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Friday, December 4, 1959
Agrahayana 13, 1881 (Saka)

LOK SABHA DEBATES

Ninth Session
(Second Lok Sabha)



LOK SABHA SECRETARIAT
NEW DELHI

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

LOK SABHA DEBATES

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LOK SABHA

Friday, December 4, 1959/Agrahayana
18, 1881 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Strike in Delhi Polytechnic

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581. { Shri Ram Krishan Gupta:
Shri Shree Narayan Das:
Sardar Iqbal Singh:
Shri Ajit Singh Sarhadi:
Shri A. M. Tariq:
Shri Pramathanath
Banerjee:
Shri S. A. Mehdi:
Shri Muhammed Elias:
Pandit D. N. Tiwary:
Dr. Ram Subhag Singh:

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

(a) whether students of the Delhi Polytechnic have been on strike since September, 1959;

(b) if so, the causes of the strike; and

(c) the steps taken in the matter?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The large number of failures in the Architecture Examinations held in March-April, 1959, made the students of this Department of the Delhi Polytechnic apprehensive of their future, and created an unjustified fear that the authorities were unsympathetic to them. They also complained of inadequacy of teaching staff and abstained from their classes from the 10th September, 1959.

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(c) The position regarding shortage of staff and other complaints of the students have been kept constantly under review and steps taken to remove them as far as possible and the students have resumed their studies from 16-11-1959.

Shri Supakar: May I know if the large number of failures has anything to do with the shortage of staff and the curriculum not being covered?

Shri Humayun Kabir: Obviously the shortage of staff had something to do with it, but that was not the whole reason. If the students had worked harder, they could have done better in spite of the shortage of staff.

Shri Vajpayee: May I know if any of the grievances of the students are still under consideration and if so, the nature of the grievances?

Shri Humayun Kabir: I have looked at the question as not one of grievance. I have told the students that it is our business and duty to provide them with the best possible amenities and we are doing all that is possible in the circumstances.

Shri Harish Chandra Mathur: May I know whether, before the students went on this strike they made any representation and if so, what was the nature of the representation and the action taken by Government in that regard?

Shri Humayun Kabir: There was no representation before they went on strike, as far as I remember, except that on the 11th September they might have sent something to us. But the staff position was known to us. We have been trying, as this House is aware, to rectify it by improving the salary scales. But it takes some time to improve the salary scales, because there are repercussions on other departments and universities and colleges. Even after

the improved scales are adopted, it takes some time to recruit the staff.

Shri Nagi Reddy: May I know the short-fall in the number of staff in the polytechnic?

Shri Humayun Kabir: Out of 11 sanctioned posts, we had in the beginning of 1959-60 only four.

Mr. Speaker: Four out of 11?

Shri Humayun Kabir: Yes, Sir; we had seven but three of them went away just at the beginning of the session. So, it became four. We have taken some steps now and we expect it will be raised to 11 within a few months.

Shri Narasimhan: When was this polytechnic established? How many years ago?

Shri Humayun Kabir: It must have been there for a fairly long time; I require notice.

Mr. Speaker: If it was started hundred years ago, does he mean all along it has been without staff?

Shri Narasimhan: If it had been there for a long time, it is all the more bad.

Mr. Speaker: The one thing has nothing to do with the other. He might put the question this way, viz., for how long has this short-fall been there?

Shri Humayun Kabir: The staff position is as follows: in 1956-57, out of 13 sanctioned posts, seven were filled and we had 11 part-time lecturers. In 1957-58, out of 13 sanctioned posts, nine were filled and there were 10 part-time lecturers. In 1958-59, out of 14 sanctioned posts, six were filled and in addition there were 10 part-time lecturers. It was only in the beginning of this year, when three people suddenly went away, that the number came down to four.

Mr. Speaker: There are no part-time lecturers?

Shri Humayun Kabir: They are always there; they are more or less constant.

Mr. Speaker: So the classes do not suffer.

Shri Humayun Kabir: They do suffer a little, if there are only six or seven out of 10 whole-time sanctioned posts. The difficulty is architects and engineers are well-employed persons and we advertise, but nobody applies.

Shri A. M. Tariq: Are Government aware that the girl students of the polytechnic are suffering because there is no proper arrangement for hostels for girls and no other hostel like Miranda or Indraprastha is able to give them accommodation? If so, may I know what action Government is taking? Is there any proposal to have a girls' hostel?

Mr. Speaker: Is it one of the causes of the strike?

Shri A. M. Tariq: Yes, Sir.

Shri Humayun Kabir: This was never mentioned before. In any case, I shall look into the matter and see if there are any grievances of the girl students.

Kalinga Industries

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*582. { **Shri Panigrahi:**
 { **Shri Kamal Singh:**
 { **Shri Ignace Beck:**

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

(a) whether the Kalinga Industries have now started production of ferro-manganese;

(b) if so, the quantity of ferro-manganese produced by this concern upto now;

(c) the total quantity of ferro-manganese which has been produced so far in all the manufacturing units in India; and

(d) what amount has been utilised for internal consumption by now?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No, Sir; their low shaft furnace has start-

ed production of pig iron but not ferro-manganese.

(b) Does not arise.

(c) About 95,000 tons upto the end of September 1959.

(d) Exact figures of internal consumption are not available. It is estimated that the present annual consumption is about 30,000 to 35,000 tons which will increase to 60,000 tons when the target of six million tons of steel ingots is achieved.

Shri Panigrahi: May I know when the licence for starting this ferro-manganese plant was given to this particular concern and why it was switched on from ferro-manganese production to production of pig iron?

Sardar Swaran Singh: There is no question of switching on; the licence is for the production of both pig iron and ferro-manganese. The pig iron blast furnace has gone into production and the ferro-manganese plant has not yet gone into production.

Shri Kamal Singh: Arising out of the hon. Minister's reply to part (d), that internal consumption at the moment is 30,000 tons and would increase to 60,000 tons, may I know when it is likely to increase to 60,000 tons and secondly, until it increases to 60,000 tons, how are we going to see that the disposal of the production is effectively done?

Sardar Swaran Singh: The reply to first part of the question is, as soon as we reach the production target of 6 million tons; i.e., by the end of 1961 or the middle of 1962. So far as the second part is concerned, whatever quantity is available there in the country over and above our internal requirements, that is exported.

Shri Panigrahi: May I know whether there is any possibility of ferro-manganese being manufactured by these plants in the near future?

Sardar Swaran Singh: Those units are licensed to manufacture ferro-manganese and I think they will go into production. But I cannot vouch-

safe for the promise made by private firms.

Shri Surendranath Dwivedy: Are we exporting any quantity of ferro-manganese just at present?

Sardar Swaran Singh: Yes, Sir. We are exporting.

Shri Kamal Singh: May I know whether it is a fact that there is a certain amount of difficulty regarding the export of ferro-manganese? There is a quota for export of ferro-manganese which is controlled, I believe, by the State Trading Corporation. It is felt that facilities for export are not enough and so export is not being made. May I know whether it is so?

Sardar Swaran Singh: I think there is nothing wrong, so far as facilities are concerned. But the export market has, of late, become a little bit difficult. It is not because it is routed through the STC. The world market has shrunk a little and the strike in the steel plants in the United States also reduced the demand for ferro-manganese.

Seth Govind Das rose—

Mr. Speaker: When I am about to call the next question hon. Members rise and embarrass me. All the same, I now call **Seth Govind Das**.

सेठ गोविंद दास : यह जो नियंत्रित चर्चा है इसके बारे में क्या कुछ जो विशेषज्ञ हैं और कुछ व्यापारी हैं, उनके साथ सलाह की जा रही है कि नियंत्रित घटने के क्या कारण हैं और इमको किस तरह से बढ़ावा जा सकता है ?

सरदार स्वर्ण सिंह : जी हाँ, जिस जगह मे कोई वाकिफियत मिले उससे कायदा उठाया जाता है ।

सेठ गोविंद दास : क्या कोई प्रयत्न चल रहा है, यह में जानना चाहता हूँ

सरदार स्वर्ण सिंह : प्रयत्न क्या ? हम पता है कि दुनिया में मांग कम हो गई है ।

Mr. Speaker: All supplementaries must be put by Members standing in their seats.

National Register of Records

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*583. { Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Education be pleased to state:

(a) whether the programme for the publication of extracts from Government of India records has been completed in pursuance of the recommendation of the twenty-sixth meeting of the Research and Publication Committee;

(b) if not, when it will be completed; and

(c) to whom this work has been entrusted?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). The question of the completion of the programme will arise only after the programme is endorsed by the Research and Publication Committee at its next meeting to be held in February, 1960 and accepted by the Government. I should like to explain it further. There seems to be some confusion with regard to this National Register of Records, which is the title of this question. The question itself relates to something else. But I should like to inform the House that the Government have already undertaken the work of preparing the national register of records. We are compiling the register of records of historical documents which may be found either in official or private repositories in the country. We have requested the State Governments to prepare that register. We have already given some grants to the State Governments and I hope that the work will now start. Of course, by the very nature of its work, it is likely to take a very long time. I thought I should supplement my answer, because there seems to be some confusion between the question itself and the title of the question.

Shri S. C. Samanta: May I know whether the compilation work that

has been taken in hand will relate to records in private custody only?

Dr. K. L. Shrimali: No. I have already stated that both official and private repositories will be taken into account.

Shri S. C. Samanta: How much of the budget provision of Rs. 42,00,000 for 1959-60 has been given to the State Governments as grant-in-aid?

Dr. K. L. Shrimali: Out of Rs. 42,00,000 we have given grants to Punjab, Orissa, Rajasthan and Madras. The other States have not yet been given grants.

Shri S. C. Samanta: May I know the subjects in the register?

Dr. K. L. Shrimali: The subject will be the National Register of Records

Evening Institute for Workers' Education

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*584. { Shri S. C. Samanta:
Shri Subodh Hansda:
Shri D. C. Sharma:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 420 on the 13th August, 1959 and state:

(a) whether the Evening Institute for Workers' Education has started functioning;

(b) how many persons can be benefited by this Scheme every year; and

(c) whether the location and building for the Institute has been secured?

The Minister of Education (Dr. K. L. Shrimali): (a) Not yet, Sir.

(b) It is not possible to estimate the number of persons who would benefit by the Scheme annually, as this is not a training course, as such.

(c) The Institute will be located in Indore in a rented building for the time being. I should like to add, however, that all the preliminary preparations have been made with regard

to the opening of the centre and we are hoping that it will be started very shortly.

Shri S. C. Samanta: Who will administer this institute? Will there be an advisory board attached to it?

Dr. K. L. Shrimali: Yes, there will be an advisory body. Would the hon. Member like to know about the composition of the advisory body?

Mr. Speaker: He wants to know whether there is any advisory body?

Dr. K. L. Shrimali: There is an advisory body.

Shri D. C. Sharma: May I know whether there is a plan to set up similar evening institutes for workers' education in other parts of India?

Dr. K. L. Shrimali: Yes. This is a pilot project and if this becomes successful we are hoping to start some centres in other parts of the country.

Shri Hem Barua: May I know whether the syllabus of subjects proposed for the institute would be like that which usually obtain in our schools and universities? Or is it going to be a different syllabus for the workers altogether?

Dr. K. L. Shrimali: The idea is to have an educational, recreational and cultural centre for the workers. It will have all kinds of facilities—creches, and various kinds of activities and amenities for the workers—so that they might continue their education and also they might have some kind of recreation when they are out of work.

Shri Tyagi: Education being a State subject, may I know why the Government is taking more and more liabilities in their hands, instead of transferring such matters to the State Governments?

Dr. K. L. Shrimali: There is no question of taking more liability. We are convinced that the Government of India should take greater interest in the educational development, and we

are taking that interest. The schemes that we undertake are being implemented with the help of the State Governments. The Government of India does not directly take up this work.

Shri D. C. Sharma: May I know whether the workers' education comes under the purview of the Labour Ministry, or the Education Ministry?

Dr. K. L. Shrimali: Research in social education, or fundamental education, comes within the purview of the Education Ministry, and whether they are workers, or farmers, or adults, the Education Ministry has a responsibility.

Shri Goray: How does this scheme differ from the Workers' Centre scheme run by some of the State Governments?

Dr. K. L. Shrimali: It will be very difficult for me to make a comparison here, because there may be various kinds of centres. But I do hope that when this centre starts functioning it will be greatly welcomed by everybody.

Shri Goray: The point is that in some of the States Workers' Centre schemes are already in operation. If there are no distinguishing features here, it would be a duplication of work.

Dr. K. L. Shrimali: In our opinion this centre will have certain distinct features. I could give the details of the whole scheme. If the hon. Members are interested, I will place a copy of the scheme in the Library.

Mr. Speaker: He may place there both the schemes.

Dr. K. L. Shrimali: The schemes of the States are not with me. They are with the State Governments. I do not know what kind of centres they are running.

Shri Braj Raj Singh: Then how can you say that there are certain distinct features?

Shri Goray: The Minister said that there are certain distinct features in this scheme, which are not there in the scheme of the States. So, it would be better if he brings them out and informs the House so that we may know the correct position.

Dr. K. L. Shrimati: As far as I know, I do not think any State has got a comprehensive scheme of the nature which we are proposing. It is an educational and recreational centre where we are providing all kinds of facilities for the workers so that they would be able to take advantage of them, not only for their personal development but also for recreation, and various other kinds of facilities. Therefore, in my opinion, this will be a unique centre from many points of view.

Mr. Speaker: Hon. Members evidently want to know whether there is duplication, and for that purpose, this being a State subject, naturally the House expects that only in cases where the States do not provide facilities, the Centre must come, either to augment or emphasise certain things. It is somewhat strange the hon. Minister does not know how the centres are working. Before starting schemes either on health or education, or any of the Concurrent subjects or purely State subjects, it is expected that the House must know, or the Minister must know, what exactly the functions of the bodies now existing in the States are.

Dr. K. L. Shrimati: I could not make a categorical statement but, as far as I am aware, no State Government has started a centre like this. This centre would provide play rooms for children, rooms for dramas, rooms for radio listening, auditorium for community listening, literary hall rooms, rooms for creches, exhibition room, store room, canteen room etc. As far as I am aware, there is not a single centre of this kind in the whole of the country. This is going to be a pilot project.

Shri Tyagi: As there is a tendency in the Ministries to expand their empires, I want to know if the meaning of the Minister is that he is intending to organise such centres all over India and whether the Education Ministry will shoulder the responsibility of organising them?

Dr. K. L. Shrimati: All that we are doing is to place funds at the disposal of the institution. We are setting up an advisory body and the centre will be administered by a small committee. This is in the nature of a pilot project. If this pilot project succeeds, we will have various kinds of centres and the State Governments will take over these kinds of centres. The Central Government has been taking up the responsibility for experiment and research. This centre should be considered as an experimental centre. Normally I should have thought that the House should welcome the setting up of a centre like this.

Shri Tyagi: Not welcome extra expenditure to be incurred.

Shri Goray: What is the amount set apart for this centre?

Dr. K. L. Shrimati: The Government of India will bear the whole expenditure. For 1959-60, the revised budget amount is Rs. 30,000. For 1960-61, the expenditure is likely to be Rs. 90,000.

Financial and Accounting Procedure

*585. **Shri Harish Chandra Mathur:** Will the Minister of Finance be pleased to state the steps taken for simplification of financial rules and accounting procedure to meet the requirements of the present situation?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): A statement containing the required information is laid on the Table of the House.

STATEMENT

Simplification of financial rules falls broadly under the following two categories:

- (i) Service conditions of the Central Civil Services;
- (ii) Structure of accounts, procedure and delegation of powers.

2. The question of codifying the rules relating to service conditions of the Central Civil Services, after expunging provisions which had become redundant and making necessary changes in the light of the Constitution, has been under the consideration of the Government for some time. Tentative drafts in respect of certain service rules were prepared but as they involved changes in some service conditions, the matter was deferred till after the receipt of the Report of the Commission of Enquiry on Emoluments and Service Conditions of Central Government Employees. Now that the said Report has been received, the question of simplification of these rules is being further progressed.

3. Regarding item (ii) of paragraph 1 above, Delegation of Financial Powers Rules, 1958, defining the financial powers of the various authorities specified therein, were issued on the 20th December, 1958. The question of simplifying other rules has also been under consideration but, as this question is related to the changes in service conditions of the employees, it can be finalised only after the Service rules are simplified.

Shri Harish Chandra Mathur: Is it not a fact that a committee consisting of the Cabinet Secretary, the Finance Secretary and a representative of the Comptroller and Auditor General, was to go into this matter, and may I know whether they have given any thought to this matter?

Shrimati Tarkeshwari Sinha: Yes, Sir. In May 1959, the Prime Minister did appoint a committee of three officers with the Cabinet Secretary as Chairman. They went into the entire

question and it was decided in a meeting of the Cabinet Sub-Committee that a small sub-committee of the Home Ministry should be set up with the Director of the O. & M. Division as Chairman, with a representative of the Home Ministry, Finance Ministry and a representative of the Comptroller and Auditor General. That committee went into the entire question and they made certain recommendations. Meanwhile, the Pay Commission was also going into the entire question of the service conditions of these officers. Therefore, the whole thing has to be amalgamated.

Shri Harish Chandra Mathur: May I know if the hon. Finance Minister's attention has been drawn to a complaint made by the Comptroller and Auditor General only this August saying that these financial rules and accounting procedures are outmoded and rigid and that the committee which was appointed is resting on its oars, having only considered financial devolution in favour of the Ministries, and if it is so, what steps have been taken after this?

Shrimati Tarkeshwari Sinha: The whole question resolves itself into one thing: service conditions, procedure and delegation of financial powers. We, in our Department of Expenditure, have a small section devoted to this problem. We have already sent a note to the Comptroller and Auditor General making certain suggestions regarding procedure. That note is with him.

Mr. Speaker: It is a general question.

Shri Harish Chandra Mathur: May I know when this note was sent to the Comptroller and Auditor General? Was it after his speech to all the Accountant Generals of the various States complaining against no action by this committee?

Shrimati Tarkeshwari Sinha: I am not aware of the date of the particular speech made by the Comptroller and Auditor General to which the hon. Member is referring. But, in-

dependent of that, we have already sent a note. I am not able to say when and how.

राजनीतिक पीड़ितों के आश्रितों की ज्ञान-
वृत्तियाँ

+

भी भवत वर्णन :

भी पाणिपत्ती :

*५८६. भी राज्य :

डा० राज सुभग सिंह :

भी हेम राज :

या शिक्षा मंत्री २२ अगस्त, १९५६ के तारांकित प्रश्न संख्या ६८१ के उत्तर के सम्बन्ध में एक दैसा विवरण सभा-पटल पर रखने की कृपा करेंगे जिसमें निम्न जानकारी दी गई हो :—

(क) राजनीतिक पीड़ितों के आश्रितों को शिक्षा सम्बन्धी सुविधायें देने की जो योजना स्वीकार की गई थी उससे अब तक किन-किन राज्य सरकारों ने सहमति प्रकट की है।

(ख) उन्होंने उसे कार्यान्वित करने के लिए अब तक क्या कार्यावाही की है;

(ग) प्रत्येक राज्य सरकार को भारत सरकार द्वारा इस योजना के अन्तर्गत अब तक कितना अनुदान दिया जा चुका है; और

(घ) सारे देश में इस योजना के कार्यान्वय वे लिए कौन से प्रभावपूर्ण कदम उठाये जा रहे हैं?

शिक्षा मंत्री (डा० का० सा० शीमाली) :
(क) और (ख). विवरण सभा-पटल पर एक दिया गया है [वेत्तिये परिशिष्ट २, अनु-वन्न संख्या ६६]

(ग) अभी तक कुछ नहीं।

(घ) जो राज्य अभी सहमत नहीं हुए हैं उन से कहा जा रहा है कि वे यथोचित कार्यावाही दी जाएं करें।

भी भवत वर्णन : इस विवरण से यह जात होता है कि अधिकांश राज्यों में अन्ती तक इस पर विचार किया जा रहा है या अंकड़े एकत्र किये जा रहे हैं और यायद यह पूरा वर्ष भीरे भीरे समाप्त हो जाये। अतः मैं जानना चाहता हूँ कि केन्द्रीय शिक्षा मंत्रालय की ओर से क्या इस बारे में राज्य सरकारों पर कोई जोर दिया जा रहा है कि इसे जल्दी से जल्दी लागू किया जाये?

डा० का० सा० शीमाली : जो हाँ, बरबर जोर दिया जा रहा है। हम उन को याददेहानी कर रहे हैं और कुछ कार्रवाई की भी गई है। म आशा करता हूँ कि इस बर्षे के अन्त तक काफी राज्यों में इस स्कीम को लागू कर दिया जायेगा। लेकिन यह तो सदस्य महोदय जानते हैं कि शाखिरकार काम तो राज्य सरकारों को ही करना है, हम तो सहायता कर सकते हैं।

भी हेम राज : राज्य सरकारों ने पोलिटिकल सफरस के कई क्लासेज बनाये हैं यानी जिन को मिर्क छः महीने की सजा हुई थी या एक साल की, दो साल, चार साल की सजा हुई थी, और उन का विवार है कि छः महीने वालों की पंशन विल्कुन बन्द कर दी जाये। तो मैं जानना चाहता हूँ कि जो पोलिटिकल सफरस की इन्हीं कैटेगरीज बनाई गई हैं उन सब को मदद दी जायेगी या कि खास कैटेगरीज को ही दी जायगी।

डा० का० सा० शीमाली : इस प्रश्न का उत्तर में पहले 'चुका हूँ। हम ने पोलिटिकल सफरस की व्यवस्था कर दी है और सब राज्यों को लिखा था कि वे भी उस के मुताबिक सहायता करें। अगर आप स्टेटमेंट को देखेंगे तो पायेंगे कि ज्यादातर राज्यों ने इसे स्वीकार कर लिया है।

भी वाजपेयी : जो केन्द्र द्वारा प्रकाशित हैं उन में इस योजना के लागू करने के सम्बन्ध में कोई प्रगति हुई है?

बहु चाह चाह विसर्गी : काही
प्रगति हुई है ; याहर आप स्टेटमेंट को देखेंगे
तो आप को इस का पता चल जायेगा ।

Shri Panigrahi: May I know the nature of the concessions which the children of the political sufferers are going to derive from this scheme?

Mr. Speaker: A statement has been made.

Dr. K. L. Shrimali: It is a very long statement—about 3 pages. The details have still to be worked out by many of the State Governments.

Shri Neswi: May I know what the Mysore Government has done in this respect

Mr. Speaker: Various State Governments?

Dr. K. L. Shrimali: It is in the statement. For the benefit of the hon. Member, I may read it. The revision of the existing State scheme, in order to bring it into line with that proposed by the Government of India, has been carried out and awaits final approval of the State Government.

Shri Sonavane: What are the reasons for the delay in accepting this scheme? We have already given away 12 years of our Independence and we are slow in giving these concessions to the political sufferers.

Dr. K. L. Shrimali: As far as the Government of India is concerned, there has been no delay on our part. As soon as the matter was discussed in Parliament, the Government took a decision and the decision was communicated to the State Governments. We have placed funds at their disposal. Actually, the schemes have to be implemented by the State Governments. We have written to the State Governments. I hope hon. Members will take up this matter with the respective State Governments.

Shri Goray: The hon. Minister said that political sufferer has been defined. Does the definition include Goans

who have suffered for the cause of Goa?

Dr. K. L. Shrimali: I have answered this question at an earlier stage. If you like, I will read it again. A political sufferer means a person who suffered imprisonment or detention of not less than 6 months, or who died or was killed in action or in detention or was awarded capital punishment or became permanently incapacitated due to firing or lathi charge, etc., or lost his job or means of livelihood or a part or whole of his property on account of participation in the national movement for the emancipation of India.

Shri Hem Barua: May I know whether a political sufferer, in order to establish all these conditions has to obtain a certificate from a certain political party and if so, whether the Government are aware of the fact that nepotism is likely to creep into the entire procedure?

Dr. K. L. Shrimali: Naturally the State Governments will have to satisfy themselves that the persons who are the recipients of these benefits satisfy the conditions which have been laid down.

Shri Hem Barua: My question has not been answered. I want to know whether certificates are to be obtained from a certain political party—Congress party, I mean. I want to be frank.

Dr. K. L. Shrimali: I have not been able to follow the question.

Mr. Speaker: Whether it is necessary that a certificate should be obtained only from the Congress party?

Dr. K. L. Shrimali: That is not said in the definition. Anybody who has fought for the Independence of the country will be entitled to scholarships irrespective of political affiliation.

Shri Hem Barua: The question is, how to establish whether a person has suffered.

Mr. Speaker: We are going into evidence. The hon. Minister has already stated that the State Governments will make such enquiries as might be necessary. Of course, if the Congress Party is in a position to give the information, they will take it. Hon. Member also may give information.

Shri Surendranath Dwivedy: It is not a question of information. There is a condition in certain States that to establish this they must get a certificate from the Secretary of the Congress Committee.

Mr. Speaker: Is it so?

Dr. K. L. Shrimati: To which State is the hon. Member referring? If he lets me know, I will make enquiries in this matter. I have no information about this.

श्री अकल दवांवः अध्यक्ष महोदय, कम से कम मुझे एक प्रश्न पूछ लेने दीजिये, क्योंकि मूल प्रश्न मेरा है? यह जो विवरण दिया गया है उसके अनुसार हमारे देश के जो १४ राज्य हैं उनमें से केवल १० के बारे में इसमें सूचना दी गई है तो मैं जानना चाहता हूँ कि जो ४ राज्य बम्बई, केरल, पश्चिमी बंगाल और जम्मू व कश्मीर के हैं और जिनके कि बारे में कोई जिक्र नहीं किया गया है तो क्या वहां की सरकारें एसा नहीं चाहती हैं या वे अलग से काम कर रही हैं?

दा० का० ला० श्रीमाली : हम ने उन्हें भी लिखा है कि इसके बारे में जितनी जल्दी हो सके व निर्णय लें।

Taxes Due from Kanpur Mill Owners

*587. **Shri S. M. Banerjee:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 1228 on the 8th September 1959, regarding taxes due from Kanpur Mill Owners and state:

(a) for how long the sum of arrears of Rs. 4.80 crores has been due; and

(b) what further progress has been made in the recovery of this amount?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) The figures of Rs. 4.80 crores represent the total of arrears due from various persons and these have been outstanding for varying periods from 1947-48 to 1958-59.

(b) The recovery of a sum of Rs. 66.35 lakhs has been held up on account of writs. Of the balance a sum of Rs. 36.47 lakhs has been recovered since 1st April 1959.

Shri S. M. Banerjee: Since the amount recovered is only Rs. 36 lakhs, may I know what further steps are being taken to recover the balance, and the names of the concerns from whom this money is outstanding?

Shrimati Tarkeshwari Sinha: All steps provided under the Income-tax Act have been and are being taken depending on the facts and circumstances of the case, but so far as Kanpur is concerned, the Central Board of Revenue has made arrangements with the U.P. Government for the appointment of special revenue officers exclusively for income-tax collection work at Kanpur. I will not be able to give the names.

Shri S. M. Banerjee: I wanted the names of the concerns, I do not want the name of the individuals.

An Hon. Member: Why not?

Shri S. M. Banerjee: Because the money actually pertains to income-tax, Wealth Tax and Gift Tax. In respect of income-tax they may not give the names, but what about the Wealth Tax and the Gift Tax? I want the names because this is a huge amount.

Shri Vajpayee: Names should be given.

Mr. Speaker: No, no. Names need not be given.

Shri Braj Raj Sinha: Has the attention of the Finance Minister been

drawn to reports in the press about the recommendations of the Tyagi Committee to the effect that the names of persons in arrears of income-tax should be published in the Gazette? In view of that item in the press, there should be no difficulty I think.

The Minister of Finance (Shri Morarji Desai): We shall soon be

taking steps to amend the law, but until the law is amended, it cannot be done.

Shri S. M. Banerjee: I want to know the break-up as to the amounts outstanding as income-tax, Gift Tax and Wealth Tax.

Shrimati Tarkeshwari Sinha: The break-up is as under:

| | Rs. in lakhs |
|---|--------------|
| (i) Collection stayed by writs | 66.35 |
| (ii) I.T.I.C. demand rendered ineffective because of Supreme Court decision | 48.04 |
| (iii) Awaiting cancellation by revisional or rectification orders | 30.62 |
| (iv) Irrecoverable arrears awaiting write-off | 81.26 |
| (v) Awaiting disposal of appeal before A.A.Cs. and A.T. | 130.15 |
| (vi) Instalment demands allowed by I.T.I.C. or C.I.T. | 74.54 |

Shri T. B. Vittal Rao: The question of amending the Income-tax Act has been under consideration of the Government for well over two years. May I know the reasons why there is such an inordinate delay in coming to a decision?

Shrimati Tarkeshwari Sinha: I do not think there is any delay that has taken place so far as amending the law is concerned.

Shri T. B. Vittal Rao: Am I to understand that this has not been under consideration for the last two years?

Shrimati Tarkeshwari Sinha: The hon. Member knows that we were awaiting the report of the Tyagi Committee which has just been received by the Government, and we cannot say anything in that connection now.

Shri T. B. Vittal Rao: This question was before the Government even before the Tyagi Committee's recommendations came. I only wanted to know the reasons for the delay in arriving at a decision.

Shri Morarji Desai: If the hon. Member thinks that as soon as a demand is made Government must act, he is very much mistaken. Govern-

ment has to take its own time to consider all these points. When such matters were referred to the Tyagi Committee, it would have been wrong on the part of Government to have come to a decision before the recommendations were received. The recommendations were received only on the 30th of last month. Now certainly a decision will be taken soon, and the law will be amended. Before that nothing can be done. There is no delay whatsoever.

Alloy and Tool Steel

*589. **Shri Morarka:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the total amount of alloy and tool steel needed by the country at present;

(b) whether Tatas have submitted any scheme for the manufacture of similar steel in the country; and

(c) if so, for what quantity?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) About 30,000 tons per year of Special Steels which include alloy steels, tool steels and die steels.

(b) & (c). Yes, Sir. Tatas have informed Government of their desire to put up an alloy and tool steel plant with an initial capacity of 100,000 tons of ingots or 60,000 tons of finished steel per year.

Shri Morarka: May I know the capacity of the plant which the Government propose to put up?

Sardar Swaran Singh: The initial capacity will be 40,000 tons, and there will be provision for its expansion to 80,000 tons in the form of ingots.

Shri Morarka: Is it not a fact that by 1965 our requirements are estimated to be about half a million tons, and in view of that may I know whether Government is considering putting up a bigger and larger plant?

Sardar Swaran Singh: It is not very easy for me to confirm the figure of half a million tons, but it is no doubt correct that the demand is likely to expand quite rapidly, and it is for this reason that the public sector plant may have to be pushed up to a capacity of 160,000 tons a year, but that will depend upon the project report and also a closer assessment of our requirements.

Shri T. B. Vittal Rao: May I know whether this project report which has been submitted by Tatas will be referred to Messrs. M. N. Dastoor & Co., who have been asked to submit a project report for the manufacture of this steel?

Sardar Swaran Singh: I have not said anywhere that Tatas have sent a project report. Therefore, there is no question of sending the project report of Tatas to Dastoor & Co. The firm of Tatas has shown interest in setting up a plant for the manufacture of special steels. We have not decided anything on that yet.

Shri Morarka: May I know the estimated cost of this Government plant and the date by which it is likely to go into production?

Sardar Swaran Singh: So far as the schedule is concerned, I have already stated on an earlier occasion in the House that the detailed project report will take about seven months. After the receipt of the project report, it will take about 30 to 36 months for establishing the plant. So far as the estimated cost is concerned, it is anywhere between Rs. 12 and Rs. 15 crores, but a great deal will depend upon the ultimate production target that is accepted by Government.

Low Shaft furnace at Jamshedpur

*590. **Shri T. B. Vittal Rao:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the nature of tests carried out by the pilot low shaft furnace at Jamshedpur;

(b) whether non-metallurgical coal has been used in the manufacture of steel; and

(c) the States from which iron ores have been used during these tests?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Tests are being conducted for obtaining pig-iron utilising inferior grades of iron ore and/or coal.

(b) Only pig iron is made in the Low Shaft Furnace, and non-metallurgical coal has been used.

(c) Iron ores from Bihar and Orissa have been used in the investigations so far.

Shri T. B. Vittal Rao: May I know whether iron ores from Andhra and Madras States have been used so far?

Shri Humayun Kabir: I have already said that so far only iron ore from Bihar and Orissa have been used, but it is our intention to use iron ore from every part of India in course of time.

Shri T. B. Vittal Rao: From where has the coal that has so far been used been drawn—Bihar and Bengal?

Shri Humayun Kabir: It has been from that area, but we propose later on to try also coals, non-coking coals and other solid fuels like carbonised lignite from Neyveli or Rajasthan, but at the moment it is from the Bihar and Orissa area.

Shri Tangamani: May I know whether the Government will consider the question of sending the Salem iron ores for testing at this plant?

Shri Humayun Kabir: I have already stated that we have started the experiment with the Bihar and Orissa iron ores; and in course of time, as the experiments proceed; low-grade iron ore and low-grade fuel from every part of India will be examined here.

Shri Naushir Bharucha: May I know whether producing pig iron in low shaft furnace is more economical than the ordinary method of production?

Shri Humayun Kabir: It is still in an experimental stage, but we expect that in any case it will enable us to utilise our almost unlimited resources of iron ore by the use of our most unlimited resources of low-grade coal.

Shri Naushir Bharucha: May I know whether the quality of pig iron is the same?

Shri Humayun Kabir: Again, the matter is in an experimental stage, but the first results seem to indicate that there is no difference in the quality of the pig iron.

Sardar Iqbal Singh: May I know whether these tests have been carried out also on the low-grade iron ore of the Narnaul area of Mohindergarh district of the Punjab?

Shri Humayun Kabir: I have already answered this question.

Shri Panigrahi: When this experiment, as has been said by the hon. Minister, has not proved successful, how is it that low shaft furnaces are being operated in different parts of the country, and a decision has also been taken to issue more licences for these things?

Mr. Speaker: He has not said so.

Shri Humayun Kabir: I do not know how the hon. Member imagined that the experiment had not proved successful.

Shri Panigrahi: The hon. Minister said that Government were not sure whether it was economical or not.

Mr. Speaker: That does not mean that he has already come to a decision that it is useless. There is no meaning in arguing in this manner. The hon. Minister, on the other hand, says that the quality of pig iron is the same in both the cases, and that this is still in an experimental stage. Therefore, what is the meaning in coming to a conclusion that it has already failed?

Shri T. B. Vittal Rao: May I know the Fe content of the iron ore so far used in this furnace?

Shri Humayun Kabir: It is low-grade ore; but I cannot give the exact percentage of mineral in the ores which have been used.

Mr. Speaker: It is a matter of detail.

Shri T. B. Vittal Rao: It is not a matter of detail. It is low-grade iron ore, and, therefore, I want to know....

