, वह बहुत जबर्दस्त शोषण बन रहे हैं और उन के इस शोषण में मदद देने वाले हैं, पूरिम के कर्मचारी। अगर खेतिहार मजदूर अपने हक को प्राप्त करने के लिये कोई शिकायत करने हैं तो पुलिस इन लोगों का माथ नहीं देती है और यह नहीं देखती है कि ये उपेक्षित हैं, इन के पास पैसा नहीं है और इन को मदद की जानी चाहिये। इन के विपरीत यह देखा जाता है कि जब काई खेतिहार मजदूर बड़े किसान वे नाजायज दबाव में रहने से कुछ आनाकानी करता है तो वह किसान उस मजदूर के बिलफ लृटा मकदमा दायर कर देना है और उस में पूरिम वाले बड़े किसान के महायक हो जाते हैं। इस का जो नीतीजा होता है उस का अन्दर आप महज ही लगा सकते हैं। चार बार जब इन लोगों को कच्चहरी जाने के लिये मजदूर हो जाना पड़ता है और मेहनत मजदूरों कर के जीवन निर्वाह करन वाले इन लोगों को जो हालत होती होती यह आमतौर से ममझा जा सकता है। व तग आ कर बड़े किसानों के मामने जुक जाते हैं और नाजायज दबाव में पड़े रहते हैं।

उपाध्यक्ष महोदय सदस्य महोदय ने यह इकारार किया था कि वह बहुत बक्त नहीं लेंगे।

श्री श्रीनारायण दास मे एक मिनट में बत्तम कर रहा है।

उपाध्यक्ष महोदय, मे यह कह रहा था कि आप कानून तो बना देते हैं लेकिन इन

[श्री श्रीनारायण दास]

कानूनों पर ठोक से अस्त हो रहा है, इस की देखभाल करने के लिये भी कोई होना चाहिये। इस साल स्वराज्य मिले हमें हो गये हैं, लेकिन स्वराज्य को ज्योति उन के घर तक नहीं पहुंच पाई है, यह अफसोस की बात ही है। इस संशोधन विधेयक से हो सकता है कि कुछ रोशनी उन के घर तक पहुंच पाये। लेकिन युज्य सरकारों का आप्रह है कि उन के रास्ते में कठिनाइयां हैं। लेकिन इन कठिनाइयों का सामना भी समाज को करना है तथा राज्य भरकारों को करना है और यह उन का काम है। यदि हिन्दुस्तान के छ: करोड़ लेतिहर मजदूरों की दशा को सुधारने का जल्द से जल्द प्रयत्न नहीं किया गया तो फिर मैं समझता हूँ कि एक ऐसी परिस्थिति देश के अन्दर पैदा हो सकती है कि जिस से हमारे उत्पादन के काम में भी बाधा पैदा हो सकती है तथा विशेषकर खेती के उत्पादन के काम में बाधा पैदा हो सकती है। पंचवर्षीय योजना के चालू होने से काम के कुछ अधिक मोके तो मिले हैं। लेकिन अद्वितेय कारों के लिये तथा उन के लिये जिन को साल भर काम नहीं मिलता है अगर पूरी मजदूरी के कानून को जल्द से जल्द हम लागू नहीं कर सके तो मैं समझता हूँ कि उन के सुधार की जो योजना है वह आगे नहीं बढ़ सकेगी।

इन शब्दों के साथ यह जो संशोधन विधेयक यहां उपस्थित किया गया है, उस का मैं समर्थन करता हूँ।

**Shri Mohiuddin:** I have moved an amendment, the effect of which will be that there will be no time-limit to enforce the Act. We have seen what has been the fate of the time-limits fixed at various stages since 1948. We have seen that in spite of the fact that the Government of India have been persuading and asking the State Governments to enforce the Act within the limits of time fixed from time to time by Parliament, the Act has

not been enforced in the agricultural sector.

Therefore, I think we should be realistic. I requested the Deputy Minister in my remarks on Saturday that he may kindly explain to the House what concrete steps Government in consultation with the States have evolved for the implementation of this Act before the end of 1959, the limit now fixed. He has not said a word about it except to say that a Labour Conference will be held in November 1957, and the Act, as amended now, will be placed before them to see that the State Labour Ministers take necessary action to enforce the Act within the time-limit. I think that is not satisfactory. I therefore propose that instead of the hon. Minister coming back to the House in January or February or March 1960—which I am sure he will do—we better amend this Act in such a way that we leave it to the States to enforce the Act. There will be pressure of public opinion, there will be pressure of trade unions and there will also be the pressure of the Central Government. That may bring about a situation in which State Governments will gradually enforce the Act.

I know there are innumerable difficulties; but those difficulties are there only to be solved. Therefore, I suggest that instead of the period being fixed as 31st December, 1959, my amendment may be accepted. If it is accepted, there should be no period, no time limit fixed so that the State Governments will have more responsibility and they will enforce the Act as early as they conveniently can. That is what I propose.

**Shri Jadhav:** I have tabled an amendment to clause 3.

**Mr. Deputy-Speaker:** My advice is that he may speak on amendment

No. 2 and need not mention amendment No. 7 because that has not been moved. One amendment cannot be moved twice.

Shri Jadhav: I have tabled amendment No. 10 also to the proviso to clause 3, that is the proviso to be added after clause (b) in the original Act. In the original Act, a procedure has been laid down for fixing the minimum rates of wages and in sub-section (b) it is provided that a review of the same can be had after intervals of 5 years. The provision mentions that if the review has not been made, then the appropriate Government may review it after the end of 5 years. I want to omit these lines on page 2 and I have suggested that the minimum rates be reviewed forthwith. That is all I have to say.

Shri A. C. Guha: As I said yesterday, I was one of the original sinners.....

Mr. Deputy-Speaker: Therefore, he would be very brief today.

Shri A. C. Guha: As regards the fixation of a date for determining the minimum wages as far as agricultural labour is concerned, it was on an amendment of mine that it was so done. The original Bill contained only the date to be notified. Experience has made me wiser now and I have suggested that even by this 1959, it will not be done, there should be a time-gap for the Government to take up the matter with the appropriate State Government.

This Act practically became a dead letter by the end of 1954. A legislative lacuna was created and it existed for about 3 years. I am afraid the Government will have to come before this House again for an amendment and that there should be no hiatus created by the end of 1959. So, there should be some time in which the Government can take up the matter with the appropriate Governments and, if necessary, may move for an amendment within that.

If the hon. Deputy Minister can give me an assurance that it will not be necessary to come before this

House for a further amendment as regards the date for the implementation of the provisions of this Act for agriculture, I am ready to withdraw my amendment. I am really anxious that some thing should be done for agricultural labour as soon as possible. But, at the same time, I can realise the difficulties. Last occasion, the hon. Minister in charge of the Bill made this observation:—

"It is wrong to say that the State Governments will not do it. The State Governments are bound to carry out the directions of the Central Government. They are also faced with certain difficulties and certain other matters and under a federal constitution you cannot dictate everything from above."

So, I request the hon. Minister to accept my amendment and provide for some contingency so that he may not be faced with another necessity of coming before this House immediately after 2 years.

Then, I come to my amendments, Nos. 9 and 11. In the original Act, there is a provision in sub-section (3) of section 3 for the appropriate Government to review it at such intervals as it may think fit and at such intervals not exceeding 5 years, the minimum wages so fixed and revise the minimum rates if necessary. By adding a new proviso to this, this sub-section is being made completely ineffective. This proviso would leave the whole matter to the sweet will of the State Government and there is nothing in the power of the Central Government to make a State Government to review the thing even after 5 or 10 years. They can go on without reviewing for any number of years. So, I have provided that the State Government shall at least submit a report to the Central Government explaining the reasons for its failure to review within 5 years the rates fixed previously.

By amendment No. 11, I have tried to make it obligatory that it shall undertake such a review within the

[Shri A. C. Guha]

next two years and then may revise. These will follow the words contained in (b). That will make at least 7 years within which the State Government will have to review the minimum rates. It is not a question of revision; but at least a review of the rates should be made and, if necessary, they should change the rates. But you must put a provision in sub-section (b) of section 3 that the rates should be reviewed after 5 years. Please do not make that provision an object of ridicule. The State Governments can go on simply ignoring it. They may go on without reviewing the minimum wages for any number of years. I hope the hon. Minister may also be pleased to accept these amendments so that the Act may not be made an object of ridicule.

**Shri Oza:** Mr. Deputy-Speaker, Sir, the purpose of my amendment is very simple. It relates to the provisions of review and revision contained in section 3 of the Act as it stands today. According to sub-clause (b) of section 3, the appropriate Government shall in the manner hereinafter provided review at such intervals as it may think fit and at such intervals not exceeding 5 years. As the law stands, the appropriate Government within 5 years or at any time can review and revise the minimum rate.

By adding a proviso to this, it is further provided that where for any reason the appropriate Government has not reviewed the minimum rates of wages fixed by it in respect of any scheduled employment, nothing shall be deemed to prevent it from reviewing it after five years. So, the effect of this amendment of the original section is that within 5 years the Government can at any time review the rates or after 5 years it can review the rates at any time. So, the period of 5 years has no relevance and it does not make happy reading. So, I request by my amendment that this period of 5 years may be done away with and the appropriate Government

may at any time review the rates and revise them if necessary.

My hon. friend, Shri Guha has very pertinently pointed out that the provision appears to be ridiculous. Under the Act, the Central Government has no authority to force the State Governments to review and revise the rates at a particular time. Even if his amendment is accepted, there is no sanction and there is no remedy if the State Governments do not proceed with the review and revision. Under the present provision, it is obligatory. It was obligatory for example for them to fix the rates before 1954 December. They have not done it and what is the result? The labourers have gone without the minimum wages in certain sections. The only section, section 28 says that the Central Government can send directions. It has no significance at all when the whole thing as amended will stand that before 5 years they can be revised and after 5 years also they can be revised.

15 hrs.

What is the reason for fixing the period of five years? Leave it to the State Governments to revise the rates any time they think necessary. Whenever the Central Government deems fit, it can issue instructions to the State that in a particular sector you may revise the rates. I hope the Deputy Minister will agree to this amendment.

**Shri B. K. Gaikwad:** Sir, I have moved two amendments to clause 3. The first amendment is that for the word '1959' the word '1957' be substituted. The second is also of the same nature but the year is 1958.

The first amendment was moved with this idea. Such kind of amendments were put before this House several times and hence whatever information is required to implement this Bill and put it into operation, it is at the disposal of the Government and hence no time is required for that purpose. That is why I have said that 1957 should be substituted for 1959.

If the hon. Deputy Minister comes forward and says that it is not possible to bring it into operation before 1957, then I can give time up to 31st December 1958. For the implementation of the provisions mentioned in the Bill, it is absolutely necessary that these provisions should be put into action as early as possible. I can only say this.

There is a proverb: where there is a will, there is a way. If there is will in the mind of the Government, there can naturally be a way. Several experts are at their disposal in addition to the Government machinery. If they intend to do it, and if they desire to bring the Act into operation, I am sure that the information will be provided in no time. But, the Labour Ministry should take it into their heads to bring this Act into operation. I, therefore, earnestly request that this should be brought into operation as early as possible, losing no time.

श्री गणपति राम (जौनपुर-रक्षित-अनुसूचित जातिया) : उपाध्यक्ष महोदय, इस मदन के कोने बोने से और दूसरे मदन के ही नहीं बल्कि मारे देश के कोने कोने से यह आवाज उठ रही है कि यह विधेयक जिस दिन पास हुआ था उसी दिन मे लागू हो जाना चाहिये था लेकिन वह नहीं हो सका। मैं मानता हूँ कि सरकार इस को लागू करने के लिये नन्परता से काम लेना चाहती है लेकिन उस की कुछ दिक्कतें हैं जिन को आखों से अझल नहीं किया जा सकता है। लेकिन मे समझता हूँ कि सरकार की तरफ से इस को लागू करने में विशेष प्रयत्न नहीं किये गये हैं। आज खेतिहार मजदूर जोकि देश के कोने कोने में फैले हुए हैं और जो अविकसित तथा असंगठित हैं तथा पूणतः अशिक्षित हैं, अपनी आवाज को आगे बढ़ाने के लिये असमर्थ हैं तथा उन की क्या आवश्यकतायें हैं, इस को जानने

के लिये सरकार की तरफ से कोई कदम नहीं उठाये गये हैं। आज सरकार ने इस बिल को यहाँ पेश कर के १६५५ तक का और समय मांगा है। मैं सरकार से यह दावावान चाहता हूँ कि सरकार भविष्य में ५.२ इमी बिल को पेश करने की आवश्यकता महसूम नहीं करेगी और इन वर्षों के अन्दर प्रान्तीय सरकारों में अनुरोध करेगी कि वे इस को लाना कर दें। अगर प्रान्तीय सरकारें यह नहीं करती हैं तो केन्द्रीय सरकार को इस को लागू करवाने के लिये कोई विशेष कदम उठाने चाहिये। सरकार को चाहिये कि वह खेतिहार मजदूरों का एक सर्वेक्षण कराये और जो मजदूरी निश्चित की गई है यदि वह आज की आवश्यकताओं से मेल नहीं खाती है, तो उम्म में मंगोधन करे। अगर यह मजदूरी आज की कठिनाई को सूट नहीं करती है सर्व करवाने के बाद इस को घटाया या बढ़ाया जा सकता है और किर इस को तभाम स्टेट्स में लागू किया जा सकता है। मैं जानता हूँ कि सरकार समाजवादी समाज की स्थापना करने के लिये कठिन है। लेकिन क्या मैं आप से पूछ सकता हूँ कि हिन्दुस्तान जैसे देश में, जहाँ पर करोड़ों की मस्त्या मे रहने वाले शोषित लोग जोकि सदियों से मजदूरी कर के अपना पेट भर रहे हैं तथा जनता की सेवा कर रहे हैं तथा जिन का आज तक आदर नहीं किया गया है, समाजवाद विकसित हो सकता है, समाजवाद की इस प्रकार से स्थापना हो सकती है? क्या यह आप का कर्तव्य नहीं है कि उस वर्ग की जोकि मजदूर वर्ग कहलाना है, जो कि समाज को कमा कर के रोटी देता है, जो असंगठित होने की वजह से आप के सामने अपनी मार्ग उपस्थित नहीं कर पाता है, जोकि आप के सामने रोता और चिल्लाना नहीं जानता है, आप रक्खा करे? आप को उस के प्रति सजग रहना पड़ेगा। लेकिन मैं सरकार से आश्वासन चाहता हूँ कि वह मुझे बतलाये कि इस वर्ग की दशा को सुधारने के लिये तथा इस वर्ग का सर्वेक्षण करनने

[श्री गणपति नाम]

के लिये वह कौन से निश्चित कदम उठाना चाहती है तथा देश को प्राप्ताह करे कि ये निश्चित कदम कब तक उठा लिये जायेंगे ।

श्री अविनाशकुमार : अभी माननीय सदस्य ने मुझ से आश्वासन मांगा कि जो तारीख निश्चित की गई है उस के अन्दर अन्दर यह काम हो जाना चाहिये । चाहते तो हम भी हैं कि उस तारीख तक यह काम हो जाय तथा उस से पहले हो जाय । लेकिन मजबूरियां भी हैं । अगर कोई लास मजबूरी जोकि मामलात में आती है, ऐसी कोई बड़ी मजबूरी न आई तो मेरा विश्वास है कि उस तारीख से पहले पहले यह काम पूरा हो जाना चाहिये । अभी एक माननीय सदस्य ने फरमाया है कि अगर इच्छा हो तो काम हो भी सकता है । इच्छा तो है ही लेकिन अगर हम यह इच्छा कर लें कि अभी हम बम्बई में हों तो शायद इसी बक्त बम्बई पहुंचा नहीं जा सकता है । वहां पहुंचने तक अगर गाड़ी से जाया जाय तो २४ घंटे लगेंगे और यदि हवाई जहाज से जाया जाय तो आर पांच घंटे लगेंगे । तो कभी कभी मजबूरियां होती हैं । देश बड़ा है और मामला भी बहुत बड़ा है । इस को स्थायी में रखते हुए मैं ने कहा है कि हम जितनी कोशिश कर सकते हैं करें । यह कोशिश इस तरह से हो सकती है कि यहां जो सूचना हमें दी जाती है उस को हम राज्य सरकारों तक पहुंचायें वह जितना इस सम्बन्ध में कर सकती है करें और कर रही है, मैं इसे मानता हूँ । मजबूरियों का मुकाबिला भी हमें करना है ।

Shri A. C. Guha: Were the State Governments consulted, before fixing the date? Have they agreed that it will be implemented before 1959?