Mr. Speaker: Order, order. I am not going to allow this question. The hon. Minister is not an expert in that line. So, what is the use of going into details about percentage and so on?

Kerala Agrarian Relations Bill

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Shri Narayananakutty Menon: Shri Punnoose: Shri Tangamani: Shri A. K. Gopalan: Shri V. P. Nayar: Shri Warior: Shri Vasudevan Nair:

*591. Will the Minister of Home Affairs be pleased to state:

(a) whether Government have received any representation regarding the Kerala Agrarian Relations Bill;

(b) if so, what are the representations and who have made them; and

(c) the action Government have taken thereon?

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

(b) A number of representations have been received, for and against the Bill, from individuals as well as interested organisations.

(c) It is intended to deal with this Bill, along with other similar Bills that have been received for the President's assent, by enacting them as President's Acts, with such modification as may be considered necessary, after Parliament has conferred on the President the power to make laws for the State.

Shri Narayananakutty Menon: May I know whether after examination of these Bills, any indication has been obtained as to whether any provisions of this Kerala Agrarian Relations Bill are in violation of the provisions of the Constitution, and if so, what action Government propose to take regarding those clauses?

Shri G. B. Pant: There is no question of any provisions being in contravention of the mandatory provisions of the Constitution. But when the President is asked to assent to a Bill, under the Constitution, he has to satisfy himself that the provisions contained in the Bill are such as would

be proper, just and fair, and he has to examine the provisions from that point of view.

Shri Narayananakutty Menon: May I know whether when the President considers whether the provisions of the Bill are fair, proper and just, that consideration is guided by the objective standards of the policy of the Central Government or of the State Government which enacted the Bill?

Shri G. B. Pant: It is guided by the general principles of justice and fair-play.

Shri Punnoose: It was stated that representations had been received against the Bill also. May I know from which interests those representations had been received?

Shri G. B. Pant: From the Kerala Landowners' Association, from the Association of Planters, from the Rubber Board, from the United Planters' Association of Southern India, from the Trustees' Convention Committee, Kerala, and from the Small Landholders' Association, Kerala.

Shri Punnoose: May I know whether Government are aware that these interests had made out their case before the Select Committee, and that the Bill was modified in that light, that some of the requests were rejected by the Assembly, and then only this Bill was passed?

Shri G. B. Pant: Government have no detailed information about these matters.

Shri Tangamani: In view of the fact that the Bill was passed as early as June, 1959, and also of the fact that it is in conformity with the recommendations of the Planning Commission, may I know why there has been delay in giving assent to it?

Shri G. B. Pant: It is really because of certain suggestions made by the Planning Commission that it has been considered necessary and expedient to make a provision of the character

that is contained in the Kerala State Legislature (Delegation of Powers) Bill, so that proper amendments may be made, and the Bill may be enacted as a President's Act.

Shri Vasudevan Nair: Is the hon. Home Minister aware of the fact that the hon. Prime Minister has said several times that he agrees to the provisions of the Bill, and if so, what is the special reason now for the Home Ministry to think that there should be changes in the Bill?

Shri G. B. Pant: The Prime Minister did not examine every clause of the Bill. As to the general policy underlying the Bill, the Government of India agrees to it.

Shri A. K. Gopalan: May I know whether a final decision as regards this Kerala Agrarian Relations Bill will be taken before the current session of Parliament is over?

Shri G. B. Pant: Well, that depends on the co-operation that is extended to Government by the Members sitting opposite.

Shri Narayananukutty Menon: The Home Minister has stated that a representation had been received from the Rubber Board. May I know whether Government are aware that the Rubber Board has not considered this question so far, and no resolution has been passed by the Rubber Board, and if so, who has made this representation on behalf of the Rubber Board?

Shri G. B. Pant: I had given the name as the 'Rubber Board, Kerala'.

Shri Narayananukutty Menon: Are Government aware that the Rubber Board has not considered this question so far? It is a statutory board...

Mr. Speaker: That is all right. It means that whoever is competent to make a representation on behalf of the Rubber Board has made it.

Shri Narayananukutty Menon: Shri Punnoose is a member of the Rubber Board, and we understand from him

that the Rubber Board has not considered this question so far. Are Government aware of it?

Mr. Speaker: We need not go into details as to how many members were present and so on.

Shri Narayananukutty Menon: It is not a matter of detail. I only want to know whether Government, while considering the representation of the Rubber Board or their objections, have enquired whether the Rubber Board has properly passed a resolution or not.

Shri G. B. Pant: If Government are to be guided only by the fact that the Rubber Board has passed a resolution, then it may be necessary to do so; but if Government are to take an independent decision, then it is hardly a very material point.

Shri T. B. Vittal Rao rose—

Mr. Speaker: I have allowed a number of supplementaries on this already. Now, next question.

Bal Bhawan in New Delhi

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*592. { **Shri Amjad Ali:**
Shri Muhammed Elias:
Shri Rameshwar Tantia:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that Central Public Works Department has taken up the construction of a Bal Bhawan in New Delhi;

(b) who has prepared the design of this building;

(c) the estimated cost of this Bhawan; and

(d) when it is expected to be completed?

The Minister of Education (Dr. K. L. Shrimati): (a) Yes;

(b) A Senior Architect of the Central Public Works Department.

(c) Rs. 17,13,000 including Departmental charges.

(d) It is expected to be completed in three Phases viz:

- (i) Phase I by 1st August, 1960,
- (ii) Phases II and III will be taken up in the Third Five Year Plan and completed during that plan period.

Shri Amjad Ali: May I know how the governing body of the Bal Bhawan is going to be constituted, and how many non-officials and how many officials will be there?

Dr. K. L. Shrimali: This board consists of eleven members, including the chairman and the director. Four of them are representatives of the Government of India, i.e. one each from the Ministries of Education, Finance, Health, and Works, Housing and Supply.

Shri Supakar: May I know what purpose this Bal Bhawan will serve, and whether there will be only one institution in New Delhi or there will be other such institutions in other parts of India also?

Dr. K. L. Shrimali: The Bal Bhawan provides opportunities for children for educational, cultural, recreational and physical activities, and we are hoping that similar institutions will be set up in other parts of the country also. In fact, some institutions have already been set up, and the Government of India to give assistance for nursery schools and similar institutions.

श्री अमराज तिस्तुः यह बाल भवन किस स्थान पर बनाया जा रहा है? और जब इसको दिल्ली में ही बनाना या, तो नई दिल्ली के बजाय पुरानी दिल्ली में क्यों नहीं बनाया गया जहाँ इसको उपयोग में लाने के लिए बहुत ज्यादा बच्चे मिल सकते थे?

Dr. K. L. Shrimali: Various factories had to be taken into account. I would invite the hon. Member to pay a visit to the Bal Bhawan at Kotla Road which is behind the old District jail. I think it is a place which attracts many children from low income groups.

Central Advisory Board of Archaeology

*594. **Shri N. R. Muniswamy:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Central Advisory Board of Archaeology have made suggestions to the Government that liberal grants should be given to learned societies and institutions including State Organizations and Universities engaged in excavations work on approved lines; and

(b) if so, the action taken so far in the matter?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) Grants to the extent of Rs. 25,000 were made in 1958-59 and there is a provision of Rs. 30,000 in the current year's budget.

Shri N. R. Muniswamy: May I know what those approved lines of excavation works are and whether any ceiling has been fixed for the liberal grants to States?

Shri Humayun Kabir: I could not hear the first part of the question. As to the second, the grants do not normally exceed 50 per cent. of the total expenditure in the excavation programme.

Shri N. R. Muniswamy: The first part of the previous question is what the approved lines of excavation works are? Could we have an idea of the nature of the excavation works?

Shri Humayun Kabir: There is no question of approved lines. Universities or other learned societies choose a particular site which they think is of interest from the archaeological point of view, and submit proposals to the Director-General of Archaeology.

Shri N. R. Muniswamy: May we know whether any State Government and University has so far applied for such grants?

Shri Humayun Kabir: We have given grants to the Deccan College of Post-Graduate Research Institute, Poona, Allahabad University, Calcutta University, Banaras Hindu University, again to the Allahabad University, again to the Deccan College of Post-Graduate Research Institute, the K. P. Jayaswal Research Institute, Patna, and the Director of Archaeology and Museums, Jaipur.

Shri Mahanty: May I know if it is not a fact that important excavations have now been left incomplete on account of lack of funds from the Government? If so, are Government also aware that without completing a particular excavation, it is vandalism to disturb the monument?

Mr. Speaker: There are so many good words in the dictionary. Why should he use that particular word?

Shri Mahanty: In Orissa, this is what has been done....

Mr. Speaker: That may be so. But the use of the word 'vandalism' does not improve the situation.

Shri Humayun Kabir: Whenever the Department of Archaeology undertakes any excavation, it carries it to the stage considered necessary. Recently, Parliament has enacted legislation by which uncontrolled excavation will not be permitted.

Shri Mahanty: What mechanism is there to direct the excavations?

Shri Humayun Kabir: I have just now said that Parliament has recently passed legislation under which excavation will require prior approval of, and guidance by, the Director-General of Archaeology.

Shri Panigrahi: May I know whether some State Governments have submitted proposals to the Central Board of Archaeology for creating separate Archaeological Circles for improving the work of excavation?

Shri Humayun Kabir: Not from State Governments. But proposals do

come from time to time. We have expended the Circles to 9 now, which we consider adequate for the present.

Shri Panigrahi: May I know whether there is any proposal to increase the number of Circles?

Shri Humayun Kabir: Not at the moment.

Shrimati Ilia Falchoudhuri: May I know what is the scheme the West Bengal Government or Calcutta University has taken up and which is the main scheme they have spent the money on?

Shri Humayun Kabir: I do not know of any scheme of the West Bengal Government. I do not know where my hon. friend got hold of the West Bengal Government. Calcutta University has a scheme at Chandraketu Garh which promises very interesting results.

Planning Units in Universities

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*595. { **Shri D. C. Sharma:**
 { **Shri Panigrahi:**

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 564 on the 19th August, 1959 and state the progress made so far in setting up a Planning Unit in each University?

The Minister of Education (Dr. K. L. Shrimall): The University Grants Commission is expected to receive the proposals for the Third Five Year Plan from the Universities by the end of the current year. If the proposals include the establishment of Planning Units at the Universities, they will be duly considered.

Shri D. C. Sharma: May I know if any fund has been set apart for these Units, and how they will differ from the Planning Forums which are already in existence in the Universities?

Dr. K. L. Shrimall: As far as I am aware, the Planning Forum is to discuss the general philosophy and

implications of the Plan and what we could do to enthuse the students to take an active part in the Plan. As against that, the function of these Planning Units would be to prepare plans for the Universities themselves. It will be a separate unit in each University so that they might work out proper proposals for the Third Five Year Plan so that there might be no difficulty in implementation of the Plan.

Shri D. C. Sharma: May I know if these Planning Units have been set up in any Universities by this time? If not, how will they be able to plan for the Third Five Year Plan because the Second Plan is going to be over in a year?

Dr. K. L. Shrimali: Upto 12th November, 1959, the University Grants Commission had not received any proposals from Universities. The Planning Units will certainly be useful for formulating proposals for the Third Five Year Plan; they will not deal with the Second Plan, as the hon. Member probably thinks.

Shri D. C. Sharma: I want to know how these units which have not come into being so far will be able to do anything with regard to the Third Five Year Plan, because the Second Plan is going to be over very soon?

Dr. K. L. Shrimali: These Planning Units are being set up to formulate proposals for the Third Five Year Plan. The Third Five Year Plan has not yet been formulated. It is in the process of formulation. It was with that in view that the U.G.C. wrote to the Universities to set up, if they liked, small units in their own sphere to work out proper proposals so that there might be proper co-ordination and proper implementation of the Third Plan.

Mineral Exploration

*596. **Shri Kodiyan:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government have any scheme to strengthen the Geological Survey of India to cope with the increasing demands for mineral exploration in the country;

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

(c) the additional expenditure to be incurred in this respect?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Yes, Sir. The Geological Survey of India is being suitably expanded under the Second Five Year Plan. The main features of the Second Five Year Plan of the Geological Survey of India are as follows:—

(i) staff augmentation at an estimated cost of Rs. 152.50 lakhs as below:—

1. strengthening of the Mapping Division by 50 officers;
2. addition of 18 gazetted officers to the drilling division;
3. augmentation of the Economic Geology Division by 23 gazetted officers;
4. strengthening of Engineering Geology Section by 17 officers;
5. corresponding expansion in the Geophysical, Petrological and Chemical sections etc. is also envisaged under the Second Five Year Plan.

(ii) establishment of "Regional Offices" with headquarters at Calcutta, Lucknow and Hyderabad with a view to accelerate the tempo of mineral investigations.

(iii) Training Schemes at a cost of about Rs. 5 lakhs to overcome the shortage of suitable technical staff required by the Geological Survey of India.

(iv) provision of additional equipment for exploration and expansion of laboratories etc. at a cost of Rs. 110.05 lakhs.

(c) The additional expenditure on expansion of the Geological Survey of India and of its operations during the Second Plan is likely to be of the order of Rs. 417 lakhs.

Shri Kodiyan: May I know whether, with the strengthening of the Geological Survey of India, it will have departments in every State so that geological survey can be undertaken simultaneously in all the States?

Shri K. D. Malaviya: I am afraid, there cannot be a simultaneous survey of the entire resources generally known to exist in all the States. It is a very big programme and for that, phasing has to be done. In the Second Plan and the Third Plan, we propose to phase very carefully the survey work that is before us.

Shri Kasliwal: May I know whether in the strengthening of this particular team, Government have given any special attention to the exploration of non-ferrous metals in the country which are in acute shortage here?

Shri K. D. Malaviya: Yes, non-ferrous metal problems have also been very urgently taken into account when this expansion will be taken into consideration.

Shri Kasliwal: The hon. Minister has said in his reply that the team will be strengthened only in Calcutta, Madras and Hyderabad which are areas not included in areas where non-ferrous metals are to be found. May I know whether any other offices are proposed to be opened for this purpose?

Shri K. D. Malaviya: These regional offices are not necessarily linked up with the detailed prospecting programme for non-ferrous metals. They have got some other work also, supervision and all that. As I said, we have already taken into consideration all the aspects before us for intensive prospecting of non-ferrous metals.

Shri Achar: May I know how the regions are selected for the geological survey and also whether the west coast is selected for that?

Shri K. D. Malaviya: These regional offices when they are established are based on the conveniences of the Central administrative department and also on the availability of facilities. I suppose the question of having a regional office in the western coast is also under the consideration of Government.

Mr. Speaker: The Question Hour is over.

Shri Ram Krishan Gupta: Sir, may I request that question No. 600 be taken because it is very important?

Mr. Speaker: Is the hon. Minister willing to give the answer

The Minister of Home Affairs (Shri G. B. Pant): Which question, Sir?

Mr. Speaker: Question No. 600.

Shri G. B. Pant: Of course, I am willing to submit to the wishes of the House or even a single Member of it.

Karnal Murder Case

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600. { **Shri Ram Krishan Gupta:**
 { **Shri M. C. Jain:**

Will the Minister of Home Affairs be pleased to state:

(a) whether the attention of the Government has been drawn to the recent judgment announced in the Karnal Murder Case;

(b) if so, whether it is a fact that there are some strictures against the Punjab Government in the judgment;

(c) whether Government have examined them; and

(d) if so, what action Government propose to take in the matter?

The Minister of Home Affairs (Shri G. B. Pant): (a) to (d). I have seen some extracts from the judgment in the newspapers. The matter primarily concerns the State Government and I have drawn the attention of the Chief Minister to it. I understand that the question of filing an appeal to the

High Court is under the consideration of the Punjab Government.

Shri Ram Krishan Gupta: May I know whether any reply has been received from Punjab so far in this regard?

Shri G. B. Pant: The reply has not yet reached me. I have written to the Chief Minister. The Chief Minister told me that the judgment is under examination and they are giving thought to the question as to whether an appeal should be filed, and, if so, when.

Mr. Speaker: One word before hon. Members put questions. (Interruptions).

Order, order. Under the law during the time allowed for preferring an appeal the case is still sub judice though no appeal is filed. (Interruptions).

Order, order. I only want to inform the House that when the time for filing the appeal has not expired it would not be proper to put questions about filing the appeal etc.

Shri Ferose Gandhi: I do not want to go into the question of the judgment and the strictures that have been passed against the Chief Minister of Punjab. Pending this case the officer concerned was under suspension and he is still under suspension. I would like to know whether after the court of session has passed these strictures it is proper for the Chief Minister to continue in office or not and whether Government have considered also suspending him from Chief Ministership pending appeal.

Shri G. B. Pant: The Chief Minister is elected by the party. If because of any particular action or development the party loses confidence in him it is open to the party to pass a vote of no confidence. The Government of India as such has no authority to appoint a Chief Minister or to dismiss a Chief Minister.

Shri Ferose Gandhi: Sir, I do not agree with the Home Minister because I think the President has got powers. May I know whether if a court of law passes a stricture of this kind against the Chief Minister and the party continues to hold confidence in him the Government of India will tolerate such a situation?

Shri G. B. Pant: The question is a constitutional one. Firstly, as to the character of the strictures itself there may be a difference of opinion. I have not seen the judgment in full but I remember having seen in one of the reports the remarks of the court that the Chief Minister was not directly or indirectly responsible for the false evidence that has been led in the case. (Some Hon. Members: No). That is a fact. That can be checked from the text of the judgment. So, on that point there is no question of argument.

But I am saying that when a matter is pending appeal, so far as other officers are concerned, if there are I.A.S. or I.P.S. officers with whom the Central Government is concerned, these strictures still remain; and in appeal also if they are confirmed that the Government of India will have to give thought to the matter. But so long as the subject of this question is concerned no final decision can be reached. I would appeal even to the hon. Members of this House to always hold the view that so long as the matter is subject to revision or appeal no final decision should be reached mentally even by individual members (Interruption.)

Mr. Speaker: Order please. I will allow all hon. Members to put questions if I find them reasonable so far as the questions are concerned. The Question Hour ought not to be utilised for the purpose of a discussion as to what action ought to be taken by Government. That question has been put. The hon. Minister says that so long as it is sub judice we cannot take any final decision in the matter. (Interruptions.)

Order please. What is the use of interrupting me? I have no objection to allow all reasonable questions. As a matter of fact I allowed the question to be taken up after the Question Hour is over. This is an extraordinary procedure that I have adopted today. Therefore, hon. Members will choose other remedies for impressing upon Government the need to take action.

Shri Feroze Gandhi: May I know whether the attention of the Home Minister has been drawn to the fact that a witness who gave evidence in this particular case was murdered within a few days? Will the Government consider immediately removing Shri Grewal from the service of the Punjab Government and transfer him somewhere else as he is an IPS officer?

Shri G. B. Pant: So far as these particular matters go, it is for the Punjab Government to take proper action (Interruption). It is open to anyone whether he be an officer or a non-official to move the court for protection if he feels that there is danger to peace or security. But if I am satisfied that there are reasons which call for any advice being tendered by me to the Punjab Government I shall be prepared to tender such advice. (Interruptions).

Raja Mahendra Pratap: There is another way of thinking also. Judges are also men. They can suspect them too.

Mr. Speaker: Order, order.

Shri Ram Krishan Gupta: May I know whether it is a fact that Shri D. S. Grewal in his application for transfer has levelled serious allegations against the Chief Minister of Punjab? If so, have any findings been given regarding those allegations by the judge concerned?

Shri G. B. Pant: I do not know which application is being referred to. But I have not examined any particular application nor can one reach a finding simply after a glance through an application.

Shri M. C. Jain: May I know whether the Home Minister is prepared to lay a copy of the judgment on the Table of the House?

Shri G. B. Pant: I understand that so far the Punjab Government has been able to get only one copy from the court of the Sessions Judge. If the reports are correct, the judgment is supposed to cover more than 300 pages. . . . (An Hon. Member: 800). Well, I stand corrected. When copies are available, I think anyone interested can get it from the copying department without my intervening in the matter. It is not a question concerning the Central Government as such. It is a law and order problem.

श्री प्रकाश बीर खास्त्री : क्या गृह मंत्री मंदोदय को यह पता है कि अभी शिवसता में पंजाब के डिप्टी कमिशनर्स की एक बहुत बड़ी कानूनें हुईं थीं जिसमें उन्होंने अपने मार्ग में आने वाली कुछ बाधाओं की चर्चा की थी जिससे कि वे स्वतन्त्रतापूर्वक पंजाब के अन्दर कार्य नहीं कर पा रहे हैं? क्या ऐसी स्थिति में यह आवश्यक नहीं है कि पंजाब को एडमिनिस्ट्रेशन के सम्बन्ध में इस हाउस के अन्दर कुछ विचार किया जाये?

श्री गो० ब० पन्त : इस हाउस में विचार करने की इजाजत देना तो स्पीकर साहब के अल्पत्यार की बात है, मेरे अल्पत्यार की बात नहीं है। मगर मैं समझता हूँ कि इस सदन में पंजाब के एडमिनिस्ट्रेशन के बारे में विचार करना प्राविशल आटीनोमी की जो कुछ बुनियादी बातें हैं, उनके लिलाफ होया।

Shri Goray: When the Prime Minister's attention was drawn to this question in yesterday's Press Conference, he said that in Punjab the police were always different. What does it mean? Does it mean that they have more powers or are more corrupt? (Interruptions.)

Shri G. B. Pant: What presumably it means is that they are more robust and stalwart than other people.

Shri Vajpayee: Is it a fact that this particular police officer has approached the Central Government for his transfer from the State of Punjab to any other State and, if so, what is the response?

Shri G. B. Pant: Shri Grewal saw me and I had a talk with him. But all this was of a confidential character because ordinarily he is not expected to see me in my capacity as Home Minister. But I met him as a gentleman.

Shri Vajpayee: My question has not been replied.... (Interruptions).

An Hon. Member: What was the gentleman's agreement?

Shri Braj Raj Singh: The strictures passed in the judgment seem to suggest that the Constitution is breaking down in Punjab. The hon. Home Minister says that the Chief Minister enjoyed the confidence of the majority party there. May I know whether the Government of India would consider the matter in the light of the breaking down of the Constitution and take suitable action?

Shri G. B. Pant: Even the opponents have not yet, I think, asserted or insinuated that there has been a break-down of the Constitution in the Punjab.

SHORT NOTICE QUESTION

Decline in the Value of Indian Rupee in Hong Kong

S.N.Q. 4. Shri P. G. Deb: Will the Minister of Finance be pleased to state:

- (a) whether the value of Indian rupee has gone down in Hong Kong recently;
- (b) if so, what is the latest position; and
- (c) the steps taken to avert the fall in value of Indian rupee?

The Minister of Finance (Shri Morarji Desai): (a) The official value of the rupee which is 120 Hong Kong

dollars for Rs. 100 remains unchanged and exchange at this rate is freely available for all authorised transactions. It is only the free market rate of Indian rupee notes used for unauthorised transactions that has declined since June 1959.

(b) On November 23, 1959, the unofficial exchange rate in Hong Kong for unauthorised transactions is reported to have been 89 Hong Kong dollars for Rs. 100.

(c) The fall in the unofficial value is due to the measures taken by this Government to prevent the leakage of foreign exchange caused by the smuggling out of Indian currency for the purpose of smuggling in of gold etc. The Government does not consider it necessary to take any steps regarding fluctuations in unofficial rates for the rupee. The enormous volume of authorised foreign currency transactions is in no way affected.

Shri P. G. Deb: What is the position of the Indian rupee in the Southeast Asian countries such as Singapore, Melaya, Indonesia inasmuch as the Hong Kong market affects these areas?

Shri Morarji Desai: It does not arise from this question at any rate.

Shri Joachim Alva: Is this fall in the rupee due to the anti-smuggling measures enforced by the Government or whether a large amount of currency still goes out of the country?

Shri Morarji Desai: I have very clearly stated that it is due to the steps taken by this Government to stop smuggling.

श्री रमेश तिहः : क्या मंत्री महोदय को मालूम है कि सिंगापुर की इंटरेशनल मार्किट में बैंक में अगर आफिशली हम दप्ता लेने के लिए जाते हैं तो जब कि बहु का डालर एक दप्ता आट आने में प्राप्त होता था, आज वह डालर एक दप्ता तेरह आने में प्राप्त होता है, यदि हाँ, तो इसका क्या कारण है, यह मैं जानना चाहता हूँ?

Shri Morarji Desai: The question relates to Hong Kong; not to Singapore.

वो रघुनाथ सिंह : साउथ ईस्ट एशिया ।

Shri Ramanathan Chettiar: In view of the answers given by the hon. Minister, is it within the competence of the Governor of the Reserve Bank who is the head of the Central Banking authority in the country to say that the rupee has devalued to the extent of 29 per cent.?

Shri Morarji Desai: This question also does not arise out of this question.

Shri Ramanathan Chettiar: May I submit, this....

Mr. Speaker: All relevant matters which arise may be answered.

Shri Morarji Desai: If that is your ruling, I have no objection.

Mr. Speaker: If a responsible officer, the person in charge of the Reserve Bank, says that it has been devalued and the hon. Members are a little agitated over this, I will advise the hon. Minister to reply if it is possible.

Shri Morarji Desai: I had already replied to this question earlier.

Shri P. G. Deb: May I know if this fall in value is due to smuggling of goods from Hong Kong to India?

Shri Morarji Desai: I have said that smuggling has lessened and, therefore, this also has lessened because we have prevented it now. Originally things which can be given in exchange for sterling were smuggled. That is not now done. Therefore, the unofficial rate has gone down.

Shri Ramanathan Chettiar: In view of the rupee being stronger than any currency in the Southeast Asian countries, I put this question. Is it within the competence of the head of the Central banking authority in this country to refer to this matter and say that it has been devalued to some extent?

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

Shri Nagi Reddy: May I know as to what the opinion of the Government of India is regarding the statement that has been made by the Governor of the Reserve Bank regarding the devaluation of the rupee?

Mr. Speaker: It is the same thing that was asked.

Shri Nagi Reddy: Whether he is competent or not is a different matter. But the Government of India must have an opinion regarding a very important statement made by the Governor of the Reserve Bank.

Shri Morarji Desai: I had already replied to that question a few days earlier. I had explained what it was and I refer the hon. Member to that reply.

WRITTEN ANSWERS TO QUESTIONS

Post-Graduate Study in Engineering in Foreign Countries

*588. **Shri Ajit Singh Sarhadi:** Will the Minister of Finance be pleased to state:

(a) whether facilities are being given in the matter of foreign exchange to the engineering students who want to go in for post-graduate studies in foreign countries; and

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

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) Attention is invited to the reply given to Starred Question No. 1948 on the 1st May, 1958. In reply to part (b) of that Question a statement giving the entire policy for educational remittances was laid on the Table of the Sabha.

Barauni Refinery

*598. { Shri Bibhuti Mishra:
Shri P. C. Borooh:

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

(a) whether it is a fact that officers of the Central Government and Bihar Government visited Barauni Refinery site recently;

(b) if so, whether they have agreed finally on selection of site;

(c) which place has been finally selected; and

(d) the period within which the Refinery will be completed?

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

(b) Yes.

(c) A place between Barauni and Begusarai, South West of Tilrath Railway Station.

(d) By 1963.

Production of Steel in Bhilai and Rourkela

*597. { Shrimati Renu Chakravarthy:
Shrimati Ila Palchoudhuri:
Shri Aurobindo Ghosal:
Shri Madhusudan Rao:

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

(a) the total amount of steel produced up to date in Bhilai Steel Plant;

(b) when Rourkela is expected to produce steel;

(c) whether any costing has been made for Bhilai steel;

(d) if so, what is the price at which Bhilai steel will be sold; and

(e) when are the other open hearth furnaces in Bhilai scheduled to go into operation?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) 6,786 metric tons upto 10th November, 1959.

(b) Production of steel ingots at Rourkela Steel Plant commenced on 30th April, 1959. Total production upto 10th November, 1959 was 21,134 tons.

(c) No, Sir.

(d) Steel produced at Bhilai will be sold at the controlled selling price.

(e) The second furnace is under heating and it is expected to be in operation during this month. The third and fourth open hearth furnaces are expected to be in operation in February and May, 1960. The fifth and sixth furnaces will be ready to be put into operation before September, 1960.

Problems of Oil Industry

*598. { Shrimati Ila Palchoudhuri:
Shri Rameshwar Tantia:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 125 on the 5th August, 1959 and state:

(a) whether any decision has been taken on the question of setting up a high-level committee to enquire into the problems of the oil industry of the country which was under the consideration of the Government of India; and

(b) if so, the details thereof?

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

(b) A statement giving the required information is laid on the Table of the House. [See Appendix II, annexure No. 67.]

Blast Furnace at Rourkela

*599. Shri Supakar: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) when the second blast furnace in the Rourkela Steel plant will be commissioned; and

(b) the reason for the delay, if any, in keeping to the time schedule?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) In January 1960.

(b) It was decided that the second blast furnace should go into operation only when sufficient steel making facilities are available.

Delhi Municipal Corporation

*601. { Dr. Ram Subhag Singh:
Shri Ram Krishan Gupta:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that serious differences exist between the deliberative and executive wings of the Delhi Municipal Corporation;

(b) if so, the causes thereof; and

(c) how Government propose to bring cordiality there?

The Minister of Home Affairs (Shri G. B. Pant): (a) to (c). No serious differences exist. Government have received no communication in this behalf from the Municipal Corporation but allegations regarding such differences appear to have been made sometimes. Government hope that such differences as might exist would soon be resolved and that the cordiality between the two wings would be strengthened further.

Territorial Army

*602. Shri Goray: Will the Minister of Defence be pleased to state what efforts are being made to enthuse the people to join the Territorial Army?

The Minister of Defence (Shri Krishna Menon): A statement is laid on the Table of the Lok Sabha.

STATEMENT

To enthuse people to join the Territorial Army, there has been an increase in emphasis on wide and effective publicity. The Territorial Army Day is celebrated on the 3rd Saturday of November every year throughout the country. Extensive publicity regarding the Territorial Army is given through the medium of the press and the radio. Prominent personalities all over the country participate in the celebrations on this day and make appeals to the public to join the Territorial Army. In addition parades are held in important centres by units of the Territorial Army. In this year's celebrations which were held on the 21st November, 1959 at the Capital the Prime Minister attended the reception given to T.A. personnel on behalf of Delhi citizens and addressed a large gathering. The Defence Minister took the T.A. salute at the parade at Bombay, and also addressed a large gathering. The All India Radio broadcast a speech from the Defence Minister and an address by the Director, Territorial Army. Apart from the special publicity measures taken on the T.A. Day, continuous publicity throughout the year is carried out through the medium of cinema slides, publicity posters and display advertisements in English, Hindi and the regional languages all over the country. T.A. hoardings are also prominently displayed at suitable places. A Territorial Army tattoo was held on the T.A. Day 1957 at Madras.

2. An Auxiliary Forces Welfare Association has been formed by prominent citizens in Bombay to help in the cause of the Territorial Army. Similar associations are in the process of formation in Delhi and Madras.

3. The T.A. Advisory Committees which are functioning at the Centre and in the States and which have prominent public figures as well as persons representing the commercial interests as members have done much to further the cause of the Territorial Army.

4. In addition to publicity measures, Government have in the last few years granted several concessions to T.A. personnel to make service in the T.A. more attractive. The more important among these are the protection of the service interests of Government servants joining the Territorial Army, the extension of medical facilities to T.A. personnel on the same lines as for Regular Army personnel during training/embodiment, disability family pensionary awards and gratuities for all ranks in the T.A. and sanction to ex-JCOs and ORs joining the T.A. to draw their pensions in addition to pay and allowances while employed in the T.A. Some of the State Governments have also sanctioned prizes for the best trainees in the Territorial Army.

5. Industrialists and commercial concerns have also been approached to provide facilities and incentives for their employees to join the Territorial Army, and the more enlightened among them have responded liberally. The concessions given to the employees vary from the protection of the civil emoluments of the staff joining the Territorial Army to the payment of bonus to those who attend parades and annual camps.

Post-Matric Scholarships to Backward Classes

603. Shri Shree Narayan Das:
Shri Ram Krishan Gupta:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri R. C. Majhi:
Shri S. M. Banerjee:
Shri Panigrahi:
Shri Padam Dev:
Shri Kumbhar:
Shri K. U. Farmar:
Shri T. Sanganna:

Will the Minister of Education be pleased to state:

(a) whether the Government of India have decided to revise the present formula for the allocation of

funds for post-matric Scholarships to students belonging to Scheduled Castes and Scheduled Tribes and Other Backward Classes to the various States and Union territories;

(b) if so, what is the new formula that has been evolved; and

(c) what were the shortcomings of the old formula?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

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

National Museum, New Delhi

*604. *604. { Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:
Sardar Iqbal Singh:
Shri Bhakt Darshan:
Shri Naval Prabhakar:
Shri D. C. Sharma:
Shri Shree Narayan Das:

Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 1363 on 11th September, 1959 and state:

(a) the nature of progress made so far in the construction of the National Museum building in New Delhi;

(b) by what time it will be completed; and

(c) the total amount spent so far on the project?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) 94 per cent of the first phase of the building has been completed except for electrical installations which have been completed to the extent of 75 per cent.

(b) By the middle of 1960.

(c) Rs. 45,09,273 (upto 31-10-1959).

हारका में विद्यार्थियों की मृत्यु

प्र० ५०५. { श्री भक्त दर्शन :
श्री नवल प्रभाकर :
श्री रामकृष्ण गुप्त :
श्री अवित सिंह सरहरी :
सरदार इकबाल सिंह :
श्री प्र० च० बस्यत :

क्या शिक्षा में १० अगस्त, १९५६ के अताराकित प्रश्न संख्या ४६७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली के दो विद्यार्थियों की मृत्यु के कारणों की जांच के लिए नियुक्त समिति की रिपोर्ट पर क्या इस बीच विचार कर लिया गया है ;

(ल) यदि हाँ, तो क्या उक्त रिपोर्ट की एक प्रति सभा पटल पर रखी जायेगी ; और

(ग) उस पर क्या कार्यवाही की गई है ?

विकास यंत्री (दा० का० सा० श्रीमाली) : (क) जी, हाँ ।

(ल) और (ग). जांच समिति की रिपोर्ट का सारांश और रिपोर्ट पर सरकार के निर्णय का विवरण लोक-सभा पटल पर रख दिया गया है । [देखिये परिचय २, अनुबन्ध संख्या ६८]

Technical Personnel for Durgapur Steel Plant

*६०६. Shri Morarka: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that a Director of Hindustan Steel Ltd. was recently sent to England on a mission of recruiting a Works Manager and 100 other technical personnel for Durgapur Steel Plant;

(b) if so, the qualifications of the Director for such a mission and the result of his mission; and

(c) what was the cost of the mission and its justification?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

The first phase of the Durgapur Steel Plant will be completed this month and taking into account the Indian staff already in position, the Hindustan Steel Ltd. had estimated that about 80 foreign technicians would be required for the operation of the Durgapur Steel Plant in the initial stages for manning various units of the plant. As qualified senior Indians were not available, it was found necessary to get these technicians from the U.K. for short periods. Shri N. C. Deb, Director (Finance) of the Hindustan Steel Ltd. was deputed to the U.K. in July 1959 for this purpose. He was assisted in this assignment by the Consulting Engineers—M/s International Construction Co., London, and three senior Indian Departmental Superintendents of the Durgapur Steel Plant who were already in the U.K. for training under the Colombo Plan. Shri Deb was deputed to recruit these persons as the terms and conditions of various people had to be discussed and fixed in the U.K. itself. As a result of his deputation, recruitment of 51 technicians has already been completed besides the selection of a General Superintendent for the Durgapur Steel Works. Attempts are being made to recruit a few more British technicians for the Durgapur Plant.

A sum of Rs. 9300 was approved as expenditure on Shri N. C. Deb's deputation to the U.K. besides a sum of £100 sterling towards travelling allowances in the U.K. for the officers who assisted Shri Deb in this assignment.

Amalgamation of Collieries

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

(a) the number of small collieries which have been amalgamated voluntarily; and

(b) the total production of those collieries during 1958?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Eight small collieries have amalgamated themselves into four units.

(b) 286,435 tons.

Training of Teachers of New Secondary Schools

*608. { Shri Ram Krishan Gupta:
Shri Warior:
Shri T. B. Vittal Rao:
Shri Kodiyan:
Shri D. C. Sharma:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 431 on the 13th August, 1959 and state:

(a) whether Government have considered the recommendations of the Central Advisory Board of Education regarding training of teachers of the new secondary schools in the country;

(b) if so, the result thereof; and

(c) the broad features of the scheme?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The Directorate of Extension Programmes for Secondary Education have been entrusted with the implementation of these recommendations.

(c) The details may please be seen under item No. 5 of the proceedings of the 26th meeting of Central Advisory Board of Education copy of which is already available in the Lok Sabha Library.

Engineers of Hindustan Steel Ltd.

*609. Shri Merarka: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that a dozen engineers of Hindustan Steel Limited on training at Jamshedpur prior to training in America, have resigned and joined a private enterprise; and

(b) if so, the reasons for these resignations?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). Nine graduate apprentices of the Hindustan Steel Limited earmarked for training in the U.S.A. resigned while undergoing the orientation course at Jamshedpur on grounds of family circumstances, higher starting pay, higher study, taking other employment, etc. It is understood that some of them have joined a private enterprise.

Change in name of a Rajasthan Town

921. Shri Ram Krishan Gupta: Will the Minister of Home Affairs be pleased to state:

(a) whether Government have received any request from the Rajasthan Government for the change of name of the town "Neem ka Thana" into "Kapil Nagar"; and

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

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

(b) The proposal was not accepted.

Superintendents and Assistant Superintendents in Department of Archaeology

922. Shri Narasimhan: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the general educational and technical qualifications prescribed for (i) Superintendent and (ii) Assistant

Superintendent in the Department of Archaeology;

(b) whether all the Superintendents and Assistant Superintendents satisfy the requirements of these qualifications;

(c) the general educational and technical qualifications of (i) Assistant Superintendent, Eastern Circle, Calcutta, (ii) Assistant Superintendent, South-Eastern Circle, Visakhapatnam, (iii) each of the Assistant Superintendents working in the Nagarjunakonda Excavation Project; and

(d) whether the qualifications of the above officers conform to the prescribed qualifications?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): The Superintendents in the Union Department of Archaeology are appointed by promotion from among the Assistant Superintendents. The qualifications prescribed for direct recruitment as Assistant Superintendents are a Master's or equivalent Honours' degree in Indian History or Archaeology or relevant oriental language and practical training in field archaeology. The above qualifications are relaxable in the case of departmental promotees from lower ranks.

(b) Yes, Sir, either as promotees or as direct recruits.

(c) (i) (a) Intermediate in Arts and Science (Madras).

(b) Upper Subordinate Engineering Diploma, Madras (through Departmental Promotion).

(ii) Trained in restoration of painting and conservation work, (was a gazetted officer of the Ex-Hyderabad State) and was taken over by the Union Department of Archaeology as Special Officer (Class II—Gazetted) from 1-7-1953. Officiating Assistant Superintendent from November, 1955 (through Departmental Promotion).

(iii) (1) (a) S.S.L.C. (Madras).

(b) Diploma in Civil Engineering (Madras).

(2) Bachelor of Arts. Was a Gazetted officer of the Ex-Hyderabad State and was taken over by the Union Department of Archaeology as Special Officer (Class II—Gazetted) from 1st July, 1953. Appointed to officiate as Assistant Superintendent with effect from 17th August, 1957 (through Departmental Promotion).

(3) Bachelor of Arts. Passed two years training course in Architecture. Head Draftsman since 26th May, 1955. Promoted to officiate as Assistant Superintendent with effect from 17-8-1957 (through Union Public Service Commission).

(4) Master of Arts (through Union Public Service Commission).

(d) Yes, Sir.

Superintendents and Assistant Superintendents in Department of Archaeology

923. Shri Narasimhan: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that Circle Superintendents and Assistant Superintendents are mostly kept busy with check measurements of structural conservation work and general inspection of conservation work on monuments; and

(b) whether a statement showing names of publications, Guide books and others published by the Department of Archaeology to the credit of each of the Circle Superintendents and Assistant Superintendents will be placed on the Table?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The check measurements of structural conservation work and general inspection of conservation work on monuments is a part of legitimate duties of the Superintendents and Assistant Superintendents in their respective circles.

(b) A statement showing names of Guide books is laid on the Table of the Sabha and statement regarding other publications is under compilation.

STATEMENT

| | |
|--|--|
| 1. Guide to Sanchi | } By Mrs. D. Mitra as Assistant Superintendent. |
| 2. Guide to Ajanta | |
| 3. Guide to Bhubaneshwar | } By Mrs. D. Mitra as Superintendent. |
| 4. Guide to Udayagiri & Khandagiri | |
| 5. Guide to Kushinagar | } By Dr. D.R. Patil as Superintendent. |
| 6. Guide to Sravasti | |
| 7. Guide to Mahabalipuram | } By Shri Venkataramya as Assistant Superintendent. |
| 8. Guide to Khajuraho | |
| 9. Guide to Sarnath | } By Shri S.C. Chandra as Assistant Superintendent. |
| 10. Guide to Raigir | |
| 11. Guide to Nalanda | } By Dr. V. S. Agrawala as Assistant Superintendent. |
| 12. Guide to Agra Fort | |
| 13. Guide to Fatehpur Sikri | } By Shri A. Ghosh as Assistant Superintendent. |
| | |
| | } By Shri M.A. Hussain as Assistant Superintendent. |
| | |

Reserve Bank Loans

924. Shri Kalika Singh: Will the Minister of Finance be pleased to state:

(a) the criteria adopted for granting short-term and long-term loans to the various State Co-operative Banks and long-term loans to State Governments by the Reserve Bank of India; and

(b) when are these short-term and long-term loans payable to the Bank?

The Minister of Finance (Shri Morarji Desai): (a) The loans are granted in the light of the actual needs, but

(i) in the case of the apex co-operative banks, the financial position and the extent of the unutilised credit limits are also taken into consideration, and

(ii) in the case of State Governments, loans for the purposes of enabling them to participate in the share capital of the co-operative institutions are gene-

rally limited to one half of the requirements for such capital.

Since April 1, 1959, loans specifically for participation in the share capital of large-sized co-operative societies are not being sanctioned.

(b) Short-term loans are repayable within a period of 15 months or 12 months as the case may be, depending on whether they are sanctioned for agricultural purposes or for the development of cottage or small-scale industries. Medium-term loans are repayable in instalments after the expiry of fifteen months from the drawal of each loan but before the end of five years from that date, and long-term loans are repayable within a maximum period of 20 years.

Foreign Aid for Oil Exploration Programme

925. Shrimati Mafida Ahmed: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the nature of aid received from various Foreign Governments for

India's oil exploration programme upto September, 1959; and

(b) whether there is any new offer from any country and if so, details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) (i) Aeromagnetic survey of Rajasthan and the Indo-Gangetic Plain was arranged by the Government of Canada under the Colombo Plan.

(ii) Training facilities for officers of the Oil and Natural Gas Commission have been made available in U.S.A., Canada, U.S.S.R., France, Holland, Iran and Czechoslovakia under various aid programmes and other foreign Governments scholarships.

(b) (i) Scholarships and facilities for training the officers of the Oil and Natural Gas Commission have been offered by the French Institute of Petroleum and E.N.I., Italy.

(ii) Government of West Germany have offered one seismic team for carrying out investigation in Gangetic Valley for a period of one year.

Concessions for Students

926. Shri Siddiah: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1588 on the 27th August, 1959, and state:

(a) whether the amount of Central aid to be given to each State/Union Administration for giving concession to Scheduled Caste, Scheduled Tribe and other Backward Class Students has been worked out; and

(b) if so, whether a statement will be laid on the Table?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The amount which each State will receive will depend on the number of eligible candidates applying for the award of scholarships in that State provided that the ceiling of the expenditure incurred in 1958-59 is not exceeded. The

Ministry of Education has already released 75 per cent. of the expenditure incurred last year but the total amount that each State will get will be known only when the States have supplied the information regarding the actual number of applications received by them from eligible candidates. Necessary financial adjustments will be made after the actual figures are received.

Post-Matric Scholarships to Backward Classes

927. Shri Siddiah: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 2139 on the 3rd September, 1959, and state:

(a) the further progress made in regard to the disbursement of the amounts to the students in each State and Union Territory upto-date;

(b) whether any rules have been framed by the Central Government concerning the award of the Scholarships; and

(c) if so, whether a copy of the same will be laid on the Table?

The Minister of Education (Dr. K. L. Shrimali): (a) The disbursement of Scholarships to the students is being made by the State Governments/Union Administrations.

(b) Yes, Sir.

(c) A copy of the Regulations governing the award of scholarships for 1959-60 is laid on the Table of the House. [See Appendix II, annexure No. 69.]

Rural Institutes

928. Shri Siddiah: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 450 on the 10th August, 1959 and state:

(a) the financial assistance given to each of the rural institutes in the

States and Union Territories in the years 1957-58, 1958-59 and 1959-60 so far;

(b) the names of the four institutes in Mysore State for which proposals were received and the amount required for each; and

(c) the action taken in that behalf?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). A statement is laid on the Table. [See Appendix II, annexure No. 70].

Janta Colleges in Delhi

929. **Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) the places in Delhi where Janta Colleges have been started under the Second Five Year Plan;

(b) the places in Delhi where these will be started during the remaining period of the Second Five Year Plan; and

(c) the curriculum in these colleges?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). No Janta College has been started during the Second Five Year Plan, nor is it intended to start any during the remaining period of the Second Five Year Plan.

(c) Does not arise.

Scholarships to Students from Punjab

930. **Shri D. C. Sharma:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state the number of scholarships given to students from Punjab for training in foreign countries under scholarships schemes administered by his Ministry during 1959-60 so far?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): None so far.

Petroleum Deposits in Muradpur

931. **Shri D. C. Sharma:** Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 1294 on the 22nd August, 1959 and state the latest position in regard to the survey of petroleum deposits near Muradpur in Kashmir State?

The Minister of Mines and Oil (Shri K. D. Malaviya): Further survey of this area has not yet been undertaken but geological mapping is being continued in adjacent area.

School Hostels in Andhra Pradesh

932. **Shri Madhusudan Rao:** Will the Minister of Education be pleased to state:

(a) whether Government have sanctioned any loan to the Andhra Pradesh Government during 1958-59 for the construction of school hostels; and

(b) if so, the total amount sanctioned for each institution?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) Rs. 50,000.00 to Nava Bharati Gurukul Residential High School, Rajamundry.

Libraries for Children and Women in Delhi

933. **Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) the amount allotted by the Central Social Welfare Board for being given during 1959-60 to voluntary welfare organisations for libraries for children and women in Delhi; and

(b) the names of such organisations in Delhi which have already received or will receive the grants?

The Minister of Education (Dr. K. L. Shrimali): (a) Rs. 17,000.00 a.p.

(b)

| Name of the Organisation | Whether already received or will receive the grant |
|---|--|
| 1. Children's Recreation Centre, Y.M.C.A., Jaisi Singh Road, New Delhi | Received the grant. |
| 2. Shishu Vihar Montessori School, Karol Bagh, Delhi | Will receive the grant. |
| 3. Modern Nursery School, Kanshi Nagar, Delhi | Do. |
| 4. Delhi State Council for Child Welfare | Do. |
| 5. Delhi State Bharat Scouts and Guides | Do. |
| 6. Bachon Ka Club, Kucha Pandit, Delhi | Do. |
| 7. Saheli Sabha, Kucha Pandit, Delhi | Do. |
| 8. Children's Library and Recreation Centre (Parent Body—Delhi Council for Child Welfare) | Do. |
| 9. Social Welfare Committee, Jhandewallan, Delhi | Do. |

Basic Education in Public Schools

934. **Shri D. C. Sharma:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1323 on the 22nd August, 1959 and state the further progress made by the Committee constituted to go into the question of introduction of Basic Education in the Public Schools in the country?

The Minister of Education (Dr. K. L. Shrimali): The Committee signed their report on November 19, 1959 and submitted it to the Government for their consideration.

M.E.S. Construction Committee

935. **Shri D. C. Sharma:** Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 1325 on the 22nd August, 1959 and state:

(a) the further progress made in examining the report of the M.E.S. Construction Committee; and

(b) the decision taken thereon?

The Minister of Defence (Shri Krishna Menon): (a) and (b). Out of 12 recommendations of the M.E.S. Construction Committee, eleven have been accepted—nine as recommended by the Committee and two with modifications.

936 (A) LSD—3.

Social Service by N.C.C. Cadets

936. **Shri D. C. Sharma:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the National Cadet Corps have taken to social service; and

(b) if so, whether the National Cadet Corps from Punjab have done any notable work during 1958-59?

The Minister of Defence (Shri Krishna Menon): (a) The National Cadet Corps have undertaken social work in the Combined Cadre and Social Service Camps since 1953.

(b) Two Social Service Camps were held at Chandigarh in Punjab during 1958-59; one for boys of the Senior Division from 26th August to the 7th September, 1958 and the other for girls of the Senior Wing from the 1st September to the 12th September, 1958. Forty-six officers and 1833 cadets belonging to various districts of Punjab took part in the boys camp and five officers and 129 cadets took part in the girls camp.

Boys Camp

The cadets carried out—

(i) levelling of the ground for an Open Air Theatre and erection

of a wall 8' high and 150' long in the Govt. College, Chandigarh involving 100,000 cubic ft. of earth-work;

- (ii) levelling of ground in the Punjab University Area involving 40,000 cubic ft. of earth work and planting of 186 trees;
- (iii) dressing of hill slopes in Chandigarh involving 12,000 cubic ft. earth work and 8,000 sq. ft. of dressing;
- (iv) levelling of a ground in D.A.V. College, Chandigarh involving 20,000 cubic ft. of earthwork.

Girls Camp

The cadets visited the villages of Padheri, Mohali, Adawa, Dalpasora, Daterla and Shabimajra around Chandigarh and conducted classes in sewing, knitting and tailoring and carried out literary drives and demonstrations on First Aid, Sanitation and Hygiene.

Welfare Centres in Delhi

937. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) the number of Social Welfare Centres working in Delhi under the State Social Welfare Board and the places where they are working;

(b) the total expenditure incurred thereon during the year 1958-59; and

(c) the nature of programmes in these Centres?

The Minister of Education (Dr. K. L. Shrimali): (a) There are thirty centres and sixteen sub-centres functioning at the following places in Delhi:

Centres: Seelumpur, Tiharpur, Ghonda, Mandawli, Gharoli, Okhla, Sarai Kalekhan, Khirabad, Tekhanda, Molarband, Fatehpurberi, Dera, Ghitora, Badarpur, Madangir, Hauz

Rani, Katwana Sarai, Rangpuri, Munirca, Mitraon, Kanganheri, Rewla-khanpur, Jaffarpur, Bhansa, Mundka, Ladpur, Rasulpur, Begumpur and Naharpur.

Sub-centres: Kanjipur, Khureji, Kondly, Gamdi, Mithepur, Sultanpur, Arya Nagar, Khirki, Khanpur, Khaira, Badusra, Chota Pandwala, Khera, Kadipur, Rani Khera, and Rithla.

(b) Rs. 1,71,964.27.

(c) Balwadis, Craft Training, Literacy, Maternity Services, Health Services, Cultural and Recreational activities.

Central Aid to Punjab

938. Shri D. C. Sharma: Will the Minister of Finance be pleased to state:

(a) whether any Central aid was given to the Government of Punjab as interest-free "ways and means" advance during the year 1958-59 against the amounts of loans and grants;

(b) if so, to what extent; and

(c) for what purpose?

The Minister of Finance (Shri Morarji Desai): (a) to (c). A sum of Rs. 1440.72 lakhs, representing three-fourths of the Central assistance allotted to the Government of Punjab for their Plan Schemes during 1958-59, was given to them as ways and means advance in nine equal monthly instalments beginning from May 1958. Of this, a sum of Rs. 1104.10 lakhs was subsequently converted into loans and the balance of Rs. 336.62 lakhs into grants, for specific plan schemes, according to the pattern of Central assistance applicable to them.

While no interest is charged on the ways and means advance as such, the portion of such advance converted into loans carries interest from the 1st October, 1958.

Cantonment Executive Officers

938. { Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:
Sardar Iqbal Singh:

Will the Minister of Defence be pleased to state the nature of procedure followed in appointment and promotion of Cantonment Executive Officers?

The Minister of Defence (Shri Krishna Menon): Recruitment against permanent posts in Class I, Grade II, and Class II cadre of the Service is made to the extent of 62 2/3 per cent. by direct recruitment on the basis of results of the combined competitive examination for the I.A.S. and other All-India Services and to the extent of 33 1/3 per cent. by departmental promotion. All promotions are made by selection on the recommendations of a duly constituted D.P.C.

Junior Technical Schools in Orissa

940. Shri Panigrahi: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Junior Technical Schools have been established in Orissa;

(b) if so, their locations; and

(c) the amount of Central assistance given to them so far?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No, Sir.

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

Multi-purpose Schools in Orissa

941. Shri Panigrahi: Will the Minister of Education be pleased to state:

(a) the number of multi-purpose schools which were proposed to be started in Orissa during the Second Plan period;

(b) the number of such schools actually started; and

(c) the district-wise location of such schools in Orissa?

The Minister of Education (Dr. K. L. Shrimall): (a) 19.

(b) and (c). The information is being collected and will be laid on the Table of the Lok Sabha in due course.

Oriya Drama

942. Shri Panigrahi: Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question No. 2700 on the 11th September, 1959 and state:

(a) whether the question of giving grants by the Sangeet Natak Akademi for promotion of Oriya Drama during 1959-60 has been finally considered; and

(b) if so, the amount sanctioned for the purpose to various institutions?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). No, Sir. The matter is still under consideration of the Sangeet Natak Akademi.

Withdrawal of Old Coins

943. { Shri Ram Krishan Gupta:
Shri Rameshwar Tantia:

Will the Minister of Finance be pleased to state:

(a) the progress made so far in withdrawing old coins from circulation;

(b) whether any programme has been formulated for this withdrawal; and

(c) if so, the time by which Old Paisa, Half-Anna, Anna and Two Anna coins will be withdrawn?

The Minister of Finance (Shri Moarsarji Desai): (a) Anna-pie coins in the denominations of two annas and less of the value of Rs. 5.95 crores (including coins of the value of

Rs. 3.22 crores which have either been demonetised or have been notified for demonetisation have returned from circulation between the 1st April, 1957 and the 30th September, 1959.

(b) and (c). Yes. Two notifications have so far been issued, demonetising nickel-brass two-anna, half-pice and one pie pieces with effect from 1st January, 1959 and nickel-brass one-anna and half-anna coins from 1st January, 1960. The question of demonetising certain other coins is still under consideration. It is not possible at this stage to indicate precisely when all the coins in the denominations of two-annas and less in the anna-pie series will be finally withdrawn.

Foreign Exchange

944. **Shri Ram Krishan Gupta:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 721 on the 13th August, 1959 and state:

(a) whether the adjudication and investigations into the remaining three cases regarding spending of more foreign exchange by leading industrialists who go abroad have been completed; and

(b) if so, the result thereof?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Out of the remaining three cases pending in August 1959, the case of Shri Amritchand T. Gupta has been adjudicated and a penalty of Rs. 400 imposed on him. In the case of Shri Kishanchand Sobhraj Vaswani, as the investigations did not disclose anything incriminating, the case has been closed. The case of Shri V. J. Pillani is still under investigation.

Allotment of Iron, Steel and Coal to Punjab

945. **Shri Ram Krishan Gupta:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that iron, steel and coal allotted to Punjab is

not commensurate with the demand of steel in the State;

(b) if so, the reasons for the same; and

(c) nature of steps taken or proposed to be taken to supply more iron, steel and coal to Punjab?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The supply position of pig iron is comparatively easy and any consumer can get pig iron now without any authorisation. As regards steel and coal the answer is in the affirmative.

(b) The demand for steel is more than the availability. In regard to coal, the demand of Punjab State could not be met in full due to overall shortage of rail transport.

(c) Steps have been taken to increase indigenous production of steel. Imports are also made to the extent possible. As regard coal, the shortage in supply is only about 7½ per cent. of the allocation and it should be possible for the State to meet the requirements by suitable redistribution.

'Jhuggies' and 'Jhopies' in Delhi

946. **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 707 on the 22nd August, 1959 and state:

(a) whether Government have since taken a decision on the report of the Committee appointed to investigate into the problems of "Jhuggies" and "Jhopies" in Delhi; and

(b) if so, the nature of the decision taken?

The Minister of Home Affairs (Shri G. B. Pant): (a) Not yet.

(b) Does not arise.

Copper Mining

Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri Subbiah Ambalam:
Shri Kamji Verma:

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 812 on the 27th August, 1959 and state:

(a) whether the negotiations with the Polish Government regarding assistance in the development of copper mining in India have been completed; and

(b) if so, the result thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) No, Sir.

(b) Does not arise.

Contract for Mechanical Transport Spares

948. Shri Ram Krishan Gupta: Will the Minister of Defence be pleased to state:

(a) whether Government have inquired into the causes of the failure to include in the former contract for supply of mechanical transport spares which could be cancelled or reduced and which resulted in unnecessary acquisition of spares valued at Rs. 23 lakhs;

(b) if so, the result thereof; and

(c) the action taken in the matter?

The Minister of Defence (Shri Krishna Menon): (a) to (c). Presumably, the Hon'ble Member has in mind the contract concluded by Government with a Canadian firm in 1957 for supply of Mechanical Transport spares. The cancellations/reductions sought by the Army authorities at a later stage pertained to the items, the requirements of which were firm at the time of signing the contract.

The requirements of only such items were to be treated as provisional as were possible of indigenous manufacture—the intention being that in the event of their being non-available from indigenous sources they might be included in the draft subsequently. The items for which cancellation/reduction were sought did not fall under this category and, hence, the question of treating their requirements as provisional did not arise. The occurrence of surpluses due to various factors, such as (a) revision of scales as a result of periodical study of variations in consumption by the workshops (b) fluctuation in depot stocks as a result of spares returned by units (c) local purchase/ manufacture by the workshops on "as required" basis when repair work is being effected, is a normal feature. In case where surplus "dues-in" cannot be cancelled without financial repercussions, they are adjudged against future requirements.

2. In the case under reference the total value of surplus stores for which cancellation/reductions could not be accepted by the firm is estimated at Rs. 21 lakhs, out of which stores worth Rs. 7.46 lakhs approximately have already been put to use and the remaining are being/will be utilised against future requirements of spares.

Compulsory Savings

949. Shri Ram Krishan Gupta: Will the Minister of Finance be pleased to state:

(a) whether there is any proposal to make savings compulsory for all persons;

(b) whether the details of the scheme have been worked out; and

(c) if so, what are they and when it will be introduced?

The Minister of Finance (Shri Morarji Desai): (a) No, Sir; but the possibilities in this regard are being studied along with the general problem of maximising savings.

(b) and (c). Do not arise. In this connection however, attention is invited to the acceptance by Government of the Pay Commission's recommendation to make subscription to the General Provident Fund compulsory for all Central Government employees.

Commonwealth Scholarships and Fellowships

950. Shri Ram Krishan Gupta: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 466 on the 10th August, 1959 and state:

(a) whether the new scheme of Commonwealth Scholarships and fellowships has since been finalised; and

(b) if so, the main features thereof?

The Minister of Education (Dr. K. L. Shrimall): (a) The details of the scheme are being worked out.

(b) Does not arise.

Suggestions made by Economy Board

951. Shri Ram Krishan Gupta: Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 695 on the 22nd August, 1959 and state:

(a) whether Government have assessed the results of the suggestions made to all Ministries in respect of better and more economical method of work; and

(b) if so, the details thereof?

The Minister of Finance (Shri Morari Bapuji Desai): (a) and (b). In some Ministries the studies contemplated have been completed and the results are under consideration. In some other Ministries the studies are still in progress. It will take some time more to assess the final results of the studies in all the Ministries.

Salt Manufacture in the Andamans

952. { Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Home Affairs be pleased to state:

(a) whether 18 acres of cultivable land has been allotted to a salt manufacturer in South Andamans;

(b) whether it is not a fact that this plot was all along being used for cultivation; and

(c) if so; the reasons for allotting it to the salt manufacturer?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Seventeen acres of unproductive and saline-affected land at Cosgravemyo in South Andaman Island have been allotted to salt manufacturer.

(b) No.

(c) This area could produce enough salt to make the entire territory self-sufficient in salt. It was allotted for this purpose.

Municipal Board in Andaman Islands

953. { Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Home Affairs be pleased to state:

(a) when the elected Municipal Board in the Andamans has begun to function;

(b) if so, how it is working; and

(c) the manner in which it represents its views in the Advisory Council of the Islands?

The Minister of Home Affairs (Shri G. B. Pant): (a) The Port Blair Municipal Board started functioning on the 1st April, 1959;

(b) The Municipal Board is at present looking after the following functions:

(i) Public Health and Sanitation;

- (iii) Minor Public Works, Construction of small roads etc;
- (iv) Cattle pounds;
- (v) Cremation and burning grounds;
- (vi) Street lighting;
- (vii) Public Parks and places.

(c) The Board can represent its views in the Chief Commissioner's Advisory Council through any member of the Council. The Advisory Council as at present constituted, includes an elected member of the Board.

Central Advisory Board for Harijan Welfare

954. { Shri B. C. Mullick:
Shri N. R. Muniswamy:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Sub-Committee appointed by the Central Advisory Board for Harijan Welfare to examine the working conditions of scavengers and to recommend improvement of their working conditions has submitted its report; and

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

The Deputy Minister of Home Affairs (Shrimati Alva): (a) The Sub-Committee appointed by the Central Advisory Board for Harijan Welfare is for preparing a scheme to put an end to the practice of carrying night soil in baskets or buckets as head loads. It has not yet submitted its report.

(b) Does not arise.

अस्त्रोऽप्ति विले में विवेशी ईसाई धर्म-प्रचारक

१८५५. श्री भक्त दर्शन : न्या गृह-कार्य मंत्री द सितम्बर, १८५६ के भ्रतारां-

कित प्रश्न संख्या २३६३ के उत्तर के सम्बन्ध में यह बताने की हृषा करेंगे कि :

(क) उत्तर प्रदेश में तिब्बती सीमा पर स्थित रक्षित लोत्र में काम करने वाले विवेशी ईसाई धर्म-प्रचारकों को किन शर्तों पर वहाँ बसने की अनुमति दी गई है; और

(ल) यह देखने के लिए क्या कार्य-वाही की गई है कि वे लोग इन शर्तों का पूरी तरह से पालन करें ?

गृह-कार्य मंत्री (श्री दी० ब० पन्त) :

(क) (i) वे केवल निर्धारित क्षेत्र में निश्चित अवधि और उद्देश्य को पूरा करने के लिए रहेंगे और अपने कार्यक्षेत्र का तब तक कोई विस्तार नहीं करेंगे जब तक उन्हें ऐसा करने की खास तैर से इजाजत न मिल जाए ।

(ii) वे राजनीतिक कार्यों में भाग नहीं लेंगे ।

(iii) जो शर्तें किसी विशेष अवस्था में लगाई जायें ।

(ल) स्थानीय अधिकारी जिस तरह दूसरे विवेशियों की निगरानी रखने हैं उसी तरह यह भी देखेंगे कि धर्म प्रचारक इन शर्तों का पूरी तरह से पालन करें ।

विल्सो का कुतुब मीनार

श्री भक्त दर्शन :

१८५६. { श्री नवल प्रभाकर :
श्री दी० ब० पन्त :

न्या वैज्ञानिक असुंसामान और सांस्कृतिक-कार्य मंत्री १६ अगस्त, १८५६ के भ्रतारांकित प्रश्न संख्या १०४५ के उत्तर के सम्बन्ध में यह बताने की हृषा करेंगे कि :

(क) कुतुब मीनार के बाहरी भाग को विद्युत प्रकाश से आसानीकरने में अब तक क्या प्रगति हुई है; और

(क) यह काम कब तक पूरा होने की आशा है?

वैज्ञानिक अनुसंधान और संस्थानिक कार्य संचाली (श्री हुमायून कविर): (क) इस योग किवे जा शुरू है लेकिन केवल सरकारी नियमित विभाग ने अभी काम शुरू नहीं किया।

(ल) काम शुरू होने की तारीख से करीब इस महीने में पूरा हो जायेगा।

Manufacture of Parachutes

957. { Shri S. M. Banerjee:
Shri Panigrahi:

Will the Minister of Defence be pleased to state:

(a) the number of parachutes manufactured in the Ordnance Parachute Factory, Kanpur during 1958-59; and

(b) the number of those rejected by the Inspection Department?

The Minister of Defence (Shri Krishna Menon): (a) Man-dropping and supply-dropping parachutes are manufactured in the Ordnance Parachute Factory, Kanpur. It is not in the public interest to disclose the types and numbers actually manufactured during 1958-59.

(b) Nil, as defects if any are eliminated during stage instruction.

Harness and Saddlery Factory, Kanpur

958. { Shri S. M. Banerjee:
Shri Panigrahi:

Will the Minister of Defence be pleased to state:

(a) whether there is a demand for suit-cases and other leather goods manufactured in Government Harness and Saddlery Factory, Kanpur;

(b) if so, whether these articles are being produced in bulk; and

(c) if so, the number of articles produced in 1958 and upto October, 1959?

The Deputy Minister of Defence (Shri Baghuramaiah): (a) There is hardly any demand for suitcases, but there is appreciable demand for other items, such as Chappals, Tips fillings, Dust shield leather for axle boxes, brief cases etc.

(b) Yes, against firm orders.

(c) A statement is laid on the Table. [See Appendix II, annexure No. 71].

Stock Exchange Directorate

959. Shri Ram Krishan Gupta: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government is considering a proposal to establish a Stock Exchange Directorate; and

(b) if so, the main purpose and details of the proposal?

The Minister of Finance (Shri Morarji Desai): (a) Government have decided to establish a Stock Exchange Directorate and the decision is in process of implementation.

(b) The main purpose of the Directorate is to administer the Securities Contracts (Regulation) Act, 1956. The Directorate will have its headquarters at Bombay and branch offices at Calcutta and Delhi. It will maintain close contact with the governing bodies of the recognised stock exchanges in the country and their members and keep Government posted with the working of these exchanges.

Government Contracts with Private Parties

960. { Shri Ram Krishan Gupta:
Shri Padam Dev:
Shri P. C. Boroosh:

Will the Minister of Law be pleased to state whether there is any pro-

posal for legislation on the American lines for revision or re-negotiation of Government contracts made with private parties or firms?

The Deputy Minister of Law (Shri Bhairavnavi): The Government are considering whether any legislation along the lines mentioned in the question can and should be undertaken.

State Bank of India Branches in Punjab

961. { Shri Ajit Singh Sarhadi:
Shri Ram Krishan Gupta:

Will the Minister of Finance be pleased to state:

(a) the number of branches of State Bank of India that had been opened in Punjab in 1958-59; and

(b) the number of branches to be opened in Punjab during the rest of the Plan period?

The Minister of Finance (Shri Morarji Desai): (a) The State Bank of India has opened 7 branches in Punjab in 1958-59.

(b) As on 31st October, 1959 three more branches remained to be opened (five of the approved centres having been released in favour of the Bank of Patiala which is to be reconstituted as a subsidiary of the State Bank). It is expected that these three branches will have been opened by the end of June, 1960.

Gift Tax and Wealth Tax Collections in Punjab

962. { Shri Ajit Singh Sarhadi:
Shri Ram Krishan Gupta:

Will the Minister of Finance be pleased to state the amount of Gift Tax and Wealth Tax collections which are expected in Punjab during 1959-60?

The Minister of Finance (Shri Morarji Desai): According to the Budget estimates framed in March,

1959, in Punjab, it is expected that Rs. 1,80,000 and Rs. 10,00,000 will be collected by way of Gift Tax and Wealth Tax respectively in the year 1959-60.

Teaching of Persian and Arabic in Delhi Schools

963. **Shri M. B. Thakore:** Will the Minister of Education be pleased to state:

(a) what steps have been taken by Government to improve the teaching of Persian and Arabic in Higher Secondary Schools in Delhi; and

(b) how many trained women teachers in Persian and Arabic are employed in Delhi Schools under the Director of Education, Delhi?

The Minister of Education (Dr. K. L. Shrimati): (a) Persian and Arabic are optional subjects for which qualified teachers are appointed in schools where a minimum of 12 students in the higher secondary classes offer the subject.

(b) Two.

Engineering College at Palghat

964. { Shri Warior:
Shri T. B. Vittal Rao:
Shri Kodiyan:

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

(a) whether Government have decided to start an Engineering College in Palghat;

(b) if so, at what stage the proposal is at present; and

(c) what amount is set apart for the same and when the College will be opened for admission?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Desai): (a) and (b). A proposal of the Kerala Government to start an Engineering College at Palghat is

under examination of the All India Council for Technical Education.

(c) The State Government have set apart provisionally a sum of Rs. 7.9 lakhs in their Second Five Year Plan for the proposed College. The rest of the amount required will have to be provided in the State Third Five Year Plan. It has been proposed that the first admission be made in 1960-61.

Students from the Laccadives

965. { Shri Warior:
Shri T. B. Vittal Rao:
Shri Kodiyan:

Will the Minister of Education be pleased to state:

(a) whether Government have received any representation from the students of the Laccadives studying in colleges in Malabar District, Kerala, regarding non-payment of scholarships and subsidies; and

(b) if so, what action has been taken to expedite payments?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) The matter is under examination.