श्री अविनाशकुमार : यह मामला लेवर मिनिस्टर्स की काम्पेन्स में फ़िल्ड रखा गया

था और उन की सम्मति से ही यह तारीख निश्चित की गई है । पारे महीने जो लेवर मिनिस्टर्स काम्पेन्स हो रही है, उस में भी इस चीज को हम रख रहे हैं । इस से ज्यादा मैं क्या बादा दे सकता हूँ क्योंकि इस काम को तो उन्होंने करना है ।

माननीय सदस्य ने पांच साल के बादे में, जो समय इस क्लाउड में रखा गया है, कुछ कहा है । मैं अर्ज करना चाहता हूँ कि कोशिश तो यही होगी कि पांच साल के अन्दर यह काम हो जाय लेकिन इस बक्त जो कानून है उस में यह मजबूरी है कि अगर पांच साल में न किया गया तो उस के बाद नहीं किया जा सकता है । इस बास्ते यह रखा गया है कि अगर पांच साल में न हो सके तो उस के बाद भी किया जा सकता है । माननीय सदस्य भोजन साहब ने करमाया कि इस को निकाल दिया जाना चाहिये, इस की जरूरत इसलिये नहीं है कि कम से कम हर पांच साल में एक मर्तबा इस के ऊपर पुनर्विचार होना चाहिये और अगर वह न होगा तो फिर सम्भव है कि कभी न हो ।

दूसरी बात यह कही गई है कि कानून में इस बक्त को रखा जाय कि स्टेट गवर्नर-मेंट्स केन्द्रीय सरकार को सूचना दिया करें । अगर इस को उस में रखने की जरूरत न ही है सम्भव होगा तो यह दो साल बाला जो आप का सुझाव है उस को रखते में रख लिया जायगा और अगर यह भी सम्भव न हुआ तो जहां तक सर्वेलस का सम्बन्ध है उन में इस को हम लिखेंगे और स्टेट गवर्नर-मेंट्स मे . . . .

Shri A. C. Guha: May I draw the hon. Deputy Minister's attention to this point? The rule making power is conferred only under clause 29. That is on procedural matters. But, under section 28, the Central Government has got certain powers to give directives and I hope he may refer to that.

बी आविद अनी : मैं ने अर्ज किया है कि हम स्टेट गवर्नरेंट्स को सूचना देंगे और उम्मीद है कि . . . . .

Shri A. C. Guha: Will that be under section 28?

बी आविद अनी : मैं ने अर्ज किया है कि हम सूचना देंगे और इस बारे में हम जितनी भी जानकारी . . . . .

उपाध्यक्ष महोदय : वह डायरेक्शन आहते हैं उस दफा के नीचे।

बी आविद अनी : जरूरत होगी तो वह भी दी जायगी।

मेरा कहना यह है कि उम्मीद है कि यह सब काम हो जायगा। उम्मीद पर ही तो दुनिया जीती है और इसी उम्मीद के आधार पर मैं यह कह रहा हूँ कि यह सब काम हो जायगा। लेकिन कुछ मजबूतिया अवश्य हैं, जिन का मैं ज़िक्र कर चुका हूँ।

एक माननीय सदस्य ने जो कानूनें-रेज का सवाल उठाया है तो मैं उन को और हाउस को यह बतलाना चाहूँगा कि सदस्यों को मालूम ही होगा कि फ़ार्मर्स फोरम और यंग फ़ार्मर्स एसोसियेशन की बैठके हर साल दिल्ली में हुआ करती हैं और अगर यह ज़रूरी समझ जाय और फ़ायदे की चीज़ होगी, तो मैं उन के सामने उस चीज़ को पेश करने की कोशिश करूँगा।

इस के अलावा एक माननीय सदस्य ने जो यह करमाया था कि बोर्ड मीटिंग्स कम हुई हैं तो मैं अर्ज करूँ कि उस की पिछले साल की प्रोसेडिंग्स मेरे पास भौज़द हैं पिछले साल उस की टीसर, बैठक हुई थी।

सन् १९५६ तक जो मैं अर्ज कर रहा था कि उस बहत तक यह काम पूरा हो जाना चाहिये, तो उस का भलवा यह नहीं है कि सन् १९५६ तक इस काम को करना नहीं है, जितनी जल्दी संभव हो सके इस काम को कर लेना चाहिये लेकिन सन् १९५६ के पहले

तो यह अवश्य हो ही जाना चाहिये और इसलिये सन् १९५६ को मुहूर इस में रखती गई है। इह मैं यह ज़करी नहीं है कि कोई स्टेट गवर्नरेंट सन् १९५६ तक हाथ पर हाथ घरे बैठी रहे।

Mr. Deputy-Speaker: I shall put all the amendments to this clause to the vote of the House.

The question is:

Page 1, line 16,—

for "1959" substitute "1957".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 1, line 16,—

for "1959" substitute "1958".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 1,—

after line 16, insert—

"(1a) in clause (b), omit "such intervals not exceeding five years" and after "if necessary" add "and until they are so revised the minimum rates fixed shall continue in force".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Pages 1 and 2,—

omit lines 17 to 20 and 1 to 8, respectively.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, lines 2 to 8,—

for "nothing contained in this clause shall be deemed to prevent it from reviewing the minimum

[Mr. Deputy-Speaker]

rates after the expiry of the said period of five years and revising them, if necessary, and until they are so revised the minimum rates in force immediately before the expiry of the said period of five years shall continue in force".  
substitute—

"the minimum rates to be reviewed forthwith"

*The motion was adopted*

**Mr. Deputy-Speaker:** The question is:

Page 1,—

after line 16, insert—

"(a) sub-clause a (i) and (ii) following further proviso shall be added, namely—"

'Provided further that the appropriate Government shall every year report to the Central Government the progress made in the year and with the approval of the Central Government may extend the time by one year in the first instance and by two subsequent periods of 6 months each'"

*The motion was adopted*

**Mr. Deputy-Speaker:** The question is:

Page 2, line 2,—

after "five years" insert—

"it shall submit a report to the Central Government explaining the reasons of its failures, and"

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

Page 2, lines 2 to 5,—

for "nothing contained in this clause shall be deemed to prevent it from reviewing the minimum rates after the expiry of the said

period of five years and revising" substitute "it will undertake such review within the next two years and may revise".

*The motion was negatived*

**Mr. Deputy-Speaker:** The question is:

Page 1,—

for lines 15 and 16, substitute—

"(i) in clause (a), the words and figures "before the 31st day of December, 1954" wherever they occur shall be omitted

*The motion was negatived*

**Mr. Deputy-Speaker:** The question is:

"The clause 3 stand part of the Bill"

*The motion was negatived*

*Clause 3 was added to the Bill*

**Clause 4.—(Substitution of new Section for section 5)**

**Mr. Deputy-Speaker:** What are the amendments to this Clause?

**Shri A. C. Guha:** I beg to move

Page 2, line 33,—

after "two months" insert—

"and not more than four months"

**Shri Tangamani:** I beg to move:

Page 3,—

after line 10 add—

"Provided further that where the concerned worker's interests want revision by mode specified in clause (a) of sub-section 1 the appropriate Government shall follow the mode demanded by the workmen

Provided further that where the minimum rates of wages is fixed for the first time, the appropriate Government shall do

so by the mode specified in clause (a) of sub-section 1."

**Mr. Deputy-Speaker:** Both the hon. Members have spoken and, I think I may put these amendments straight to the vote of the House.

**Shri Tangamani:** There is an important point with regard to this amendment.

**Mr. Deputy-Speaker** The hon. Member has already dealt with that important point too. All right, he may take a minute or two.

**Shri Tangamani:** When I spoke on other amendments I was confining my remarks to them only and I did not exceed my limit.

**Mr. Deputy-Speaker:** Now he may pass those limits

**Shri Tangamani:** Sir, in bringing forward this amendment I have in mind the question of fixation of wages and also the revision of wages. In the principal Act section 5 provides for fixation of wages at the first instance. At the first instance when wages are to be fixed they can be fixed either by notification or on the recommendation of a committee which is to be set up by the concerned Government. Whenever a revision of wages after a period of five years is contemplated, it is done on the recommendations of a sub-committee which is set up.

Here this clause combines section 5 of the principal Act which deals with the fixation of wages at the first instance and section 10 which deals with the fixation of wages when there is a question of revision. These two sections are clubbed together and option is given to the State Government of concerned Government to do even the revision of wages by notification. My objection is, whenever the wages are to be revised it must be made obligatory on the part of the concerned Government to refer it to a sub-committee set-up by the Advisory Board, otherwise, the present practice which itself is open to certain abuse, which has got its own

defects, will only add to more defects.

During the first reading of this Bill one of the hon. Members pointed out how there has been disparity in wages for the different categories of workers, and whenever there is a revision even if there is notification by the Government I am sure it is going to be raised before the High Court challenging the fixation of wages itself. The other day one of the speakers said that this matter is being challenged by the High Court. The hon. Deputy Minister asked whether some instances could be given. In the question of revision of wages of the tannery workers by the Madras State, the matter is pending before the High Court.

If a clear direction could be given by the Central Government as to how the wages are to be fixed and how the wages are to be revised, then at least the basis for a revision of wages can be best served if it is referred to a sub-committee. That is why I have moved this amendment so as to make a distinction between the fixation of wages at the first instance and revision of wages.

Even with regard to the question of fixation of wages at the first instance, if the concerned workers want this matter to go before the sub-committee then they must have an opportunity to do so.

**Shri Abid Ali:** Sir, ordinarily the committee procedure is followed and shall be followed. But there may be an occasion when the State Government may feel that this revision may be effected by a notification. Therefore, that power should not be curtailed. I, therefore, oppose the amendments.

**Mr. Deputy-Speaker:** I shall put both the amendments together.

The question is:

Page 2, line 33,—

after "two months" insert—

"and not more than four months".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3,—

after line 10 add—

"Provided further that where the concerned workers interests want revision by mode specified in clause (a) of sub-section 1 the appropriate Government shall follow the mode demanded by the workmen

Provided further that where the Minimum rates of wages is fixed for the first time, the appropriate Government shall do so by the mode specified in clause (a) of sub-section 1"

The motion was negative

Mr. Deputy-Speaker: The question is:

"That clause 4 stand part of the Bill"

The motion was negative.

Clause 4 was added to the Bill

Clauses 5, 6 and 7 were added to the Bill

Clause 8.—(Substitution of new section for section 10)

Mr. Deputy-Speaker: Any amendments to this clause?

Shri A. C. Guha: I beg to move

Page 3, line 27,—

add at the end "and it will be reviewed if considered necessary".

I think there is typing mistake The amendment should be as I have moved now I should say a word about this There is a provision now put that every such notification will be placed before the Advisory Board for information only. The Advisory Board will have no action to take, no suggestion to make That is why I have suggested that it should be not only for information but it should also be open to the Advisory Board to review if necessary.

Shri Amd Ali: Sir, I may submit that the section relates to correction of clerical errors and accidental slips and omissions by the appropriate Government It is, therefore, sufficient to provide that the notification should be placed before the Advisory Board for information The question of review of the whole thing will not arise in such cases.

Shri A. C. Guha: If such mistakes are only of a clerical nature, there is no necessity of sending them to the Advisory Board If they are considered as to be of sufficient importance to be sent to the Board then it should be open to the Advisory Board to review the whole thing if considered necessary.

Mr. Deputy-Speaker: What can I do if he is not prepared to accept anything?

Shri A. C. Guha: That is right, you cannot do anything.

Mr. Deputy-Speaker: I shall put the amendment to vote

The question is:

Page 3, line 27,—

add at the end "and it will be reviewed if considered necessary"

The motion was negative

Mr. Deputy-Speaker: The question is:

"That clause 8 stand part of the Bill"

The motion was negative

Clause 8 was added to the Bill

Clause 9 was added to the Bill

Clause 10.—(Amendment of section 13 )

Mr. Deputy-Speaker: What are the amendments?

Shri A. C. Guha: I beg to move:

Page 4,—

after line 19 add,—

"(4) Any employer who contravenes any rule or order made under this section shall be punishable with imprisonment for a term which may extend to one

month or with fine not more than one hundred rupees or with both".

This is about punishment. We find from the report that practically nothing has been done as regards punishment so far. Therefore, it is no use putting something of a very high order in the Act and then allowing the States to ignore the provisions. That is why I wanted to separate the violation of rules made by the State Governments from the offences committed as regards the main provisions of the Act.

If you refer to the report on the working of this Act, you will find from page 51 that there have been only about 100 cases during all these years and the fine varied from Rs. 10 to Rs. 30 and in one case there is only a fine of Rs. 2. So, what is the use of putting Rs. 1,000 or something like that even for minor offences? Again, I shall have to use that word: Please do not make this Act an object of ridicule, to be ignored by the State Governments most flagrantly and lightheartedly.

**Shri Abid Ali:** The penalty for such contravention is already contained in the new section 22A.

**Shri A. C. Guha:** There, the punishment is Rs. 1,000, I think the hon. Minister has not followed me,—or a fine of Re. 1 and imprisonment, or both. Here, in my amendment, I have separated them. I have separated offences of a minor nature from the graver offences.

**Shri Abid Ali:** I do not think any change is necessary.

**Mr. Deputy-Speaker:** I shall put the amendment to the vote of the House.

The question is:

Page 4,—

after line 19 add,—

"(4) Any employer who contravenes any rule or order made under this section shall be

punishable with imprisonment for a term which may extend to one month or with fine not more than one hundred rupees or with both".

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 10 stand part of the Bill."

*The motion was adopted.*

Clause 10 was added to the Bill.

Clause 11.— (Amendment of section 19.)

**Shri A. C. Guha:** I beg to move:

Page 4, line 26, for "has reason to" substitute "may reasonably".

I do not like to any anything on this.

**Shri Abid Ali:** I do not accept it.

**Mr. Deputy-Speaker:** I shall put the amendment to the vote of the House.

The question is:

Page 4, line 26,—

for "has reason to" substitute,— "may reasonably".

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 11 stand part of the Bill"

*The motion was adopted.*

Clause 11 was added to the Bill.

Clause 12.— (Amendment of section 20.)

**Shri Ghosal (Uluberia):** I beg to move:

Page 4, lines 37 to 43, omit,—

"any Commissioner for Workmen's Compensation or any officer of the Central Government exercising functions as a Labour Commissioner for any region, or any

[Shri Ghosal]

officer of the State Government not below the rank of Labour Commissioner or any".

This is in relation to the computing of claims. In the previous Act, the Chief Commissioner or any Workmen's Compensation Commissioner or any stipendiary magistrate was empowered to consider these claims. In this amendment, the Labour Commissioner of a State has also to be included I may say that these State Officers are always charitably disposed towards the employers. At least that is the idea of the working classes in my State. They have lost all confidence in this set of officers in our State. If we go into the statistics, we will find that 90 per cent. of the disputes are settled as soon as the dispute is referred to the tribunal and not at the conciliation stage of the Commissioners. Therefore, these regional Commissioners in whom the working classes have got no confidence should be excluded

**Shri Abid Ali:** The present section 20 contains this power for the zonal Commissioner for Workmen's Compensation. What we are doing is that we are mentioning more persons to attend to these matters, but that will be not below the rank of a Labour Commissioner of the State. Therefore, I oppose the amendment.

**Mr. Deputy-Speaker:** I shall put the amendment to the vote of the House.

The question is:

Page 4, lines 37 to 43,—

omit "any Commissioner for Workmen's Compensation or any officer of the Central Government exercising functions as a Labour Commissioner for any region, or any officer of the State Government not below the rank of Labour Commissioner or any".

The motion was negatived.

**Mr. Deputy-Speaker:** The question is:

"That clause 12 stand part of the Bill".

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13 was added to the Bill.

**Clause 14**—(Substitution of new sections for section 22 and insertion of new sections 22C to 22F. Penalties for certain offences)

**Shri Jadhav (Malegaon):** I beg to move.

Page 6, line 20, after "punishable" insert "with imprisonment for a term which may extend to three months or".

I also beg to move:

Page 6, for lines 21 to 38, substitute "22B. No Court shall take cognizance of an offence—

(a) under clause (a) or clause (b) of section 22, unless complaint thereof is made within three months of the date on which the offence is alleged to have been committed.

(b) under section 22A, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed"

In the amended section 22A, penalty has been provided but in it only a fine has been mentioned. I want to add three months imprisonment or fine.

Then, in section 22B, for lines 21 to 38, I want to substitute section 22B, a new section. Whenever there is a breach of the provisions, the employee should not be compelled to take the permission of the Inspector but he should have a chance to file a complaint himself. Therefore, I have added a new section and have worded it accordingly.

**Shri Abid Ali:** I oppose the amendments. They are not necessary.

**Shri A. C. Guha:** I want to move certain amendments. I am not moving amendment No. 17. I shall move the others. I beg to move:

Page 6, line 29,—

omit "under clause (b) of section 22 or".

Page 6, line 33,—

omit "or clause (b)".

Page 7, lines 34 and 35,—

after "Government" insert "or prescribed authority".

**Mr. Deputy-Speaker:** I shall put the amendments to the vote of the House.

The question is:

Page 6, line 20,—

after "punishable" insert,—

"with imprisonment for a term which may extend to three months or".

The motion was negatived.