Employees of Income-tax Department

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

(a) the number of Lower Division, Upper Division Clerks and Inspectors of Income-tax Department who have passed the Departmental Examinations prescribed for higher cadres and are awaiting promotions as on the 30th September, 1959;

(b) what was the percentage of direct recruitment to the various cadres in 1954-55, 1955-56, 1956-57, 1957-58 and 1958-59; and

(c) whether there is any proposal before the Government to reduce the quota of direct recruitment?

The Minister of Finance (Shri Mararji Desai): (a) The following number in these cadres have passed the Departmental Examination prescribed for higher cadres in the Income-tax Department and are awaiting promotions:

| | |
|-----------------------|-----|
| Lower Division Clerks | 201 |
| Upper Division Clerks | 790 |
| Inspectors | 213 |

(b) The post of Lower Division Clerks is filled up entirely by direct recruitment. As regards the other two cadres the normal percentage of direct recruitment is as under:

| | U.D.Cs. | Inspectors |
|---------|---------|------------|
| 1954-55 | 66½% | 75% |
| 1955-56 | 66½% | 75% |
| 1956-57 | 50% | 50% |
| 1957-58 | 50% | 50% |
| 1958-59 | 50% | 50% |

The percentage for direct recruitment to the posts sanctioned in 1955 for the disposal of current and arrear cases was however reduced to 33½ per cent. in both these cadres.

(c) The orders reducing the quota of direct recruitment to 50 per cent in the cadres of Upper Division Clerks and Inspectors are at present in force upto 29th January, 1960. The position would be reviewed thereafter.

Influenza Epidemic in the Laccadives

967. **Shri Kodiyan:** Will the Minister of Home Affairs be pleased to state:

(a) whether there has been a large scale influenza epidemic in the Laccadive Islands in recent months;

(b) if so, the number of patients affected and the number of deaths occurred; and

(c) steps taken by Government to combat the disease and bring it under control?

The Minister of Home Affairs (Shri G. B. Pant): (a) No, Sir.

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

Coal Council

968. { **Shri T. B. Vittal Rao:**
Shri Aurobindo Ghoshal:
Pandit D. N. Tiwary:

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

(a) the decisions taken or recommendations that have been made by the Coal Council at its last meeting at Delhi in September, 1958, and

(b) whether any action has been initiated by Government to give effect to those decisions?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). A statement, showing the main decisions taken or recommendations made by the Coal Council at its meeting held in September, 1958, and the action taken thereon, is laid on the Table of the House. [See Appendix II, annexure No. 72].

Travancore-Cochin Pradesh Congress Committee

969. { **Shri Narayanan Kutty Menon:**
Shri Punnoose:

Will the Minister of Home Affairs be pleased to state:

(a) whether any amount is due from the erstwhile Travancore-Cochin Pradesh Congress Committee to the Government of Kerala;

(b) if so, whether any steps have been taken to recover the amount; and

(c) if so, the nature thereof?

The Minister of Home Affairs (Shri G. B. Pant): (a) A sum of Rs. 2283.59 n.P. is due.

(b) and (c). The bills for the amount were sent to the President of the erstwhile Travancore-Cochin Pradesh Congress Committee for payment. They are now pending with the Kerala Pradesh Congress Committee who have been reminded by the State Government.

Cottage Industry Development in Delhi

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

(a) whether it is a fact that some financial help will be given to Scheduled Castes in Delhi to develop Cottage Industries;

(b) if so, what industries are being proposed to be developed by them; and

(c) whether it is also a fact that some sewing machines will be distributed among the Scheduled Caste women?

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

(b) Any Small Scale or Cottage Industry sponsored by the applicants and approved by the Delhi Administration.

(c) Yes, Sir.

"Smuggling of Gold"

972. **Shri Pangarkar:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that there has been an increase in smuggling of gold between West Pakistan and India; and

(b) if so, the steps taken to stop it?

The Minister of Finance (Shri Morarji Desai): (a) The information available with the Government indicates that there has been substantial

decline in smuggling of gold between West Pakistan and India.

(b) Various steps, however, are continuously being taken to put an end to smuggling on Indian borders.

Scheduled Castes and Scheduled Tribes

973. Shri M. R. Krishna: Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1380 on the 11th September, 1959 and state:

(a) how many universities in the country have since accepted the Central Government grants to start pre-examination coaching classes for Scheduled Castes and Scheduled Tribes students; and

(b) the conditions laid down by the Home Ministry for the universities to receive this grant?

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

(b) A statement is laid on the Table of the House. [See Appendix II, annexure No. 73].

National Stadium at Hyderabad

974. Shri M. R. Krishna: Will the Minister of Education be pleased to state:

(a) whether the Sports Council of Andhra Pradesh or the Government of Andhra Pradesh has made any request to the Government of India to assist them to contribute towards the stadium in Hyderabad; and

(b) what assistance was given by the Government of India to such bodies and to the State Governments to build sports stadia during 1958-59?

The Minister of Education (Dr. K. L. Shrimall): (a) The Government of Andhra Pradesh requested for a grant of Rs. 1,18,000 for the construction of a pavilion on the Police Stadium at Goshamahal grounds, Hyderabad.

(b) The assistance given by the Government of India to State Gov-

ernments/State Sports Councils for the construction of Sports Stadia during 1958-59 is as follows:

Andhra Pradesh Government—Rs. 1,18,000.

Kerala Government—Rs. 40,000.

U.P. Government—Rs. 1,67,825.

Assam Government—Rs. 1,27,800.

Fixation of Seniority

975. Shri A. M. Tariq: Will the Minister of Home Affairs be pleased to state:

(a) whether Regular Temporary Establishment list of assistants was circulated to the Ministries in September, 1959;

(b) what were the criteria fixed for fixing seniority in this list;

(c) the length of service in the grade taken into consideration while constituting this list; and

(d) if so, whether Grade I Clerks who had been working as Assistants for a much longer period have been superseded by those who were promoted as Assistants in 1958-59?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) A provisional list of the Third Regular Temporary Establishment of Assistants was circulated in September, 1959;

(b) and (c). The seniority inter se of the persons included in the Third Regular Temporary Establishment of Assistants is regulated according to the length of their continuous service in the grade of Assistants or in a "equivalent grade".

(d) Orders had been issued in April, 1952 making quasi-permanent Clerks also eligible for promotion along with permanent clerks. Subsequently, as a result of representations from Scheduled Caste permanent Clerks, it was held that the issue of these orders had prejudicially affected their claims to promotion to

the higher grades, and it was decided that the benefit of retrospective promotion should be given to those Scheduled Caste clerks who, but for these orders, would have been promoted between 14th April, 1952, viz. the date of the orders referred to above, and 30th April, 1954, the date from which the Central Secretariat Clerical Service was constituted, and promotions to the Grades of Upper Division Clerks and Assistants were centralised. Such Scheduled Caste permanent clerks, though actually promoted as Assistants in 1952-53, have accordingly been assigned seniority in the Third Regular Temporary Establishment of Assistants with effect from their "deemed dates" of promotion between 14th April, 1952 and 30th April, 1954, and placed above Grade I clerks whose seniority in the Assistants' Grade counts from subsequent dates.

Third R. T. E. List of Assistants

976. Shri A. M. Tariq: Will the Minister of Home Affairs be pleased to state:

(a) the number of Assistants included in Third Regular Temporary Establishment list of Assistants;

(b) how many out of them have been confirmed in Grade II of the Clerical Service Scheme;

(c) the total number of such Assistants who have neither been confirmed in any Grades of the clerical service, nor declared quasi-permanent Assistants nor qualified in any of the tests held by the Union Public Service Commission but included in this list;

(d) if so, the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The number of Assistants provisionally included in the Third R.T.E. of Assistants is 1445.

(b) 442.

(c) 190.

(d) All the persons mentioned in the reply to part (c) above had been appointed as Assistants before the implementation of the Central Secretariat Clerical Service Scheme with effect from the 1st May, 1954. Several of these persons have completed more than 10 years' service in the Assistants' Grade. It was therefore considered necessary to provide them security of tenure and also to make provision for their regular absorption in Grade IV of the Central Secretariat Service.

R.T.E. List of Assistants

977. Shri A. M. Tariq: Will the Minister of Home Affairs be pleased to state:

(a) the total number of Assistants who have neither been confirmed as Assistants nor included in any of the Regular Temporary Establishment lists of Assistants;

(b) whether Assistants are to be reverted in view of the Regular Temporary Establishment list of Assistants circulated in September, 1959; and

(c) if not, the approximate time by which they will be confirmed as Assistants?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) About 425.

(b) These persons are also eligible to continue as Assistants so long as posts of Assistants are available for them. Their non-inclusion in the Third Regular Temporary Establishment does not by itself imply that they are to be reverted immediately.

(c) All these temporary Assistants hold positions in the Central Secretariat Clerical Service, and on that basis they are eligible to be regularly absorbed in the Assistants' Grade in their turn as and when vacancies arise. It is not possible at present to indicate any time limit by which these persons are likely to be confirmed as Assistants.

Realisation of Revenue Arrears in Tripura

978. **Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state the number of 'sanshit' notices issued during 1958-59 and 1959-60 (upto 31st October, 1959) in Tripura for the realisation of arrears from:

- (i) Rent;
- (ii) Agricultural loan;
- (iii) Dadan;
- (iv) Charchukti Tax;
- (v) Adda Tax;
- (vi) Loans advanced to displaced persons?

The Minister of Home Affairs (Shri G. B. Pant): The required information is given below:

| | 1959-60 (Upto the end of October 1959) | 1958-59 |
|-------|--|---------|
| (i) | 5,040 | 3,907 |
| (ii) | 1,270 | 1,019 |
| (iii) | 223 | 43 |
| (iv) | 249 | 65 |
| (v) | 14 | .. |
| (vi) | 4,023 | 1,514 |

Relief of Natural Calamities

Shrimati Ila Palchoudhuri:
Shri Shree Narayan Das:
Shri Prakash Vir Shastri:
Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:
Sardar Iqbal Singh:
Shri Sadhan Gupta:
Shri D. C. Sharma:
Dr. Ram Subhag Singh:
Shri Bibhuti Mishra:
Shri Supakar:
Shri Sanganna:
Shri Assar:
Shri Madhusudan Rao:

979.

Will the Minister of Home Affairs be pleased to state the nature and extent of relief other than foodgrains

given by the Central Government to those States (West Bengal, Bombay, Orissa, Bihar, U.P. and Saurashtra) which have been recently hit by devastating floods?

The Minister of Home Affairs (Shri G. B. Pant): (1) The Indian Air Force carried out reconnaissance of flood affected areas in West Bengal and air-dropped about 5663½ mds. of food supplies in the Districts of Hoogly, Burdwan, Nadia, Murshidabad and Howrah.

(2) The Indian Navy units rendered medical assistance to flood victims at Surat.

(3) It has been agreed that the expenditure on repairs and reconstruction of the Surat City wall damaged by the recent floods may be included in the Bombay Government's claim for assistance in connection with the floods in Surat.

(4) The Railway authorities have agreed to allow free transport of gift consignments, building materials etc for distribution in the flood-affected areas in Bombay.

No request for Central assistance has so far been received from Orissa, U.P. and Bihar and in respect of Saurashtra region of Bombay.

Section Officers in Central Secretariat

980. **Shri Hem Raj:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that I.A.S direct recruits are being appointed to the posts of Section Officers, Grade III, in the Central Secretariat;

(b) whether it is a fact that a minimum probationary period of 2 years is prescribed for them before their appointment to the regular posts of Section Officers, Grade III;

(c) whether it is also a fact that they have been given duty posts after completion of one year probation; and

(d) whether this procedure led to any saving in expenditure?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) In accordance with the provisions contained in the Central Secretariat Service (Reorganisation and Reinforcement) Scheme, 50 per cent. of the permanent vacancies in Grade III of C.S.S. are to be filled by direct recruitment on the results of the Examination held annually by the U.P.S.C. for recruitment to the I.A.S./I.P.S. and allied Central Services.

(b), (c) and (d). The direct recruits to the C.S.S. Grade III are placed on probation for a period of two years. During the first year of probation, they remain under training in the Secretariat Training School and various Ministries etc., and are shown against the Training Reserve posts sanctioned for the entire Secretariat as supernumerary posts in addition to regular duty posts of Section Officer. On the completion of the training period of one year, the probationers have to be tried as Section Officers in charge of regular duty posts. Until last year, the direct recruits to Grade III used to be shown against the Training Reserve strength during the entire probationary period of two years but last year the matter was reconsidered and it was decided to show the direct recruits against the Training Reserve for the first year of the probation (viz. the period of training) only. This change in procedure has resulted in saving in the sense that the probationers are, immediately on completion of their training period, utilised against regular duty posts of Section Officers, thus doing away with the necessity of employing "promoted" Section Officers against these posts.

परिवर्ती बंगाल में वाह

हैरै. श्री विनूति विष्णु: क्या एक वंशीय यह बताने की हुआ करते हैं?

(क) कहा यह सच है कि अस्सूबर, रुद्रपुर में देवपाल में वाह के समय

हवाई जहाजों से फूट पेकेट (वाह के बले) गिराने के कारण चोट लगने से कुछ व्यक्ति मर गये; और

(ल) यदि हाँ, तो इसके लिये कौन व्यक्ति जिम्मेदार थे?

प्रतिरक्षा मंत्री (श्री हर्ष मेहराज): (क) जी हाँ, दो व्यक्ति मारे गए।

(ल) दुर्घटनाएं अकल्पना हुई और मारे जाने वाले अमावासी की मृत्यु के लिए किसी को उत्तरदायी नहीं ठहराया जा सकता।

Central Social Welfare Board

982. { Shrimati Renu Chakravarty:
Shri Ram Krishan Gupta:

Will the Minister of Education be pleased to state:

(a) whether Government have accepted the findings of the Karve Committee and Renuka Ray Committee Reports on the working of the Social Welfare Board; and

(b) what are the recommendations accepted by Government?

The Minister of Education (Dr. K. L. Shrimall): (a) and (b). The matter is under consideration.

Circle Superintendents in Department of Archaeology

983. Shri Narasimhan: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that a major Circle like the Southern Circle at Madras of the Department of Archaeology has been without a superintendent for over a year; and

(b) whether it is also a fact that a major circle like the South-Western Circle at Aurangabad has been without a superintendent since August last?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). Yes, Sir, but these circles are receiving the close attention of senior officers at the headquarters.

Department of Archaeology

264. Shri Narasimhulu: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the total strength of the gazetted officers in the Department of Archaeology in (i) 1944-45 and (ii) 1958-59;

(b) what percentage of it is concentrated at the headquarters at Delhi corresponding to the above periods; and

(c) total strength of gazetted officers in the Geological Survey of India for the same periods and the percentages concentrated at the headquarters at Calcutta?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):

| | | |
|---------|---------|-------------|
| (a) (i) | 1944-45 | 27 |
| (ii) | 1958-59 | 74 |
| (b) (i) | 1944-45 | 18.9% |
| (ii) | 1958-59 | 16.2% |
| (c) (i) | 1944-45 | 73 and 19% |
| (ii) | 1958-59 | 329 and 23% |

कलकत्ता में स्टेडियम

भी सरकार पास्तेर्यः
६५५. भी राम कृष्ण गुप्तः

क्या एका भारी ५ मप्स्टा, १९५६ के लाइसेंस प्राप्ति संबंध १३२ के उत्तर के सम्बन्ध में यह व्रताने की कृपा करेंगे कि:

(क) कलकत्ता में एक स्टेडियम (क्रीकेगेम) बनाने की वोज्ञा में एक क्षम प्रति हुई है; और

(ख) यदि इस व्रताने के सम्बन्ध में कोई प्रतिक्रिया नहीं हुई है अब भी वो व्रताने किया नहीं किया गया है, तो इसके क्या कारण हैं?

प्रतिवेदना वंशी (भी कृष्ण गुप्तः):

(क) राज्य सरकार के साथ एक लेख के सम्बन्ध में, भारी फैलाव हो गया है, भवित्व से प्राप्त करने के लिए पर्याप्त बोल हैं।

(ख) प्रदत्त नहीं उठता।

Housing Colonies for Scheduled Castes

265. Shri B. K. Gaikwad: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that provision has been made in the First and Second Five Year Plans for setting up housing colonies for Scheduled Castes in the midst of other castes; and

(b) if so, the number of such housing colonies set up in India so far (State-wise)?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). The information is being collected from the State Governments and will be laid on the Table of the House as soon as received.

Indian Students in U.K.

267. { Shri J. B. S. Bist:
Shri N. R. Muniswamy:

Will the Minister of Education be pleased to state:

(a) whether he has received complaints of misbehaviour on the part of a section of Indian Students in the United Kingdom and his attention has been drawn to a letter on the subject in the Times of India of the 15th October, 1959;

(b) whether he has held any inquiries into these complaints;

(c) if so, the result thereof?

The Minister of Education (Dr. K. L. Shrimall): (a) No such complaints have been received, but Government's attention has been drawn to the letter referred to.

(b) An enquiry is being made.

(c) The enquiry is in progress.

Melting Scrap

989. { **Shri M. B. Thakore:**
Shri Oza:
Shri K. U. Parmar:

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

(a) the tonnage of melting scrap consumed by auxiliary steel pro-

ducers in India during the years 1956, 1957 and 1958 and their output in steel castings and billets and blooms during the same period;

(b) whether all the auxiliary steel producers in India have attached rolling mills and whether these rolling mills have been allotted rolling material from controlled sources; and

(c) if so, the tonnage allotted during 1956, 1957 and 1958?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) It is presumed that by auxiliary steel producers is meant secondary producers and re-rollers producing steel in electric furnaces. Information with regard to such secondary producers and re-rollers is as follows:

| | 1956 | 1957 | 1958 |
|-------------------------------|-----------|--------|--------|
| | (in tons) | | |
| (i) Consumption of scrap | 71,882 | 86,929 | 85,616 |
| (ii) Output of steel castings | 20,480 | 23,343 | 28,072 |
| (iii) Output of steel ingots | 41,735 | 39,713 | 41,776 |

(*Separate figures for billets and blooms are not available.)

(b) Secondary producers and re-rollers who own electric furnaces, being essentially producers of rolled products, have rolling mills. Billets are also allotted to such secondary

producers and re-rollers. In allotting billets, account is taken of the capacity of electric furnaces in each of the works to produce billets.

(c)

| | 1956 | 1957 | 1958 |
|-----------|-----------|---------|---------|
| | (in tons) | | |
| Allotment | 157,724 | 126,434 | 184,393 |

Central Assistance to Madhya Pradesh

990. **Shri Vidya Charan Shukla:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) what percentage of the allocated amounts for mineral development during the Second Five Year Plan period has been utilised by the Madhya Pradesh State in the first three years of the Plan; and

(b) the allocation made for mineral development during 1959-60?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) 30.79 per cent.

(b) 1.50 lakhs.

990 (A) LSD—4.

Police Camps in Tripura

991. **Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased state:

(a) how many police camps have been set up in rural areas of Khowai, Tripura during the past 3 years;

(b) where are these camps situated;

(c) what is the distance of one police camp from another; and

(d) the reasons for setting up these police camps?

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

(b) At Champahour at a distance of about 6 miles from the Khowai Suh-division headquarter.

(c). Does not arise.
 (d). For law and order purposes.

Panchayat Elections in Tripura

992. Shri Dasaratha Deb: Will the Minister of Home Affairs be pleased to state:

(a) the time-table for holding Panchayat elections in Tripura;
 (b) whether necessary rules have been framed for holding these elections; and
 (c) whether the public opinion was taken into consideration while preparing the time-table of elections to these Panchayats?

The Minister of Home Affairs (Shri G. B. Pant): (a). No time-table for holding elections to Panchayats in Tripura has yet been drawn up.

(b) The rules framed under the U.P. Panchayat Raj Act, 1947, which has been extended to Tripura, are being examined for adoption *mutatis mutandis*, in Tripura.

(c) Does not arise.

Foreign Mine Owners

993. Shri Madhusudan Rao: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 164 on the 5th August, 1959 and state:

(a) whether the information in regard to total number of foreign mine owners in India and the mining areas leased to them in the various States has since been received; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Information has been received from all States, except Orissa, Bihar and West Bengal.

(b) A statement giving the details is laid on the Table. [See Appendix II, annexure No. 74]. Information in respect of Orissa, Bihar and West Bengal will be placed on the Table of the House, when received.

Skeleton at Garo Hills

994. Shri Madhusudan Rao: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether an 11-foot long skeleton, believed to be of a human being, was recently unearthed at Garo Hills in Assam; and

(b) if so, what are the conclusions drawn by the experts in this regard?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The Department of Anthropology have no information.

(b) Does not arise.

Drowning Cases in the Jamuna at Delhi

995. Shri Madhusudan Rao: Will the Minister of Home Affairs be pleased to state:

(a) how many persons were drowned in the River Jamuna in Delhi last year;

(b) the average number of such deaths in Delhi every month; and

(c) what steps are being taken in this regard?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). Sixteen persons were drowned in the River Jamuna in Delhi during the last year; the average number of such deaths in Delhi works out to 1:33 persons.

(c) Intensive patrolling is done on festival days.

Zhum Production in Tripura

996. Shri Bangshi Thakur: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that serious damage has been caused to the Zhum production by rats in Tripura and the Zhumia tribals are in great difficulty; and

(b) if so, what action has been taken in this regard so far?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). The information is being collected and will be laid on the Table of the House.

Zhuming in Tripura

997. Shri Bangshi Thakur: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Zhuming in Tripura is not being allowed without the permission of the authorities; and

(b) if so, whether approval of the Government of India was taken before the introduction of such system?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). The position is that under the Indian Forest Act, 1927, Jhum cultivation is prohibited in the reserved forests. Bonafide tribal cultivators, who have not yet been settled on land, are, however, permitted to practise jhum cultivation in protected forests except within a distance of half a mile on either side of navigable streams or P.W.D. roads or in the vicinity of tanks containing water for drinking and irrigation purposes. These restrictions have been imposed by the Chief Commissioner in exercise of the authority delegated to him by the Government of India and the powers conferred on him by the Indian Forest Act, 1927.

Production of Coal in Singareni

998. Shri Madhusudan Rao: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether there has been any decline in the production of coal in Singareni Collieries in Andhra Pradesh; and

(b) if so, the reasons therefor?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No. Production during the first ten months of the year was actually 72,000 tons more than in the corresponding period of 1958, though it has not kept

pace with the monthly targets, principally in August, September and October.

(b) The targets could not be achieved because of roof falls in the main haulage lines of Incline No. 5 at Kothagudium and of Incline No. 24 at Yellandu as a result of heavy rains in September. To some extent, general labour unrest and frequent stoppages of work were also responsible.

Institute of Theoretical Physics

999. Shri P. C. Borooh: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government have any proposal to establish any institutes for Theoretical Physics; and

(b) if so, the details thereof?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). The question of establishing institutes of Theoretical Physics is under consideration.

Economy in the Ministry of Home Affairs

1001. Shri P. C. Borooh: Will the Minister of Home Affairs be pleased to state:

(a) whether the Union Home Ministry has taken any steps to organise its work to effect economy; and

(b) if so, the details thereof?

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

(b) It has been decided that

(i) the general pattern in the Ministry will be that Sections will be under the charge of either an Under Secretary or a Deputy Secretary but not both, and that no file from any one Section will go both to an Under Secretary and a Deputy Secretary,

(ii) the existing vacancies will not be filled up at least for some time to come;

(iii) that when any new item of work is undertaken in the Ministry, an endeavour shall be made to entrust such work to existing personnel by suitable re-distribution of work rather than by creating new posts.

(iv) that short-term leave vacancies of less than two months duration will not generally be filled.

Late Duty Allowances to Government Employees

1002. Shri Ram Garib. Will the Minister of Finance be pleased to refer to the reply given to unstarred question No. 167 in the Lok Sabha on the 18th November, 1959 and state:

(a) whether necessary amendments to the Ministry of Finance Office Memorandum No. F.5(14)-E.II(B)/56, dated the 23rd April, 1957 have since been issued incorporating the Government's decision to allow the late duty allowance on the basis of duty hours;

(b) if so, whether a copy of the same will be laid on the Table; and

(c) if not, when do Government propose to do the same.

The Minister of Finance (Shri Morarji Desai): (a) and (c). No amendments have been issued. The cases where hours of work are different from those mentioned in the Ministry of Finance Office Memorandum referred to in the question are very rare and there is no need to issue general orders to cover such cases. Whenever such cases are brought to the notice of the Ministry of Finance the late duty allowance for duty performed beyond 9 hours is granted at the rates prescribed in the Office Memorandum with the concurrence of Ministry of Finance.

(b) Does not arise.

Duty Hours in Government Offices

1003. Shri Ram Garib: Will the Minister of Home Affairs be pleased to state:

(a) what are the normal hours of work a Government servant is required to put in daily in civil offices of the Government of India in Delhi/New Delhi; and

(b) whether Government have issued any directives in this regard?

The Minister of Home Affairs (Shri G. B. Pant): (a) The working hours for Central Government offices are 36 hours per week (6½ hours daily on week days and 3½ hours on Saturdays);

(b) Yes.

Sixth Inter-University Youth Festival

1004. Shri P. C. Borooh: Will the Minister of Education be pleased to state:

(a) whether it is a fact that as many as seven Universities are not participating in the Sixth Inter-University Youth Festival scheduled to be held in Mysore from the 7th to 16th December 1959; and

(b) if so, whether these seven Universities have given any reasons for not participating in the festival?

The Minister of Education (Dr. K. L. Shrimati): (a) Eight Universities will not be participating.

(b) No. It is within the competence of the Universities whether they can or cannot participate in the Festival

12.10 hrs.

RE: MOTIONS FOR ADJOURNMENT

Shri Hem Barua (Gauhati): Sir, I just wrote a letter to you about the point at issue of the letter which the Prime Minister has received from

Chou En-Lai and which he referred to in the Press Conference yesterday. He did not say that in this House, although he was given an opportunity to say so through adjournment motion given notice of by me. I find that this is disrespect shown to you and to the House by the Prime Minister. I wrote a letter to you about it and I wanted to raise that issue here but your Secretariat has informed me like this:

"I am directed to say that the Speaker has declined to accord you the necessary permission."

This is a very important issue as the receipt of this letter was revealed in the Press Conference yesterday morning. Just an hour thereafter, it was raised in this House and the Prime Minister was provided with ample opportunity to make a statement. You, Sir, in your wisdom, on many occasions, have said that when the House is in session whenever any important statement is to be made it should be made on the floor of the House before it is made anywhere else outside.

Mr. Speaker: Yesterday the hon. Member gave an adjournment motion. Today he has given another adjournment motion.

Shri Hem Barua: I have not. I just wrote a letter to you seeking your guidance. I have become very polite after your admonition. I only seek a clarification.

Mr. Speaker: Even then, I say, it is not a matter for clarification. No occasion arose yesterday here for the hon. Prime Minister to state it in this House. I have said that whenever any statement of policy has to be made or is made by a Minister when the House is in session he must take the House into confidence first. If a letter has been received and no specific question has been put here to the hon. Prime Minister, you cannot take it as a breach of privilege of this House if he does not state it here. No doubt, the hon. Member tabled yesterday an adjournment motion on "the country-wide discontent

and discomfiture felt due to the reported rejection by the Chinese Government of our polite protest...etc." I did not allow it because it arose out of a series of matters on which we had discussion for a couple of days. Therefore, every small incident—it may be important or otherwise—need not be brought up by way of an adjournment motion. I disallowed his adjournment motion. It is not as if I called upon the Prime Minister, he refused to disclose that information here and then went to the Press Conference and disclosed it there. In that case it would have been a different matter. I did not allow him; I did not give him an opportunity.

Shri Hem Barua: I did not press my adjournment motion. I wanted to know whether a letter from Mr. Chou En-Lai was received or not. It seems the Prime Minister has got greater confidence in the Press than in this House.

Mr. Speaker: It is not incumbent upon any Minister immediately to come and say that he has received a letter from Mr. Chou En-Lai. Surely he will choose a proper occasion for that.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Yesterday, Sir, you were pleased to observe that adjournment motions were utilised for eliciting information, that that was not a proper use of them and that there were other ways mentioned in the Rules of Procedure for seeking any information. In fact, Sir, as I understood, your direction to me was that I should not accept the adjournment motion for giving information if it was not a proper adjournment motion. Therefore, there was nothing to hide about it. It was not after I went from the House; it was long before that I went and spoke in the Press Conference in the early morning. In fact, I do not see any question of policy involved or any question in which the House or the country, as I said yesterday, is agitated. Here is a

[Shri Jawaharlal Nehru]

correspondence going on. I wrote a letter and I received a letter in reply to which I am going, no doubt, to reply in time, but just to inform the House that I have received a letter, rather a formal letter from there, seems to me of no specific or great importance. I would certainly have informed it always if a proper request or a suggestion for that was made, but trying to follow your direction, Sir, I do not propose in future to treat a motion for adjournment as a request to make a statement.

Shri Vajpayee (Balrampur): Sir, I want to seek your guidance in this matter. We are not anxious to move adjournment motions on any and every subject, but when our short notice questions are not accepted and our calling attention notices are not paid any attention to, there is no other course left open to us except to move motions for adjournment. I have given notice of a short notice question on this very subject, but the hon. Prime Minister has not been pleased to accept, whereas he disclosed the fact that Government of India has received a letter from Mr. Chou En-Lai in the Press Conference. I think this House should be treated in a more respectful manner.

Shri Jawaharlal Nehru: I fail to understand it, Sir. I get dozens of letters every day from various governments (*Interruption*). I regret I am unable to accept the hon. Member's argument. If any request is made at any time to make a statement of fact I shall make it if I know it is a fact and that it is not to be treated as confidential or secret. But the whole issue at present is whether a motion for adjournment should be treated otherwise than as a motion for adjournment. I submit it should not be.

Mr. Speaker: So far as motions for adjournment are concerned—I have already said so—I will again request hon. Members like Acharya Kripalani and other leaders of the various

groups to have a meeting with me and then decide on the question. As I said yesterday, if they have got any particular representations to make we shall consider all of them. Now, to elicit information by means of an adjournment motion is rather curious affair. Yesterday I said at length that the proceedings of this House need not be interrupted. Today, the hon. Member has again brought up the issue by way of seeking a clarification. Of course, the hon. Member, Shri Hem Barua might have thought that if I take exception to an adjournment motion he can come up with a question of clarification. I have to find out whether a clarification is permitted under the rules or not.

So far as short notice questions are concerned, it is up to the Ministers to accept or not to accept them. So far as calling attention notices are concerned, if I consider they are of urgent public importance I allow them; I do not leave them to the Ministers to accept or not to accept them. I only intimate to them (*Interruption*). So far as short notice questions are concerned it is left to them; they must gather some information. I find that hon. Ministers are willing to answer them wherever they are able to place matters before the House. But there is no justification for bringing an adjournment motion because we do not get the information from the Ministers through Short Notice Question. I shall try to get as much information as possible. If they are important matters I give top priority to such questions and fix up the very next day. Therefore, they need not embarrass the House or me by adjournment motions. If they think it is necessary that they must get the information, if I am satisfied I shall find out some method by which the information can be got.

Shri Khushwaqt Rai (Kheri): Sir, I would like to seek another clarification about the acceptance of short notice questions. A short notice

question was sent to the Minister. You said that it is for the Minister to accept it or not. If he does not accept it and gives the information outside this House, does it not amount to a breach of privilege?

Mr. Speaker: Very well, let me see. Hon. Member will bring the case to my notice.

Shri Jawaharlal Nehru: I really cannot understand this argument. We are generally following, and refer to, I take it, the British Parliamentary procedure. Short notice questions and motions for adjournment are of the rarest occurrence there; Speakers do not permit them. Therefore, if we are to follow that, am I to accept every short notice question which according to me is neither of public importance nor of urgency? I have to judge all that. Any ordinary question can be put to me. As a matter of fact, apart from parliamentary activities here, if the hon. Member writes to me I can send him the information immediately. But I am not going to take the time of the House in answering a question which I consider neither urgent nor of public importance (Interruption).

Mr. Speaker: Order, order. Generally, it is open to the hon. Minister to say whether he is willing to answer, whether it is of public importance or not. It is for him to decide. So far as calling attention notices are concerned I decide. On every small matter that they want information they need not come here and think that the Government is not there. They may write to the Minister and elicit the information. Every matter which is not placed before the House is not a matter of such great importance. It is not a breach of privilege. Each case will be decided on its merits.

Shri Goray (Poona): May I draw your attention to a concrete case, now that you are dealing with short notice questions? I should like to tell you that on the anniversary day...

Mr. Speaker: We are not disposing of all these cases here. If he writes to me I shall send it on to them. If there is any particular case which is very important and they hush it up in this House and then make a statement elsewhere—I do not know what the motives would have been—possibly it may be that they do not consider it important. In this cases he has answered casually at the Press Conference.

Shri Jawaharlal Nehru: I did not make any statement there. A question was asked and I gave an answer that I have received a letter. Every body knows that I have received a letter. I would have received a day here, but your direction to me was not to say anything here.

12.29 hrs.

PAPERS LAID ON THE TABLE

REPORT OF TARIFF COMMISSION

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): Sir, I beg to lay on the Table, under sub-section (2) of Section 16 of the Tariff Commission Act, 1951, a copy of each of the following papers:—

- (i) Report (1959) of the Tariff Commission on the Levy of interest on Special Advances to the Tata Iron and Steel Company Limited and the Indian Iron and Steel Company Limited.
- (ii) Government Resolution No. RG-45(112)/57 dated the 25th November, 1959.
- (iii) Statement explaining the reasons why a copy each of the documents at (i) and (ii) above could not be laid on the Table within the period prescribed in the said sub-section. [Placed in Library, See No. LT-1756/59.]

AMENDMENTS TO DISPLACED PERSONS (COMPENSATION AND REHABILITATION) RULES

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Sir, I beg to lay on the Table, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of Notification No. G.S.R. 1249 dated the 14th November, 1959 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955. [Placed in Library, See No. LT-1757/59.]

Shri Mahanty (Dhenkanal): May I request the Government, Sir, through you, to provide this House with an early opportunity to discuss the Tariff Commission's Report on the levy of interest on special advances to the Tata Iron and Steel Company Limited and the Indian Iron and Steel Company Limited? This is a very important matter.

Mr. Speaker: He cannot interrupt the proceedings like this. Hon. Members know how such matters can be brought up before the House. If they send a motion, and if I consider it proper, I will allow it. To interrupt the proceedings of the House and bring up such matters on the spur of the moment is not right.

12.30 hrs.

MESSAGE FROM RAJYA SABHA

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

"I 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 2nd December, 1959, agreed without any amendment to the Indian Penal Code (Amendment) Bill, 1959, which was passed by the Lok Sabha at its sitting held on the 24th November, 1959".