**Mr. Deputy-Speaker:** The question is:

Page 6,

for lines 21 to 38, substitute—

"22B. No Court shall take cognizance of an offence—

(a) under clause (a) or clause (b) of section 22, unless complaint thereof is made within three months of the date on which the offence is alleged to have been committed;

(b) under section 22A, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed".

The motion was negatived.

**Mr. Deputy-Speaker:** The question is:

Page 6, line 29,—

omit "under clause (b) of section 22 or".

The motion was negatived.

**Mr. Deputy-Speaker:** The question is:

Page 6, line 38,—

omit "or clause (b)".

The motion was negatived.

**Mr. Deputy-Speaker:** The question is:

Page 7, lines 34 and 35,—

after "Government" insert "or prescribed authority".

The motion was negatived.

**Mr. Deputy-Speaker:** The question is:

"That clause 14 stand part of the Bill".

The motion was adopted.

Clause 14 was added to the Bill.

Clauses 15 to 17 were added to the Bill

Clause 18.—(Amendment of the Schedule)

**Shri Tangamani:** I beg to move:

Page 9, after line 14 add—

"In the Schedule to the principal Act, after item 12 under Part I, the following items shall be added and shall be deemed always to have been added, namely:—

13. Employment in shops and establishments

14. Employment in press.

15. Employment in hotels and restaurants."

In this amendment, what I seek to do is, in the Schedule to the principal Act, after item 12 under Part I, employment in shops and establishments, in press and in hotels and restaurants should be added. In the principal Act, there are 12 industries given, namely, rice-mill, tobacco,

[Shri Tangamani]

plantations, oil-mills, road construction, stone-breaking, mica, transport, etc. Although the State Governments have got the power to include any of these items, our experience has been that no such employment has been included. That is why I want these industries also to be included in the Schedule

**Shri Abid Ali:** I submit that State Governments have power, as the hon. Member himself has said, to add to the Schedule.

**Shri B. K. Gaikwad:** I beg to move:

Page 9, after line 14 add—

“(2) In the Schedule to the principal Act, after item 12 under Part I, the following items shall be added and shall be deemed always to have been added, namely:—

13. Employment in shops and establishments covered by the Shops and Establishments Acts in force in the various States.

14. Inferior village servants serving under State Governments such as Mahars—Jaglyas, Ramoshis, Chawkidars, etc.”

**Mr. Deputy-Speaker:** He has already spoken on that.

**Shri B. K. Gaikwad:** Yes.

**Shri Abid Ali:** I wish to submit that the State Governments have got the power to add to the Schedule. So, it is not necessary to add what the hon. Member wants to add.

**Shri N. B. Maiti (Ghatal):** I beg to move:

“Page 9, after line 14 add

In the Schedule to the principal Act, after item 12, under Part I, the following item shall be added and shall be deemed always to have been added, namely:—

13. Employment in any cotton or spinning mills.”

I need not dilate upon it. I shall be glad to hear from the hon. Minister.

**Shri Abid Ali:** The textile mill workers are sufficiently organised. Therefore, it is not necessary to classify them as sweated labour.

**Mr. Deputy-Speaker:** I shall put the amendments to the vote of the House.

15-30 hrs.

[MR. SPEAKER in the Chair]

**Mr. Speaker:** I shall now put amendments Nos. 6, 32 and 34 to the vote of the House.

The question is:

(6) Page 9,—

after line 14, add—

“(2) In the Schedule to the principal Act, after item 12 under Part I, the following items shall be added and shall be deemed always to have been added, namely:—

13. Employment in shops and establishments covered by the Shops and Establishments Acts in force in the various States.

14. Inferior village servants serving under State Governments such as Mahars—Jaglyas, Ramoshis, Chawkidars etc.”

(32) Page 9,—

after line 14 add—

“In the Schedule to the principal Act, after item 12 under Part I, the following items shall be added and shall be deemed always to have been added, namely:—

13. Employment in shops and establishments.

14. Employment in press.

15. Employment in hotels and restaurants."

(34) Page 9.—

after line 14, add—

In the Schedule to the principal Act, after item 12, under Part I, the following

item shall be added and shall be deemed always to have been added, namely:—

"13. Employment in any cotton or spinning mills."

The Lok Sabha divided: Ayes 44; Noes 108.

Division No. 38]

[15.31 hrs.

### AYES

Banerjee, Shri Pramathanath  
Barucha, Shri Naushir  
Beck, Shri Ignace  
Chaudhuri, Shri T. K.  
Desartha Deb, Shri  
Dasgupta, Shri  
Elias, Shri M.  
Galkwad, Shri B. K.  
Ghosal, Shri  
Ghose, Shri S.  
Gupta, Shri Sadhan  
Hynnsewta, Shri  
Imam, Shri Mohamed  
Iyer, Shri Baswara  
Jadhav, Shri

Kale, Shrimati A.  
Kodiyan, Shri  
Kumaran, Shri  
Kumbhar, Shri  
Kunhan, Shri  
Laxmi Bai, Shrimati  
Mahi, Shri R. C.  
Manay, Shri  
Maters, Shri  
Matun, Shri  
More, Shri  
Mukerjee, Shri H. N.  
Nath Pai, Shri  
Pandey, Shri Sarju  
Panigrahi, Shri

Patel, Shri N. N.  
Patil, Shri U. L.  
Pillai, Shri Anthony  
Ramam, Shri  
Rao, Shri D. V.  
Reddy, Shri Nagi  
Sharma, Shri H. C.  
Singh, Shri L. Achaw  
Siva Raj, Shri  
Soren, Shri  
Tangamani, Shri  
Valv, Shri  
Warrior, Shri  
Yadav, Shri

### NOES

Achar, Shri  
Agadi, Shri  
Arumugham, Shri R. S.  
Balakrishnan, Shri  
Balmiki, Shri  
Barman, Shri  
Barupal, Shri P. L.  
Bassappa, Shri  
Basumatari, Shri  
Bhagat, Shri B. R.  
Bhakt Darshan, Shri  
Bholi Sardar, Shri  
Badar, Shri  
Borooah, Shri P. C.  
Brahm Perkash, Ch.  
Chaturvedi, Shri  
Chunni Lal, Shri  
Dalip Singh, Shri  
Dasappa, Shri  
Das, Shri K. K.  
Das, Shri Shree Narayan  
Datar, Shri  
Deb, Shri N. M.  
Desai, Shri Motari  
Dinchal Singh, Shri  
Dube, Shri Mulchand  
Dwivedi, Shri M. L.  
Ilayaperumal, Shri  
Gackwad, Shri Patesinghrao  
Ganapathy, Shri

Gandhi, Shri M. M.  
Ganpati Ram, Shri  
Gounder, Shri Doraiswami  
Gounder, Shri K. P.  
Guha, Shri A. C.  
Harvan, Shri Anas  
Hem Raj, Shri  
Jogendra Sen, Shri  
Kayal, Shri P. N.  
Kesar Kumari, Shrimati  
Khedkar, Dr. G. B.  
Krishna Chandra, Shri  
Krishna, Shri M. R.  
Krushnamschari, Shri T. T.  
Kureel, Shri B. N.  
Lahiri, Shri  
Laskar, Shri N. C.  
Malliah, Shri U. S.  
Manzaen, Shri  
Mandal, Dr. Pashupati  
Manuyengadan, Shri  
Mehdi, Shri S. A.  
Melkote, Dr.  
Minimata, Shrimati  
Mishra, Shri L. N.  
Mires, Shri R. D.  
Mura, Shri R. R.  
Morarka, Shri  
Murmu, Shri Palka

Murthy, Shri B. S.  
Muthukrishnan, Shri  
Naidu, Shri Govindarajulu  
Nair, Shri C. K.  
Naldurgker, Shri  
Nathavani, Shri  
Nayer, Dr. Sushila  
Nehru, Shri Jawaharlal  
Nehru, Shrimati Uma  
Nek Ram, Shri  
Panna Lal, Shri  
Patel, Shrimati Maniben  
Pillai, Shri Thanu  
Prabhakar, Shri Naval  
Radhamohan Singh, Shri  
Radha Raman, Shri  
Raghunath Singh, Shri  
Raman, Shri C. R. Pattabhi  
Ramanand Shestrai, Swami  
Ramaswami, Shri S. V.  
Ramaswamy, Shri P.  
Rampure, Shri M.  
Rane, Shri  
Ranga, Shri  
Rao, Shri Jagannatha  
Rup Narain, Shri  
Sadhu Ram, Shri  
Sabodhbai, Shrimati  
Sahu, Shri Rameshwar

\*The result of this division applies to amendments nos. 6, 32 and 34 separately.

Sarmista, Shri S C.  
Sanganna, Shri  
Sachadi, Shri Ajit Singh  
Satyanarayana, Shri  
Shah, Shri Manabendra  
Shakuntala Devi, Shrimati  
Siddiqui, Shri

Sinha, Shri Anurudh  
Sinha, Shri B P  
Sinha, Shri  
Sonawane, Shri  
Somani, Shri  
Subbarayan, Dr P  
Subramanyam, Shri T

Sunder Lal, Shri  
Tahir, Shri Mohammad  
Tewari, Shri Dwarakanath  
Ulke, Shri  
Vishwanath Prasad, Shri  
Wasnik, Shri Balkrishna

*The motion was negatived*

**Mr Speaker.** The question is

"That clause 18 stand part of the Bill"

*The motion was adopted*

Clause 18 was added to the Bill  
Clause 1, the Enacting Formula and the Title were added to the Bill

**Shri Abid Ali:** I beg to move

"That the Bill be passed"

श्री अब्दुल अली (रमडा) अध्यक्ष महोदय, इस मिनिमम वेजेज अमेडमेंट बिल, १९५७ को जिमका कि इस समय तकीय बाचन हो रहा है, योडी ही देर मे इसका यह सद. पास करने जा रहा है।

इस बिल के सिलसिले में जो यहा पर बहुप्रीय और तकरीरे हुई ह उनको मैं न सुना है। मैं इस अवसर पर मिर्फ दो बातों की ओर सदन का ध्यान आड़ाट करना चाहूँगा। उत्तर प्रदेश की बाबत मैं आपको बतलाना चाहता हूँ कि हालाकि यह कानून मन् १९४८ मे पास हो गया था और इसका प्रभाव १७ लाख मजदूरों पर पड़ेगा लेकिन इसका मूल रूप से खेतिहर मजदूरों की अवस्था पर कोई प्रभाव नहीं पड़ा और उन खेतिहर मजदूरों को इस कानून से कोई लाभ नहीं पहुँच मिला। उनकी अवस्था बंसी ही शोचनीय बनी हुई है। आज भी उत्तर प्रदेश में ऐसे जिले हैं जहा पर खेतिहर मजदूरों को २ पैसे मजदूरी दी जाती है। कही कही तो उनको छ भी मजदूरी नहीं दी जाती और बर्गर पैसे के काम करना पड़ता है। गाजीपुर, बलिया, आजमगढ़, गोरखपुर, बस्ती और बनारस के गाड़ी में यदि आप जायें तो आप

पायेगे कि आज भी खेतिहर मजदूरों को जितना वह अम करते हैं उनके मुकाबले बहुत कम मजदूरी दी जाती है।

श्री मिट्टासन मिंट (गारखार) आज प्रा. प्लाइट आफ एनफार्मेंट बर, क्या मैं माननीय मदस्य मे पूछ सकता हूँ कि वह कौन प्रा. स्थान है जहा पर एक खेतिहर मजदूर बो २ पैसे प्रतिदिन मजदूरी मिलती है?

श्री भरत यादे जी डा अगर मौका दिया जाए तो मैं एक एक गाव का नाम पेश कर सकता हूँ जहा कि २ पैसे मजदूरी दी जाती है। गोरखपुर, गाजीपुर, बलिया आदि स्थानों पर गावों मे काम करने वाले खेतिहर मजदूरों की बड़ी खाराब अवस्था है और मुझे यह खतरा है कि यह जो अमेडमेट बिल पास करके कानून बनाया जा रहा है उसमे उ मजदूरों की अवस्था मे कोई सुधार नहीं होगा। इसलिये मैं हाउस मे अपील करता हूँ और मत्री महोदय मे भी यह निवेदन करना चाहूँगा कि खेतिहर मजदूरों की दशा सुधारने के लिये अलग मे एक सर्वे कराया जाए और उसके पश्चात् उनके लिए अलग से एक कानून बनाया जाए। ऐसा होने मे उनको कायदा पहुँच सकेगा और उनकी शोचनीय हालत को हम बेहतर बना सकते। इस कानून के पास होने मे खेतिहर मजदूरों को कोई लाभ नहीं पहुँच सकेगा और वे उसी तरह पिसके रहेंगे और मरते रहेंगे जैसे कि अब तक मरते आ रहे हैं। इसलिये आवश्यकत इस बात क है कि खेतिहर मजदूरों के बास्ते अलग से कानून बनाया जाय ताके उनकी हालत बेहतर की जा सके और उनको माइल मजदूरी दिलाई जा सके। आज यादों

में जो उनको मजदूरी मिलती है वह बहुत नहीं मिलती है और इस कारण उनकी मार्गिक अवस्था बहुत शोचनीय है। खेतिहार मजदूरों का एक बहुत बड़ा भाग गांवों में गोबर से जो अनाज निकलता है, उसमें अपना पेट पार्ते हैं। मजदूरी के प्रलाप उसके पास दूसरा बोई साधन नहीं रह गया है और जब यावों में भूखों मरने की नौबत आती है तो तग होकर वे बेचारे अरिया, कनकने आदि स्थानों में जाकर कोयले की सानों में काम करते हैं। इस तरीके से पूर्वी उत्तर इंडिया के उन ६ जिलों की जिनकी में बात करना है वहां पर उनकी हालत निहायत बुराई है और मन्त्री महोदय को जितनी जन्मी मध्यवर्ती में उनको हालत बेहतर बनाने के लिये काम उठाना चाहिये। इसे उनका बारे में सब करा कर अनगग कानून बनाना चाहिये और काफी ममग वैसे ही हमने गवा दिया है और अब जहर इस बात की है कि इस काम अब और प्रधिक दरीन की जा रही है।

इसी तरीके में मैं आपको बनलाना चाहता हूँ कि चमड़ा उत्तोग और विनिदिग्य में भी मजदूर काम करते हैं, उनकी हात बहुत खराब है। कानपुर में जाकर देखिये आपको पता लग जायगा कि टैंकरी के मजदूरों की दशा कितनी खराब है। इसी तरीके में जो हमारे गावों में मजदूर भाई इमारतों के काम करते हैं उनकी अवस्था भी बड़ी शोचनीय है और उनको बहुत कम मजदूरी मिलती है और टेकेदार मनमाने तग में उनसे काम करवाते हैं और शम के हिसाब से जो सुजदूरी मिलनी चाहिये वह उनको नहीं देते हैं।

इसलियं मैं नियेदन करूँगा कि जितनी जल्दी हो सके मन्त्री महोदय को इसके लिये कानून बनाना चाहिये और मैं उनसे यह भी अपील करूँगा कि मन् १९५७ से ही उसको लागू करना चाहिये ताकि खेतिहार मजदूरों की अवस्था ठीक हो सके और उनको माहूल मजदूरी मिल सके।

Mr. Speaker: The question is:  
"That the Bill be passed".  
The motion was adopted.

#### MOTION RE SUSPENSION OF FIRST PROVISO TO RULE 74

The Minister of Home Affairs (Pan-dit G B. Pant): I beg to move:

"That the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Delhi Municipal Corporation Bill, 1957 to a Joint Committee be suspended."

I have given notice of a motion for the reference of the Delhi Municipal Corporation Bill to a Joint Committee. Such a motion is governed by Rule 74 of our Rules of Procedure and reference to a Joint Committee cannot ordinarily be made if it involves matters coming within sub-clauses (a) to (f) of clause (1) of Article 110 of the Constitution. The Delhi Municipal Corporation Bill contains certain clauses which would come within the scope of Article 110 of the Constitution. It is desirable, however, that this Bill, which is a voluminous one, should be referred to a Joint Committee. The Members of Delhi are primarily and mainly interested in it, though I hope that other hon. Members of the House will also co-operate in improving the Bill.

The Members of the Delhi area are divided into two parts. Some are here in the Lok Sabha and some in the Rajya Sabha. I wish that all of them may be included in the Joint Committee. So, I am making a request to you for waiving this rule 74 so that the reference of the Bill which is hardly of a very contentious character may be made to a Joint Committee of Both Houses.

Shri Naushir Bharucha (East Khandesh): We hope that it will not be a normal procedure for Government to ask for suspension of the

[Shri Naushir Bharucha]

rule. The House will appreciate the fact that this is a Bill of more than 500 clauses and we had only a Sunday in between to study this. I take it that the Government will assure us that in future, Bills of this magnitude will not be flung on hon. Members with very little time to study them. The fact that it is going to be referred to a Joint Committee is no excuse that it should not be thoroughly discussed before it is so referred.

**Pandit G. B. Pant:** I am prepared to go farther than what the hon. Member has suggested. He wants that the Government should assure that Bills of this magnitude will not be referred to a Joint Committee of both the Houses. I am prepared to assure the House that even if they are not so equally voluminous, this should not be the normal practice, to refer them to a Joint Committee, except.....

**Mr. Speaker:** He only wants more time.

**Pandit G. B. Pant:**.....when necessary. In fact, very few occasions arise when we approach the Chair and the House with such a request, which, on its face, is of a very abnormal character.

**Mr. Speaker:** Of course, this will be an exceptional case of reference to a Joint Committee of a Bill which involves consideration of one or the other of the matters referred to in clauses (a) to (f) of article 110, that is, relating to Money Bill or Financial Bill. A special provision has been made that they should be considered by this House. Inasmuch as it is only an incidental matter and a major portion relates to administration and it will be duplicating the work regarding this matter, it is being referred

to a Joint Committee. I am certain that similar applications will not be common. In exceptional cases, the provision will be exercised.

The question is:

"That the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Delhi Municipal Corporation Bill, 1957 to a Joint Committee be suspended."

The motion was adopted.

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#### DELHI MUNICIPAL CORPORATION BILL

**The Minister of Home Affairs (Pandit G. B. Pant):** I beg to move:

"That the Delhi Municipal Corporation Bill, 1957, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely, Dr. P. Subbarayan, Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhury Brahm Prakash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Subhadra Joshi, Shri P. Hanuman Rao, Shri Kailash Pati Sinha, Shri Shree Narayan Das, Shri Satis Chandra Samanta, Shri Tayappa Hari Sonavane, Shri Mathew Maniyagandan, Pandit Jwala Prasad Jyotishi, Shri Sunder Lal, Shri Ram Shanker Lal, Shri Sunnat Prasad, Shri C. Nanjappa, Shri Mahadevappa Rampure, Shri Jaswantraj Mehta, Shri B. N. Datar, Shri Shivram Rango Rane, Shrimati Renu Chakravarthy, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignace Beck, Shri Arjun Singh Bhadauria, Shri D. R. Chavan, Shri B. Pocker, 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."

Sir, I am glad to have this opportunity of making this motion. The Bill to which it refers is a voluminous one. It has more than 500 clauses and I think about 13 appendices. Apart from the Companies Bill, which was passed by this House, during the life of the last Parliament, I doubt if any other Bill of a similar magnitude has ever been placed before this House.

It is a Bill, apparently, of a local character. The people of Delhi are deeply interested in this Bill. They are vitally affected by the provisions of this Bill. But, Delhi is the metropolis. Every Member of this House would be naturally interested in improving this Bill so that we, who have to spend a greater portion of our time, whether as Members or as Ministers in Delhi, may also derive full benefit from this measure.

I also feel some gratification in placing this Bill before this House as I think that it is a very well drafted Bill. The task that those who had to frame the Bill had to perform was of a very onerous character. Much thought and much labour had been bestowed on it and I trust that hon. Members will find that as a result of the great care that has been taken in drafting this Bill, the measure as it has emerged from the deliberations held by those who were in charge of the Bill outside, is satisfactory and adequate.

The Delhi State today has a number of local authorities. They are about ten or eleven, namely, the Municipal Committee, Delhi, the Notified area Committee, Civil Station, the Notified Area Committee, Red Fort, the Municipal Committee, Delhi-Shahdara, the Municipal Committee, West Delhi, the Municipal Committee South Delhi, the Notified Area Committee, Mehrauli, the Notified Area Committee, Najafgarh, the Notified Area Committee, Narela, the District Board, Delhi. Not only are the areas which come within the jurisdiction of these bodies now to be governed by this Corporation, but nearly half of the areas of New Delhi will also be comprised within the limits of the Municipal Corporation.

This Corporation has a pretty long history. The proposal for setting up a corporation in Delhi was made nearly ten years ago, and even earlier. The proposals were seriously taken up and some sort of attempts were also made to establish a corporation, but this did not mature and did not take a concrete shape. Besides this Corporation which will now comprise of these areas and in which all these local bodies would be merged, there are also a number of other local statutory bodies in Delhi which deal with matters of great moment and of vital interest, such as the Electricity Board, the Transport Board, the Water and Sewage Board. These boards touch the life of every citizen and

[Pandit G. B. Pant]

their efficiency and speed in the execution of their business and the discharge of their day to day duties can conduce greatly to the comfort and the ease of the people living in Delhi. Even all these local authorities will now be merged in the Corporation. These functions too will be discharged by the Corporation itself.

There are besides these, also the Delhi Development Authority. That authority has jurisdiction over the whole of Delhi. A notification has been issued by virtue of which the entire urban area of Delhi has been brought within the purview of that authority, but now in place of that we have introduced another Bill known as the Delhi Development Bill. It will leave full power with the Corporation for the development of Delhi and for the building of buildings etc., subject to the conditions that are incorporated in that Bill which will come up for consideration in a day or two. According to the new Bill, the Delhi Development Authority will be concerned with the framing of the master plan of Delhi, and so far as development goes, its activities will be confined only to specified areas which will be notified by the Central Government after consultation with the Corporation and also the Development Authority.

From this it will be clear that the burdens that are being imposed on the proposed Corporation are really very heavy. The hopes that we cherish about the ability and capacity of the Corporation to cope with these multiple activities and tasks which the Corporation will have to undertake have been engendered by the public spirit of the citizens of Delhi. They belong to the metropolis of India and we hope that they will prove equal to the expectations that we all have learnt to build about their efficiency and ability to deal with complicated and intricate matters. It is in that hope that this Bill has been designed and is now placed before the House.

The Bill has certain special features. The rural area of Delhi State that has been so far under the District Board will also now come within the limits of the Corporation. The Corporation will have jurisdiction not only over the urban but also over the rural areas which include more than 300 villages, but in order that the rural people may yet be able to shape things according to their own needs and wishes, there will be a special Rural Board to look after their interests consisting of all the representatives elected by the rural people. Besides, there will be panchayats in the villages which will discharge the primary functions in their respective areas.

So, the Corporation is of a somewhat novel character and it will have to deal with some functions which are of extremely vital importance. It will have not only the authority in matters pertaining to the generation of electricity, which perhaps even the Bombay Corporation does not possess today, but it will also be competent to arrange for the distribution of electricity. So, that will be by itself a very far-reaching authority which this Corporation will exercise.

It will have an area, I think, of more than 500 square miles. I wonder if any other corporation has an equally large area. The population which will have the benefit of electing its representatives to this Corporation will be more than 15 lakhs. All elections will be on the basis of adult suffrage. The electoral rolls prepared for the legislature will also be ordinarily used for the election of members of the Corporation.

16 hrs.

There will be 80 members according to the provisions contained in this Bill. That will give about one member to 20,000 electors. Out of these 80, 12 will be representatives of the Scheduled Castes. I had the opportunity of informally consulting the

member of the Delhi Consultative Committee and as a result of the discussions held with them, I propose to move an amendment later for the addition of 6 Aldermen to the 80 members who will be elected in the normal way. As to the best method of electing these 6, further thought may have to be given. There may be two ways of electing them. One is that these members may be elected according to the principle of single transferable vote, which will enable every section which is there in a sizable numbers to return a representative. We want, however, men who possess experience, ability and integrity and who are otherwise highly reputed for their public spirit to be elected as Aldermen. Whether the election should be by means of the single transferable vote or whether, on the other hand, we should have some rule more or less to the effect that a person, in order to be elected, must secure at least two-thirds of the votes of the total number of members present at a meeting specially convened for that purpose, that may have to be considered. This proposal that I have just made, would have the advantage of ensuring the return of persons who possess reputation in the City for their public spirit and efficiency. But it will be for the House to consider as to which of these two methods will be the more suitable and appropriate one.

The Corporation will have powers, as I said, of a very real character. It will have the power to levy taxes. We had once thought that so far as the general property tax was concerned, which stands at 10 per cent of the rental value today, the Corporation might be empowered to raise it to any figure not exceeding 25 per cent, but because of certain views, which have been expressed by those who hold a representative capacity, we have reduced the figure of 25 to 20. This will enable the Corporation to raise the general property tax, if it so chooses, from 10 to 11, 12, 13 or any figure not exceeding 20. The Corporation has also been given the

option to impose other taxes. It will have all the receipts from entertainment and betting taxes and it will also be competent to impose the taxes mentioned in the Schedule which it is not necessary for me to detail here.

The Corporation will have Standing Committees for vital services regarding electricity, transport, water and sewage. These statutory committees will be formed in the manner prescribed in the Bill. 4 of the persons represented will be representatives of the Corporation and 3 will be nominated to assist them. These are very vital services. If the electricity service fails even for an hour, then there is darkness all round. Similarly, if there is no water even for 3 hours, everyone is put to immense inconvenience and discomfort. So in order to ensure the co-operation of experts and the representatives of the people, statutory committees will be formed in the manner indicated in the Bill.

There are also provisions in the Bill relating to other matters. As I said, the Corporation will have also the authority for carrying out schemes for housing for improvement, for widening of streets and all other things which can go a long way in improving the sanitation, health and all the aesthetics of the town. These the Municipal Boards do not possess today. They are to a large extent vested in the Development Authority. The Corporation will also be competent to take measure for the improvement of the slum area, for their demolition and replacement by better houses.

It has, however, been considered advisable, as I have indicated, to have this Development Authority for preparing the Master Plan and for developing such areas as may be notified. Subject to the areas so notified, the Corporation will have plenary authority over the whole of the area of the Corporation. It is desirable in the interest of Delhi and the Corporation itself that there should be some such body which

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can take up specified areas for development. The expenditure that has to be incurred on development is heavy and if the Corporation is required to face the difficulties without any assistance and if it is to bear the entire burden, the process of improvement will become very slow. So this provision has been made in the Development Authority Bill so that Government may actively assist the Corporation in improving the housing conditions in Delhi.

We have also got a slum area there and the Corporation will be competent to deal with the slum area as it will be declared as one of the authorities that will be competent to deal with slums.

As to the appointment of officers and men, it has been provided that posts carrying a salary of more than Rs. 350 per mensem will be filled in consultation with the Public Services Commission; posts connected with the three statutory boards will, however, have to be filled with greater care so that the men may be not only competent but also in a way devoted to the welfare of the city and prepared to take all the burdens on themselves. Electricity needs attention not only during the day but also in the night; so are water and other vital matters with which the Corporation is connected.

We have provided that rules may be framed for granting allowances to the members of the Corporation. So far, ordinarily, members of municipal bodies do not get any allowance. But, I understand that there is at present a proposal for making some provision for the members of the Corporation of Bombay. I personally think that it is desirable that some allowance to enable members who have no resources of their own to attend the meetings of the Corporation should be made. Men who have hardly any resources are now devoting themselves to public service and such persons live a hand-to-mouth existence. It is desirable that they should be enabled

to discharge their duties with undivided attention and without being worried about small, trivial and petty matters.

It has also been provided that rules may be made to provide housing and conveyance facilities for the Mayor. Again, that will depend on the shape the rules ultimately take but that may be made permissible under the Bill. The Mayor will have the authority to call for records and returns from the Chief Commissioner of the Corporation.

The Bill is mainly based on the Bombay pattern. It was, however, after a great deal of care that this decision was taken. The Bombay Corporation has done its work with remarkable credit. All those who have had occasion to see the working of the Corporation have spoken highly, not only about its achievements but about the public spirit shown by the members and about the democratic way in which its activities have been consistently conducted. We also consulted the schemes that are in force in other countries but found that the Bombay Corporation model would be the best for us. So, we have followed that pattern.

There has been some little criticism about part of the New Delhi area being left out of the Corporation. As I said, the Corporation will have an area of about 500 sq. miles; it will be more than 500 sq. miles. The total area under the jurisdiction of the Corporation comes to 510 sq. miles. The area of New Delhi that will be excluded from the Corporation will be not more than 15 sq. miles; that is, not more than 3 per cent of the total area of the Corporation. The New Delhi area that has been left out is mainly occupied by government servants, the Embassies, the Diplomatic Enclave and other similar institutions. I do not think that the exclusion of this area will be in any way harmful to the Corporation.

Under the law, Government is not liable to be charged with tax for the property it holds in the Notified Area. If no taxes are charged and the Corporation has to discharge all these duties and to provide all these amenities that are available in New Delhi, it will be rather hard on the Corporation.

Besides, the public servants living in New Delhi cannot be returned as members to the Corporation. I do not know how far it would be consistent with the democratic principle to have representatives who do not represent the vast majority of the people living in New Delhi for administering the affairs of this part of New Delhi. So, I hope the Members interested in the Corporation will hail with satisfaction the scheme that is embodied in this Bill. It gives them very wide powers and now they can make the city beautiful, healthy and in every way deserving of its status as the metropolis of India.

I may also say that this idea of getting New Delhi out had been in existence almost throughout but I succeeded at least in getting half of this area in the Corporation. But what is left out is only the other half. So, there should be no feeling of dissatisfaction on that account. If we can acquit ourselves well, we will have done a lot.

New Delhi will also have to rely on the Corporation to a large extent. So, there is bound to be co-operation between the Corporation and New Delhi. And, if the duties that have been entrusted and the functions that the Corporation will have to discharge are carried out efficiently, impartially, devotedly and with a sole desire to serve the people of Delhi and to raise the stature of the city of Delhi, I think, we will have been fully rewarded.

**Shri Manay (Bombay City Central-Reserved—Sch. Castes):** I would request the hon. Home Minister to consider the desirability of including

one Member of the Scheduled Castes Federation in Parliament in the personnel of the Committee announced. I do not want to put the hon. Home Minister in an embarrassing position, but if he is able to make certain adjustments in the personnel, I would appreciate it very much because there is a vast population of Scheduled Castes in Delhi.....

**Mr. Speaker:** Shri Naval Prabhakar is there.

**Shri C. D. Pande (Naini Tal):** Shri Sonavane is there.

**Shri Manay:** I do not understand when representation was given to the Opposition why the Scheduled Castes Federation in Parliament was left out. We do not know what is the method adopted for this selection.

**Pandit G. B. Pant:** How many Members of the Scheduled Castes Federation are there in this House?

**Shri Manay:** Nine; and I understand a section having only 5 Members has got representation.

**Pandit G. B. Pant:** How many from Delhi?

**Shri Manay:** Probably, there may not be any.

**Pandit G. B. Pant:** Then, we will consider.

**Shri Naval Prabhakar :** (बाह्य दिल्ली, रक्षित अनुरूपित जातियों) : बास्तव में बात यह है कि जहाँ तक अनुरूपित जातियों का सम्बन्ध है दिल्ली में उनका प्रतिनिवित्व में करता हूँ और मेरी यह समझ में नहीं आता कि जो शिल्पी कास्ट फैडेशन है वे किस तरह में अपने को उनका प्रतिनिधि बताते हैं। यह नो मुझे किक होनी चाहिए कि मैं उनका प्रतिनिवित्व करता हूँ या नहीं क्योंकि मैं उनका नुमायना हूँ।

**Shri Manay:** We refuse to accept that you represent their interests.

**Mr. Speaker:** All right. The motion is before the House.

[Mr. Speaker]

The hon. Members are fully aware that all those hon. Members who have given their names to serve in the Joint Committee will not be allowed to speak here; they will do what all they can in the Joint Committee and not on the floor of the House at present.

**Shri Radha Raman** (Chandni Chowk): Some special case is there.

**Mr. Speaker:** What is it? They may reserve their energy for the work in the Joint Committee. Any other hon. Members? No. Now, I shall put the motion to the vote of the House.

The question is:

"That the Delhi Municipal Corporation Bill, 1957, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from the House, namely, Dr. P. Subbarayan, Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhury Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Subhadra Joshi, Shri P. Hanmant Rao, Shri Kailash Pati Sinha, Shri Shree Narayan Das, Shri Satis Chandra Samanta, Shri Tayappa Hari Sonavane, Shri Mathew Maniyangadan, Pandit Jwala Prasad Jyotishi, Shri Sunder Lal, Shri Ram Shanker Lal, Shri Sumat Prasad, Shri C. Nanjappa, Shri Mahadevappa Rampure, Shri Jaswantraj Mehta, Shri B. N. Datar, Shri Shivram Rango Rane, Shrimati Renu Chakravarty, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignace Beck, Shri Arjun Singh Bhaduria, Shri D. R. Chavan, Shri B. Pocker, 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.

#### DELHI DEVELOPMENT BILL

**The Minister of Home Affairs (Pandit G. B. Pant):** Sir, I beg to move:

"That the Bill to provide for the development of Delhi according to plan and for matters ancillary thereto, be referred to a Joint Committee of the Houses consisting of 45 Members; 30 from this House, namely,

Dr. P Subbarayan, Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhury Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Subhadra Joshi, Shri P. Hanmant Rao, Shri Kailash Pati Sinha, Shri Shree Narayan Das, Shri Satis Chandra Samanta, Shri Tayappa Hari Sonavane, Shri Mathew Maniyangadan, Pandit Jwala Prasad Jyotishi, Shri Sunder Lal, Shri Ram Shanker Lal, Shri Sumat Prasad, Shri C. Nanjappa, Shri Mahadevappa Rampure, Shri Jaswantraj Mehta, Shri Shivram Rango Rane, Shrimati Renu Chakravarty, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignace Beck, Shri Arjun Singh Bhaduria, Shri D. R. Chavan, Shri B. Pocker, 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 in the said Joint Committee and communicate to this House the names of Members to be appointed by Rajya Sabha to the Joint Committee."