12.32 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

EXPLOSION IN JAMURIA BAZAR

Shri Vajpayee (Balrampur): Under Rule 197, I beg to call the attention of the Minister of Works, Housing and Supply to the following matter of urgent public importance and I request that he may make a statement thereon:

"Explosion in a godown in Jamuria Bazar on November 29, 1959, resulting in the death of some persons and injuries to many others."

The Minister of Works, Housing and Supply (Shri K. C. Reddy): The statement runs to about 4½ pages. If I have your permission to read it, I shall read it; or, with your permission, shall I lay it on the Table of the House?

Shri Braj Raj Singh (Firozabad): The figures may be mentioned.

Shri S. M. Banerjee (Kanpur): He may be asked to read it so that we can put questions.

Mr. Speaker: On important matters which have been brought up before the House, if the hon. Minister says he will make enquiries and make a statement before the House, he may give a summary of the long statement that he might have prepared. The House is not anxious to know every detail that may find place in the statement. The hon. Minister can give a summary of what has happened.

Shri K. C. Reddy: It will take about five or six minutes to read it. I shall read it.

There has been, naturally, very deep concern expressed over the tragedy that happened on the 29th November when a serious accident took place in Jamuria Bazar about 12 miles from Asansol resulting in a heavy toll of human life. Soon after the occurrence, the local authorities

cordon off the area where the accident took place and rushed the injured persons to the hospitals. The Inspector of Explosives from Calcutta proceeded to Asansol at the earliest possible time and the Chief Inspector of Explosives from Nagpur also left for Asansol by the earliest available plane. He has now returned to Delhi after his preliminary enquiries. I would like to place before the House broadly the facts as have emerged from the preliminary enquiries.

The explosion followed by fire took place between 16.20 and 16.30 hours on the 29th November at Jamuria. The room in which the explosion occurred forms part of a building belonging to one Shri Sarju Prasad Shau and located in Jamuria Bazar. The building consists of four rooms including the one in which the explosion took place. There is a small pan shop in a wooden cabin in a corner of the verandah in front of this room. From the information gathered, it appears that the explosion was followed by a fire of some magnitude. As a result of the explosion, the front door of the room was blown off and the back door badly damaged. One side wall of the room was cracked in a number of places but the rest of the building was found to be almost intact. When the front door was blown off, a torch of flame shot out and streaked across the road, hitting a tailor shop and a cloth shop behind it on the opposite side of the road. It was the weekly market day when large number of persons were on the road and quite a few in the tailor shop and the cloth shop. In the close vicinity of the scene of occurrence is a bus stop. There was, therefore, a large crowd in the street in front of the room at the time of the accident. 98 persons who were injured as a result of the accident, were removed to various nearby hospitals. Eight of them were found dead when they were brought to the hospitals. The fire did not spread to any adjoining buildings and the damage to property was confined mainly to the room in which the explosion took place and the cloth shop

across the road. According to the latest information from the local authorities, 45 out of the injured admitted to the hospitals, succumbed to the injuries thus bringing the total number of deaths to 53.

The chemical examination of the scrappings collected from the room of the explosion goes to show that the explosion and fire were caused by the ignition of gunpowder. As gunpowder does not ignite spontaneously, spark from some source must have ignited the gunpowder and caused the explosion and fire. Spark from a faulty electrical connection or lighted bidi or matchstick could readily ignite and explode gunpowder. What actually started the ignition and explosion of the gunpowder can be ascertain precisely only by a detailed enquiry. It was observed that no crater was formed on the floor of the room nor were the roof and walls blown off. A torch of flame shot out through the door and flared across the road inflicting severe burns on all the persons who were hit by the streaking flame. As indicated earlier, there was a large crowd on the road at the time of the accident who were caught unawares.

The manufacture, possession and sale of gunpowder is controlled by the rules framed under the Indian Explosives Act. Under the rules, a District Authority has power to issue licence for the possession and sale of gunpowder not exceeding 50 lbs. and for the manufacture of gunpowder not exceeding 25 lbs. Licence in respect of any quantities exceeding those indicated above could be granted only by the Inspector of Explosives. Normally under the rules, no licence is necessary for the possession by any person for his own private use and not for sale, of gunpowder not exceeding 30 lbs. This concession has, however, been restricted in the States of West Bengal, Bombay and Madras. In West Bengal, gunpowder even for private use can be possessed only under a licence issued under the Explosives Rules.

[Shri K. C Reddy]

It was disclosed during the preliminary enquiry that Shri Sarju Praasad Shau, the owner of the premises where the explosion took place, holds a licence under the Arms Act, from the District Authority for the possession and sale of 15 tons of sulphur and 12,000 coils of safety fuse. He has no licence to manufacture, possess or sell any quantity of gunpowder. His brother, Shri Sitaram Prasad Shau, however, holds a licence in Form I under the Explosives Rules, issued by the Inspector of Explosives, East Circle, for the manufacture, possession and sale of gunpowder not exceeding 200 lbs. at any time in a factory which is situated at a distance of about three miles from Jamuria Bazar. It is learnt that both the brothers were living together in a house adjacent to the building where the explosion took place. Sarvashri Sarju Prasad and Sitaram Prasad Shau could not be traced by the police after the accident. Nor any members of their family could be found anywhere in the premises.

It has been ascertained that no licence has been issued by the Inspector of Explosives or the District Magistrate for the manufacture, possession and/or sale of gunpowder in respect of the premises where the explosion took place. It would, therefore, appear that the gunpowder which exploded and caught fire was unauthorisedly stored in the premises.

Whenever an accident occurs which is caused by explosives resulting in the loss of human lives, the District Magistrate or a Magistrate subordinate to him is required under Section 9 of the Indian Explosives Act, to hold an inquiry into the causes of the accident and to make a report to the Central Government. Under Section 9A, the Central Government may, where it is of opinion, whether or not it has received the report of an enquiry under Section 9, that an enquiry of a more formal character should be held into the causes of the acci-

dent appoint the Chief Inspector of Explosives or any other competent persons to hold such an inquiry and may also appoint one or more persons possessing legal or special knowledge as assessor and when the Central Government orders such an inquiry, it may also direct that an inquiry under Section 9 pending at the time shall be discontinued.

The Chief Minister, West Bengal has written acquainting us with the basic facts of the incident and the steps taken by the District Authorities in respect of the inquiry as envisaged under Section 9 of the Explosives Act. Having regard, however, to the immensity of the tragedy, the Government of India have decided to hold an inquiry under Section 9A of the Act and have appointed, in consultation with the Chief Minister, West Bengal, Shri I. B. S. R. Surita, I.A.S., Commissioner, Burdwan Division, West Bengal to hold the inquiry with Shri T. K. Lahiri, Deputy Chief Inspector of Explosives as an assessor. The Commissioner, Burdwan Division has been directed to hold the inquiry with the utmost expedition. Shri T. K. Lahiri, Deputy Chief Inspector of Explosives, has already reached Asansol.

It is obvious that we have to await the findings of this inquiry to be fully seized of the causes and circumstances of this grievous accident.

This tragedy has been an extremely distressing and regrettable one and I would like to express on behalf of the Government our deepest condolences to the bereaved families.

Shrimati Renu Chakravarthy (Basilhat): What was the date on which the Inspector of Explosives from Calcutta reached the place, and what was the date when the Chief Inspector of Explosives reached the place from Nagpur?

Mr. Speaker: After the accident?

Shrimati Renu Chakravarthy: Yes; the accident occurred on the 29th.

Shri K. C. Reddy: The explosion took place on the 29th—late in the evening. The Inspector of Explosives was there on the 30th. The Chief Inspector of Explosives left Nagpur on the 30th by the night plane and he was at the place on the 1st morning.

Shri S. M. Banerjee: After the enquiry into the accident, something will be decided. May I know whether the State Government or the Central Government has given any relief to the members of the bereaved families?

Mr. Speaker: It is the normal practice to give some relief on such occasions. Again and again, such questions are put. If they are entitled, they will be given.

Shri K. C. Reddy: If there are entitled under the rules, they will be given. But I have no definite information on the point.

Mr. Speaker: Very well; if hon. Members find the existing law on the subject defective, they can introduce a Bill.

12.48 hrs.

CORRECTION OF RESULT OF DIVISION

Mr. Speaker: I have to inform the House that in the two divisions held on the Constitution (Eighth Amendment) Bill, 1959 on the 1st December, 1959, there were two errors in the announcement of the figures of the division. The House has already taken a decision and this error has absolutely no effect on it. However, I consider that the correct position should be on record. The facts are as follows:

The House will recollect that before I announced the result of the division on the motion for adoption of clause 2 of the Bill, Shri Ram Dhani Das got up and stated that his number was 230 and that he was for 'Ayes'. He stated only this much without speci-

fically pointing out that he had wrong-
ly voted for 'Noes', with the result that while I added one more vote to the figures for the 'Ayes', I did not subtract one vote from the 'Noes'. I accordingly announced the figure for 'Noes' as 24 which is incorrect. The correct figure for 'Noes' should be 23. This, however, does not affect the division.

The second error was in the result on the motion that the Bill, with the omission of clause 2, be passed. Here again before I announced the result, Dr. M. S. Aney got up and stated that his vote had not been recorded and that he wanted to vote for the 'Ayes'. Accordingly I added one vote to the figures recorded for 'Ayes' and announced the figure for 'Ayes' as 285.

From the photograph copy of the division result, it now transpires that Dr. M. S. Aney did in fact press the button and voted for 'Ayes'. The correct figure for 'Ayes' should therefore be not 285, but 284; i.e. one less.

12.43 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government Business in this House for the week commencing 7th December, 1959, will consist of:

- (1) Further consideration and passing of the Dowry Prohibition Bill, 1959, as reported by Joint Committee.
- (2) Consideration and passing of the Mines (Amendment) Bill, 1959.
- (3) Discussion and voting of the Supplementary Demands for Grants (General) for 1959-60.
- (4) Consideration of a motion for the reference of the Tripura Land Revenue and Land Reforms Bill, 1959 to a Joint Committee.

[Shri Satya Narayan Sinha]

- (5) Consideration and passing of—
 - (i) Motor Vehicles (Amendment) Bill and
 - (ii) Delhi Land Holdings (Ceiling) Bill.
- (6) Discussion on the Resolution seeking disapproval of the Sugar (Special Excise Duty) Ordinance, 1959.
- (7) Consideration and passing of the Sugar (Special Excise Duty) Bill, 1959.
- (8) Discussion on the Annual Reports of the Hindustan Machine Tools (Private) Limited for the years 1957-58 and 1958-59, on motions to be moved by Shri K. T. K. Tangamani on the 7th December, at 3 P.M.
- (9) Discussion on the Summary of Proceedings of the Sixteenth Labour Conference, on a motion to be moved by Shri D. C. Sharma and others on 9th December, at 3 P.M.

Shri S. M. Banerjee (Kanpur): Sir, an adjournment motion was tabled about Dandakaranya and the Minister made a statement.

Mr. Speaker: He will make a further statement.

Shri S. M. Banerjee: Yes, but this House may not get an opportunity to discuss that. Some time should be fixed, therefore, for a discussion on Dandakaranya. Then, as you have already said, the House should have a discussion on the Pay Commission's report.

Mr. Speaker: Regarding Dandakaranya, I expect the hon. Minister will make a further statement in less than 10 days or a week. Thereafter the matter will come up before the House, not next week, but the week after the next.

Shri D. C. Sharma (Gurdaspur): The time allotted for the discussion of my resolution, viz., 2½ hours, is very insufficient. There is a demand that the time should be raised.

Shri Satya Narayan Sinha: Under the rules, 2½ hours is the maximum. Of course, the House can extend the time. Under the rules, we cannot do that.

Shri Harish Chandra Mathur (Pali): It is a very important resolution and more time should be allotted, because it is an all-embracing resolution.

Mr. Speaker: We are not on the question of time here. The Business Advisory Committee's report is not here under discussion. We will consider that matter, or, if it has been considered already, this matter may be brought up when the actual motion is moved; then we shall see.

Shri Harish Chandra Mathur: The difficulty is, you may not be here and the Deputy-Speaker may find himself in difficulty. So, if you could just give an indication, it will be helpful, because it is very important. (Interruption).

Shrimati Renu Chakravarty (Basilhat): He has pleaded that the time should be extended; I would like to oppose it.

Mr. Speaker: I thought it related to some motion mentioned by the Minister of Parliamentary Affairs in his statement. I now find it is a Private Member's Resolution. How does it arise now? When the matter comes up, it is left to the House; let us see.

12.46 hrs.

KERALA APPROPRIATION (NO. 2) BILL*

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): I beg to move:*

"That the Bill to authorise payment and appropriation of certain

*Moved with the recommendation of the President.

further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60, be taken into consideration."

Mr. Speaker: Motion moved:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60, be taken into consideration."

Shri Narayananikutty Menon (Mukundapuram): When the actual supplementary demands were discussed in the House, certain important matters relating to the construction of a national highway for which additional staff was asked for, were raised in the House. But, Shri Datar did not make any mention of it in his reply. I beg to submit that there are actual difficulties in obtaining iron quota and unless that is obtained, this supplementary demand for additional staff will be futile. So, something should be done about this.

Mr. Speaker: The hon. Member knows what exactly to do in such cases. If really he wanted an answer for this, he could have sent me a notice, and I would have requested the Minister-in-charge to be here to attend to whatever has not been disposed of.

Shri Narayananikutty Menon: I only wanted to point out that.

Mr. Speaker: This hon. Minister will not be in a position to reply to that straightforwardly. Anyway, he will pass it on to the other Minister.

The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60, be taken into consideration."

The motion was adopted.

Mr. Speaker: We shall now take the Bill clause by clause. As there are no amendments, I shall put all the clauses together. The question is:

"That clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

Dr. B. Gopala Reddi: I beg to move:

"That the Bill be passed".

Mr. Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

12.48 hrs.

DOWRY PROHIBITION BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Hajarnavis on the 3rd December, 1959, namely:

"That the Bill to prohibit the giving or taking of dowry, as reported by the Joint Committee, be taken into consideration."

Five hours are allotted for this Bill. Shri Narayananikutty Menon may continue. He has already taken 20 minutes.

Shri Narayananikutty Menon (Mukundapuram): I will finish in five minutes. Yesterday while I was referring to the fact that there should be some consequential changes in the law of inheritance also, my hon. friend, Shri Maniyangadan interrupted and said that as far as Kerala Christians were concerned, it was only in cases where stridhan had not been paid that they

[Shri Narayansankutty Menon]

were entitled to inheritance. But I submit that there is a lot of difficulty involved in that affair also, because even in cases where dowry is not paid, a woman of the Christian family is not entitled to an equal share with her brothers or other male members of the family. Furthermore, the conception of joint family is entirely unknown to the Christian families; that happens only in the case of intestate succession. Therefore, the difficulty of actually sharing and having inheritance arises immediately the Dowry Bill comes into force, as far as other communities are concerned.

Yesterday I said we support this Bill not because we are confident that by the passing of this legislation, we will be able to eradicate completely the evil of dowry, but because the time has come when with the economic and social changes in the country, corresponding changes in society also should take place. I will conclude my speech by pointing out the real criticism that is coming forward. That criticism seems to be because of the tradition of the Indian family, especially Hindu family, for hundreds and hundreds of years, which family is accustomed to the laws of *Manu Smriti*. It is impossible and also sometimes atrocious to the conscience of the Hindu to come forward with the conception that the dowry is also to formulate a new family relationship. It might be understandable that the weight of these traditions for years has affected us so much. But, at the same time, the passage of all these years has transformed the economic, political and social circumstances in the country, and it is precisely because of the pressure of the economic changes that are taking place in the country today that a change in the mental outlook and conception of the social order are coming and compelling us so that all these traditions could be changed. And if *Manu Smriti* is quoted as happening to be the tradition of India, what we fail to understand is that

Manu Smriti itself has undergone a lot of changes during the British days. Hon. Members will understand that not only *Manu Smriti*, but the interpretations given by *Yajnavalkya* also came in for discussion before the learned Lords of the Privy Council, and certainly it has undergone transformation and the interpretations in most cases have been conditioned by what is happening in the western society. Moreover, whatever that is good in the *Manu Smriti* that is available now, nobody is going to oppose that, because people are for it. But because *Manu Smriti* was conditioned for a society which existed some two thousand years ago, what is bad in the past will have to be removed, because of the social and economic pressures that are being felt in the country today. Therefore, what is wrong in the past, we will have to shed and there is no point in clinging to them. What was good for the past will not hold good for the present. I am reminded of a saying by one of the greatest philosophers that it is very dangerous to inherit everything. When we inherit the best, the wisdom of those centuries, the badness of those centuries also creep into our heads at times and it is our duty to distinguish what is the wisdom that we have to inherit from the past and what is the badness that has crept in, which is unsuitable to the present day conditions.

Then, when Manu wrote his *Smriti* he never contemplated, he never claimed, that it is to be in vogue for long long years till the world is over. In the very first *stavaka* itself of the *Manu Smriti* he defines what is the law of the land.

"श्रुतिः स्मृतिः सदाचारः यस्य सः प्रियमात्मनः

He has stated that *Srutis* and *Smritis*, which are absolute in character they are to live till the world is over. That is what he has stated. But when society changes, when economic surroundings change, he has stated:

“यस्मिन् संकल्पजः कामो धर्ममूलमिदम्
स्मृतम्”

So, today what the society feels correct, that should be the law.

“यस्मिन् संकल्पजः कामो धर्ममूलमिदम्
स्मृतम्”

The society feels what is right today, what is desirable today. Therefore, when Manu himself has stated that law is not to be built in an iron structure for years together, certainly we should encourage this change.

I will point out another instance. In the *Manu Smriti* there are certain things which will live for long years. The interpretation given by *Yajnavalkya* to the *Manu Smriti*, as far as partition relating to Hindu families are concerned, remains even today in spite of the fact that the conception of property has undergone changes. *Yajnavalkya* gave an interpretation to partition:

“विभागी नामन् सर्वं समुदाय
विविधाणां अनेक साम्यानं
तरेकदेशेषु व्यवस्थापितं”

Even though two thousand years have passed, even today, the law of partition, whether it is the Hindu family or the Christian family, whether it is the law of succession or the Indian Succession Act, modelled on the pattern of the British Act, the law interpreted by *Yajnavalkya* stands even today. Therefore, my submission is that what is wrong in the past, what is unsuitable for application to the present day social conditions, that we will have to reject and model them or mould them to suit our present day social conditions, for there is no point in clinging to those unsuitable things of the past.

I must emphasize one more thing, and that is that we are not to rest content that we have passed the law today. Legislation in relation to

social transformation, and also economic transformation, is only a certain instrument in the hands of the people. Unless a resurgent force is there, the generating force is there behind the instrument to use the instrument properly for the moulding of the society, the instrument will become not only blunt but it will become inactive and the purpose that is sought to be achieved by the legislation will be lost.

Yesterday also I made a reference to the attitude adopted by the Congress party in the Kerala Legislature. I refer to it because we from all sides of this House should feel today, apart from party considerations, that this is a social evil which we have to fight in the name of transforming our society, where we have no differences of opinion, and if this desire is to be accomplished by using this instrument of legislation that we are passing today, we will have to vitalize and regenerate the entire social sanction behind it, and unless we are able to regenerate that social sanction, this will remain a dead letter. Therefore, I make an honest appeal to all my friends opposite, of all parties, that while we are making tremendous changes for the transformation of an entire society—we have already lagged behind for two hundred years because of the British rule—let us all unite together to light a bonfire of what is unsuitable in the past, and let us mould a new society which is suited to the present day circumstances, to the present day civilisation and to the present day economic changes that are taking place in our country and also in the rest of the world.

Shrimati Ila Palchondhuri (Nabadvip): This Bill that has come before this House, I think, deserves the warm support from all sides, as my hon. friend opposite has already stated, and I give my full and warm support to it. But while doing so, I would like to bring to the notice of the House one or two things.

[Shrimati Ila Palchoudhuri]

Dowry, as it existed in the past, was not always an unmitigated evil. It gave the woman some sort of provision in case of her husband's death. Under the Roman law she had some share in the property so that she was provided for if any untoward circumstances occur. In Athens under the law it was provided that the land which she inherited should be inalienable. For this reason, in India today the law gives some protection to the woman in the sense it is provided that when she gets a dowry, it may rest with her. But, at the same time, we must have a clarification of this dowry. The idea that the woman should have every advantage, from whatever quarters she can get them, should not be lost sight of. The Bill, as it has emerged from the Select Committee, is not clear on certain points. Under clause 2, suppose a husband gives something to his wife on the occasion of the marriage, would that also be considered as dowry? That would be entirely unacceptable to Indian conditions, because here a husband is considered as the giver of all things to the wife. So, what he gives should not be considered as dowry.

Mr. Speaker: I do not know what the hon. Member means. The words used here are "as consideration for the betrothal or marriage". So, that is a voluntary gift for love and affection to the wife.

Shrimati Ila Palchoudhuri: Clause 2 does not make it clear. There should be an explanation, and that is why I support the amendment of Pandit Thakur Das Bhargava, which reads:

"Any presents of ornaments or other articles customary on the occasion of the marriage by friends and relations of the spouse will not be regarded as dowry unless they are made for the purpose of bringing about marriage or as consideration for the marriage."

Mr. Speaker: That is clear. Whatever is consideration alone will become gift.

Shrimati Ila Palchoudhuri: What about the present from the husband to the wife?

Mr. Speaker: It is not a consideration for the marriage.

Shrimati Ila Palchoudhuri: It might be, when the marriage is taking place. What is the objection to that? If the husband is to give something to the wife when he is going to marry her, that is all right and no woman should be deprived of that.

Shri Tyagi (Dehra Dun): That he may give afterwards.

Shrimati Ila Palchoudhuri: But why should it not be made clear in the Bill? That is my contention.

The defect of the dowry system lies in any demand being made, and that certainly should be guarded against everywhere that we can, and that is where the evil has come in, when demands are made. And marriages have become difficult to be performed, and even such terrible things as taking away the bridegroom on the day of the marriage has occurred, leaving the bride stranded. The bridegroom follows his father like a very obedient son on that occasion, as if he listens to anything his father says, because the dowry demanded has not been paid, whereas he has not listened to many things in life that his father has spoken to him, and the bride is left stranded. These very heart-rending tales have occurred not only in one part of India, but all over India. This Bill, I hope, will certainly help to focus public attention on it and prevent any dowry being given when it is on demand. This feeling, I hope, will come to the men all over India that they will think it a dishonour and discredit to demand anything as dowry.

18 hrs.

I would also say this. My hon. friend opposite has claimed that it should be a cognisable offence. There, I certainly disagree. Because, if it is going to be a cognisable offence, if the police is going to be allowed to come into every aspect of our private life, I think that would be a sad day. No matter, even if it is the Sub-Inspector of Police as was suggested by my friend opposite, that should never be allowed, because, after all, it is a sacrament. It is a day of rejoicing. If the police is going to poke its nose to find out if anything is being done that is not in order, it would be absolute harassment. This should never be agreed to, no matter whatever arguments are put forward. I hope the Minister will take care that he is not influenced to consider it a cognisable offence.

I think there is a very little more that one can say except that we cannot accomplish much only by legislation and that it is the social conscience that has to be changed. Although we say that we cannot accomplish much, yet, I am sure, any legislation does accomplish quite a good bit, because, after all, it focusses attention and it gives you a channel through which you can protest, should it become necessary. Such a Bill has become very imperative. Without this Bill going through, all the other social legislation that you have passed, the Succession Act and the various phases of Hindu Code that we have passed from time to time, would become meaningless. The only way that we can at least now say that the whole social legislation has taken a composite effect is by passing this legislation. Dowry on demand should be thought absolutely beneath the dignity of man to demand or for the girl's side to give should also be treated similarly. In this, I can only quote the words of Mahatma Ganrhi which he said many years ago, that any young man who makes dowry a condition of marriage discredits his education and dis-

honours woman. I hope all the young men in India will have these words ringing in their years and never demand any dowry because it was never in the tradition of India to demand dowry. If anything was given, it was given by the father for love of his daughter.

When we make any legislation, let us take care that we do not have any police force enter into the cognisability of any offence, because by that sort of thing, we would make it a police state where everything is enquired into by the police and we also detract from the colourful ceremony and the beauty of an Indian marriage where *salankrita vastravrita kanyadan* takes place. It is a beautiful ceremony. Anything that detracts from its sanctity, sacramental quality and beauty should never come in and any such demand should always be opposed.

पंडित ठाकुर बास भारती (हिसार) : जातव स्त्रीकर साहब, हज़र के सामने यह जो ठाउरी प्राह्लिदान बिल पेश है उसके बारे में मैं अदब से अर्जन करना चाहता हूँ कि जहाँ तक इसका अच्छां असर है, जिस बबत वह ज्वांट कमेटी को भेजा गा, या उस बबत में ने उसके बारे में अर्जन किया या अर्थ अब भी मैं उस हिस्से को सरोर्ट करता हूँ।

मैं देखता हूँ कि जहाँ तक इस बिल के अन्दर कुछ बातें लिखी गई हैं अर्थ जो कई बात इसके बारे में कही गई हैं वे इसी नस्ल हैं कि मुझे अकसीस है अर्थ मुझे यह कहा पड़ता है कि अन्दर अखलाक की जो राग है वह दूसरे एकस-ट्रीम की कही जा सकती है। चुनौती में ज्वांट कमेटी की रिपोर्ट में नक्ष उपर पड़ता है जिसमें कि यह दर्ज है :—

"In the opinion of the committee the fixing of a limit of rupees two thousand for presents,

[Pandit Thakur Das Bhargava]

ornaments, clothes etc., made at the time of marriage to either party thereto may have the effect of legalising dowry upto that amount and encouraging the giving or taking of dowry upto that limit. This would be defeating the very object of the Act namely, to do away with the system of dowry. They, therefore, feel that item (ii) may be omitted."

मेरी अदब से गुजारिश यह है कि दरअसल अंतर यह बिल इस गरज के बास्ते देश किया गया है कि डाउरी की तारीक इस में दी गई है उस डाउरी सिस्टम को ही खत्म कर दिया जाये तो अंतरी राष्ट्र में इस बिल को ही खत्म कर देना चाहिए। बैठकतर यह होगा कि बिल खत्म कर दिया जाय और पास न किया जाय बजाय इसके जैसा कि इसमें दर्ज है कि उस सिस्टम आफ डाउरी को ही हमेशा के बास्ते खत्म कर दिया जाय। यह सिस्टम आफ डाउरी हिन्दुस्तान में बहुत जमाने से चला आया है, चाहे इसे ऐन-शिल्प कानून समझिये अथवा रिवाज समझिये, यह बहुत पुरानी चीज है जो कि हमारे यहां राज रही है और यह बड़ी कुदरती चीज है और इसे खत्म कर देना कि कोई शर्स अपनी लड़की को या कोई रिश्तेदार शार्दी के बाकी लड़के या लड़की को कोई चीज न दे सकते और उसको इसको देने से रोकता मेरे खानाल में बाजिब नहीं है और जिसके कि मागने यह होंगे कि स्त्री धन जिसको कि अब तक हिन्दू ला रेकर्ड इज करता है और दीगर सारे नाज रेकर्ड इज करते हैं और जो कि लड़की का हक है, उससे भी उसे भरूम कर दिया जाय। इसका एक असर तो यह होता।

हमारी सारी सोलाइटी में जो खाराबी रही है और जिसको कि हटाने के लिए बड़े अंतर से कौशिश करते आये हैं कि

हमारे यहां श्रीयों काइनेशिएली बहुत डिपेंडेंस हैं और सारी उम्मी उम्मी बाबिन्द बट, बाप पर ये लड़के के डॉर डिपेंडेंट रही हैं, मैं उसकी कहाँ परम्परा नहीं करता और मैं जहांता हूँ कि हमारी बहनें काइनेशिएल इस कदर डिपेंडेंट न हों। जिस तरह आदमी काइनेशिएली इडिपेंडेंट होता है अगर अंतरें भी काइनेशिएली इडिपेंडेंट हों तो कोई बजह नहीं है कि मैं उसकी कोई मुख्यालफत करूँ और मुझे उसमें किसी भी तरह का उज्ज्वल होगा। थोड़ा असी हुआ हालांकि बहुत मेम्बरों की ऐसी राय थी कि लड़की को बाप के बुरसे में हिस्सा न दिया जाय तो भी इस हाउस के अन्दर पास किया गया कि बाप के बुरसे में लड़की को हिस्सा दिया जाय। मैं उसको इस मर्के पर नहीं उठाना चाहता। लेकिन इतना जबर कहांगा कि अभी बहुत अरसा चाहिये कि उस लाल के जर्तीये विरसेक, एफेक्ट मिले और लोग फिलवाकथा लड़कियों को हक देने लगे लेकिन वह तो जब हैंगा तब होगा लेकिन लड़की की शार्दी में उसका बाप या कोई और उनका रिश्तेदार लड़की की शार्दी के बात कुछ कपड़ा बगैरह न दे, यह बहुत मुश्किल है क्योंकि लड़की की शार्दी के बात कपड़ा बगैरह देने का आज से नहीं बल्कि कार्फी जमाने से रिवाज और सिलसिला चला आया है और अंतरों को शार्दी के बात स्त्री धन देने का रिवाज चला आया है.....

Mr. Speaker: I have my own doubts: "consideration for marriage"—that would exclude all this. Whatever is given as stridhanam to the girl by the father would be excluded. It is not in consideration of the marriage.

पंडत ठाकुर बास भार्तीय : मेरी अदब से गुजारिश यह है कि यह इन्टरप्रेटेशन में उस बात दिया जा जाएगा कि यह ज्वाइस्ट कमेटी को सुपुर्द्दुष्या या और आनंदेबुल सा मिनिस्टर

वे भी बड़ी बेहतानी करके उस इंटर्व्हिओरेशन की कबूल फरमाया और यह कहा कि श्री बन इहके अन्दर एक्स्ट्रलूड होगा लेकिन यद्य पह बिस ज्वाएट कमेटी को गंगा अंतर यद्य में यह उसको बढ़ाता हूँ तो उसको बिल्कुल उससे जुदा पाता हूँ । अभी मेने श्री मेनन साहब की तकरीर सुनी । उससे मालूम होता है कि कुछ अस्तित्व ऐसे हैं जो कि डाउरी के माने वही समझते हैं जो कि इसकी हार्टीक में दिये गये हैं । लेकिन मैं यहां चाहता हूँ कि डाउरी की डिफिनिशन में भी यह बात साफ नहीं की गई है अंतर इस मामले को साफ कर देना चाहिये क्योंकि सारे मुक्त: में एक तरह से भूचाल सा आ जायेगा अगर अपने इसको यह समझा कि कोई शस्त्र लड़की को शादी के बक्तु कुछ न दे सकेगा । मैं जहां तक समझता हूँ हाउस के अन्दर ६६ फैसडी लोगों की यह राय हृतिगिर न होगी कि शादी के बक्तु लड़की को कुछ न मिले अलवता २, ४ परसेंट ऐसे हो सकते हैं जो कि सोशल रिफार्म्स के लिये बड़े जैलस रहते हैं हालांकि वह नहीं भागने में सोशल रिफार्म्स हैं इसमें हमें एकत्रित है लेकिन उनकी राय में वे सोशल रिफार्म्स हैं अंतर वे शायद इसको कबूल कर लें लेकिन आम तौर पर यह बात कबूल नहीं की जायगी कि लड़की को शादी पर न तो उस के मां, बाप कुछ दे सकें अंतर न उसके दूसरे रिसेदार दे सकें । चूँकि इसकी साफ करने के लिये मैंने दो अमेंडमेंट दिये हैं अंतर यह मैं अन्तीः स्वाक्षिप्तिः समझता हूँ कि जनाब ने भी उसी रूपाल का इजहार फरमाया जो कि मेरे अमेंडमेंट में है अंतर वह यह है कि यद्य तक कंट्रिडिशन आफ मेरेज न हो उस बक्तु तक वह डाउरी नहीं बनती । जनाबवाला, पहा हमारे हिन्दुस्तान में डाउरी सब देते हैं अंतर अन्तीः स्वाक्षिप्तिः के मुताबिक देते हैं अंतर देनी भी चाहिये । कई लड़के के मां, बाप दूसरे फारीक से लड़की के बालदेन से इसना हैं सा भागते हैं जितना कि वह देते के काबिल नहीं होते अंतर उससे शर्तें करा लेते हैं कि वह इसना पैसे देंगे अंतर वे अपने लखं पर लड़के

को बिलायत पढ़ने के बास्ते भर्जेंगे और इसी किस्म की कई अंतर शर्तें होगा देते हैं अंतर जिसके कि कारण कई लोग तबाह हो जाते हैं अंतर नतीजा यह होता है कि वे लड़कियां जिनकी कि शादियां होती हैं वे बेचारी दुर्ली होकर अंतर मां बाप की तबाही को देख कर अपने बदन पर तेल छिड़क कर भाग लगा कर जल जाती हैं अंतर मर जाती हैं । कई लड़कियां यह सोच कर कि उनके गरीब मां, बाप को उनकी शादी की मुसरिबत के कारण दुख न हो आत्म हत्या कर लेती हैं । यद्य पह असल बिदृत है अंतर हमारा मैं बुराई है अंतर इसको हमें दूर करना चाहिये । हमें इसके लिये भाकूल हल्तजाम करना होगा ताकि इस तरह से जो लड़की के मां बाप को तंग बिया जाता है अंतर शादी के मांके पर तबाह बिया जाता है वह न हो सके । यह बाकई में बिदृत है अंतर हमें इसका जरूर कोई न कोई इलाज सोचना चाहिये । लेखिन इसके पागे जाकर यह बहना कि चूँकि यह बिदृत है, बीमार है अंतर एक शस्त्र चूकि बीमार रहता है इस बास्ते बीमार को ही भार डालो, यह कोई इलाज करना न होगा । चूँकि यह बीमारी और लराबी हमारे वीच में बियामान है इसलिये हिस्तम आफ मेरिज की ही हटा दिया जाय यह तो कोई उरका इलाज करना नहीं होगा । यद्य अगर कोई बाकई में दृढ़ बा जुम्ब करता है अंतर वह लड़की के बाप से शादी मंजूर करने के लिये इतना दिमाण्ड करता है जो कि उनके रीजेन्वुल फाइनेंसिंशल कॉम्प्ली-टेंस के बाहर होता है तो वह बाकई नामुना हित है अंतर उसको बन्द करना चाहिये । यद्य हमने एक्स्ट्रलूड के अन्दर ५ साल की सजा रखती है अंतर उनके अन्दर तीनः हास की तो सजा कम से कम आम तौर पर दी जाती है । इसके लिये हम सजा जरूर रखते कि अगर कोई शस्त्र दूसरी पार्टी से जबरदस्ती पैदा बनेरह एक्स्ट्रलूड करता है तो वह सताकार ठहराया जाय अंतर उसकी कानून के नुसादिक सजा दी जाय ।

[पंडित ठाकुर दास भार्गव]:

इसी वास्ते मैंने एक घोषणामेंट इस अध्य का दिया है कि पार्टी के बाद यह जोड़ दिया जायें :

"beyond the reasonable financial competence of the other party or any other person on behalf of such other party."

हर एक कस में कोर्ट को यह मालूम करना होगा कि किनारा शल्स की किसी इन्शियल कीमतियें बता दें। अब अगर किनी का इन्शियल हजार इनमें की है और उससे ३००० रुपया ले लिया जाता है तो वह बेशक तबाह हो जायगा लेकिन अगर कर्ज कर लीजिये कि किनी लड़की का बाप करोड़रुपयों है और अगर वह शादी के भौगोलिक पर अपने लड़की को २, ४ लाख रुपया दे दो तो वह उसकी किसी इन्शियल कोर्मेंटेस के बियोंड नहीं कहा जा सकता और इस वास्ते वह अनरीजनेशनल नहीं है और उसकी आपको इसके अन्दर नहीं पढ़ाई लिया जाएगा। अब एक बाप बेटे के ऊपर तो सारी उम्मीदें साखर्व करता है, उसकी पढ़ाई लिया जाएगा पर रुपया लंबन करता है और लड़का ही सारी उम्मीद बाप के पैसे और जायदाद को इस्तेमाल करता है लेकिन लड़के को बाप पंसा देकर ही कारोबार करता है लेकिन वही शल्स अपनी उस बेचारी लड़की को जिसका कि शादी की सूरत में एक दूसरा जन्म होता है और जो कि दूसरे खानदान में चली जाती है, उसका अपने बाप के खानदान से अमलत तालुक छूट जाता है उसको अगर आप या रिश्तेदार कुछ देना चाहें तो उसे आप नामुनामित समझें, मेरी समझ में यह कुछ ठीक नहीं है.....

एक माननीय सदस्य : हिन्दुस्तान में करोड़रुपयों कितने हैं?

Shri Ajit Singh Sarhadi (Ludhiana) : But there must be definiteness in law. Your amendment has only put in the words "beyond the reasonable financial competence of the persons". There is no definition in this vague expression.

Shri Tyagi: How can there be definiteness in the expression, because all are not equal in financial status?

पंडित ठाकुर दास भार्गव : मेरी गुजारिश यह है कि शुल्क में जब यह बिल आया था उस वक्त २००० रुपये की ही रकम थी और जिसमें कि लिखा गया था कि प्रेसेट्स, जैलरी, करड़े और बर्टन बर्गरह यदि शादी पर २००० रुपये की मालियत बे दिये जायें तो वह डाउरी नहीं समझी जायगी। इस को ज्वाएंट कमेटी ने हटा दिया उसमें से निकाल दिया और यह रखवा गया कि २००० रुपये बे का मायने यह है कि सिस्टम आफ डाउरी को एनकरेजमेंट मिलेगा। जैसा कि मैंने इसको समझा है, कमेटी की राय यह थी और जैसा कि चेत्ररवें संघर्ष ने अपनी रिपोर्ट में लिखा है कि कमेटा यह चाहती है कि निस्टम आफ डाउरी को खत्म कर दिया जाय और जिसके कि मारी यह दुर्दृष्टि कोई भी अपना लड़की को गहने, बर्टन बर्गर कपड़े बर्गरह न दें सकता और इस तरह से नो आज जो जादे न होने पर लड़की बाला बारात को निमाता है, बरातिया की आवश्यकत करता है और कई कई रोज बरात को बाना देता है वह भी न कर सकता और वह भी इस डाउरी की डंकी फिल बे के अन्दर, का सकता है और उसका यहां तक स्ट्रेच किया जा सकता है। इसलिये मैं चाहता हूँ कि इस चीज़ को साफ कर दिया जाय.....

Mr. Speaker: I was not here. I would like to know from the hon. Minister one thing. In our country in every part of it as soon as a girl is married, she is given ornaments and also vessels so that she may go and set up a family; even clothing for so many months or years, a cot, this and that, so that she may go and settle down. If it is out of all proportion and if it is meant as a consideration, I can understand, but it is normal. Even in our part all of them do not earn, and therefore if it cuts at the root of even such provision for daughters.....

Shrimati Renu Chakravarty (Basirhat): Any amount can be given.

Mr. Speaker: The difficulty has arisen this way. It appears the hon. Law Minister said even this is consideration. When I get my daughter married, I give jewels to her. If that is the interpretation, I am afraid one of two things will happen. Either they will give it privately after some time, or the girls will not get married in our country. Already there is trouble.

श्री त्यागी : जिन लड़कों की शादिया नहीं हो सका है या जो शादी के काविल नहीं है यह उनका ही बहना है। जिनकी शादी हो चुकी है वह तो इन चीजों को समझते हैं।

The Deputy Minister of Law (Shri Hajarnavis): Voluntary gifts to any extent, in any form, are outside the scope of the Bill. It is only when the money is extorted, or any property is extorted as a consideration, as you have rightly observed, Sir, that it comes within the mischief of the Bill.

Shri Tyagi: What about voluntarily giving? What about the ornaments voluntarily offered?

Shri Hajarnavis: In any form, in any quantity it can be given. It is not hit by the Bill at all.

Shri Tyagi: Thank you. That is what we want.

पंडित ठाकुर बास भार्गव : दोनों ला मिनिस्टर साहिबान ने जो राय जाहिर की है वह वैलकम है। कल भी आपने फरमाया था कि हम इस पर अगड़ा नहीं करते और आज भी उन्होंने साफ़ कर दिया और मुझे तो वड़ी तसल्ली है कि उनकी वही राय है जो कि लीगल है और जो कि देश की प्रथा के मुताबिक है।

पंजाब में तो यह कायदा है कि शादी के बहुत लड़की को सारी चीजें दी जाती हैं, फलोंबर दिया जाता है ताकि वह जाकर

प्रपना घर बसा सके। और आज तो हालंत यह है कि वड़ी उभ के लड़कों लड़कियों की शादी की जाती हैं जो कि जाकर अपना घर बसाते हैं। मैं अपने दोस्त मेनन साहब से अर्जन करना चाहता हूँ कि उनको तो हर चीज की जरूरत होती है अपना घर बसाने के लिये। इसी लिये पंजाब में हर चीज दी जाती है। ताकि लड़की और लड़का अपना घर बसा सके।

Mr. Speaker: Whatever is reasonable. That is so all over India.

पंडित ठाकुर बास भार्गव : ग्रनाज दिया जाता है, बरतन दिए जाते हैं। मुझे वड़ी लुटी है कि जनाद चाला ने भैं भी बही राय जाहिर की है जो कि मेरी राय है।

Shri D. C. Sharma (Gurdaspur): Whatever happens in Punjab is utterly undesirable.

श्री त्यागी : जब आनंदेविल मेम्बर की शादी हुई होगा उस बहुत तो उन्होंने सब कुछ ले लिया होगा। अब दूसरों वे: बास्ते इस तरह कह रहे हैं।

Shri D. C. Sharma: I was married when I was a student of the eighth class in middle school.

पंडित ठाकुर बास भार्गव : जनाब चाला, मैं यह अर्जन कर रहा था कि डाउरी का वह हिस्सा जो कि किसी को मजबूर करके लिया जाता है उसके बास्ते इस बिल में हमने ठीक इन्तिजाम नहीं किया है। इस बिल में यह नहीं हिया गया है कि कौन कम्पलेट करेगा। यह तो ठीक है कि यह जुर्म नानकागनिजेबिस है। हम भी इसको कागनिजेबिल बनाना नहीं चाहते। किमिनल प्रोसीज्योर कोड में जो दफात ४६२ से ४६८ हैं वे मेरिज के मुतालिक हैं। उनके मुताबिक एंडीबी पार्टी के अलावा और कोई शिकायत नहीं कर सकता।

Mr. Speaker: Whoever has been rejected as a bridegroom will complain.

पंडित ठाकुर वास भारंव :
There are others who will complain.

ऐसे केंत में जिसमें कि किसी ने समझी को बहुत ज्यादा डाउरी लेकर तबाह कर दिया, तो वह सनस्ती एप्रीव्ड पार्ट होगा और उसके लड़के वर्गे रह एप्रीव्ड पार्ट होंगे । अगर किसी की हैसियत दो हजार की है और उसके पास से दस हजार ले लिया गया तो वह शल्स एप्रीव्ड पार्टी होगा । लेकिन वह शायद अदालत में जाना पसन्द नहीं करेगा । इसलिये मैं चाहता हूँ कि कुछ सोशल आरगेनाइज करती हो, यह मुकदमा लाने का अस्तियार दिया जाए । अगर ऐसा किया गया तो किसी के लिलाक किसी की दुश्मनी नहीं एराउज होगी । अगर ऐसा नहीं किया जाएगा तो इस तरह के केस अदालतों में जायेंगे ही नहीं । समझी, जिसने अपनी लड़की दी है वह कभी नहीं कहेगा कि उसके दामाद को या समझी को केंद कर दिया जाए । इसलिये अहरी है कि यह अस्तियार सोशल आरगेनाइजेशन्स को दिया जाय । या क्रिमिनल प्रासीज्योर की दफा ५४५ के मातहत जजमेंट देने वाली कोर्ट को यह अस्तियार हो कि जिसको कोट ठीक समझे वह मुकदमा ला सके और उसको प्रासीक्यूशन का सच्चा भी दिया जाए । मैंने एक अमेंडमेंट भी दिया है कि प्रापर केसेज में जिसमें यह साफ हो कि किसी को डाउरी लेकर तबाह किया गया है तो उसको मुशावजा दिया जा सकता है और साथ ही प्रासीक्यूशन का सच्चा भी दिया जा सकता है । अगर यह तजदीज मंजूर कर ली गयी तो कुछ केसेज इस किस्म के अदालतों में आवेगे बतना कोई ऐसे केसेज नहीं लाएगा और यह कानून इनकान्वृप्ति हो जाएगा और सारे काम इसी तरह होते रहेंगे जैसे कि आज हो रहे हैं ।

13-22 hrs.

[MR. DEPUTY SPEAKER in the Chair.]

डाउरी के प्रलापा भी कुछ ऐसी चीजें हैं जिनको कि दूर करना चाहिये, पर उनकी तरफ गवर्नरमेंट की तबज्जह नहीं गयी और न मेम्बरान की ही तबज्जह गयी है । हमारे दोस्त वाल्मीकि जी ने इस मूलातिसक कुछ अमेंडमेंट दिए हैं जो कि गो इस बिल के बरमेंट नहीं हैं लेकिन बहुत मार्कूल हैं । आज लोग क्या करते हैं कि डाउरी के बजाए और तरीके से लूटते हैं । कहते हैं कि बारात अशोक होटल में ठहरायी जाए, जो काश्मीर का कमरा है, २५० रुपए रोज का, वह नौशे के लिये रक्ता जाए, बारातियों को चांदी की थाली, चांदी का गिलास और चांदी की कटोरी दी जाए और आतिशबाजी में हजारों रुपये लर्ज करते हैं, और जब बिजली जगमगाती है तो मालूम होता है कि सूरज की रोशनी कम है और बिजली की रोशनी ज्यादा है । इन सब चीजों को कुछ लोग अपनी शान बढ़ाने के लिये अहरी समझते हैं । मेरे स्वाराब चीजें हैं । लड़की को देना स्वाराब नहीं है । लड़की को तो हर एक आदमी को अपनी हैसियत के मूलातिक देना ही चाहिये ।

डा० भा० श्री० श्रेणी : यह जो बिल लाया गया है इससे शादी करना मुलम होगा या विकट होगा ?

पंडित ठाकुर वास भारंव : जनाब वाला, मेरी नाकिस राय में तो आम तौर पर कल्पना सरसों तक तो शादी करना मुश्किल ही नहीं बल्कि नामुमकिन होगा ।

मैं अब ऐसे पूछना चाहता हूँ कि वह कौनसी शादी हो सकती है कि जिसमें कल्पना न हो । क्या कोई हिन्दू उसको समझ सकेगा । और फिर दान तो सबसे बड़ा कल्पना दान है । उसके मुकाबले में इपया पैसा क्या चीज है । मैं कहता हूँ कि जब तक कल्पना को सुनूचित वह अलंकृत करके शास्त्रों के अनुसार

नहीं दिया जाएगा कोई उसको कन्या वाली नहीं समझेगा । ऐसी शादी को लोग बजाए शादी के गमी समझेंगे । क्या आप आहोंहे कि लड़की के सारे रिशेदार गमनीन बैठे रहें और न किसी को कुछ दें या खिलाएं पिलाएं । इस तरह की शादी गैर भूमिकिन है । स्तरावी बहीं हैं जबकि जरूरत से ज्यादा लिया जाए । और इस शादी को मैं समझता हूं कि यह कानून दूर बहीं कर सकेगा । जो इसमें अल्फाज दिये गये हैं उनको चुलाहिजा फरमाइये ।

उपर्युक्त महोदय : जो साथ आते हैं उनको दिया जाय, लड़की को न दिया जाय ।

पंडित ठाकुर दास भार्गव : यह बिल तो यह करना चाहता है कि उनको भी न दिया जाए । इसमें दिया गया है :

"to one party to a marriage or to any other person on behalf of such party. . . .".

और मैंने पहल भी अर्ज किया था कि मेरिज की जो दो पार्टीयां होंगी वह तो ब्राइड और ब्राइडमूम होंगी । त्यागी साहब समझते थे कि पार्टीज से मतलब दोनों फरीक से होगा । लेकिन मैं अर्ज करना चाहता हूं कि ब्राइड की तरफ से कौन देता है और दूसरे फरीक यानी ब्राइडमूम की तरफ से कौन देता है । लड़की का बाप दामाद को देता है जो कि अब उसका रिशेदार हो चुका है । और दामाद लड़की के मर जाने के बाद भी उम्र भर उसका दामाद रहता है । मालूम होता है कि जिन सोगों ने इस बिल को बनाया है उनको यह नहीं मालूम कि वह कौन सी बला है जिसके खिलाफ वह लड़ रहे हैं । जैसा कि मेरी बहिन इला पालचौधरी ने जोर से कहा है, साबिन्द और बीबी के दरम्यान कोई भी शीज जो तै हो जाए वह बिलकुल जायज है । एक सड़की जब १८ बरस की हो जाती है तो वह कुद अपनी शादी कर सकती है, अपनी शारी जायदाद किसी को दे सकती है । यह दो हमारा फँडामेंटल राइट है कि कोई आदमी

अपनी प्राप्ती को जैसे चाहे डिसपोज आफ कर सकता है ।

Shrimati Renu Chakravarty: May I request Pandit Thakur Das Bhargava to speak about this point in English, because we could not follow exactly the point that he was making?

Pandit Thakur Das Bhargava: I was submitting that when we consider the question of the relations between husband and wife, it should be open to the husband and the wife to agree to any terms at the time of marriage. For, in some communities, and in some cases, marriage is only a contract; whereas, in the Hindu community, it is considered as a sacrament, and certain others also regard it as a sacrament. Therefore, it should be open to the husband and the wife to give away anything to the other spouse just as he or she likes; and there should be no law whereby any compulsion should be made in this regard.

So far as dower or *mahr* is concerned, it has been stated that they are excluded from the purview of this Bill, because the *Shariat* law provides for it. But so far as the Hindu law is concerned, may I submit that this was what Sita said to Rama:

मितं ददाति हि पिता, मितं भ्राता मितं सूतः
अभितस्य हि दातार भर्तारम् का न पूजयेत ।

So, according to the Hindu law, and according to our traditions, a husband gives everything to his wife, and the wife gives everything to the husband. So, between the two, there should be no impediments and no restrictions. So far as contractual terms are concerned, I can understand a wife just choosing a husband even considering the prospect that after he is dead, she will get enough to live by; similarly, I can understand a husband choosing a wife thinking that she is the real heiress, and he would get the benefit if he marries her. This is not a thing which can be ignored in society. Every father wants that his daughter be married

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in a rich family; similarly, every man wants that he may be married in a rich family. Why should you make any obligations, so far as these persons are concerned? After all, what is dowry? Dowry is not what each husband gives to his wife or what each wife gives to her husband. Dowry is one which in popular parlance is understood to be what the parents of the boy give to the girl or the parents of the girl give to the boy.

Shri Tyagi: Here, it is not a question of the parents; according to the terms of this definition, the parents might give any amount; that will not be objectionable. It is only the parties which should not give between themselves.

Pandit Thakur Das Bhargava: That is my hon. friend's view. But this matter can only be decided by a court at the lower level or by the High Court in case there is a conviction and there is an appeal against that.

If we pass this law as it is, then people will understand that dowry means any property; even the food given at the time of marriage may be considered as property. Even some little thing given by a party may be construed as dowry; as my hon. friend has been pleased to construe, even a little thing given by one party to a marriage to any other person may be considered as dowry. The court may also construe like that. So, I want that everything may be made absolutely clear. It is with this object in view that I have given notice of so many amendments.

As a matter of fact, I may submit that it interferes with article 19 of the Constitution. Any person has got the right to dispose of his property in any way he chooses; of course, I agree that so far as he misuses that right in respect of extortion of dowry, he should be prevented from doing so. To that extent, I agree. You might enhance the punishment also

in such a case. At the same time, you must see that the law is effectuated by allowing complaints to be made by social organisations or by the aggrieved persons.

All the same, I feel that if the Bill is construed in the manner in which it has been construed in the Joint Committee's report, then, I am afraid, that first of all, article 19 will be contravened, and secondly, the financial position of the ladies in our country will become very much worsened, and they will not be able to get anything at the time of marriage which is the starting point for their life.

I was also submitting that it was opposed to public interest. If we pass this Bill in its present form, then it is not the Members who will be held responsible for it, but the whole sarkar; everybody would say that this sarkar is doing some things which are so very much opposed to public opinion and to traditions in the country, that this sarkar is no good at all. This will be the result. I am, therefore, anxious that so far as this Bill is concerned, we ought to pass it after great consideration; and we must make it absolutely clear that we do not want to do things which the public does not like.

Of course, dowry is a social evil, which we must remedy, but it is not such a great social evil that we must send the bride or the bridegroom or their parents to jail. Why should we send them to jail unless there be a proper case for doing so, unless the person has misbehaved in a very bad way? In fact, I had given the example of the misbehaviour of a husband last time; I do not want to repeat it now. I can understand if people are sent to jail in such cases. But, ordinarily, I should think that fine should be the proper remedy and not jail sentence, unless there are grounds on which such sentence may be justified. But what do we find in clause 7 of this Bill? We find that

sending to jail is mandatory. It has been stated that it is compulsory that jail sentence must be given. I submit that such a drastic provision should not have been approved by the Joint Committee.

Then, again, in clause 7, as I had pointed out earlier, the words are 'based on a complaint'. This must be made clear as to whose complaint is contemplated. Who will complain? Ordinarily, if you allow every kind of person to make a complaint, that will not be proper. To allow every person to make a complaint will be opposed to the accepted principle, that is, the principle which we had accepted the other day in regard to sections 493 to 498 of the Criminal Procedure Code; you will remember that the other day there was a private Member's Bill in regard to section 198, which we had passed with certain amendments. Even then, we did not allow any person to file a complaint. It will not be proper to allow all sorts of persons to file complaints and harass the parties after marriage. In that way, there will be another extortion. The first extortion is already there. The second extortion will be in the form of the possibility of a complaint from any person against this person who has already undergone extortion.

Therefore, my humble submission is that in regard to all these matters, we must be very circumspect. Since I have tabled a large number of amendments to this Bill, I do not want to take much time at this stage. I will only submit so far as the word 'betrothal' is concerned, that it need not be there. A betrothal need not necessarily end in marriage. If it has to be effectual, it has to end in marriage. Otherwise, betrothal by itself will mean nothing. So why should the word 'betrothal' be there? I say this because we have said here 'before the marriage as consideration for the betrothal or marriage'. If it is marriage, it is all right. But betrothal may not be effected into marriage. After all, the

betrothal may break off. So I do not know a person should be penalised for that. If a person enters into a betrothal without meaning to enter into a marriage, it is useless. As a matter of fact, a person may be duped into a betrothal. In such cases, section 420 of the IPC is there. A person may make a misrepresentation and get money from another on the basis of making a betrothal. As a matter of fact, it is presumably a case of cheating. Even today, there are such cases and they are dealt with under section 420 of the IPC and in proper cases punishment given. Therefore, so far as the word 'betrothal' is concerned, we are not justified in having it in clause 2.

Then again, there is an article in the Constitution which says that so far as laws are concerned, there should be the uniformity of laws for all communities. This is a matter in which all communities are equally interested. So in this matter why should the Muslims be allowed to have more powers than the Hindus, Christians etc.? Therefore, my humble submission is that it is but fair that we have the same law. So this exception regarding dower or *mahr* should be taken away and we should make this uniformly applicable as between spouses belonging to every community.

It has been repeatedly said, by Shri Narayanankutty Menon and others that among the Christians and others when there is a succession law, there is no need for a Dowry Bill. I for one would not agree with that argument. I know the succession law has been passed in spite of our protest. At the same time, perhaps Shri Narayanankutty Menon does not know that in the Punjab, there is a movement to revert to the old law and custom. In the Punjab, so far as the peasantry is concerned, we do not want that girls married should succeed to their parents' property. That question apart—I am not dealing with that problem now—we are very anxious that the rights of the girls in the Punjab and all over in

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the country, in the whole of India, should be fully safeguarded by allowing the system of dowry to remain as it is, and only penalising the giving or taking of such kind of dowry as is extortionate or objectionable is justified. Unless this principle is accepted, I think so far as the Punjab and other parts of the country and many Governments are concerned, where this system of giving extortionate dowry is not rampant, they should be excluded from the purview of this Bill. I have also tabled an amendment to that effect.

Then the hon. Minister was pleased to say at the time the Bill was being sent to the Joint Committee that among the peasantry, there was no such practice of dowry but it was confined to the higher classes or the upper middle classes or those literate people who wanted money for sending their sons to England etc. So why make it disastrous for the whole of the country? Why should the girls feel dissatisfied that their age-long customs in their favour should be disturbed in this way?

Therefore, I would beg of the House to kindly consider this question and make in this Bill amendments which are proper. Otherwise—if these amendments are not carried out in the Bill—I would rather like that the Bill were dropped than be passed in the form in which the Joint Committee has presented it eliminating altogether the system of dowry.

बीमान् जी, उमा नेहरू (सीतापुर) :
बीमान् जी, इस हाउस में डाकरी बिल पर बहुत एक्साइटेड स्पीचिंग हो रही है और मैं समझती हूँ कि इससे भी ज्यादा जोश भरी स्पीचिंग होंगी। लेकिन मुझे इस हाउस को एक बात बतानी है और वह यह है कि डाकरी के बारे में हम बाहे कितने ही कानून बनायें, या उस पर एतराज करें, लेकिन असल बात यह है कि डाकरी इटसैल्फ, बहुद, भीरत के लिए

एक जिल्लत की बात है। यह यह बताना है कि भीरतें रीयलाइव करने लगी हैं कि डाकरी हमारे लिये जिल्लत की बात है, भाज समाज में हमारी हैसियत यह है कि हम बेची जायें, हमारा भाव-तौल हो, हमारा बार-गेनिंग हो, और यह हमको बर्दाष्ट नहीं है। हमारे भाई इस बात को मन्जूर करें या न करें लेकिन भीरतों ने तो पक्का इरादा कर लिया है कि इन के मन्जूर करने या न करने से बात नहीं चल सकती, अब तो हमको अपने पैरों पर लड़े होना है। भाज इस हाउस में यह जिक्र हो रहा है कि बिटिया को क्या दिया जाय और का न दिया जाय। मैं यह कहना चाहती कि अब सबाल यह है कि क्या अब बिटिय कुछ लेना भी पसन्द करेगी या नहीं और अगर उसके बारे में भाव-तौल किया जाता है, तो वह शादी भी करेगी या नहीं। मैं चाहती हूँ कि भाज सब को यह महसूस करना चाहिए कि स्त्री की इज्जत रुपए पैसे, जेवर और कपड़े से ज्यादा है। जहाँ तक इस बिल का ताल्लुक है, यह तो एक छोटा सा बिल है और हमने बहुत सोच समझ कर, हर एक बीज को देख कर इस को तैयार किया है। यह बात हम भीरत की हैसियत से कहते हैं, क्योंकि यह बिल ज्यादातर हम से बास्ता रखता है, मरदों से नहीं। इस बारे में सब से ज्यादा अहमियत इकनोमिक फ़िक्टर की है। यही बजह है कि भाज लड़कियां घर छोड़-छोड़ कर नौकरी करने लगी हैं, ताकि उनको इकनोमिक इंडिपेंडेंस मिले।

इस बिल को हमको जोश से नहीं देखना है, बल्कि ठंडे दिल से बैठ कर इसको देखना है। जब इस बिल का जिक्र पाता है, तो स्त्री का सारा इतिहास सामने आ जाता है। हमने इतने सोशल रिकार्ड्स के साथ पास किये हैं। मैं यह अर्ज करना चाहती

हूँ कि यह डावडी बिल उन्हीं सोशल रिफ़ाउर्नमेंट का एक छोटा सा टुकड़ा है, उनसे अलग नहीं है। यह मैं मानती हूँ कि स्त्री को हक्क दिया गया है कि उसको भी जायदाद का कुछ हिस्सा मिलेगा, लेकिन अभी भी ठाकुर दास जी ने इस सिलसिले में यह तस्वीर लीकी कि हम अपनी लड़कियों को गिफ्ट भी नहीं कर सकते। उन्होंने यह भी कहा कि अगर हम सड़की की शादी सनातन धर्म के विवाह के मूलादिक करें, तो हम कन्यादान कर नहीं सकते। मैं उनसे एक ही बात कहुमा चाहती हूँ कि जब नौ दस बरस की लड़कियों की शादी होती थी, तब तो कन्यादान होता था, लेकिन अब बीस, चालीस बरस की लड़कियों का कन्यादान कैसे होगा? वह तो पहले ही मिथ्या हो गया है।

पंडित ठाकुर दास भार्या : मनुस्मृति का कानूनयह था कि अठारह बरस के बाद सड़की अपनी शादी खुद कर सकती थी।

श्री बालमीकी (बुलन्दशहर-रक्षित-अनु-सूचित जातियां) : जब तक नारी विवाह नहीं करती, वह कन्या ही है।

श्रीमती उमा नेहरू : मुझे अफसोस इस बात का है कि अगर आज कोई अठारह बरस की लड़की कहे कि मैं फलां से शादी करूँगी, तो आज आफ़त भव जाती है।

पंडित ठाकुर दास भार्या : मैंने इस बार में तरभीम पैश की थी जो की मंजूर हो गई थी, कि अठारह बरस से बड़ी लड़की को शादी के बारे में किसी से पूछने की उम्रत नहीं है उसको खुद शादी करने का अक्षयार है। माननीय सदस्या ने उस बक्त उसकी हिमायत में बोट दिया था और तकरीर में बुझे सपोर्ट किया था।

श्री त्याली : लेकिन फिर भी पूछ लेना चाहजा है।

श्रीमती उमा नेहरू : हमारे यहाँ कई सरीके की शादियां हैं। आज इस बारे में

सीता और राम का और सत्यवान और सावित्री का डिक्क किया जाता है, मैं चाहती हूँ कि जो कानून उस जगते में थे, जो ऐरिज के कस्टमरी लाज थे, जिनके मुताबिक लड़की अपने बर को आप पसन्द करती थी, जयमाल डालती थी और अपनी किस्मत अपने साथ लेकर बली जाती थी, किर चाहे उसको कम्बल पर रहना पड़े, चाहे दोशाले पर, अगर उनको ले आया जाय, तो बहुत अच्छा हो।

इस बिल में, जिस पर हमने बड़ी मेहनत की है, हम को ताज्जुब की कोई बात नज़र नहीं आती है। असल बात यह है कि दुनिया इस बक्त बड़ी तेजी से उन्नति कर रही है और इतनी तेजी से चल रही है कि अगर आप खामोश खड़े रहें, तो आप खत्म होते हैं। आज आप को दुनिया में सब जीजें—चल और अचल सब जीजें—चलती हुई दिखाई दे रही है। अगर इस दुनिया में स्त्री अपने पैरों पर खड़े होकर तेजी से चलना चाहे तो उसके रास्ते में रुकावटें आती हैं। उन रुकावटों को अब स्त्री दूर करेगी, छोड़ेगी नहीं, क्योंकि अब उनको जान आ गया है।

उपाध्यक्ष महोदय : पंडित जी ने भी इसके चलने पर ऐतराज नहीं किया। उन्होंने कहा है कि वे इतनी तेजी न चलें कि विर पड़ें।

श्रीमती उमा नेहरू : अगर हमारी रविश हुनिया की रविश के संग न हो, तो मेरी समझ में नहीं आता कि फिर समाज और इंसान की क्या हालत होने वाली है।

इन बातों को छोड़ कर मैं यह कहना चाहती हूँ कि किसी ने भी लड़कियों को गिफ्ट देने पर ऐतराज नहीं किया है, लेकिन उनके लिये यह कितनी चिल्सत की बात है कि उनके लिये बारतीनग किया जाय, पचास हजार, एक लाख या दो लाख की बात की जाये और फिर उनको व्याहा जाये।

[भीमती उमा नेहरू]

कोई नहीं कहता कि मुहम्मद से, प्रेम से अपनी बेटी को गिफ्ट न दो, लेकिन सवाल यह है कि गिफ्ट क्या होता है । कोई सासों वर्षयों का गिफ्ट नहीं होता है । आखिर कितने लोगों के पास लालों रुपए होते हैं ? मैं तो डावरी का मतलब यह समझती हूँ कि शादी से पहले डिमांड करना कि इतना दोगे, तब तुम्हारी लड़की हम लेंगे । इसी लिये मैंने शुरू में कहा कि अब सवाल यह है कि लड़कियां खड़े होकर कहें कि जहां से कुछ डिमाण्ड किया जाता है, वहां हम शादी नहीं करेंगी ।

अब रहा यह सवाल कि हम कोमल हैं, हम निर्वल हैं, हम बिल्कुल मरदों के ऊपर पड़ी हुई हैं । आज समाज में हमारी यह स्थिति है । उस हालत में अगर शादी होती है, तो घर का सब सामान, कपड़े, जेवर वर्ग इह सब कुछ दिया जाता है । मेरी समझ में नहीं आता कि जिस घर में लड़की जाती है, क्या वह ऐसा निलट्टू है कि उस घर में कुछ भी नहीं है, फ़रनीचर नहीं है, और कुछ नहीं है । लेकिन सब देते हैं—हिन्दू भी देते हैं, मुसलमान भी देते हैं और इसाई भी देते हैं—यह रिवाज चला आता है—और इस बजह से देते हैं कि हमेशा से यह समझा गया है कि स्त्री बीकर संस्कर है और इकानोमिक तौर पर हम पर डिपेंडेंट हैं उसको गृह-लक्ष्यभी नाम दिया गया है । मैं सिर्फ़ यह कहना चाहती हूँ कि अगर कोई एकेश्वन में कुछ देता है, तो उसके लिये किसी ने मना नहीं किया है । अगर कोई गिफ्ट देता है, तो वह डावरी में नहीं आता है ।

अब रहा यह सवाल कि कौन इतिलाकरेगा कि इस घर ने डावरी ली है । मैं खुद भी इस को काल्नीजेवल आफ़ेन्स नहीं बनाना चाहती थी, क्योंकि राजनीतिक काम करने वाली मैं कम हूँ—मैं ज्यादातर समाज में काम करती हूँ और मैं अच्छी तरह से बाकिक

हूँ कि कानून पास करने से हमें थोड़ी बहुत भेदभाव बरूर मिलेगी, लेकिन उस से यह बात हटने वाली नहीं है । उस के लिए हम को समाज का परिवर्तन करना है और मैं आपने भाइयों को यकीन दिलाती हूँ कि हम ने सोब लिया है कि हम अपनी स्त्रियों की आरगनाइजेशन में काम करेंगी । चाहे इस पारिलायमेंट में हम आना-जाना कम करें, लेकिन हम सब काम करेंगी ताकि स्त्री की स्थिति समाज में बदली हो ।

इस बिल से हम को घबराना नहीं चाहिए । अगर कोई मुझ से पूछे तो हम तो समाज में बिल्कुल उलट-पलट करना चाहते हैं ।

श्री स्पार्गी : स्त्रियों का अलग आरगनाइजेशन करना ठीक न होगा । मैं अब इसी तरह करना चाहता हूँ कि अगर स्त्रियां करेंगी, तो हम मर्द भी करेंगे । इस से आपस में झगड़े शुरू होंगे । इसलिए अलग आरगनाइजेशन करना ठीक नहीं है ।

श्रीमती उमा नेहरू : मैंने त्यागी जी की बात सुनी है और मैं समझती हूँ कि हर बच्चा इसी तरह की बात करता है । मुझे आपसे केवल इतना कहना है कि आप समाज के हित के जितने भी बिल बनायें, जितने भी बिल पास करें, समाज का कल्याण तब तक नहीं हो सकता जब तक कि हम स्त्रियों

उपाध्यक्ष महोदय : आपने लड़की के लिए कह दिया कि अगर १८ साल की हो तो कन्या न कहा जाय, कन्यादान के क्या माने, और त्यागी जी को चाहे वह कितनी ही उम्र के हों, आप बच्चा ही कहेंगी ?

श्री दी० चं० शर्मा : इस बच्चे का मुंडन संस्कार होने वाला है ।

श्रीमती उमा नेहरू : मुझे त्यागी जी से वह कहना है कि स्त्रियों जो यह करती हैं इसलिए करती हैं क्योंकि वे भारतीय नेशन

को देख रही हैं, उसकी दशा को देख रही हैं। वे सोचती हैं कि इन मर्यादों में, जिनको कि भारताभारों की हैसियत से पैदा किया गया है, कमज़ोरियों क्यों भा गई हैं और क्यों वे अड़वने रास्ते में लड़ी करते हैं। मां का स्वरूप आप स्त्री को देते हैं और फिर भी आप उनके रास्ते में अड़वन ढालते हैं। फिर जो मर्द हैं, जोकि दावे के साथ कह रहे हैं कि हम कमाने वाले हैं, आज स्त्री का भाव तौल करने बैठ हैं, यह क्यों, मेरी समझ में नहीं आता है।

बाकी सब चीजों को छोड़कर मैं इतना ही कहना चाहती हूँ कि इस बिल को मैं पूरे तीर से सरोर्ट करती हूँ। कागानिजेबल आफस इसको बनाया जाना हमें बिल्कुल मंजूर नहीं है क्योंकि पुलिस का काम हम खुद स्थित्यों करेंगे और मैं समझती हूँ कि यह बिल्कुल गलत बात होगी अगर हम पुलिस को कहीं भी अपने करीब लायें। ठाकुर दास जी से तथा त्यागी जी से, जोकि बोलने वाले नहीं हैं, लेकिन इतनी दिलचस्पी इसमें ले रहे हैं कि बैठे ही रहेंगे, मैं यह कहना चाहती हूँ कि यह बिल हम इसलिए लाई है कि हम समाज में परिवर्तन लाना चाहती हैं और चाहती है कि इससे समाज का कल्याण हो। समाज के नुकसान के लिए हम हर्गिज़ इसको नहीं लाई हैं।

श्री त्यागी : जब आपकी शादी हुई थी तब सोचना था।

श्रीमती उमा नेहरू : काश्मीरियों में यह चीज़ नहीं है।

Shri Nathwani (Sorath): Mr. Deputy-Speaker, Sir, I rise to support the principle underlying the Bill. But it is my painful duty to point out certain objectionable features of the Bill.