Sir, I have already made some comments with regard to the provisions of this Bill. I have observed that there is a Delhi Development Authority even at present but the Delhi Development Authority has jurisdiction almost over the entire city of Delhi. The Delhi Development Authority has not been able to achieve all that it wanted to because of the multiplicity of various authorities in Delhi. The schemes could not be implemented without being referred to these various authorities with the result that the development has not been as fast or as satisfactory as the Authority itself would have wished.

There has been a lot of unlawful occupation of lands in Delhi. There has been considerable squatting—I would not use a strong term or an unpleasant expression. The town of Delhi has to be put in order. In the past there were indiscriminate construction of houses. There were no roads and sometimes there was no arrangement for water drainage, lavatories and even for urinals and such unavoidable needs. It is therefore necessary to continue the arrangement and to provide some system and method for dealing with these matters. So, the Delhi Development Authority will have, first of all, to prepare a master plan for Delhi. That master plan will deal with several aspects of civic life in Delhi. It will bear that fully in mind. There will also be regional plans as parts of this master plan and all constructions will have

to be in conformity with the principles that are embodied in the master plan.

Applications which do not conform to the prescribed standard will have to be returned for correction, adjustment and adaptation. Besides, this Development Authority will also be empowered to develop, as I said previously, the notified areas. It will have no power to develop any part of Delhi until it has been notified by the Central Government after consultation with the Corporation and Delhi Development Authority itself. It is only after such a notification that the Delhi Development Authority will take up this work in the specified area and either clear the slums or do other acts necessary for improving housing conditions in that particular area. Its activities will be of an ancillary character. It does not in any way compete with or come in the way of the activities of the Corporation itself. Whatever the Corporation chooses to do the Corporation will be free to do. It will have hundreds of square miles always available, it is only the notified areas that will be handled by the development authorities.

I think this measure will be of advantage to the Corporation. This will relieve it of some of its burden. In this authority too the Corporation will be represented. It will have two members elected by the Corporation besides the executive officers of the Corporation. They will serve as a link between the two.

I think it is a non-controversial Bill and it will be readily accepted by the House.

**Mr. Speaker:** Now the motion is before the House.

**Shri Naushir Bharucha (East Khandesh):** Sir, I have carefully studied the provisions of the Delhi Municipal Corporation Bill and, coming hard on that, the Delhi Development Bill appears to me to be superfluous. Apart from lightening the burden of the proposed Corporation, the Delhi

[Shri Naushir Bharucha]

Development Bill proposes to create an authority which is likely to come in conflict with the Corporation.

Sir, I may tell the House that I have had considerable experience with the working of the Bombay Municipal Corporation, where I have been a member for 19 years. We too followed the same pattern in Bombay, where we had a separate Improvement Trust. After years of experience it was found that the Improvement Trust as a separate authority was far from any help to the Corporation and, consequently, the Improvement Trust was extinguished and merged with the Bombay Municipal Corporation.

If I may revert back for a moment to some of the provisions of the Delhi Municipal Corporation Bill which are intimately connected with this, we find that there are also clauses in the Corporation Bill relating to the improvement scheme. The Commissioner can frame an improvement scheme under clause 425 in respect of an area which requires to be rebuilt. That clause also lays down the matters to be provided for in an improvement scheme, and these are much the same that are required to be taken into consideration in formulating a scheme in the Delhi Development Bill.

Therefore, it appears to me that conflict is bound to arise when two authorities, the Corporation and the Delhi Development Authority, are entrusted the same type of work. I am aware of the fact that under clause 429 of the Delhi Corporation Bill some effort is made to solve the conflict by providing that the Corporation's improvement schemes should comply with the Master Plan and Zonal Development Plan. But I ask, what is the position when the two authorities conflict? Will not so much time be wasted? After all, what is the Delhi Development Authority going to do which the proposed Delhi Corporation will not be in a position to do?

When both these Bills are there and they are being referred to practically

the same Joint Committee, perhaps some way may be found by the Joint Committee to amalgamate the provisions of the two and create only one authority. We certainly do not want two conflicting authorities bent upon developing certain areas in Delhi. Therefore, I submit, to my mind, this Delhi Development Bill seems to be superfluous. I would, therefore, appeal to the Government to take this fact into consideration and see whether, even at this belated stage, the two authorities cannot be amalgamated into one.

I repeat, Sir, that the experience of the Bombay Municipal Corporation has been very clear. The Improvement Trust separately created there and which enjoyed wide powers for a large number of years had to be wound up. It is true that the Delhi Development Authority has been entrusted with the power to prepare a Master Plan. But in Bombay the Municipal Corporation is carrying out that work, and I do not see, if some of the provisions mentioned in the Delhi Development Bill investing power to the authorities to carry out certain improvement schemes are amalgamated in the Delhi Corporation Bill, any harm will be done. I am sure that would have made for smoother working and less loss of time.

It is obvious that provision is kept for consultation between the Delhi Development Authority and the Corporation. Much correspondence will follow as a result of this. It has been my experience that schemes prepared by one authority and submitted to another authority take ages to materialise. It has also been my experience in Bombay Municipal Corporation that the scheme prepared by the Corporation itself takes considerable time to be put through. If the two authorities start competing with each other, and as it is likely that there is bound to be some jealousy between the two as to who will exercise power, I am afraid the experience

of Bombay will be repeated and at a later stage, after many years have been wasted, the Government will come to this House and propose the abolition of the Delhi Development Authority. Therefore, while we are in the formative stage of the Delhi Municipal Corporation, it is my submission that the Government might look into this aspect of the case and see whether even at this belated stage the two authorities cannot be merged into one.

**Shri Achar (Mangalore):** Sir, may I just say a few words? The Statement of Objects and Reasons restricts, so far as this Bill is concerned, the activities of this authority only to the areas to be notified yet. I find that the development activities of the Development Authority may be confined only to such areas as may be declared as development areas by the Central Government in consultation with the Authority and the Delhi Municipal Corporation.

The hon. Home Minister while moving the earlier Bill said that the Bill extends to the entire Delhi area except the New Delhi area and also about 300 villages—I have not much experience of this area, but all the same,—which are mostly agricultural villages. So we find in the other Bill the jurisdiction is extended both to the urban as well as the rural areas, whereas when it comes to the question of development it is only the city area.

Of course, I had not the opportunity to study the entire Bills, either the earlier Bill which has been referred to a Joint Committee or this Bill, but this fact sets one to a rather little thinking. In fact, we very often feel, especially people who come from the villages, whether it is good in principle to combine both the villagers and the town people under one organisation. That is a point which the Joint Committee must consider. It should not be like putting a lamb and a lion together in one place. Not that I am saying anything definitely about this point, but I felt some doubts when I

read that portion of the Statement of Objects and Reasons, especially when we come to this Bill and we find that the question of development is restricted only to the city and the villagers are left alone.

I do not want to take any more time of the House on this question. I would only request the Joint Committee to consider this aspect of the question: firstly, whether it is good to put the villagers and the town people together and whether it will be proper for their development to be under one authority; secondly, if it is to be done, whether it will be proper when the question of development comes to leave the villagers alone and restrict it to the city proper.

**Pandit G. B. Pant:** I am aware of the fact that Bombay had a separate Improvement Trust for a series of years. Only recently the Improvement Trust has been dissolved. But, for many a decade, although the Corporation was there, it was considered necessary to have and to maintain an Improvement Trust there for the development of Bombay City. Probably, the major part of Bombay has already been well developed. So, the need for an Improvement Trust may have ceased to exist. But, so far as this particular Bill is concerned, it does not in any way interfere with the powers of the Corporation. The Corporation is free to carry on improvement activities within the entire area of the Corporation: only where any particular area which should be specifically defined has been notified, the Development Authority alone will be competent to develop that area. I do not see any inconsistency. I do not see how it does any violence to the autonomy of the Corporation or how it impinges upon or detracts—from the authority that the Corporation does or can aspire to possess. It only extends a hand of fellowship and assistance and that too can be done only in consultation with the Corporation. So, I do not see any substance in the arguments that have been advanced by Shri Bharucha.

[Pandit G. B. Pant]

There were some observations made on this side, by Shri Achar. He seems to have overlooked the sub-clause at the commencement of the Bill. Clause 1, sub-clause (ii) says that it extends to the whole of the Union territory of Delhi. So, rural area is not excluded. If it is considered advisable to notify any part of the rural area for development, it will be open to the Central Government to issue such a notification. And after that, this Development Authority will have full power and will also in a way be responsible for the development of that area. I hope what I have said will remove his difficulties

Mr. Speaker: I shall put the motion to the vote of the House.

The question is:

"That the Bill to provide for the development of Delhi according to plan and for matters ancillary thereto, be referred to a Joint Committee of the Houses consisting of 45 Members; 30 from this House, namely,

Dr. P. Subbarayan, Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhury Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Subhadra Joshi, Shri P. Hanmanth Rao, Shri Kailash Pati Sinha, Shri Shree Narayan Das, Shri Satis Chandra Samanta, Shri Tayappa Hari Sonavane, Shri Mathew Maniyaganan, Pandit Jwala Prasad Jyotishi, Shri Sunder Lal, Shri Ram Shanker Lal, Shri Sumat Prasad, Shri C. Nanjappa, Shri Mahadevappa Rampure, Shri Jaswantraj Mehta, Shri Shivram Rango Rane, Shrimati Renu Chakravarty, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignance Beck, Shri Arjun Singh Bhaduria, Shri D. R. Chavhan, Shri B. Pocker, 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 variation and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join in 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.

Mr. Speaker: We shall proceed to the next item.

Shri V. P. Nayar (Quilon): With your permission, may I submit a point for your consideration? As you know, there was a Bill—The Life Insurance Corporation (Second Amendment) Bill, 1957—for which we have allotted three hours and that has been withdrawn, without prior notice. That has upset the schedule and many Members were not prepared for the other two Bills which have come up; the Members were working on the Committees. We have allowed the other Bills to come up, which ought not have come up so early. Some way must be found. Both the Bills were very important. Notwithstanding that fact, there are so many Members on the Joint Committee. But there has been no notice of it. We can understand a Bill collapsing. The Bills which have been scheduled to be taken over late in the day have come up earlier.

Mr. Speaker: What is the suggestion?

Shri V. P. Nayar: We should have been told. So far as these two Bills,

which are very important, are concerned, the Joint Committee cannot have the advantage of the views of the Members—

**Mr. Speaker:** What was done was this. The hon. Members will kindly recollect that early in the day, the hon. Minister of Parliamentary Affairs mentioned—soon after Question Hour—that he will inform the House as to whether they want to take up that Bill or not during this session. Some hon. Member—I think it was Shri Khadilkar—said that three hours were not enough for that Bill and said that it was not adequate, though the original proposal of two hours was revised and the time raised to three hours by the Business Advisory Committee. I think the hon. Minister of Parliamentary Affairs considered this matter. He came and reported to the House that he will consider this matter and be able to report to the House whether, in view of the demand made for additional time, it may be possible to get along with that Bill in this session or not. Thereafter he came and reported that it will not be feasible to take up that Bill during this session and that it stands postponed for the next session.

So far as the two Bills about Delhi are concerned, certain important persons were naturally desirous to serve on the Joint Committee and in accordance with our ancient practice and the practice that we have been adopting not to allow the hon. Members to say twice over and in order to enable them to reserve all their energies for the Joint Committee, the Bills were gone through. So, there was nobody to speak, and therefore, we saved so much of time.

**Shri V. P. Nayar:** May I submit that that is not the actual position?

**Mr. Speaker:** What does he want now? He wants the House to adjourn?

**Shri V. P. Nayar:** Not at all. I understand from Shri Bharucha that

he had actually sent a chit for speaking on the Delhi Corporation Bill.

**Shri Naushir Bharucha:** I got up but in the meantime the proposal was made—

**Shri V. P. Nayar:** I was attending a sub-committee of the Estimates Committee. Shri H. N. Mukerjee is in another committee. Many Members who wanted to speak on these Bills, without knowing that the Bills had come so early, are already working in the other committees. They have no notice. If we go on at this rate, I do not know what will happen.

**Mr. Speaker:** The hon. Members have no business to be on another committee when the House is sitting. The House is paramount. They must sit in the evening. I am really surprised. We have got to go through the work and at the same time work for longer hours also. Let the committee meet in the afternoon. I made a wholesome provision that during the forenoon no committee shall meet. In the afternoon also, the same principle must be adopted. Except where there is emergency, they must only meet after the regular business of the House is over.

**Shri Nagi Reddy (Anantapur):** The programme is not adhered to.

**Mr. Speaker:** It is adhered to. The hon. Members must always feel that they cannot expect every hon. Member to take part in the debate so that the House may be kept busy even though it may not be necessary.

Let us proceed to the next business.

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MOTION RE. REPRESENTATION OF THE PEOPLE (CONDUCT OF ELECTIONS AND ELECTION PETITIONS) RULES

**Shrimati Renu Chakravarthy (Basirhat):** Mr. Speaker, I am sorry for not having been present in the

[Shrimati Renu Chakravarthy]

House. I was in a parliamentary committee. I beg to move:

"This House resolve that in pursuance of sub-section (3) of section 169 of the Representation of the People Act, 1951, the following provisos be added to sub-rule (1) of new rule 41A of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, as further amended by the Notification No. S.R.O. 1993A dated the 18th June, 1957, laid on the Table on the 17th July, 1957, namely:—

"Provided that such polling stations are not situated in rural areas.

Provided further that before notifying the polling station the opinion of the recognised parties is taken and a majority of them agree to the notification."

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution.

I have moved this amendment to the rules under sub-section (3) of section 169 of the Representation of the People Act, 1951. The notification says that from now on the Election Commission has the right to notify in any particular area that actual polling will take place not by the old methods but actually with pen and paper. As a matter of fact, I would have liked to read the actual notification, but in the hurry I have not been able to get the papers.

**Mr. Speaker:** The hon. Member may apprise the House what exactly is the position.

**Shrimati Renu Chakravarthy:** The position is this. Now, by a notification in the gazette, the Election Commission is now being given the right to say that in a particular area A, voting will take place by means of the ballot. They have not detailed it. Perhaps, the voter will be given the picture or the symbols of the

various parties and individuals and on the side of it, ticks or marks will have to be given by the persons who go to vote. This notification of course is left to the discretion of the Election Commission. Now, I have tried to put in my amendment a very clear and categorical proviso to be inserted. We do not want to leave it to the discretion of the Election Commission or its wisdom to say that such and such area should be a notified area, which may be a very backward area, where majority of the people are illiterate, who have never put pencil to paper. We do not want that the Election Commission should have the discretion to notify such areas.

I have said that two provisos should be added. One is that no polling station which is situated in a rural area can be notified as such. So many people have asked me, "Do you think in the urban areas, the people are more literate? There are urban areas and constituencies where a large portion of the people do not know to read and write". But even I have not excluded the right of the Election Commission to notify certain urban areas, though I would urge the Election Commission to take into consideration the level of literacy in that urban area too. I have not done it for this specific reason that we might try to start experiments in this matter.

There is no doubt that our method of voting is very cumbersome, because I come from a constituency, which is the most difficult area even to carry the ballot boxes. We know what terrible difficulties our officers have. The whole election procedure and the election arrangements are cumbersome. They have to walk miles before they arrive at the booth. I understand the difficulties, but in spite of that I have moved this amendment because I feel that if at this stage we introduce this sort of innovation, it will adversely affect the results.

For example, I have known in my area that a large percentage of muslim women become terrified when they come to the polling booths. I have myself have been called sometimes by the polling officer, who said: "Please ask this lady who is in burqua whether she wants to vote or not, because she is unable to move even." So, I believe that this is an impossible way of voting at the present moment. I do urge the Government to accept this proviso, because most of the Members, whether from this side of the House or that side, will say from their own experience that our country is not yet in a position to accept this type of voting.

Secondly as far as I remember, if I am not absolutely incorrect, in the notification it is said that a person who has to vote will be led up to a table or some place, which will be within sight of the polling officers and the presiding officers, and he or she will be asked to cast his or her vote. What is our experience? Our experience is that at the present moment the village population is terrified that the ruling party will know which way they are voting and for whom they vote. The question is often debated, "If I vote for the opposition parties, what will happen to me?" Apart from that, the propaganda continues that it is all secret voting and nobody, except yourself and your conscience, knows whom you have voted for. In spite of that, another propaganda is carried on the other side: "If you do not vote for us, we will know exactly for whom you are voting. There are numbers written and from that we will calculate and find out for whom you have voted." It is the psychological part of it that is made to play upon the electorate. Imagine in a village where the members of the panchayat or headmen or other members who are leading social and economic figures within that village are the polling officers and your having to cast your vote within sight of those men. I wish I had the notifi-

cation with me, but if this is at all correct, I can say on behalf of the opposition parties at least that we will object vehemently to this type of voting. So, from all these points of view, we feel that we cannot accept such a change and we are not prepared to give this power of issuing notification to the Election Commission. That is why I look upon this power to be given to the Election Commission with very great fear and I have moved this amendment.