In the Statement of Objects and Reasons, it is claimed that the Bill will go a long way in the eradication of the evil of this dowry system. The Bill, as it was introduced, contained certain drawbacks. As it has emerged from the Joint Committee not only have

those drawbacks not been taken away or removed but also one or two more have been added. Therefore, I am afraid that even the limited purpose which this Bill seeks to serve will not be served by it as it has emerged from the Joint Committee.

There are two factors to be borne in mind in considering any social legislation. The first requisite is that there must be a proper and congenial atmosphere for that kind of reform. Secondly, the legislation should be so conceived and framed as to ensure its effective implementation.

I say that the first requisite is the proper climate. I mean we want social consciousness; I mean enlightened public opinion. Though it is recognised as an evil, it is an evil of long standing, still today somehow or other public opinion seems to be inured to this practice. There is no condemnation or disgrace incurred by the persons indulging in this evil. What is an all the more disquieting feature is the fact that this practice exists and flourishes also in educated and so-called advanced people. I am putting it mildly. Therefore, this evil practice differs from other social evil practices because whereas other evil practices like child marriage etc. could be got over by the spread of education, here is a practice which, on the contrary, gets aggravated by persons receiving high school and college education. I need not speak at length about the reason why this enthusiasm or zeal for social reform has faded or waned but it occurs to me that one reason is that there seems to be a growing tendency to rely more and more on legislation. It appears to me that some reformers are trying to lay balm to their uneasy conscience by getting a Bill like this, in this form passed so that they can take satisfaction that they have done their best. We do not view the progress as an entire one; we think progress can be achieved in water-tight departments. Therefore, we have never given due importance that we should have given to social reform.

[Shri Nathwani]

I now come to the provisions of the Bill. There were two drawbacks in the original Bill and in this category was the provision which made the giver of dowry a guilty person. Shri Malkani in his able note of dissent has dwelt at length upon this aspect and I do not want to repeat the arguments. He has stated that the person who is to give is compelled to give and he deserves sympathy and so on. Coupled with this fact you have to see how to implement the provisions of the Bill and then you will realise the necessity of making an exception and not punishing those who have been forced to give dowry. This was an original drawback and I expected the Joint Committee to give serious thought to it. But somehow or the other, the provision has remained as it was.

The other drawback is clause 7 which says that no court can take cognisance except on a complaint. Having regard to the nature and circumstances of the case, the persons who can know about the affair, barring very few cases, would be the persons who are either relations, friends or acquaintances. They may not like to come forward and give evidence or lodge a complaint before a magistrate. They can go and pass on information either to a police officer or to the magistrate. By restricting the jurisdiction of the court to take cognisance only on a complaint, you are preventing the court from taking cognisance from other normal agencies which are provided for in section 190 of the Criminal Procedure Code. If you wanted it to be really effective, really you should have seen to that that a person is encouraged to come forward and put the criminal law in motion.

Shri Subiman Ghose (Burdwan): Even if it is made cognisable, there is no bar for a private person to come and lodge a complaint.

Shri Nathwani: My friend has not understood my point of view. Having regard to the circumstances, a person who can know whether any considera-

tion has been given will be either a relation, friend or acquaintance or a marriage broker, if he exists. Someone who feels that some wrong is being done may not still like to go and lodge a complaint in the court of law. That is the effect of the provisions. You cannot write privately to the Magistrate or go and ask the police to investigate in the case. You have to lodge complaint in the court. This is the legal aspect. I will give an illustration. Supposing my cousin is being married and her father had to pay something, I may feel that I must move in the matter. I would not like to come and appear as a complainant in a court of law, and to give evidence. But I may write a letter to the magistrate giving information.

Shri P. R. Patel (Mehsana): How can the offence be proved?

Shri Nathwani: It is for the police to investigate. They will look to the pecuniary circumstances of the person and they may try to know. Suppose the father of the bride borrowed moneys from a bania or a well-to-do friend like my hon. friend who intervened just now, the police can go and check up the account and find out and then evidence would be collected this way....(Interruptions.)

An Hon. Member: Is it consideration for betrothal or marriage? It must be proved.

Shri Nathwani: Let us take this illustration which I have given. Suppose I pass on information saying that my uncle has paid Rs. 10,000 to get my cousin betrothed or married. I do not want to go before the court. I write to the magistrate. I say that my uncle on a particular date borrowed Rs. 10,000 from Mr. X; he has mortgaged his property and moneys have gone to the other party. The police can go and ask these questions: Have you mortgaged the property? Where are the moneys? From whom did you receive those moneys and to whom have you passed them on?

Shri Hem Raj (Kangra): If you write a letter to the magistrate, would not that letter itself be the first information report of the police?

Shri Nathwani: It is not an information or report to the police. I am writing to the magistrate. That is the illustration I gave you.

Mr. Deputy-Speaker: The hon. Member would only write when he wants to harm his uncle and not save him his money.

Shri Nathwani: I do not want my uncle to be harmed and I, therefore, suggest that the giver should be excepted and should not be made guilty of the offence. That is a serious drawback in this Bill.

Now in their over-enthusiasm, the Joint Committee Members have made the offence compulsorily punishable with imprisonment and fine. Here the enthusiasm has gone far beyond what is expected in the present state of affairs.

Shrimati Uma Nehru: We have got both of them here because otherwise the rich people would pay the fine and not go to jail. We want they should be sent to jail if they commit this offence.

Shri Nathwani: I quite understand the hon. Member's remark. Originally, the Bill provided for either of this and discretion was left to the magistrate. Having regard to the prevalence of this system of giving dowry and other aggravating circumstances, the court would have been justified in awarding a deterrent punishment. As per the original provision, there was nothing to prevent the court from sending the accused person to jail if he was found guilty of an offence. I do not know whether more serious thought was given to this aspect. By tightening the provision, maybe, they have, as I said in the beginning, laid a balm to their conscience saying that they are making provision for deterrent punishment. But the real purpose of bringing as many culprits to book as possible will not be served.

Some discussion took place about the definition of 'dowry'. I do not understand why a lot of criticism is being hurled at the definition as it stands because whatever may be given by way of voluntary gifts or what is usual or customary cannot certainly be included in the term 'consideration'. In a marriage, what is the 'consideration'? My promise to marry A and A's promise to marry me is the only 'consideration' for marriage. When you say that one should pay something or someone else should pay something, then that pecuniary part also forms part of the 'consideration'. But whatever is given by way of showing affection, out of natural love and affection, will not fall within the definition of 'dowry'. In actual practice, it will be rather a difficult thing to apply.

14 hrs.

Mr. Deputy-Speaker: Will the police separate what is given through affection and what is given as consideration?

Shri Nathwani: In practice, Sir, in border-line cases, there will be difficulties; I admit it. But the difficulty is inherent in the situation, in the subject matter with which we are dealing. Therefore, as I started by observing, in social matters legislation alone can never achieve its desired goal. That is common knowledge, that is common ground here also. Nobody believes that by passing this Bill, we will be eradicating this evil. The claim is that this Bill will go a long way, but even in order to go some way some changes were necessary on the lines indicated by me.

Pandit Thakur Das Bhargava: If these words are not kept there, harassment will be there.

Shri Nathwani: Harassment will be there, there may be some hard cases, genuine cases also. In such cases, the persons will have to stand their trial, but it is always a question of degree.

I have suggested two minor amendments. I know their fate. So far as

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the definition of the word "dowry" is concerned, I asked the hon. Minister yesterday whether if some consideration is given at the time of betrothal before the marriage takes place such payment of consideration will amount to an offence. The hon. Minister was pleased to observe that according to him, it would amount to an offence. I relied on the words: "one party to a marriage giving to the other party". At the time of betrothal, you cannot describe them as being parties to a marriage. Therefore, either you add the words "proposed marriage" and say: "by one party to a proposed marriage" or you can say: "by one party to a betrothal or a marriage". In the Bill that was introduced sometime ago by Shrimati Renuka Ray, those words were there. Except for those words and some minor changes, the definition is the same as it was in that Bill. I do not know the exact reasons why those words have been dropped.

Then, there is another small verbal change suggested by me in the definition and it refers to: "given by one party to another, by the other party to the marriage or by any other person on behalf of such party". I fail to see the force of the words "by any other person on behalf of such party". Consideration need not be given by or on behalf of a person who is a party to the contract of marriage, but it may proceed from a third party. If a father gives any consideration, he need not pay on behalf of the bride. Therefore, I do not see the reason for introducing the words: "on behalf of such other party". Where the party himself or herself gives or any other person gives some property as a consideration, then it is an offence. He need not say: "I give you on behalf of my child". Really such a thing never takes place, and technically and strictly speaking this may give to the law a defence which is not intended to be given.

This is all that I have to say. I have said that at least so far as punishment is concerned, we should not try

to make it as deterrent as is sought to be done.

Shri Hem Barua (Gauhati): Sir, about this Bill as it has emerged out of the Joint Committee, there are certain observations that have been already put forward by the different speakers. This is a very welcome Bill, a very welcome bit of legislation, I would rather say. But the trouble is most of the speakers have expressed grave doubts about its possible functioning. I have also my doubts that this Bill would not be able to serve the purpose for which it is meant.

I just remember, Sir, the League of Nations, because due to the lack of an instrument to implement the intentions of the League of Nations, it was ultimately described as the "Tomb of Peace". I feel the same thing about this. I feel that because of the lack of an instrument to implement, this bit of legislation, except the social sanction or social conscience, it is likely to be the grave-yard of pious wishes and nothing more.

Whatever that may be, this has occurred in our country or this has happened in our country, so far as social legislations are concerned. We had the Immoral Traffic Act. We feel that we have succeeded in killing this social evil of prostitution to a certain extent. But, as a matter of fact, we have not succeeded completely in doing it. This institution is destroyed to a certain extent but it has gone underground. This social evil has crept underneath the carpet, but when opportunities are there it peeps out in the corner from behind the sofa. That is what has happened in our country. We have succeeded in eliminating prostitution from the red-lamp areas, but it appears or emerges as the most modern version of Eve at the Taj in Bombay, Grand in Calcutta or Ashoka in Delhi. That is what is happening, because we have failed to arouse the social conscience.

At the same time, in order to rouse social conscience, we must have the

economic sanction. Women must have economic freedom, and this problem of dowry that has degenerated into a social evil in our country is associated with economic freedom. About this problem of prostitution, I would rather say that in countries where public opinion has been enlightened as in the United Kingdom this exists. I would like to quote from the *Wolfenden Report*. There it says:

"Without a demand for her services, the prostitute could not exist. There are enough men who avail themselves of prostitutes to keep the trade alive. There are women who, even when there is no economic need to do so....".

Mr. Deputy-Speaker: Why should he bring that here?

Shri Hem Barua: I want to point out that even in an enlightened country social legislation has not succeeded in destroying this social evil. That is a country where social conscience has been roused. Compared to that country, our social conscience is not at all roused. That is why I want to say that this bit of legislation, however progressive it might appear to be, would fail in its ultimate purpose.

When I say about social conscience I mean economic freedom for women. As soon as women enjoy economic freedom, the problem of dowry would evaporate. They do not enjoy that economic freedom. When I was in the States, people asked me repeatedly as to why the Indian women love ornaments so much. My reply was, it is all because of economic compulsion. There is a psychological aptitude in the Indian women for ornaments because the ornaments that they get as presents at the time of marriage from their parents and also from the families of their husbands are the only basis of their social security in case of any crisis in their life. That economic compulsion has produced a sort of psychological aptitude or attachment in them for ornaments. This has happened in our country. That is why I say that social sanction

or social conscience cannot be roused by passing legislations or by pious wishes; there must be economic sanction as well.

At the same time, there should be a sort of catharsis in the mind. An individual must have that amount of dignity in himself and he should realise that to marry a woman for a certain dowry means to allow himself to be purchased by the woman. That has happened in my life as well. There was a tea planter who offered his daughter and promised to put Rs. 15,000 in the bank to my credit. My father was enamoured of that proposal but good sense dawned on me and I opposed it. Today when I tell my wife "Give me freedom, I will give you dominion status" she readily agrees to it; but if I had married the tea planter's daughter and said the same thing to her possibly she would not have agreed, she would have made a counter proposal and told me: "Give me freedom, I give you dominion status". That would have happened. Therefore, this dignity is also necessary.

Mr. Deputy-Speaker: How was the tangle resolved ultimately; who got the freedom and who got dominion status?

Shri Hem Barua: I got freedom and she got dominion status. She has agreed to it. In the other case, it would have been the other way round. That is what I say. The success of this legislation depends upon the sense of dignity that an individual possesses.

There are certain provisions in this Bill. What are those provisions? Before I deal with the provisions, I would rather like to say one thing about what Pandit Thakur Das Bhagava said. He said that in certain communities marriage is a contract, and that with the Hindus, it is not a contract but a sacrament. But I feel that even with the Hindus marriage is a contract and it is the sense of contract that has produced this dowry system. In ancient times, in the days of Lilavati, Gargi and other great

[Shri Hem Barua]

women, when they enjoyed complete social and economic freedom, the question of dowry did not creep in at all.

An Hon. Member: Thousands of years ago.

Shri Hem Barua: It is very difficult to count. But I would say that society tried to interpret marriage as a sacrament. I do not know how far it has succeeded in that interpretation and how far marriage as a sacrament has succeeded. I feel that all marriages are contracts. You would agree with me when I say that marriage is a stupid contract in which a young man tries to provide for an older man's daughter. That is marriage. There is an element of economics in it. It is like that.

An Hon. Member: In your State.

Shri Hem Barua: I feel marriage is always a private contract. There is nothing sacramental about it. That is why this question of dowry has been brought up in this age of decadence, when we are living in an age of decadence, an age of corruption and an age of lost values, to carry forward the bankrupt people along these lines. We have become aggressive in our instincts and that is why, as some people have said, the presents do not matter much with the illiterate people but that they matter much with the literate people.

It is also a fact that because of this aggressive instinct, because of this emphasis on individual progress, when a certain young man is educated in a university, he wants to go to a foreign country for further studies and if he does not have money, he sells himself to another party, gets money and tries to keep his position. It is because of this aggressive instinct in us that our social customs have deteriorated into such an ugly affair.

At the same time, dowry has an ugly connotation. Because of these

associations and because of this decadence creeping into its fabric, we are having an ugly connotation for dowry. Further, this Bill does not define properly what is dowry and what is not dowry. I feel dowry is a gift or a present which is not a voluntary present or a gift, but a present that is extorted under compulsion. That is how I feel.

What happens? It is a traditional fact that when a man woos a woman, he might do it with flowers, perhaps with a bouquet of honeysuckle, or he might do it with a diamond ring. But whenever he woos a woman, he woos a woman with a gift, and that wooing might ultimately result in life-long union of marriage. It is a historical fact, a traditional fact that in ancient times, when people used to live in communes, when the men went out to hunt, they came back with colourful feathers or colourful horns as presents for their wives. That is how they lived, and that is why a tradition or a biological fact has become a reality. That is why, when dowry is interpreted in that narrow sense as a present that might come from the man or from the woman—it might be loveless dowry—it is sought to be made an offence under this Bill, an offence for which both fine and imprisonment are provided. But then I would say that that sort of punishment would mean cruelty to man. I was taken aback when Shrimati Renu Chakravarty who presided over the Joint Committee on this Bill made this provision. I can understand her feeling but I feel that Shri A. K. Sen, who is very much of a he-man, who represents the male population or has the male spur in him, forgot to take this aspect of things into account. I have described him as very much of a he-man, and I was taken aback when I saw the Bill as reported by the Joint Committee. He should have taken all aspects into consideration.

Shri Subiman Ghose: That he-man was absent all along.

Mr. Deputy-Speaker: Is there a proposal for recommittal, with a different Chairman?

Shri Hem Barua: If it could be done, that would be most welcome. But I know that this piece of legislation is going to be only a refrigerator legislation. It will be in the refrigerator.

An Hon. Member: It may be in cold storage.

Shri Hem Barua: Yes; it may be in cold storage.

Shri Hajarnavis: When Mrs. Barua goes home, let us see how she fares there after Shri Barua's speech here.

Mr. Deputy-Speaker: Mrs. Barua would be a mother and not a girl!

Shri Hem Barua: Yes.

Shri N. R. Muniswamy (Vellore): Has not the hon. Member got daughters for marriage?

Shri Hem Barua: No; I have two boys. As I said, this piece of legislation is going to be in cold storage. Social sanction or social conscience is not going to be roused. There is a provision about complaints. But in the case of dowry, who is going to bring up the matter to the law court, and who is going to complain against one party or the other in a law court?

Pandit Thakur Das Bhargava: Both are guilty.

Shri Hem Barua: I think neither party would bring in a complaint. If any of the parties bring in a complaint to a law court, it would be disturbing the harmony of the newly-married people and nobody, no parent, would like to offer his daughter in marriage to another or bring in a daughter-in-law to the family who is likely to disturb the harmony in the family by lodging a complaint against the dowry-giver or taker. If dowry is taken, or given, there is no agency to lodge a complaint against the people who

infringe the provisions of this law. It may be said that there are other social organisations to do it, but what about the social organisations in our country? Social organisations in our country do not operate in these matters, because marriage is after all a personal affair and they do not want to operate even in regard to other pieces of social legislation that we have passed in this country. That is what has happened. No social organisation comes forward for lodging a protest. Again, there is the question of finance also. Where is the fund? They do not possess any funds for this purpose, and the Government do not propose to put any funds at their disposal so that they might lodge protests against the people who err in this way. Therefore, there is no effective instrument in order to implement legally the provisions of this Bill.

But I feel the whole problem can be solved—and I hope to live to see that happy day—very easily and more quickly not by legislation but by rousing the social conscience. As soon as our women get economic opportunities and economic freedom, as soon avenues of employment and other opportunities are open to them, as soon as they become independent of their families, possibly there would not be any occasion for this law to operate. With economic freedom, there would come free mixing also, and free mixing would produce better results in the sense that free mixing would generate love. Love like electricity can be generated. It can be generated only by free mixing, and when it is generated, possibly there would be no scope for a third party, there would be no scope for you or for me. Really the younger people would settle their affairs.

Pandit Thakur Das Bhargava: Why not bring forward a Bill for free mixing?

Shri Hem Barua: It is coming; it will come and it must come. It will solve all these problems not for us, but for the younger generations.

[Shri Hem Barua]

Sir, I welcome this Bill.....

Some Hon. Members: Welcome?

Shri Hem Barua: Yes; I welcome this Bill in spite of its defects. I know it is a defective Bill, but I welcome it because it announces our decision or our mind to the world that we are capable of progressive legislation. It is because of this that I welcome this Bill. But the defects are there and I feel that this is not going to operate well because of the social difficulties. When the social difficulties are liquidated, it will operate and let us hope to see that bright day when this dowry dies like a door nail.

बी प्रकाश बीर शास्त्री (गुडगांव) :
उपाध्यक्ष महोदय, संस्कृत में एक कठावत है :

"विनायर्वं विहुर्वागो
रव्यानास वानरम् ।"

जिसका अर्थ यह है कि गगेगा की मूर्ति बनाने के लिए कोई चतुर वित्तकार तैयार हुआ। भावना शुद्ध थी, लेकिन गणेशकी मूर्ति बनाते वह एक बन्दर को मूर्ति बना देता। इसी प्रकार इस बिल के पीछे जो कुछ वूमि है, जिससे विवश हो कर हमारी सरकार को यह बिल सदन के समझ उपस्थित करना पड़ रहा है, वह पृथक मूमि तो शुद्ध है क्योंकि हमारे समाज में दुर्बलतायें इतनी अधिक बढ़ चुकी हैं कि उन के ऊपर अगर इस प्रकार के बिल या इस प्रकार की चेतावनियां आ कर समाज के कानों से न टकराय तो बहुत सम्भव है कि समाज अनेक अन्दर इन दुर्बलताओं को आगे भी ज्योंकी तर्फ़ चालू रखे। लेकिन बिल पर विवार करते समय हमें इस बिल के दोनों पहनुंगों को देखना होगा। यह सही है कि कुछ इस प्रकार की बटनाएँ हैं जिन्होंने सरकार को और समाज को विवश किया है कि वे इस प्रकार की समस्याओं पर गम्भीरता से सोचें। स्वयम् मैं ने अपनी आंखों से एक इस प्रकार को बटना

देखी है। कुछ साल पहले की विषयों की यह बटना है। एक कल्याण ने गूतलकाने में जा कर, जहां बिजों का बल लगता है, वहां से उसे निकाल कर, उस में अपना हाथ लगा कर अपनी मृत्यु को। मृत्यु से पहले उसने एक बिट्ठी लिंगों जो उस को लाश के साथ निकाली गई। वह बिट्ठी उस ने अपनी सास के नाम लिंगों थी। उस में उस ने यह लिंग या किंवदं तुङ्हारे पुत्र को दूसरी पत्नी बना कर आई थो। मृत्यु से पहले तुङ्हारे पुत्र का विवाह हुआ था किन्तु अभाग्यवत् वह रुली पत्नी तपेदिक या अन्य किंगों दोनों से पक्ष हो कर मर गई। मैं भी ऐसों ही परेशनियों से विवश हो कर अपनों जीवन जी रा समाप्त कर रही हूँ। लेकिन कुछ कर के यदें प्रब्रह्म का बार आप पुत्र का दौड़रा विवाह करें तो इतना ध्यान रखना कि किंगों ऐसे परेशार में करना जो मृत्यु मांगा वैत्ता विवाह में आप को दे सके। इतना बार कि एह नहीं न जाने किता बड़ा हैं जो समाचार-पत्रों में आरे दिन प्रतासित होती रहता है और जिन्होंने हमारे समाज का इतना बात पर सोचने के निए विवश किया है कि हम अपनों दुर्बलताओं पर, अपना कमज़ोरियों पर विवाह करें।

लेकिन जब हम इस बिल को सदन में उत्तरस्वरूप कर रहे हैं और इस को पास करने का तिर्यक में हैं तो हम को साथ साथ यह भी सोचना होता कि जो इस बिल का दूसरा हूँ है, हम उस पर भी लिंगार करें। यह बिल पास हो रहा है। कुछ समय पहले इस सदन में एह बिल पास होना गया था जो खेडे बच्चों के विवाह के सम्बन्ध में था। इस में कोई सद्देह नहीं कि उस बिल के दोनों भोजना बड़ी अच्छी थीं, लेकिन उस बिल के पास होने के पश्चात् हम इस बात को अविवारपूर्ण भाव में नहीं कह सकते कि आज हमारे देश में खेडे बच्चों के विवाह बिलकुल बन्द हो गये। परन्तु उस बिल में और हमें बहुत मन्तर है। उस बिल के पास होने पर इतना तो था कि

खोटे बच्चों के सम्बन्ध में अगर पुलिस में क्षिकायत हो कि यह बच्चा अभी विवाह के बोयप नहीं है और उसे विवाह बन्धन में बांधा जा रहा है, तो पुलिस जा कर उसे देख सकते थे, डाक्टरी इम्तहान हो सकता था, परन्तु अगर जानाया जा सकता था कि बच्चा किंतु आयु का है, लेकिन दहेज के सम्बन्ध में स्थिति बड़ी चिन्हित है। कहीं ऐसा नहीं होता है कि दहेज को बड़े भारी रूप में ढोल बजा कर प्रदर्शन किया जा रहा हो। अगर यह बिल इस रूप में आ जायेगा तो किसी पुलिस के लिये, जो कि पहले से बदनाम है, हम करप्तान का एक नया दरवाजा भर खोल देंगे और इस प्रकार की स्थिति ला कर खड़ी करेंगे जिस से बहुत हार्नां होने की सम्भावना है। मान ली जाये कि आज एक विवाह ही रहा है। पड़ोस वा एक आदर्मी है और वह विवाह के आनन्द को देख कर प्रसन्न नहीं है, या पुरानी शक्ति है। उस ने पुलिस को १०० या २०० रुपये कर, विवाह में विज्ञ डालने के लिये इस प्रकार की बात उपस्थित को कि उस आदमी ने दहेज लिया है, या उसने दिया है, तो विवाह के बातावरण में और कुछ हो या न हो लेकिन वह प्रसन्नता दुःख में परिणाम हो जायेगा। इतना तो वह अवश्य हो कर लेगा। हमें थोड़ा सा इस दिशा में भी सोचना चाहिये।

वैसे भी जहां तक हमारे समाज की परम्पराओं का सम्बन्ध है, जब पिता विवाह के समय कन्या का हाथ पति के हाथ में देता है तो हमारी सांस्कृतिक परम्परा इस प्रकार की है, और हमारे शास्त्रों में कहा गया है:

“इमर्ग अर्लंकृता कन्या प्रतिष्ठृ दण्डयातु भवान्।”

इसका अर्थ यह होता है कि मेरी कन्या आमूल्यों से मुसजित है। इस का हाथ में तुम्हारे हाथ में रहता है। अब तक यह हमारी कन्या थी, अब मैं पती रूप में इसे तुम को देता हूँ और तब पति उसे स्वीकार करता है। अवधार के बग वे अब भी इस द्वाकार की स्थिति है कि जब माता पिता अपनी

कन्या का विवाह करते हैं तो शायद कोई पत्थर हृदय पिता हो इस प्रकार होगा जो अपनी प्यारी पुत्री को पहली बार अपने परिवार से विदा करे और जब वह पुत्री विदा हो कर अपने पतिगृह को जाने लगे तो वह उसे बिना कुछ दिये हूँ भेज दे। पिता तो उस समय इतना अरा दूधा होता है कि अगर उसके पास कुबेर का सजाना भी हो तो वह ५ पनी ५ अरा ५ न्या पर न्यौछावार २ रुपये हैं। तो हमें इस बिल को पास बरते समय थोड़ा सा इस दिशा में भी विचार करना चाहिये कि जहां इस का गलत उपयोग हो सकता है, पुलिस इस का अनुचित लाभ उठा सकती है कि करप्तान की दृष्टि से, वहां हम अपनी सामाजिक परम्पराओं पर बिल्कुल प्रतेवन्धन लगा दें कि जब कन्या हमारे परिवार से पहली बार विदा हो कर पत्नी के रूप में किसी दूसरे घर में जाय तो वह हमारे परिवार से बिल्कुल खाली हाथ जाय। हां इस प्रकार के नियम दहेज के सम्बन्ध में जरूर रखें जिन सोगों को कष्ट होता है।

जहां तक दहेज के सम्बन्ध में इस बिल की विभावायें हैं, मेरा अनुभाव है कि संकृत समिति के निर्णय के पश्चात् भी अभी तक दहेज की पूरी व्याख्या इस बिल में नहीं हो पाई है। मेरा अनुभाव इस प्रकार है कि अगर दहेज की व्याख्या थोड़ी सी या थोड़ी भाषा में की जाय तो वह यह है कि वह धन जो माता पिता को विवाह कर के लिया जाता है उसे दहेज कहा जाता है। अगर जो धन माता पिता द्वारा प्रसन्नता के साथ पुत्री को दिया जाता है उसे भी दहेज के रूप में स्वीकार कर लिया जायेगा तो शायद हम माताह पिता के मार्ग में बड़ी कठिनाई उपस्थित कर देंगे। इस प्रकार की वीज, जहां पर सड़की बालों को विवाह किया जाता है या इस प्रकार की परिस्थितियां पैदा की जाती हैं कि अगर इतना पैसा नहीं दिया जायेगा तो विवाह नहीं होगा, यह परम्परा सम्मुच्छ इस प्रकार की है जो हानिकारक है। समाज इतना जीर्ण हो चुका है कि अगर हम इन परम्पराओं को जीवित

[श्री प्रकाश बीर शास्त्री]

रखते हैं तो हमारा काम नहीं बन जाता। जिन वर्गों में लड़कियां जवान रहते हैं उन में जा कर आप माता पिता ने पूछते ही तो पता चलेगा कि उन को रात में नींद नहीं आती। वे इस बात के लिए उत्पन्न हैं कि जल्दी से जल्दी लड़की के हाय पीने कर दें और कहें कि अब दूसरे बर में तुम पत्नी बन कर जाओ। तो समस्या के पहलू दोनों हैं श्रीर दोनों पहलुओं पर विचार कर के तीसरा मार्ग अपनाना होगा। मैं अपनी दुर्दि के आवार पर जो सुझाव दे सकता हूँ वह यह कि हमारा शासन थोड़ा सा इस दिशा में सावधान रहे। जहा हम इस बिल को पास करों समय शासकीय नियम बनाने जा रहे हैं प्रोट्रिभार बनाने जा रहे हैं, वहां थोड़ा इर दिशा में भी सोड़े कि हमें सामाजिक संवादों का भी सहयोग प्राप्त करना चाहिए। आवार हन प्रभाजिक संस्थाओं का सहयोग प्राप्त करें तो इवर शासन या नियम आवार उवर सामाजिक संस्थाओं के प्रचार द्वारा बनाया हुआ विवाह-बरग, दोनों इस कुरवा को भारत से हटाने में बहुत सहायक हो जाए। इस में वित्त समन्वय हिन्दू समाज से है। इत्तिले जहां तक समन्वय हो हिन्दू समाज के जितने थंग हैं, सिव हैं, सनातन वर्ष हैं, आयंसमाज है, सभो का सहयोग इस के लिए प्राप्त किया जाय। वैने भी मैं माननीय विधि थंगों से कह देना चाहता हूँ कि केवल नियम बना कर आवार आप सन्तोष कर लेंगे और सरकारी मशीनरी को इस काम में लगायेंगे तो, क्षमा कोजिये, आज सरकारी मशीनरी इतनी करप्ट हो चुकी है, इतनी दूषित हो चुकी है कि जब वह सरकारी बिल्ला लगा कर समाज के अन्दर जाती है तो उस पर कोई विश्वास नहीं करता है। जिस प्रकार शाराब बेबने वाली अपने सिर पर दूध का ब्रांड से कर भी जाय तो किसी को विश्वास नहीं होता कि वह दूध बेबने पाई है, वही स्थिति सरकारी मशीनरी की है। इसलिए जो सामाजिक संस्थायें हैं आप उन का सहयोग

प्राप्त करें और उन का सहयोग ले कर तब इस कानून को थोड़ा और व्यापक रूप दें जिससे समाज से यह कुरवा हट सके। इसके लिए आप को वित्त कर नारो समाज और संगठनों का सहयोग प्राप्त करना चाहिए। अगर उन का सहयोग आप को मिलेगा तो आप अविक सकता इस में पा सकेंगे। ऐसी भी एक बड़ना है कि जब एक लड़की का विवाह होने लगा तो उस से पहले लड़के बालों ने एक बड़ी धनराशि ठहराई। पढ़ी लिंगी लड़की थी। उस समय वह कुछ नहीं थी जो लेकिन बड़ी सावधानी के साथ उसे देख रही रही। जब बारात चढ़ कर आई और संकार के लिए दोनों पक्ष के लोग वहां बैठे तो लड़की को यज्ञ की बेदों पर बु गया गया। जब पड़ित जो ने उस से वहां बैठने को कहा तो उस ने वहां बैठना स्वी गर नहीं किया। जब उसने बैठना स्वी कार नहीं किया तो पिता ने किए उस के पिता वहां प्राप्त और पुरां से पूछते लो आविर यह विचार क्यों? तो लड़की ने कहा कि मैं इस व्यापारों के साथ अपनी गांठ नहीं बदल सकता। पिता ने सावधान हो कर पूछा, “लेकिन वे दो बताएं, किए लड़का मिले या न मिले।” जब उसने लड़की से यह कहा तो उस ने कहा “पिता जो, मैं अग्नि के समन्वय लड़ी हो कर विश्वास दिलातो हूँ कि अगर मैं अविवाहित हो रही तो मैं अपने जोबन में आप के माये पर करनं का टीका नहीं लगाने दूंगी, लेकिन मैं इस व्यापारों के हायों में अपनी गांठ बंधवाने के लिए तयार नहीं हूँ। आज आप के पास पैसे हैं आप उसे दे देवे लेकिन अगर तोन वर्ष के बाद आप के पास पैसा न रहे और इस व्यापारों ने फिर मांग को तो आप उस की मांग कंसे पूरी करेंगे। उस के बाद भी इस की क्या गारेन्टी है कि यह मुझे इसी सम्मान के साथ रखेगा?” आप ने जब अपनी टोपी उस के पैर पर रख दी तो पुरी ने टोपी उठा ली और माये से लगाई। कहा, “नहीं, पिताजी, आप की टोपी मेरे सिर माये पर, लेकिन आप यह बताइये कि

आप की टोरी की लाज रखने के लिए तो इस व्यापारी के साथ मैं भरती गांडे बंधा लूं, लेकिन भारतवर्ष में जो भेरो जैसी करोंदां बहने हैं जी विना पैसे के अरने को इस बन्धव में नहीं बंधा पातीं, उन की लाज बनाने के लिए कौन आगे आयेगा ।" तो मेरे कहने का तात्पर्य यह है कि हम सामाजिक संस्थाओं का सहयोग जल्द प्राप्त करें, लेकिन जो नारियों के संगठन हैं हमें उन का भी सहयोग प्राप्त करना चाहिए । इस देश में आप विदान भी बनायें, लेकिन विधान बनाने के साथ इन सामाजिक संस्थाओं को भी आप साथ लें तभी आप का विदान जो है वह पूरी तरह से लाया हो सकेगा ।

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 14.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FIFTY-SECOND REPORT

Mr. Deputy-Speaker: We will now take up non-official business.

Shri Nathwani (Sorath): I beg to move:

"That this House agrees with the Fifty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 2nd December, 1959."

Mr. Deputy-Speaker: Motion moved:

"That this House agrees with the Fifty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 2nd December, 1959."

Shri D. C. Sharma (Gurdaspur): I beg to submit that the time allotted for my resolution should be extended, because there are a large number of hon. Members who want to

take part in the discussion. Further, this is an all India question a very vital question. So, I request that the time allotted for this discussion should be extended.

Mr. Deputy-Speaker: How many hon. Members would like to participate? I find that I can accommodate all of them within the time.

Shri Harish Chandra Mathur (Pali): May I point out this is a very important subject?

Shri Nagi Reddy (Anantapur): There is a second resolution, which is also equally important.