Another proviso that I have sought to include is that before notifying the polling station, the opinion of recognised parties have to be taken and a majority of them have to agree to the notification. Up till now, as you know, the Election Commission has proceeded in most matters in consultation with the major political parties. We have had frequent discussions and on the whole, up till now we have had good relations with the Election Commission and the consultations have borne fruit. Therefore, I feel that if you give this power of notification to the Election Commission, it is right that a majority of the recognised parties accepts it. The Election Commission may say that in such and such area, we consider that we should give the electorate the right of voting by ballot. Not only there may be illiteracy in that area, but my friends from Kerala say that it is not only a question of illiteracy, but certain other factors come into play. As I have already pointed out, certain psychological factors like victimisation later on have to be considered. That is why, in spite of the fact that I recognise that our method of carrying ballot boxes from place to place and the whole procedure is cumbersome and expensive yet at the same time I say that in our country, the time is not yet ripe when we can allow this type of voting. That is why I strongly urge that both these provisos have to be put in.

I am prepared to accept the position that certain areas may be used as

[Shrimati Renu Chakravarthy]

experimental areas. I am not absolutely averse to it. In a city like Calcutta for instance, say in our Law Minister's constituency, we will not object to the experiment being made. But certainly in certain other constituencies, we would strongly object, because of the various factors I have mentioned. Even in such places like the Law Minister's constituency where we can allow such voting to take place, the majority of the recognised parties should agree with the Election Commission that we should try the experiment.

So, I am moving this amendment and I hope that the Law Minister will not look upon this amendment as something that is coming from the Opposition and so it should be voted down by the big majority of the Congress. It is something that is reasonable and corresponds to the objective reality in our country. So, I would urge the Government to accept these two provisos that I have mentioned.

**Mr. Speaker:** Mr. Mathur is not here and so his amendment is not moved Mr. Ranga.

**Shri Ranga (Tenali):** I find myself very much in agreement with what has fallen from my hon. friend's lips just now. It is clear that all parties, whether on this side of the House or that side, are agreed on one thing, namely, that the present system has certain defects and the proposed system also might have equally big, if not bigger, defects. We have had experience of both the systems.

Earlier than the advent of adult franchise, we used to have the ballot system and the illiterate villagers used to be helped by the election officers in the presence, of course, of the representatives of the candidates, to indicate their preferences and in that way voting was taking place in those days.

17 hrs.

It was because all political parties in the country, more particularly the

Congress Party itself, were anxious that a change should be made and greater secrecy should be assured and greater protection afforded to our millions and millions of illiterate voters in making and giving effect to their choice that we have introduced the coloured box system.

We have had two occasions so far as this Parliament is concerned in which we had the experience of the working of the coloured box system. I, for one, have come across a lot of difficulties not only in my own constituency, but in the case of so many friends also in different parts of the country. For instance, many voters did not know into which box they were to put their ballot papers. Some of them put them into the wrong boxes. Some did not even know that they had to put the paper down the slit. They used to leave the paper at the top of the box, giving an opportunity for some interested election officers to go inside from time to time and drop them into the box of the candidate whom they wanted to favour. So many things like this happened.

Another thing has come to light. Quite a large number of friends were ingenious enough to insist upon these voters to go inside, to carry on a kind of make-believe and bring back the ballot papers and take Rs. 2 or 3 or 5 or even four annas sometimes. These outsiders were quietly sending in some reliable people to drop these papers. So many things like that had happened, it is true. With the result, oftentimes, it has been found that papers which were intended for one box, of a party, let us take, my own party, the Congress party, general box, were dropped into the reserve box, and they come to be invalidated. All these things had happened. There is no doubt whatsoever.

In some places, the lighting effects were not proper and adequate and so many people had suffered. The

placing of these boxes was a complicated matter. In some places, it was the first box, in some places, it was the last box, so far as I was concerned. It must have been so in the case of so many other candidates also. When they had to coach the poor voters—and they need quite a lot of coaching on the part of the candidates, their friends and supporters, and there is nothing wrong about it—necessarily difficulties had to be experienced. All these are defects of the existing system.

Nevertheless, it has had its virtues too. I am sure most of our own Members of the Congress Party in this House would bear testimony to the fact that if there had been the ballot system instead of the coloured box system, a large number of the voters who had voted for them would have felt rather shy, might not have voted, might not have chosen to go even to the polling booths at all and run the risk of voting in some places where the opposition was more powerful than the Congress. Naturally, they are afraid of vengeance on the part of the opposition. As my hon. friend said just now, the opposition too had the same difficulty in those places where the Congress happened to be too powerful and the local Congress candidate and his friends happened to be not so scrupulous and not so much wedded to the democratic way of voting. It could hurt and it did hurt both sides.

That was the reason why we of all parties were reconciled to the existing system because wherever it hurt, it did hurt everybody more or less equally, and wherever it worked well, it worked in favour of everybody, the opposition parties as well as the Congress party, the major party in the country.

What is more, we have got terrible social forces in our country: castes, tribes, all sorts of things. All these have got certain compulsions on the mind of the voters. The voters do not always feel quite free from all these compulsions. Therefore, every effort

has got to be made, not so much in the interests of the political parties, but in the interests of the voters themselves, at that particular moment of exercise of their unfettered will when they go inside to make their choice, to give them this assurance, complete freedom, and that freedom I fear is likely to be very much dwarfed or refused or denied in case this proposed system of balloting were to be introduced once again. That is why I am extremely doubtful and I am hesitant also about the advisability of giving this particular authority to the Election Commission.

I am second to none in my admiration for the good work that our Election Commission has done so far, and I wish to go on record as expressing my satisfaction about the impartial manner in which the Election Commission has discharged its duties till now. I am glad that they have brought us credit all over the world by the way in which they have conducted our two general elections, which is indeed a very difficult and onerous responsibility. I am glad my hon. friend from the Communist Party also has borne testimony to all that I have said, and in addition to that she has also expressed her satisfaction that whenever any kind of choice had to be made by the Election Commission, it was good enough to convene a conference of the representatives of the various important political parties and ascertain their wishes and give effect to the more or less unanimous view of those concerned. They may possibly do the same thing in the future also. If this rule were to be accepted and implemented, they may follow the same procedure of consulting people, but in spite of all that I would not like the Election Commission first of all to be burdened with this too dangerous a responsibility. Secondly, I would rather that this rule if it is insisted upon by the Government—I hope they would not insist upon it—would be treated only as a mere experiment to be tried out only in a very, very few places. In

[Shri Ranga]

the light of the experience that they gain I would like them to come back to this House. I would like them to review that experience not only at the level of the Election Commission, but also at the level of the Government and this House. Whether the results of the experiment are good or bad, I would like them to give an opportunity to this House, as well as to the Government themselves and to the Election Commission to review the whole position and then come to a final decision as to whether we should come to have side by side both the systems in future in as many places as possible, or whether we should continue to carry on with our present system.

Therefore, I hope the Government will exercise the greatest possible caution in regard to this matter. I also trust that the Election Commission would not be in a hurry to take upon itself this very onerous responsibility and exercise it in too many places. If proper advice were given by the Government, I hope the Election Commission would be willing to place the results of the experiment before the Government and Parliament at the earliest possible opportunity so that we may have an opportunity of exercising our own judgment in regard to the matter before they take up this alternative method on any large scale in any State, not to speak of the whole nation.

**Shri Siva Raj** (Chingleput-Reserved—Sch. Castes): I entirely agree with the view put forward by the mover of the amendment and I am glad to be able to support the amendment. In addition to the facts mentioned by Shrimati Renu Chakravarty as to why the amendment should be accepted and also the support that is given to the amendment by Shri Ranga, who, I am glad to say, can rise above prejudices and give support to a good cause, I wish to point out that this is a case of introducing more

confusion where confusion already exists.

As we all know, in spite of the fact that we have got elaborate machinery, the electorate is so illiterate and so disorganised that even under the present rules of the elections there is a lot of confusion. If anybody pretends that we have marched forward and can adopt a better system and more complicated system of voting, I personally think—I am afraid to suggest it—that he is intellectually dishonest.

So I feel that the introduction of this innovation will create more confusion.

Another point I want to suggest is that this will be placing the Election Commission under a peculiar difficulty. They have already got the name during the last elections of practically being an agent of the Congress Party, for reasons which it will be difficult here for us to elaborate. At any rate, the Election Commission start by giving the symbols much earlier and far in advance of the elections to the Congress Party. Again in the matter of certain other instructions, it would appear to the ordinary man that one particular party is being favoured by the Election Commission. Not that I suggest that they have taken part in these elections, but the methods that they have adopted go to suggest that they are practically agents of the party in power. So this will further go to confirm the impression that is unfortunately created in the minds of even intelligent people that the Election Commission are taking steps merely to help one particular party.

Now if the Election Commission are given this power to select an area and if it unfortunately happens that they select areas where the people at the moment are moved towards one particular political party, they can easily be charged with affiliation or partiality towards the particular party.

It is for these two reasons that I support the amendment moved by Shrimati Renu Chakravarty.

**Shri Punnoose (Ambalapuzha):** I am really surprised that we are now contemplating the power to make certain changes in the system and handing over that power to the Election Commission. It is a fact that our present system is a little expensive and in some ways cumbersome. But I do not think that any serious change in it can be entertained very easily. We have to examine the implications of such changes.

The marking system has got its advantages from an economic point of view. I am speaking not only from theoretical experience; we have gone through this experience in Kerala. In the Travancore part of it, we had election on adult suffrage in 1948. It was the marking system. What happened was that even 60 per cent of the people or the votes had done the open voting. Any man—any educated man for that matter—can do it. I remember a Government Secretary came to the polling booth and said that he could not vote because he had not brought his specs. That is a very very legitimate excuse. Therefore, the presiding officer had to do the voting for him. What is the result of that? The result is that a rich candidate can fix a price, say, Rs. 5 or Rs. 10. He can see with his own eyes.

And, then, outside the polling booth the money can be given after the actual voting. Thus, we have seen that 60 to 65 per cent of the votes were open votes in 1948 in the Travancore-Cochin area, when the marking system was there. Here, it is said that after the marking, the ballot paper has to be folded in a particular way, it has to be shown to the Presiding Officer and then put into the ballot box. That is an additional danger because the Presiding Officer and the agents of the candidates try to scrutinise whether a particular voter has voted for a particular candi-

date or not. It is mentioned there that the paper should be so folded as to conceal the mark but our average voters will not be able to do that.

By and large, our present system has worked well. Even now there are complaints. In Andhra during the last general elections in 1954, the story was current that by some machinery, by some devise—I do not know what it is—very clever people could know which man voted for which candidate. You were there at that time and I only passed that way and I heard the story. I am told that this affected the elections in a large way.

**Shri B. S. Murthy (Kakinada-Reserved—Scheduled Castes):** Not at all

**Shri Ranga:** On both sides.

**Shri Punnoose:** When such stories can be there and when voters can be affected in a large way by such stories, it is better not to make any changes in the present system. Anyway, the amendment proposed here may be tried as an experiment if the major political parties in an area agree to it. It can be tried there and it cannot be tried anywhere. This power should not be unconditionally handed over to the Election Commissioner.

Even in Panchayat elections in Travancore-Cochin area, we have got a similar system and not the marking system, nor the raising of hands. I know that in areas where the raising of hands and the marking system prevail, there are complaints; but this has worked well. What has been done is that the present system has been adopted in the Panchayat elections also and not vice versa. Therefore, I support this amendment.

**Shri V. P. Nayar (Quilon):** I also believe that the time is not ripe enough for our country to try this experiment. If we from Kerala feel difficult over this, I am positive that Members from other States will feel much more. We come from a State which is, perhaps, the most educated

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State. Even there, in the most literate State, I do not think it is workable.

When you talk about literacy, it does not mean that a man who is deemed literate can go through all the instructions though they may be printed in English or in the language. It is very difficult for a man who is deemed to be literate to find out what it actually means.

For example, you will find in these rules that if there is such a difficulty for any voter to understand the instructions or the import of the instructions, it is necessary for the Polling Officer to explain to that particular voter what those instructions really mean. Imagine the case of a constituency—most of our constituencies are like that—where the larger percentage of voters are illiterate. It will be absolutely essential that each voter goes to the Polling Officer and asks, "Please tell us what we have to do; we do not follow the instructions." We know that in such cases, people who cannot even hold a pen—a larger majority of our women—will not be able to exercise their votes. In such circumstances, it would be rather dangerous if we make a trial with this system. As the hon. Minister says, this system may have some advantages; nobody disputes it. The question is whether it is time for us to switch over to that system. Even in cities like Calcutta and Bombay, I do not think, it will be yielding the results which are desirable.

There is also another difficulty in the matter of recording votes of illiterate and infirm voters. Shri Punnoose gave us an instance. A Secretary to Government went to a booth and told the Presiding Officer that as he had forgotten his spectacles, it was not possible for him to find out the lines marked. Imagine the other way. I have known the case of another officer. Unless his vote was registered for a particular party, his idea was that he would fall into disfavour of the Government. He was of that opinion.

Mr. Speaker: Whatever the other States may say, people from Kerala would not say that.

Shri V. P. Nayar: I concede that. Even in the most literate State of Kerala, there have been such cases—not of ordinary illiterate people but of Government Secretaries and law graduates. They come in order to impress the outside agent and they fear that otherwise they will be done away with as my esteemed friend, Shri Ranga, said.

I know the case of an officer who went to a polling booth with a neck bandage in his hand. He said that he had no real bandage in his finger. He asked the vote to be placed for him.

As at present, rule 41(I) reads like this: "Recording of votes of illiterate or infirm electors:

If owing to illiteracy or blindness or other physical infirmities, the elector is unable to write the ballot paper or make a mark thereon, the presiding officer shall record the vote in accordance with the wishes of the elector and fold it up so as to conceal the vote."

I can say that it is not possible for me to write. I may as well say that I had an attack of Malaria and my fingers refuse to write. It will be difficult for the presiding officer to apply his mind then and there and to find out whether the rule is followed or not.

There is also this difficulty. You give freedom to the voter to have his vote recorded by somebody else. Shri Ranga has said that there are various kinds of pressures outside the polling area. It is easy for the polling officer to find out or to get a general idea as to what percentage of such open votes have been cast in favour of a particular candidate. How can this be prevented? Later on, it may be passed on. I do not say that all presiding officers will do it. But as at present, the scope for abuse is very much less. But if you once introduce it in an area where the people are not

in a position to understand the full implications of these rules, we are inviting trouble. The time is not ripe for our country to adopt this method whatever be its theoretical advantages.

An idea of literacy should not be taken from the census figures. I am a literate, if I know how to write the alphabets of my name. Yet, I may not know how to read. Unless there is a comprehensive rule, it is very difficult to get an idea. So, I do not see the reason why we should support this measure as it has emerged today. I hope the hon. Law Minister will appreciate the practical difficulties and think of some other way to give greater conveniences for voting.

**Shri Shree Narayan Das** (Darbhanga): Sir, I have nothing much to add. This provision of voting by marking the ballot paper, I think, is going to be an experimental measure and I think the power that is going to be given to the Election Commission will be used only as an experimental measure. After gaining some experience, it may be gradually introduced at other places. In view of the fact that a large number of our voters are illiterate . . .

An hon. Member: The majority of them.

**Shri Shree Narayan Das:** . . . I would say the overwhelming majority of them are illiterate this method cannot be adopted by them for voting. As has been stated by my friend Shri V. P. Nayar, in case the voters are not able to read the ballot paper they will have to go to the polling officer and consult him. This is a very bad principle. Even now for placing the ballot papers in the boxes certain voters go to the presiding officers and ask them to explain the signs and show them how to place the ballot papers. If the proposed method is adopted, more than 50 per cent of the voters will have to go to the presiding officers and ask them to explain how to vote. Instead of putting the ballot papers in the boxes, the presiding officers will now have to mark them.

This is not good. There will be no secrecy in the voting.

I am of opinion that some experiment should be made. If the intention is to adopt this method in some by-elections as an experimental measure, especially in such areas where there is a large amount of literacy, I think this amendment should be accepted. If this is going to be the general rule and if it is going to be adopted at a very early date in a large area, I think this should not be accepted. We are not yet in a position and our voters also are not yet in a position to adopt this method.

Even in the present method of putting ballot papers in the boxes there are some glaring defects, especially in the case of voting from a constituency where there is one Scheduled Caste candidate and a general seat member. In that case two votes are given to a voter. According to the provisions that we have made in our Representation of the People Act, if both the ballot papers are placed in one box then one of them is declared to be invalid. But there is corruption even in regard to that. Some of the candidates go to their constituencies and ask their voters to place both the papers in one box knowing fully well that one will be declared invalid. But in that case his rival is deprived of one vote.

There is another thing in our present Act, the Representation of the People Act. Supposing there is one general seat and a reserved seat, there are two votes. The Scheduled Caste Candidate contests for both the seats, the reserved seat as well as the general seat. The corrupt practice followed is of asking the voters to put both the votes in one box, although it is not a corrupt practice under the provisions of the law as it stands at present. But that is not morally justified.

Therefore, this system of voting by putting ballot papers in the boxes is also not good. The method now proposed is better. But under the present circumstances, and in view of the fact that literacy in our country

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is very low, the introduction of this system will not be of much use at present. The hon. Minister should assure the House that this system which is going to be introduced now will be adopted in a very very small number of polling stations. I think we should see how it works.

**Shri B. S. Murthy:** Mr. Speaker, Sir, in this very House even to press the button some Members are not able to do. Instead of pressing 'No' they press 'Aye', and instead of 'Aye' they press 'Abstain'. If that is the state of affairs when Members of Parliament are asked to say 'Aye' or 'No', God only knows what will happen in the rural parts of India, where 80 to 90 per cent of the voters will be bulk illiterates.

We had have two elections in 1952 and in 1957. Both these elections have been praised all over the world as election peacefully and constitutionally conducted without any party taking advantage of its being in power or out of power. Therefore, it is too early to think of the system that is now being proposed by the Minister of Law. I do not know the reason prompted either to the Ministry of Law or the Election Commission. I would urge upon the Government that in giving such powers to the Election Commission, care should be taken that the fundamental principle of the vote by the ballot, that is the secrecy of the vote, should be maintained. Especially in villages, as Shri Ranga and others have already stated, the fact of the have-nots is rather very miserable and most of them are at the mercy of the landed aristocracy or the capitalists as the case may be.

As it is, Shri Punnoose was trying to make a case to show something about Andhra. It is not only in Andhra but everywhere in India, that is to say,—perhaps in Kerala, because in Kerala they have got a big boosting—everywhere, the lower classes, es-

pecially the farm labour, agricultural labour and the artisan classes in many places are not going and participating in the elections wherever there was doubt that the votes will not go to the party in power at that particular locality. In Andhra it may be Congress; in Kerala it may be Communists.

**Shri B. K. Gaikwad (Nasik):** At all other places, the Congress:

**Shri B. S. Murthy:** Shri B. K. Gaikwad is yet to understand me perhaps. I said in Andhra it may be Congress; it may be Communists in Kerala. Wherever the people are rich, both in their influence as well as in their wherewithal and resources, they have always tried to see that the votes they considered will not be cast in their ballot boxes are prevented. Therefore, if this is the state of affairs, prevailing to day, when all precautions are taken to keep the secrecy of the vote and the ballot, what will happen if the literate system of voting is restored to? A man goes; the majority of them are illiterates and he will have to go and say, 'I will vote to so and so; please show my place where I should mark and how I should mark'. When we are asked to go and vote for some of the memberships the Parliament elects, some of us are committing mistakes here. Instead of marking one gentleman, we mark the other and we cut out the ballot paper and it goes away. Therefore, this is a rather cumbersome and more undemocratic measure and, if I am permitted to say, it is an unwanted, unnecessary system, which especially makes the have nots more afraid of the votes at the elections.

Therefore, if democracy in India is to progress well, as it has been for the last ten years, and if the system of vote by ballot is to have its full play, I suggest to the Minister of Law to see this system by means of which the literate vote is marked,—voting by making—when introduced, will be restricted entirely not even to all

the urban areas but to certain parts in major cities where all the voters happen to be highly educated people, conscious of their liberties as well as their rights and privileges. Therefore, I request the Minister of Law to see that all necessary precautions are provided so as to see that no abuse is made of the new legislation.

**Shri Tangamani (Madurai):** rose—

**Mr. Speaker:** Enough has been said about it.

**Shri Tangamani:** There was an experiment in Madras State. I think, we should—

**Mr. Speaker:** It is 5.30 p.m. now. There is a half-an-hour discussion.

**An Hon. Member:** We have saved some time.

**Mr. Speaker:** He may continue tomorrow.

**Some Hon. Members:** Yes.

**Shri Harish Chandra Mathur (Pali):** Will you kindly permit me to move my amendment?

**Mr. Speaker:** The hon Member was not here when I called him.

**Shri Harish Chandra Mathur:** I apologise to you and to the House for my absence.

**Mr. Speaker:** I am not prepared to accept it. Hon. Members must be in their seats when I call them.

**Shri Ranga:** Tomorrow you can take it up.

#### SUSPENSION OF TRAIN SERVICES —CHUPRA—VARANASI LINE

**Mr. Speaker:** The House will now take up the half-an-hour discussion.

**Shri Radhamohan Singh:** (Ballia): Mr. Speaker, I want to raise a half-an-hour discussion on the answer given by the hon. Deputy Railway Minister on the 22nd August to a short notice question that I put on the suspension of trains on the Chupra-Varanasi line. I asked for this discussion and I am thankful to you for allowing it, because the matter is so urgent and important. It affects the life, property and comforts of lacs

of people and also the inter-State Communication between U.P. and Bihar. In view of the danger to this line due to erosion by the river Goghra, I wanted to know from the Minister what steps the Government were taking. The answer he gave was, "Everything that is possible is being done". This answer was so vague and indefinite.

But nothing was done. No arrangements were made to take care of the stranded passengers—I saw men, women and children going with bag and baggage. The railway authorities were so careless and so regardless of the comforts of the people that it appeared that it was not the people's Government in charge of the railways, but the old company regime which had again come into being. When I read in the papers that when there was a breach in some railway line in Assam the passengers who were stranded were fed by the railway authorities, I wondered whether it was the same Government in Assam which was in charge of railways in U.P.

Trains were cancelled, but no arrangement was made for the passengers going from Chupra to Varanasi. The communications from Banaras to Bhatna were also suspended and the trains from Ballia to Shahganj were also cancelled. Without any rhyme or reason this was done, without any regard for the comfort of the passengers.

The other point was that we did not know what the experts' opinion was, but on the question of saving the line, there was utter disregard of public opinion. The river was two miles to the north of the line in 1955 and the people raised a hue and cry that the line must be saved, and there was danger to it. But the authorities sat tight over it and said, "we have got no regard for that. If the river comes near the line, we shall say to it like king Carnete, "Go back" and it will go back. At last the river came in June, 1957 and when it was only 200 feet from the track, then only they began to think of saving the line.

[Shri Radhamohan Singh]

17.46 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

We were informed that some expert from Delhi was sent there. He gave the opinion that the line could only be saved if a spur were put up at the place where the river took a turn towards the south. That was two miles up the river. Commonsense also said that it was not otherwise possible to save the line. But, the authorities in charge of the Railway thought that we could only save the line if we put the spur in front of the line and the station. As things happened the river took a turn and the spur is standing in the middle of the river, the river having turned towards the west cutting the line at two points.

An attempt was made to make another line. That line was also cut. A third line is going to be made. I would request the Railway Minister to kindly look into the things. It concerns the lives of lakhs of people and also public property. In my opinion, there was great disregard of public property. Thousands of wagons of kankar and boulders are being thrown into the river. For what purpose, God knows. It is being thrown even today. If only Rs. 10 lakhs had been spent at the right moment and the right place, the line could have been saved.

There is very grave danger. I and like myself, many people of Ballia think that if timely action is not taken, we will have to abandon all construction there. No line will be possible, because at that particular point, Ganga happens only four miles away and Gagra is just near the line. Ganga is going north and Gagra is coming from the north to the south. This is the position. Another danger is also there. Just only two furlongs west of the breach, an old bed of Gagra which joined the Ganga, one mile south. If timely action is not taken to prevent the river from going west, there is the fear of the current flowing into the old bed and changing course and joining the Ganga as

it did 300 years ago. I will beg of you and through you, the hon. Minister for Railways to look to this great danger and take timely action.

No money spent now will be of any avail. It will be of use if timely action is taken after the floods. In this twentieth century, when science has so much advanced, you think that the river can be trained and the line can be saved and the people can also be saved. Only 20 miles west, Ballia town was threatened by Ganga. We approached the U.P. Government in 1946. In 1950, spurs were made and still the town is unsafe. Gagra is not greater than Ganga. We think that if timely action is taken with proper advice, the river can be trained and turned and the line could be saved.

The third point which I want to raise is the money that is being wasted just now. I put a question a few days ago to know what amount has been spent by the Railway authorities on the two spurs and the amount spent in this flood season. We want that there should not be waste of public money. The figures have not been given to me. If not today, I would expect the Railway Minister to find out the figure and let the House know the amount spent. I consider there is a colossal waste of public money. People say that money is raining and that the boulders are not of stone but of gold. This thing is there. It requires enquiry and probe into the thing, as so much public money is being spent I would like the hon. Railway Minister to inform the Houses now or later how he is going to save this line, what steps are being definitely taken by the Railway Board to save it and stop this waste of public money.

It is rumoured that the authorities want to construct the new line one or two miles further to the south. I pointed out just now that it is not possible to go further south. We have to make up our mind to stop the river here and to have a line here. As I told you, the Ganga is coming from the south and there are two old

river beds just to the south of it. It will spell devastation and it will also make it impossible for having any line through that region if we do not stop the river here. So, I would request the hon. Minister through you to consider this point that it is not possible to go back to the south further. If there is any such proposal, I think it should not be considered unless a thorough enquiry is made of the topography of the place to the south and west of it.

These are the three points that I had in mind and I hope the hon. Minister would enlighten the House on them and tell us of the proposals before him for the construction of the new line and stopping of further erosion.

**Shri Sinhasan Singh (Gorakhpur):** With your permission, I would like to put one or two questions.

What is the area that the Government has now acquired for the rebuilding of the new line to connect the two stations, and what money has been spent by the Government in rebuilding the new line and also in trying to avert the recrossing of the river of the new line? Is there any possibility of the river approaching the newly constructed line? What would have been the cost of the spurs which could have been built two miles ahead, as stated by the hon. Member, which could have led to the saving of the line as it is.

There is another question.

**Mr. Deputy-Speaker:** Not many questions.

**Shri Sastri Pande (Rasada):** उपाध्यक्ष महोदय, जहां तक बनारस छपरा लाइन का सम्बन्ध है, उस में सिर्फ़ सुरेमनपुर का ही सबाल नहीं है, बल्कि भगर आप पूरी लाइन पर सफर करें, तो आप को यह मालूम होगा कि यह हिन्दूस्तान की कोई अलग ही रेलवे है। मैं ने कुछ गरमियों के दिनों में वहां देखा है कि बहुत से स्टेशनों पर न पानी पिलाने वाला है, न कोई और इस्तजाम है, और न तो गाड़ियों का कोई टाइम है।

**उपाध्यक्ष महोदय :** माननीय सदस्य एक आध बाल ही कर सकते हैं। किसी तकरीर की इस में गुंजायश नहीं है।

**Shri Sastri Pande :** मैं जरा जेनरल बातें बता दूँ, जिन को भगर मंत्री महोदय जान में, तो हम लोगों को ज्यादा फायदा होगा हम लोगों को वहां पर बराबर सफर करना पड़ता है।

**Shri S. B. Banerjee (Kanpur) :** यह उसी जगह के रहने वाले हैं।

**उपाध्यक्ष महोदय :** यह बात बड़ी अच्छी है कि माननीय मंत्री उन बातों को जान लें, लेकिन मैं तो खल्ज की तरफ माननीय सदस्य की तवज्ज्ञ हिंदा रहा था।

**Shri Sastri Pande :** मुझे मालूम हुआ है कि पिछले दिनों वहां पर एक एक्सप्ट भेजा गया था ताकि वह देखे कि सुरेमनपुर का पुल कहा बनाया जाय। रेलवे लाइन टूटने का खतरा बहुत पहले था। पता नहीं उन का सुझाव क्या था, लेकिन उस की परवाह नहीं की गई। वह लाइन टूट गई उस पर चलने वाली गाड़ियों को बलिया से इन्द्राको और उस के बाद उसको लौटा दिया गया। हालांकि वह एक स्टेशन इधर से गाजीपुर हो कर इधर आ सकती थी। नतीजा यह हुआ कि बहुत से युसाफिर परेशान हुए। मुझे बताया गया है कि पहले दिन लोग वहां पर आठ आठ घंटे तक इन्तजार करते रहे। भगर आप वहां पर जायें, तो आप को बहुत सारी बातें मिलेंगी। मुझे बताया गया कि डिस्ट्रिक्ट मैंजिस्ट्रेट ने गवर्नरमेंट को लिखा था—गवर्नरमेंट की नोटिस में यह बात लाई थी—कि भगर यह रेलवे लाइन नहीं बनाई जायगी, तो टूट जाएगी, भगर रेलवे इंजीनियर्ज ने परवाह न की और नतीजा यह हुआ कि लाइन टूट गई, जिसके कारण गवर्नरमेंट को करोड़ों रुपये की जायदाद का नुकसान हुआ। यही नहीं, जब लाइन बनने लगी—मैं कुछ उस के बहुत नजदीक तक गया था और मुझे पता लगा है कि—वहां पर एक लूट

[ वी सत्य पादे ]

मची हुई है, कोई पूछने वाला नहीं है। इस तरह से बहुत अधिक सम्पत्ति वहां पर बरबाद की जा रही है। उन सोगों ने मुझे बताया कि उन्होंने सूद रेलवे मंत्रालय को इस किल्म की बहुत चिकायतें भेजीं। बता नहीं रेलवे मंत्रालय ने उन पर क्या कायदाही की, लेकिन यह सच है कि लाइन टूट जाने से बाकी नुकसान हृषा है और अब भी वहां के सोग बहुत ज्यादा परेशानी में हैं। जहां पुल बनाए जाने का बाल हो रहो हैं, वहां से दक्षिण की ओर हट कर अगर रेलवे लाइन बनाई जाती है, तो गंगा बहुत नजदीक है। लाइन फिर टूटोगी और फिर नुकसान उठाना पड़ेगा। इस लिये, जैसा कि माननीय सदस्य श्री राधा मोहन सिंह ने कहा है, अगर गंगा के कटाव को रोका जायगा, तभी जा कर उस रेलवे की रक्षा हो सकती है। साथ ही उस लाइन के ऊपर रेलवे मंत्रालय को काफी ध्यान देना चाहिये और उस लाइन को शोध बनाने की व्यवस्था करनी चाहिये। वैसे के उपयोग को रोकने के लिये वहा जाव करानी चाहिये ताकि सरकार की व जनता को— सम्पत्ति का आय व्यव रोका जा सके।

**The Minister of Railways (Shri Jagjivan Ram):** That is a very difficult area. As Members might be aware, it is between the Ganges and the Goghra. The hon. Member has given me example of Ballia town being saved from the ravages of Ganges. But he forgets that Gogra is not so elegant, as the Ganges, and its behaviour has been quite erratic.

**Pandit K. C. Sharma (Hapur):** He should worship both.

**Shri Jagjivan Ram:** It is a very difficult area. It is between the Ganges and the Goghra. The distance between the two rivers is 6 to 8 miles. So the railway line has to be somewhere in between in this area. It is not very easy to shift it further south because the ravages of Ganges will be there. It is not possible to continue it where it is, because

the Goghra has been last year and this year very erratic in certain parts.

It is not very correct to say that no steps have been taken in this matter. On Chupra-Varanasi section, the river Goghra is crossed at mile 11 (from Chupra between Manjhi and Bakulha stations. On the right approach, the railway line lies close to the river for about 8 miles length. In 1925, embayments of the river appeared close to the railway alignment between miles 15 & 17. Earthwork for a retired alignment was got ready by 1926, starting from mile 13 and rejoining the existing alignment near mile 19 beyond Suraimanpur, which is at mile 17/12. The diversion was never used as the river current shifted back. In 1948, the river attacked the same point again but receded in subsequent years.

In 1956, river embayments formed again on the right bank, but this time some three miles upstream of the previous location. In July, 1956, the embayment had reached within 500' of the railway line and protective action was started by laying permeable screens and building some solid boulder spurs in wire crates. In spite of these measures, the nearest point of the embayment had come up to 350' from the track, before the 1956 flood season was over. In November 1956, the Chief Engineer of the Railway sought the advice of the Director Central Water and Power Research Station, Poona, about the protective measures for keeping the river at a safe distance.

My hon. friend may be feeling that perhaps the railway ignored the advice of the experts. We did not. The information sought by the Director was supplied to him as far as available, and he inspected the site on 11-1-57. In his report sent on 22-1-57, the Director, Central Water and Power Research Station, advised that six stone-armoured 'repelling' spurs should be built at 2000' intervals—the first downstream one 700' long, four intermediate ones 400' long each and the last one upstream 600' long, before

the next monsoon season. He added that if all the piers could not be built, permeable screens 100' long may be interposed.

As the large quantity of stone required for building six spurs could not be brought to the site within the five month's period available, the railway administration decided to build spurs Nos. 1 and 4, the latter one just 100 ft. long. Here again, I may mention that the stones have to be carried from a distance of 200 miles.

**Shri Sinhasan Singh (Gorakhpur):** You have stated 5 months.

**Shri Jagjivan Ram:** Because 10 lakhs cft. of stone has to be collected from a distance of nearly 200 miles near Allahabad.

**Shri Sinhasan Singh:** For the rainy season it was being collected.

**Shri Jagjivan Ram:** I am going to read what work was done. Those who have visited the place may have some idea of how the work was carried out. The work on two spurs had been started and one was completed and the other could not be.

By the time the monsoon season started, the spur No. 4 had been completed as planned and the spur No. 1 for 340 ft. length properly armoured. This year the river attack started on 12<sup>th</sup> July, 1957—the worst affected portion being upstream of spur No. 4. There was no erosion between the two spurs built. To meet the situation upstream of spur No. 4, it was decided to provide a stone apron 1500'x25'x3', parallel to the bank—50' away from the toe. The attack of the river continued on the spurs, and the apron and on 4.8.57, the rear portion of spur No. 4 was washed away, making an embayment very near the railway track, rendering running of trains unsafe. The train running was stopped from 11 hours on 4.8.57. The river embayment actually breached the railway line on 8th August, 1957, just down stream of spur No. 4. Protective measures continued after this date with a view to prevent fur-

ther extension of damage to the railway bank.

This was the position. Now the complaint is that adequate steps were not taken for alternative facilities to the passengers. As far as possible, steps were taken. The Administration started linking track on the retired alignment prepared in 1928. Unfortunately, the damage to the existing alignment had occurred this year at the western junction point of the retired alignment with the existing bank. It became necessary, therefore, to construct about a mile long diversion opposite this point. The entire new diversion link was completed and brought into use on the forenoon of 29th August, when through communications were restored.

The normal train service on the Ballia-Chupra section is five passenger trains each way. On the occurrence of the breach at 11 hours on 4.8.57 train services on this section were suspended. The 321 Up and 322 Down Katihar-Allahabad City fast passenger trains were diverted to run via Bhatni. Against the remaining four trains running each way on the section, three trains were run daily between Chupra and Suraimpura on the one side and between Ballia and Reoti station on the other. Out of these three trains each way, transhipment of passengers was arranged at the site from only one with effect from 7.8.57 and the approximate number of passengers transhipped varied from the lowest 350 to the highest 500, on the various dates, from 7th to the 16th August.

Transhipment was not possible on the 5th and 6th due to incessant rains on the 5th and a safe passage not being available for passengers to go across on the 6th.

Keeping in view the number of passengers who offered for transhipment and the desirability of giving maximum time for engineering works for restoration, transhipment of more trains was not arranged. The transhipment was supervised by an officer and adequate arrangement made for

[Shri Jagjivan Ram]

labour to carry the passengers' luggage.

As I have said, Mr. Joglekar visited the place and he recommended the construction of six spurs. The recommendation of Mr. Joglekar who is an authority on this question was accepted. It is not correct to say that he recommended the construction of any spurs or bunds 2 miles upstream. That may be the idea of the local people. They are afraid that in case the whole area is inundated, many villages will be washed away. That should be the concern of the U.P. Government also. As a matter of fact, the difficulties of the Railway have increased by two marginal bunds which have been constructed by Government of Bihar north of Gogra and by the Government of U.P. in continuation westward of the railway line. They should have realised that as a result of these bunds the area between these two rivers is likely to be greatly affected.

We have at present accepted the recommendation of Joglekar who is an expert on these matters. We carried on some work in order to save the line as far as possible during the monsoon. I may assure my friends that at present no work is being carried on. The work has been stopped. The idea is to rehabilitate the alternative line—the retired line—if necessary. And if the engineering experts feel it is necessary to shift it further south, we will have to do that.

I propose to have a survey of the area after the monsoon is over and to decide whether it will be possible to divert the main channel of the Gogra eastward from the point where it turns to the south. That, I think, should have been primarily the work of the U.P. Government and not of the railways. But, if the U.P. Government thinks that in order to protect that vast area—eight miles wide and nearly seventeen miles long—they have to construct and spend some money on that bund where Gogra turns to the south the railways also may consider contributing something to the U.P. Government.

In such emergencies, the expenditure increases to some extent. When there is immediate danger, the work has to be undertaken immediately. At that time labour also demands higher wages. Sometimes, we do not get workers and contractors. We have to rush materials from distant places. It may be that the expenditure may be slightly higher than the normal expenditure for the same work.

It is very difficult to get an accurate figure of expenditure which was incurred only in July and August. I have tentatively got the figures of approximate expenditure incurred on protection work

Protection work before the breach	Rs. 4,00,000
Protection work carried out in	Rs. 4,00,000
Restoration of through traffic linking over retired alignment building a new length of diversion etc.	Rs. 6,50,000

Again, I may say these are approximate figures. It is very difficult to give any accurate figures at the present moment. The works were carried out only last month.

It is a very difficult area in a narrow strip, between Ganga and Gogra. I propose to send engineers after the monsoon is over and to see whether the present retired line can be used by joining it at Reoti or in between Reoti and Suraimanpur at the point where the U.P. Government bund starts. If it is not possible and the engineers feel that, due to the marginal bunds of the Bihar and U.P. Governments, water would be so much that the alignment will have to be brought further southwards, we cannot help it. In that case, it will be the sole responsibility of the U.P. Government to have such bunds as may be necessary to save the villages in that area. Our engineers assure that before the next monsoon starts

we will be able to take steps by which we will be able to ensure through passage of the trains there.

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### BUSINESS OF THE HOUSE

The Minister of Commerce (Shri Kananga): Sir, on behalf of the Minister of Parliamentary affairs, I beg to make a statement. Owing to certain adjustments made in the list of business for today and departure from time allocation for some items, I feel that a special announcement is called for in respect of business for tomorrow. The business for tomorrow will consist of the following items:

- (1) Unfinished item of business of today.
- (2) Consideration and passing of the Indian Succession

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(Amendment) Bill as passed by Rajya Sabha.

- (3) Consideration and passing of the Repealing and Amending Bill as passed by Rajya Sabha.
- (4) Resolution regarding notification of the International Convention for the protection of property and objects of cultural and artistic value.
- (5) Discussion on the Government decision regarding the future of non-Government (Light) Railways—Shri Jhulan Sinha's Motion.

Any business carried over from today's Order Paper.

18-07 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the 10th September, 1957.

## DAILY DIGEST

[Monday, 9th September, 1957]

ORAL ANSWERS TO QUESTIONS		COLUMNS	COLUMNS	
S. Q. No.	Subject.	12657-91	S.Q. No. Subject	
1571.	Class III and Class IV staff of Rourkela Steel Plant	12657-59	1581. Pension Rules	12697-98
1572.	Removal of Untouchability	12659-62	1582. Hereditary Renewal Commission	12698
1573.	Russian Credit for Oil Refinery in India	12662-63	1584. Conference of Commonwealth Army Chiefs	12698-99
1583.	Displacement of Persons in Neveli Project Area	12663-64	1586. Price of Coal	12699
1585.	Tribal Advisory Committee	12665-67	1596. New Oil Refinery	12699-12700
1587.	National Laboratories	12667	1601. Hindi Typewriter Keyboard	12700
1588.	Police Manual	12667-70	1603. Death of Frogman Pethkar	12701
1589.	Basic and Non-basic education in Delhi	12670-71	1604. Bank Advances against Foodgrains	12701-02
1590.	Residential Accommodation for Army Officers	12671-72	1605. Educational and Vocational Guidance Career Committee	12702
1591.	Ex-servicemen's welfare	12672-73	1606. Grants for Centrally Sponsored Schemes in Andhra Pradesh	12702-03
1592.	University Grants Commission's employees	12673-76	1607. High Altitude Research Station	12703
1593.	Salem Magnesite Syndicate Ltd.	12676-79	1608. Shipping between India and Andaman Islands	12703-04
1594.	Non-Indians in Defence Services and Establishments	12679-82	1609. Coal Reserves	12704-05
1595.	Scheduled Castes Students	12682-85	1611. Coal Deposits in Garo Hills	12705
1598.	Excise Duty on Tobacco	12685-87	1612. Scheduled Castes Research Students	12705-06
1599.	Symposium at Central Leather Institute, Madras	12687-88	1613. Missing I. A. F. Dakota	12706-07
1600.	Inter-State Sales Tax	12688-89	1614. Educational Programmes for Scheduled Castes and Scheduled Tribes in Orissa	12707
1602.	Income Tax Evasion	12689-91	1615. Ad hoc Committee on Cantonment Boards	12708-09
WRITTEN ANSWERS TO QUESTIONS		12692-12747	1616. Report of the Delegation of Indian Educationists to Russia	12709
S. Q. No.			1617. Police Raid	12709
1570.	Allocation of Iron and Steel	12692	U. S. Q. No.	
1573.	"Invisible Earnings"	12693	1359. English Channel Swimming Contest	12710
1574.	Representation of Andaman and Nicobar Islands in Lok Sabha	12693-94	1360. Preservation of Jain and Buddhist Relics in Madurai	12710
1576.	Basic and Traditional Schools in Delhi	12694	1361. Hindustan Steel Ltd.	12711
1577.	Law and Order situation in Kerala	12694	1362. Employment Position in Laccadive Islands	12712
1578.	Office of the Registrar of Companies, Calcutta	12695	1363. Silver loan	12712
1579.	Assam Oil Company	12696	1364. Assets of Ex-rulers	12712-13
1580.	Educational Standard in Andamans	12696-97	1365. Depreciation and other allowances	12713-14
			1366. Civilians in Defence Services	12714

## WRITTEN ANSWERS TO QUESTIONS

## COLUMNS

U.S.Q. No.	Subject	12714
1367.	Civil Employees in Defence Establishments	12714
1368.	I. A. S. Emergency Recruitment	12714—15
1369.	U. S. Investment Guarantee Scheme	12715
1370.	Use of Departmental Cars	12715—16
1371.	Excise Inspectors	12717
1372.	Excise Duty on Tobacco	12717—18
1373.	Health Examination of the students of M. B. B. College, Agartala	12718
1374.	Property Returns	12719
1375.	Co-operative Labour Canteen at Andamans	12719—20
1376.	Expenditure on Educational Institutions in Orissa	12720
1377.	Hostels for Scheduled Castes and Scheduled Tribes	12720
1378.	Perfils of Foreign Companies	12721
1379.	Displaced Persons in Andamans	12721—22
1380.	Sale of Salt in Andamans	12722
1381.	Transport arrangements in Andamans	12722—23
1382.	Agra Cantonment Board Teachers	12723—24
1383.	Tribal Students in Manipur	12724
1384.	Manipur Secretariat staff	12725
1385.	Manufacture of Liquor	12725—26
1386.	Survey of India Maps	12726
1388.	Travancore-Cochin Banking Enquiry Commission	12726
1389.	State Associated Banks in Keralas	12727
1390.	Cannanore Military Cantonment	12727—28
1391.	Re-employment of Released Officers	12728—29
1392.	Coal Production	12729
1393.	Gold smuggling	12729
1394.	Residence of Chandragupta Maurya	12730
1395.	Smuggling on Pakistan-Rajasthan Border	12730—31
1396.	Reservation for Scheduled Castes in Defence Establishments	12731
1397.	Reservations for Scheduled Castes	12731
1398.	Assistants' Grade Examination	12731—32
1399.	Sales Tax on Books	12732—33

## COLUMNS

Subject	12733
1400. Payment of compensation to the victims of Police Firing	12733
1401. Arrest of Pakistani Nationals	12733
1402. Monuments of National Importance in Bombay	12734
1403. Grants for Removal of Untouchability	12734—35
1404. Scheduled Caste Candidates	12735
1405. Scheduled Caste Candidates	12735—36
1406. Mineral Survey of Jaisalmer District	12736
1407. Recruitment of Scheduled Castes and Scheduled Tribes	12736—37
1408. Recruitment of Assistant Commissioners	12737
1409. Foreign Investments	12737—38
1410. Three-year Degree Course	12738—39
1411. Scheduled Caste Students	12739
1412. Income-tax arrears	12739
1413. Scheduled Castes in Orissa and Assam	12740
1414. Tobacco stock in Madras	12740
1416. Communal representation in Semi-Government bodies	12741
1417. Reserved vacancies for Scheduled Castes	12741—42
1418. Reserved vacancies for Scheduled Castes	12742—43
1419. P. T. O. Concessions	12743
1420. I. A. F. Employees	12743—44
1421. Contract system in M. E. S.	12744
1422. Pay scales of army officers	12744
1423. Rural colleges in Andhra	12744—45
1424. Security arrangements for Prime Minister	12745
1425. Government employees in Himachal Pradesh	12745
1426. State Bank of India	12746
1427. Finance (No. 2) Bill, 1957	12746—47

## PAPERS ON THE TABLE 12747—91

The following papers were laid on the Table :—

(1) A copy of the Notification No. S.R.O. 2705, dated the 24th August, 1957 extending the

## COLUMNS

## COLUMNS

provision of the Employees Provident Funds Act, 1952 to the four classes of mines, viz., Gold, Iron-ore, Manganese and Limestone with effect from the 30th November, 1957, under sub-section (2) Section 4 of the Employees' Provident Funds Act, 1952.

(2) A copy of the Notification No. S.R.O. 2706, dated the 24th August, 1957, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952, making certain further amendments to the Employees' Provident Funds Scheme, 1952.

(3) A copy of the Notification No. S.R.O. 2681, dated the 24th August, 1957, under sub-section (6) of section 3 of the Essential Commodities Act, 1955, making certain amendment to the Iron and Steel (Control) Order, 1956.

(4) A copy of the Report of the Committee on Electric Furnaces, Steel Foundries and Steel Re-Rolling Mills

(5) A copy of the Notification No. S.R.O. 2666, dated the 24th August, 1957, under section 38 of the Central Excise Rules, 1944.

(6) A copy of the Reserve Bank of India Notification No. 17, dated the 23rd August, 1957, under the proviso to section 28 of the Reserve Bank of India Act, 1934, making certain amendment to the Reserve Bank of India (Note Refund) Rules, 1935.

MINUTES OF COMMITTEE  
ON GOVERNMENT ASSURANCES LAID ON THE  
TABLE

12748

Minutes of sittings held on 8th and 20th August and 6th September, 1957 were laid on the Table.

MESSAGES FROM RAJYA  
SABHA

Secretary reported the following two messages from Rajya Sabha:—

(i) that Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Wealth-Tax Bill, 1957, passed by Lok Sabha on the 29th August, 1957.

(ii) that Rajya Sabha, at its sitting held on the 6th September, 1957 had agreed without any amendment to the Foreign Exchange Regulation (Amendment) Bill, 1957, passed by Lok Sabha on the 31st August, 1957.

STATEMENT BY MINISTER 12749—53

The Minister of Railways (Shri Jagjivan Ram) made a statement on certain points arising out of the two-hour discussion held on the 5th September, 1957, on the agreement with Telcos.

REPORT OF BUSINESS ADVISORY COMMITTEE  
ADOPTED

12753—58

Ninth Report was adopted.

BILL PASSED

12751—12746

Further discussion on the motion to consider the Minimum Wages (Amendment) Bill as passed by the Rajya Sabha, concluded. The Bill was passed.

MOTION ADOPTED

12746—45

The Minister of Home Affairs (Pandit G.B. Pant) moved the motion re Suspension of first Proviso to Rule 74. The motion was adopted.

MOTIONS TO REFER THE  
BILLS TO JOINT COMMITTEES ADOPTED

12745—40

1. The Minister of Home Affairs (Pandit G.B. Pant) moved that the Delhi Municipal Corporation Bill be referred to a Joint Committee. The motion was adopted.

2. The Minister of Home Affairs (Pandit G.B. Pant) moved that the Delhi Development Bill be referred to a Joint Committee. The motion was adopted.

MOTION UNDER DISCUSSION

12870—89

Shrimati Renu Chakravarty moved the motion re modification of the Representation of the People (Conduct of Elections and Election petitions) Rules, 1956. The discussion was not concluded.

## COLUMNS

HALF-AN-HOUR DISCUSSION  
12889—12901

Shri Radha Mohan Singh raised a half-an-hour discussion on points arising out of answer given on the 22nd August, 1957, to Short Notice Question No. 17 regarding Suspension of Train Service—Chupra—Varanasi Line.

The Minister of Railways replied to the debate.

AGENDA FOR TUESDAY,  
10TH SEPTEMBER, 1957

Further discussions on the motion re. modifications of the Re-

presentation of the people (Conduct of Elections and Election Petitions) Rules, 1956, consideration and passing of (1) the Indian Succession (Amendment) Bill, as passed by Rajya Sabha, (2) the Repealing and amending Bill, passed by Rajya Sabha, consideration and adoption of Resolution re convention for the Protection of Cultural property in the Event of Armed Conflict.

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