Mr. Deputy-Speaker: So far as I could see, I think this number can be accommodated in this time. Anyhow, a decision was taken by the this House on the earlier report, though there is reference to it in this report also. Nine minutes have already been taken and 2 hours 21 minutes now remain. There will be only nine minutes left for the second resolution. One minute might be left for that and the eight minutes can also be taken for this. Otherwise, it would be depriving the other hon. Members of an opportunity which he has secured in the ballot; now we cannot just throw that out. That is the difficulty. Otherwise, I would give him as much time as possible and I would not stand in his way.

Shri Harish Chandra Mathur: We have nothing to say against your accommodating the other friend in moving his resolution. But, in spite of the limited number of members who want to participate, this is such a vast and important subject that it will take some time to cover the entire field, and if we are to get some benefit out of it, it is just not possible to get it by having discussion for a very short time.

Mr. Deputy-Speaker: I quite agree with my hon. friend. But that difficulty can be solved only if Government brings forward a proposal and

[Mr. Deputy-Speaker]

we have five or ten hours to discuss it. Now even if we extend it, we can do it only by half an hour or one hour; not more. I agree with him that this is a very important subject. But, then, if the Government agrees, they might come forward with a resolution and then we can discuss it for a very long time—one day, two days or even three days.

Shri Harish Chandra Mathur: Government is not likely to bring forward such a resolution.

Shri Braj Raj Singh (Firozabad): It is so static.

Mr. Deputy-Speaker: The question is :

"That this House agrees with the Fifty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 2nd December, 1959."

The motion was adopted.

14.34 hrs.

RESOLUTION RE: RE-ORGANISATION OF COUNTRY'S ADMINISTRATION—contd.

Mr. Deputy-Speaker: The House will now resume further discussion of the following Resolution moved by Shri Diwan Chand Sharma on the 20th November, 1959:—

"This House calls upon the Government to appoint a high powered Commission, consisting of public men, administrators and two judges of a High Court to suggest ways and means for the re-organisation of the country's administration so that it could be helpful in achieving the goal of a Welfare State."

Shri D. C. Sharma may continue his speech. He would have another fifteen minutes.

Shri D. C. Sharma (Gurdaspur): I require more.

Mr. Deputy-Speaker: All right, twenty minutes.

Shri D. C. Sharma: I was submitting last time that our administrative apparatus requires overhauling in view of the fact that we do not have a police State, or a law and order State. We now have, by and large, a welfare State. Now, what are the objectives of the welfare State? In the first place, every citizen of the welfare State should have sense of security, which is not easily disturbed. The dacoit menace in Rajasthan, the lack of security for those persons who travel on the railways, and all kinds of things happening in Delhi,—to give only a few instances—show that the sense of security is not there in as pronounced a degree as it should be. Again, we should have a sense of fairplay.

Now, unfortunately, in India we have come to acquire a kind of superstitious belief, a kind of mystical faith, in the value of recommendation. Now everybody thinks that anything can be got done if you get the proper sort of persons to recommend your case. I do not think that this holds good in all cases, but, unfortunately, this impression has gained more currency than it should. The result is that people speak always very uncharitably of even those bodies which should be, like Caesar's wife, above suspicion, institutions like the Public Service Commission, our judiciary, our universities and our administrative organs. I do not subscribe to that view. But I think that this is what is being said, and this goes very much against the objectives of the kind of State that we are building up.

Then, the welfare State should promote a sense of unity. I think the

States Re-organisation Commission had given a good lead in this direction. So far as this was concerned, they had said that in appointments as judges and in I.A.S. and I.P.S. we should have non-local people also. But recently I have seen some articles in the Indian press which show that the proportion of non-local officers in the Indian services, and also the proportion of non-local judges in the various High Courts, has been diminishing gradually. So, instead of promoting a sense of oneness in our administrative apparatus, we are trying to develop regional and sectional tendencies. These tendencies, I need not say, are not always conducive to the good of our country.

Then, the welfare State should make the people believe that they are getting a fair deal. It should promote a sense of fair deal in the public, and also in the relations between the public and the administration. But I am sorry to say that this feeling of fair deal is not promoted.

14.39 hrs.

[SHRIMATI RENU CHAKRAVARTTY in the Chair]

For instance, if you look at the Unstarred Questions today, you will find that there are six questions—Q. Nos. 966, 975, 976, 997, 980 and 1001—and all of them deal with some grievance which some section of our administration has against the Ministry or somebody else.

Shri Narayananarkutty Menon (Mukundapuram): Not somebody.

Shri D. C. Sharma: So, what it means is this: there is a state of uneasiness at all levels of our administration, and the lower we go the greater is the sense of uneasiness. I think this is something which should be looked into.

Then, the goal of a welfare State requires that we must practise economy. The other day I put a question about the economy effected in the High Commissioner's office in U.K. I must say that the Prime Minister is more vigilant about economy than many other Ministers and I was amazed to see how much economy had been effected in the expenditure of the U.K. Mission of ours, economy amounting to lakhs of rupees. So many posts have been abolished, because they were superfluous, so much of expenditure had been levelled down because it was unnecessary. All that had been done. I may tell you, when I visited London recently, I met one of the officers of the Indian Mission. He said to me, this Mission of ours in London is a great mission for unnecessary expenditure. Of course, he used a much stronger word than this; I do not want to use it. There is need for economy all along the line.

Even today, I found that there was a question put about economy measures which are being undertaken by the Finance Ministry and by other Ministries so far as their functioning is concerned. There is, therefore, need for very rigid control over public expenditure of our country, and over tax-payers' money, for maximisation of results and minimisation of financial outlay.

A Welfare State requires that our administration should be speedy. It should not be synonymous with delay. I would request hon. Members to look through the Report of the Organisation and Methods Division. They will find how slowly the change over or, I would say, take over is effected from one place to another. I do not want to burden the House with facts and figures. Any report will show that Arrears, thy name is modern administration. It is because there are vertical references—I am now using technical words used by them—horizontal references. Recently, a seminar was held on Planning in the capital city of India.

[Shri D. C. Sharma]

One of the hon. Members there said that it took about ten months to finalise a licence. He may have exaggerated it. There is no doubt about it that so far as speed is concerned, our administration will be found wanting judged by any standard. These are the objectives of a welfare state which cannot be overlooked.

Again, I would say, that a welfare state should give to every citizen a sense of well being. Are we promoting this sense of well being through our administration? I do not want to mention the name of a Ministry here, because I am not prone to accusing other persons of anything. If the hon. Home Minister were to go to one of the office of the Ministry here, he will find a large queue of applicants coming day after day with applications in their hands and finding that very little redress is given so far as their grievances are concerned. He should visit any District court, or any court of a Sub-divisional officer or any other court. He will find that the sense of well being which we want to engender in the minds of the people by our Plans is being destroyed; if not destroyed, it is being very much mitigated by the shortsighted policy which our administrators resort to from the patwari up to the highest. Our administration has so many things to its credit. It has also a few things to its discredit.

For instance, I would submit very respectfully that the organisational set up of the Government of India was studied by a committee headed by Shri Gopalaswami Ayyangar. It was again scrutinised by another Member of the I.C.S., whose name I do not want to mention. Then, this was studied by Mr. Appleby. Of course, as a result of Mr. Appleby's report, we have the Indian School of Public Administration and the Organisation and Methods Division. All these persons have studied the problem. The difficulty is that all this has been piecemeal. Nobody has taken an overall view of the needs of

our administration. Nobody has taken an omnibus view of the deficiencies of our administration. Nobody has taken a comprehensive view of the needs of our administration. Nobody has done that. We have been tinkering with the problem. We have been trying to deal with this problem in a half-hearted and hesitant manner. We have not tried to catch the bull by the horns. The result is, while we make a change here or a change there, the basic things remain absolutely un-changed. That is what is happening.

For instance, there was a time when we had the colonial type of Government. We used to call our administrators civil servants. Why should you call them civil servants? At that time, the State had only two functions: to preserve order and to defend us. Now, this nomenclature, civil servant, is an outmoded nomenclature. I do not see why we should not call our administrators now social servants. Because, they are the servants of a State which has a socialist pattern of society. They are not working under a capitalist regime. They are not working in a colonial type of Government. But, we sometimes give wrong names to right things and sometimes we give right names to wrong things. Here, we have given a wrong name to a wrong thing. Therefore, I would say that the nomenclature of this should be changed.

I would say that what our administration needs today is re-thinking. Look at our Plans. Did we have any Plan when India was not free? Our Planning requires a new type of administrator. Look at the vast work of rural development. This rural development was just a drop in the ocean at that time. We are now spreading this gospel of community development all over India. Do we have the type of administrator that we need for this purpose? Again, we are having the autonomous corporations. The question of the autonomous corporations, I must submit,

was studied by a committee of the Congress Parliamentary party of which Shri Feroze Gandhi was the Secretary. I would say that we have new types of problems now. We have new types of ventures; now we have new kinds of duties. All these things require reorientation. But, still we are persisting in the old ruts and we are not doing anything.

Therefore, I submit, respectfully that we need two things. In the first place, we need democratic decentralisation. If you go to France, you will find that their administration is divided into two parts. There is general administration and there is social administration. The public is associated more and more with the latter, not in an advisory capacity. We also have advisory boards and all that kind of thing, but they do not mean much; they have no effect on the administration.

Therefore, I would say that in the first place we should have democratic decentralisation, and I think for that purpose we can find some material in the report which was submitted on community projects.

We also want functional representation, which means the association of the public with the administration from the lowest level to the highest level.

We do not want loyalty of the old type from our social servants, I do not call them civil servants. That loyalty is to laws, rules and regulations. That is also very good, but we also want loyalty from them to the socialist pattern of society, to the Indian way of life. I think that is what is needed in our country now.

Again, we have to draw up a kind of code. We talk about a code for the lawyers. We referred the Legal Practitioners Bill to the Joint Committee only yesterday. I am myself a party to a code for teachers. Similarly, there should be a code for our social servants also.

Again, if you look at the administrative structure of the Railway Ministry, God knows how many divisions of workers we have there. I think nobody can remember the number of divisions of the commercial clerks, the loco clerks, this and that clerk, and even in them there are so many divisions and subdivisions. This kind of stratification which we have in our country is not doing any good to the country.

We have to see how we can adjust the relationship all along the line. For example, there was a question today as to whether the Government had studied the relationship between the Minister and the Secretary I do not know what the reply is, but I tell you the relationship between the Minister and the Secretary, the Secretary and the Joint Secretary, the Secretary and the Deputy Secretary and similarly the relationship all along the line has to be studied and has to be looked into.

You have rung the bell twice and I am a law-abiding citizen of India, and I do not want to encroach upon others' time. I would say this is a very big problem. The administration of the country is the basis for the welfare of the country, it is the key-stone of our official, social and administrative life and it should be looked into not in that half-hearted fashion to which we have been subjected all these days, but a commission should be appointed. We have appointed a Law Commission, a commission for education, the Pay Commission etc. This is the most important aspect of our work, and I think we should appoint a commission consisting of High Court Judges, public men and Members of this House so that they can give us a rationalised structure for our administration.

Mr. Chairman: Resolution moved:

"This House calls upon the Government to appoint a high-powered Commission, consisting of public men, administrators and two judges of a High Court, to

[Mr. Chairman]

suggest ways and means for the re-organisation of the country's administration so that it could be helpful in achieving the goal of a Welfare State."

There are two amendments. Both Shri M. L. Dwivedi and Shri Maiti are not here. So, they are not moved.

Now I call upon Shri S. M. Banerjee to speak, but before he proceeds, I would request hon. Members to take ten minutes each if possible because there are quite a large number of speakers who would like to participate, and I would like to call as many as possible. Therefore, if hon. Members confine their remarks to ten minutes, I think we may be able to accommodate more hon. Members. How long will the hon. Minister take?

The Minister of State in the Ministry of Home Affairs (Shri Datar): I shall take about 20 to 25 minutes.

Mr. Chairman: So, it leaves us very little time, and there are about ten or twelve Members who want to speak. So, I would request that each Member may take about ten minutes. I will ring the bell after seven minutes, and by ten minutes they should conclude.

Shri Harish Chandra Mathur (Pali): It will be almost reducing the debate to a farce if such a subject is to be covered by any Member in seven to ten minutes. That is why I submitted even when the Speaker was here and again repeated it to the Deputy-Speaker, and he told us that it would be possible to accommodate the Members as there were not a large number of Members to speak. We do not want to block the other resolution, it can be moved, and still we can have more time for this, because it is of such importance.

Mr. Chairman: I agree that it is a very important resolution. It is

also correct that a very large number of Members desire to speak. Obviously in every debate we try to accommodate as many Members as possible. If an hon. Member makes a very striking contribution, surely we shall allow, but the point is that each person has a particular point of view, and I would request that as far as possible we should try and accommodate as many Members as possible.

Shri Datar: I have no objection if the Chair thinks it feasible to give some extension. I am prepared not to speak today but to reply the next time with a view to accommodate more speakers.

Mr. Chairman: I am afraid this House has already decided, and the Deputy-Speaker, before he left, told me that he had already made the position clear. Unless a new proposal is put here, we stick to that. Let us see how far we proceed.

Shri S. M. Banerjee (Kanpur): I rise to support the non-official resolution moved by my hon. friend Shri D. C. Sharma regarding the re-organisation of the country's administration.

I would like to read a few passages from the report on public administration by Shri Gorwala. He has started with this; this is what he has said in Chapter IV:

"In the circumstances of the present time the necessity of high moral standards for both the Government and the administration can hardly be exaggerated. The system of Government we have adopted postulates these standards. Parliamentary Government with a Cabinet system on the British mode cannot be effective unless the standard of morality of those who work is high and the general public believe it to be so. Without this, the parliamentary system may

limp along, but its existence will always be in danger, for there is no more potent weapon in the hands of the opponents of democracy than the ability to show that under the democratic system power passes into the hands of the corrupt and the self-seeker."

Today, those who are at the top of our administration, I would include the Ministers also, should become an ideal before us. But what is happening today? With a top-heavy administration, things are delayed more, and the representation of the common man to the highest man is not only delayed, but sometimes denied and denied very cruelly.

If we have to reorganise the administration, we have to consider all aspects of it—whether the administration of the country which is said to be wedded to socialism is trying its best to have a socialist society in the country, whether there is any need to change the present administration.

I have a bitter experience of this particular administration. I am not going to name any particular Ministry or Minister or officer, but I have seen that in cases of corruption where a representation is sent by an employee or a public man, the contents of that representation are sent to the very person against whom the complaint is made, asking his comments whether he was a good or a bad man. In that case, the man who reports against the particular officer who is said to be corrupt is punished and is dismissed from service. I can quote several instances of this kind both in the Defence Ministry and in the Railway Ministry, or, in fact, in any other Ministry. People have represented with full facts, but the net result was that those particular individuals were sacked from service. So, if this becomes the order of the day or this becomes the ruling of a particular administration that one cannot report against a particular officer on whom there is complete reliance by Gov-

ernment, then it becomes impossible for anyone to report against the present-day administration.

15 hrs.

I shall now quote from the same report as to what Shri A. D. Gorwala said about corruption. He said:

"Corruption, it is said, is often difficult to prove. All the more reason why there should not be the least hesitation in investigating every matter in which there is ground for complaint. Punishments too, for corruption, should be exemplary, the least being dismissal from service. There is in this matter of corruption one clear criterion which can be of great assistance in assessing the possibility or otherwise of its existence. Reputation can be taken as almost conclusive. It may be said of an officer who has not that particular fault, that he is harsh or rude or lazy, but it may be laid down almost as a rule that over a period it will not be said of an officer who is honest that he is dishonest".

So, he has clearly stated the position. Now, all representations are turned down or rejected on the ground that there is no proof. Corruption cases cannot be proved. It is known better to the hon. Minister than to me or to anybody in this House. Still, if there are cases of corruption, how are we to investigate them? Sometimes, it comes to the Intelligence Branch; I do not quite know. In this country, we have the Central Intelligence, the Military Intelligence, the State Intelligence, and the District Intelligence Branches, but I am afraid that there is no common Intelligence in them. That is the tragedy of this country. The case is reported to so many people, but nothing comes out, and the man who reports is sacked. I would respectfully submit to the hon. Minister that he should consider this matter.

[Shri S. M. Banerjee]

The entire administration will crack, if the men at the top are not men of integrity. I do not impute any motive or make any allegation against any officer who is at the top, but I say that they should set the example for others, in regard to integrity. The Minister and the administrator must safeguard the interests of the people. We have passed several pieces of legislation here in this House, and the Minister is responsible for their implementation; he is definitely responsible, because he himself was a party to the passing of those laws. But what about their implementation? The laws are not being implemented properly.

I might quote here an instance of a minor nature. Some of the pensioners in Rajasthan, some time ago, I believe, in 1952, or 1953 reported to the Defence Ministry that they were not getting their pensions. The matter was properly investigated, and it was found that orders were issued from the Defence Ministry and the money was also sanctioned, but the Naib Tahsildar of that particular place could not find a proper proforma on which this payment could be made. Ultimately, it was found that the tahsildar took two and a half years to find a proper proforma on which proper payments could be made; and when the payments were about to be made, it was unfortunately found that the claims had become time-barred. So, my submission is that let us consider all these reports. I have here in my possession another report from which I wanted to read some portions, and that is the report of the Administrative Reforms Committee appointed by the Government of Kerala. This particular report of 1958 is the latest one on the subject and it is a very good report, which has also safeguarded the interests of the secretaries and other officials, and also defined their relations with the Minister and how the Minister must react to it.

Another point which I want to mention is how in most of the cases that we have seen, economy is effected. Whenever we have asked any question in this House about effecting economies, the answer has been that certain peons have been discharged or that certain clerks have been demoted or reverted. In this country, what is happening is this. If you want to earn easy money, somebody will ask you to prepare a plan, and you submit an attractive plan and you will get the money. If you want to employ some relations of yours or somebody who is near to you, then you may do it in the name of reorganisation of a particular Ministry or Department. I submit that this should not be the case. There should be proper vigilance in regard to these matters.

I am quite confident that the volume of work in this country has increased abnormally. Nobody disputes that. But if we have a proper assessment, we shall still come to the conclusion that we can have efficient functioning, with the present staff or, in certain cases, with less under-secretaries, deputy secretaries or top-heavy people.

In the end, I would only submit that this is a matter which should be considered. Otherwise, the faith in parliamentary democracy or in the parliamentary form of government is shaken. There is a saying in Bengali which says that anybody who goes to Lanka becomes a Ravana.

Shri Narasimhan (Krishnagiri): The hon. Member may say it in Bengali.

Shri S. M. Banerjee: Je Jai Lanka Shei Hoi Robon.

I do not want that anybody who comes into power should become a Ravana; let us not convert this country into Lanka.

Shri Narasimhan: I shall be very brief, and I shall not take up much time. There is absolutely no doubt that the subject which has been

brought before us is a very important one. We are seeing day by day that many of our desires, ambitions and plans do not get fulfilled in the way we would like them to be, and we have also realised that this is partly due to the failure of the administrative machinery. In fact, not a day passes without our seeing some failure here or some failure there in the official side, and somehow, we have to get things done. This is the sad experience, I suppose, of most of the Members also, when they want to play their part in the fulfilment of the Plan.

There are certain tendencies and trends in the official machinery which we should take note of. Of course, there is the well-known ancient red tape. There is also the fact that it is very difficult to control corruption. There is also another aspect of the matter, namely over centralisation. Decentralisation will be to some extent a good remedy. I would like, for instance, that instead of emphasising on having a central management at the very centre of the country, we may have some part of it at least shifted to some other place at the Zonal Council level. That experiment may also be tried. We have created certain zonal organisations statutorily, they have certain functions. If the Government at the Centre are not very much willing to part with their powers to the State level, they can at least part with many of their powers at the Zonal Council level.

Then, there is the police administration. The laws that we pass have to be enforced only through the police. But we think whenever we see that any of the laws fail, that the only way is to make it a success is to make it more stringent and make the punishment more deterrent by increasing it. But that is not the remedy. That is not the difficulty either. The real difficulty is the failure of the machinery itself to cope with the situation in regard to detection of crimes etc. For the failure of our organisation in the

matter of equipment and forensic knowledge etc. to cope with detection of crimes, we in Parliament are advised to go on making the laws more and more stringent. But a close and forthright examination of the laws will make it clear that it is no use doing like this, it is no use meting out an extraordinary punishment for a small offence. Take, for instance, the Dowry Prohibition Bill which is under discussion here. We go on adding punishments, by saying 'imprisonment and fine' and so on. But for that kind of offences, the punishment prescribed is not the proper punishment. It may be a social evil; it may be a very great social evil and the need to remedy it may be urgent. But when parents want their daughters to be given in marriage, they just do something by way of giving dowry which may, legally speaking, be incorrect, but one has to remember that they are influenced by social pressure. So they do something for which they are sure to be punished.

This kind of approach to the question arises because of the failure of our official organisation, the governmental organisation, to cope with situations. People in the organisation are not geared properly to this requirement. Therefore, a considerable rearrangement, re-examination and re-education is necessary.

Take another instance—of statistics. There are various departments of statistics. Statistics are meant to be collected and utilised. But actually they come very late, sometimes too late. Even the weather report sometimes says that there will be rain—after the rain is over!

There is another tendency on the part of Government, as things stand today. When I say 'Government', I include the Secretariat also in it. I am referring to the practice of putting technical men in various departments under non-technical people, in the matter of scientific research and other matters. Ultimately, the Secretary functions. The technical men

[Shri Narasimhan]

are not allowed to hold their own. Something or other prevents them from functioning. Even where a technical man is put as the head of a department, he is overlooked. The whole thing is managed by ICS people. The scope for chemical engineers in scientific research and other things is also limited in the matter of selection and nomination to various research departments. Ultimately, the Secretary who has his pull with the Minister functions; his view alone prevails.

In the matter of selection of these technical persons also, such things happen. Technical men are selected by the selecting Commissions while non-technical men are there. The UPSC is there; when technical people are selected, the Secretary of the department is associated with the selecting Commission. But if he also happens to be a non-technical man, it does not do well. There have been cases of men not very first rate being selected simply because of the fact that the selecting personnel do not contain technical men.

These are many of the defects. Something must be done. Many people have written reports on this. Mr. Appleby has given a big report. Shri Gorwala had also submitted a report. Off and on we have been saying that something must be done. Something has to be done. Otherwise, in place of democracy, we will only have bureaucracy and there will not be any progress.

There are also other tendencies on the part of officials. Now the laws are there and penalties are also there. Crimes are committed; I am not speaking of crimes in the proper sense of the term, but legal crimes, legally created fictions. They are not really crimes but merely cases of forgetfulness or irregularity. Companies are asked to submit returns. Theatres are asked to file returns. A formal application has to be made to the prescribed authority. If an application is made to the prescribed autho-

rity regarding any change to be made, due to official delays it takes even two years for a reply to be received. Just on account of that, a businessman is supposed to have committed a crime. Then all of a sudden after two years of silence on the part of the official, the letter comes and says: 'Look here. You have not got permission for this. Two years have elapsed. Therefore, you have committed a crime. You do like this, you do like that.'

I can cite one instance. It is a matter not pertaining to the Centre but administered by the State. A cinema theatre owner wanted his rates to be changed according to the naya paisa system. He did change the rates and, as everyone else did, in the process he added a naya paisa or so in his favour. He had written to the authorities for written consent. But somehow or other, the theatre owner was careless about it. After two years comes a letter from the authorities: 'You did not take permission beforehand. You have been violating the law for two years. You have transgressed the law. You close the cinema for a month'. This was just at the time when that theatre owner had got a very good popular picture to show to his village.

This kind of thing happens. That is, the officials do not act quickly. They are allowed to delay matters. In the process, certain people appear to have committed offences and they are visited with punishment. There are ever so many weaknesses of the official machinery. There is a growing necessity for everything to be geared to our goal of a Welfare State and whatever is done to that end will be welcomed by the public who are groaning under the weight of bureaucratic deficiencies.

Shri Mahanty (Dhenkanal): This is a subject of perennial interest and it is good we come to it once and again for considering afresh the ways and means of how to tone up the administration. But having said that,

If I am not in agreement with the Resolution as it has been moved by my hon. friend, it is for the reason that it is going to yield no practical result, barring some waste of public money, time and energy.

I might recall that right from Shri Gorwala to Mr. Appleby of the Ford Foundation, many persons and bodies have gone into the question of public administration and we remain where we were. Therefore, I think no useful purpose will be served if another Commission consisting of public men, High Court Judges and the rest is appointed to go into this question once again. After all, it is a matter of common knowledge that High Court Judges are not as efficient as they are supposed to be, for we know the quantum of cases in arrears piling up every day in High Courts. It is not that a public man or a Judge or for the matter of that, a Member of Parliament is imbued with a special virtue which can really tone up the administration. It is a technical question and it is time enough that we paid some amount of technical attention to this problem.

For instance, we talk of a Welfare State. Well and good. This country is pledged to the goal of a Welfare State. But the Welfare State is not going to be ushered in by us through speeches on the floor of this House or outside. There should be an instrument which can bring about the objectives of the Welfare State, and that instrument is the public administrative apparatus. But what do we find? We find a peculiar phenomenon in this country that while we have pledged ourselves to the fulfilment of the objectives of a Welfare State, we still maintain the steel frame of public administration which we had inherited from the British. I am not allergic to anything that is British. The little point I want to make is that under the British system of administration, permanent civil service; grew up; whether you are efficient or not, whether you are capable of delivering the goods or not, it does not

matter; once you are a member of the permanent civil service, you are entitled to all the safeguards which are conferred on it under that service. In our Constitution, also, we find that the former ICS personnel have been guaranteed certain safeguards. I believe the Government have very little authority to tamper with those safeguards guaranteed under the Constitution to these civil servants. The time at my disposal being very short I cannot dilate on it. But the only thing that I wish to bring to the notice of this House is that the milieu in which the permanent civil servants were flourishing at the time of the British has been completely changed.

We brought to this country an administrative expert named Paul Appleby. The other day I was reading a book written by Harold Laski on the administration of U.S.A. wherein you might find a mention about Appleby. It will be interesting for this House to note that Mr. Appleby started his career as a fruit vendor in the streets of Washington. He had no university degree. He came almost from the ditches; he joined the Ministry of the Interior and with his efficiency he impressed the authorities so much that went up the ladder and occupied a very important post in the American administration. We invited him to this country to advise us as to how to tone up our administration.

The story has a moral. Here we go by birth; we go by degrees whether they have any practical significance or not. Irrespective of that we attach undue importance to birth. If I am fortunate enough to have been born in the family of a Minister or a Secretary no matter how capable or otherwise I am I am given a sort of weightage. If I come from a Harijan family I am given another weightage. If I come from the tribal areas, again, I am given a further weightage. If you go further south, if I come from the Brahmin family I incur some dis-

[**Shri Mahanty**]

qualification but if I come from the Harijan family I gain some weightage. Like that all kinds of currents and cross currents are going on in public service as a result of which you find a set of people who have been practically de-activised.

When we come to the administration what do we find? Nobody is prepared to take any responsibility at any stage. There will be all kinds of references, horizontal and vertical references. I do not know where these two cut. It will be for the persons dealing with these horizontal and vertical references to know where they cut and what results they yield and what it will be in terms of efficiency. Be that as it may, today we are confronted with a unique situation. It is being said day in and day out by our leaders and the Prime Minister that this country should become industrialised. I want to cite a concrete instance.

We are also connected with industry. As such we have to come in contact with this Government, at many levels. I tell you in all seriousness that the way in which this Government has been functioning, not a blade of grass will grow in this country, what to speak of industry. So many bottlenecks have been created in the Ministry. You go to the office of the Controller of Imports and Exports and you will find that so many bottlenecks have been built, that nothing moves on.

Here is the question of industrialising the country wherein each moment counts. The entrepreneurs have to wait indefinitely even for getting small things done. If they have to wait because of this shuttlecocking of files between one Ministry and the other or between different sections of one Ministry, it is time enough to see how we improve the job.

As far as I am concerned, though I believe it is time enough that we streamline our administration, that

objective is not going to be achieved by appointing any Commission because that Commission will only publish another bulky report which will be duly consigned to the archives of the Government of India. What we want to do is to change the very pattern of our administration. Let us be bold enough to say that in this country we will have no permanent civil service. What we will judge is efficiency. It is true that efficiency like paternity is uncertain while seniority like maternity is a fact. If somebody is senior he is senior, he has put in so many years of service. Efficiency is a little more uncertain and makes way for all kinds of favouritism. I do admit there is that danger. But with vigilant public opinion and Parliament, I believe, evils of that kind will be very greatly minimised. But the point is are we going to say that no matter what one is, since he has put in 25 years or more of service he is going to be in charge of things for which he is singularly incompetent.

You know the controversy we had in the Army about the three gentlemen next to Gen. Thimmayya. We were told that seniority would not count. What was to be counted was efficiency. In one of the wings of our administration we have already accepted the fact that seniority need not necessarily be the only criterion for promotion. Let us be bold enough and let us say that every public servant is going to be judged by the single standard of efficiency alone. Otherwise we do not know to what morass this country is being consigned. Whether it is the judiciary or the executive, whether you go to the High Court or the lower courts or whether you go to the Secretariat departments, you will find files and files of papers are piling up every day.

When we talk of a Welfare State, I believe, our objective is that the taxpayers and the citizens will be entitled to the courtesy and efficiency that is their due. Neither do we find courtesy. The same bureaucratic and

steel-frame approach is maintained. Nor do we find efficiency. That efficiency is lost, as I pointed out earlier, in the vertical and horizontal references.

With these words, even though I am in agreement with the spirit of the resolution I oppose it because I do not think that the appointment of another Commission is going to improve matters, as they are today.

Shri Harish Chandra Mathur: Madam Chairman, though my hon. friend who just preceded me has, throughout his speech, underlined the necessity of a re-examination of our administrative machinery, he says that a Commission would not serve any useful purpose. I think a proper approach to the problem will convince him that the hon. Member who has moved this Resolution has rendered great service and has underlined the most immediate and urgent demand of the times by asking for the appointment of a Commission.

Of course, I do not agree with the constitution of the Commission as has been suggested by him in his Resolution. I will presently show, as I go from point to point, that we in this country have had absolutely no Commission of the type which my hon. friend contemplates for the last 40 years. As a matter of fact, it was more than 40 years ago that we had an Islington Commission of which Shri Gokhale of revered memory was a member. We had no such Commission at all. The sketchy reports which have come before us and which are diverting our attention from the real issues do not deserve any attention.

I have gone through the Gorwala Committee's Report; I have gone through the Appleby Report. They have a very limited purpose to which we might attach little importance. But they cannot take the place of a commission of the nature which is very necessary to look into the governmental as well as administrative structure.

We had one Commission in England, the Haldane Commission after the First World War which went into the most important aspects of governmental responsibility. It makes classic reading even today. In the United States of America we had the Hoover Commission. It is not like Shri Appleby coming and making a report. We all know the name of Hoover, the most distinguished President of the United States. He was the man who headed that Commission and it has produced the most valuable report. We want a Commission of that type. If we have that type of Commission it will yield concrete results in improving the complete structure of the administration and in revising our rules and procedure and the method of administration. The urgency for such a Commission can hardly be over-emphasised.

This Resolution raises an issue of very vital importance in the present context. The stability of democracy and the success of our Plans depend entirely on the administrative machinery which we will have to evolve to meet new situations. I would draw your attention to the observations made by the Home Minister himself while he was speaking at the Institute of Public Administration, when under the guidance of Shri C. D. Deshmukh, a distinguished son of this country, a seminar was held and the morale of public services was the subject considered. The Home Minister himself underlined the need and necessity of some sort of a thorough enquiry because he admitted that the present administrative machinery was designed for an entirely different purpose and to work under an absolutely different set of conditions. Now, you are wanting to stretch it and strain it to meet the present demands and then blame the administrative machinery. It is most uncharitable to them. I will not go into the details of the weaknesses of the administration. Anybody can speak for hours on the subject. I will only deal with the broad and important aspects of the question. Rahu,

[Shri Harish Chandra Mathur]

Kethu and Sani have seized the administrative machinery; they are the delays, corruption and wasteful expenditure. We have been all the time talking about them. Still I will say that I do not blame the services at all for this. What are the services constituted of? They are constituted of the best educated among us in this country who come through competitive examination. Many of the officers, old and young, are as patriotic as anybody sitting here. How do we say that we, who sit here, are more patriotic or honest than the services? I would go a step further and say that services are what the Government and this Parliament makes them to be. We are reflected in the conduct of the services. How does the Parliament, the Public Accounts Committee, the Estimates Committee or the Ministers conduct themselves? They are reflected in the services. If there is dishonesty at the top level, slackness at the top level it is reflected thousand fold right down below in the services. How can you blame the horse if it goes astray? If the rider does not hold the reins or does not know how to ride, the horse is bound to go astray. How can I blame the services? I have met many among them. They are working overtime; are as patriotic and as keen to push forward our schemes as we are. But they find themselves absolutely helpless in the machinery in which they find themselves.

I would just give a small instance. The Comptroller and Auditor-General who is an independent authority and who has got all the powers according to our calculations was addressing only the other day the Accountant-Generals of the various States and I shall read two or three lines out of his speech.

He says:

"I will now come to the most important point—simplification of financial rules and accounting procedures."

I asked a question this morning on this particular point. He says further:

"I am sure that if we simplify the rules and procedure we would be able to eliminate petty objections and irritating delays".

He had referred this matter quite a long time back to a sort of a high-powered Cabinet committee. The Cabinet Secretary was one of the members, the Finance Secretary was another member and a third member was his own representative. Nothing has come out. He wrote to the Prime Minister and he has stated his conclusions:

"I think it is resting on its laurels having secured a measure of financial devolution in favour of the Ministries".

It is a very minor point. What would the poor civilian servant do if he is riddled with those outmoded rules and regulations? He is there only to go according to them. I have touched only this very minor point. The entire structure has got to be changed.

My friend talked about the Commerce and Industry Ministry. It has made considerable improvements in its various branches of administration. But every businessman and every entrepreneur complains today that because of the administrative rules and regulations of this Ministry and its slow-moving machinery, bottle-necks are created in the way of development. Right from the small-scale industry man upto Shri G. D. Birla say this. We do not very much go by Shri Birla's speech. He has said that it takes about 8-9 months to get the green signal from the Ministry. Are we to blame the Commerce and Industry Ministry? This Ministry was constituted only for regulatory purposes at sometime. It had no developmental outlook. It did not know anything as to how to

conduct business. I think—I do not know—the Home Ministry has already appointed a Committee of Secretaries. But a Committee of the Secretaries is not even an apology for the type of commission we want. The poor Secretaries, whom I have defended at the present moment, are themselves the ailing patients. How can they look at these problems? Today new problems are arising, after Independence. We have now the Planning Commission. Nobody, no Commission examined what should be the relationship of the Planning Commission to the Ministries and again, the Central Government and the State Governments. These are the things which will have to be examined by this high-powered Commission, if you are to get through your Plans.

Mr. Chairman: The hon. Member's time is up.

Shri Harish Chandra Mathur: I have not even covered one third.

Mr. Chairman: I have given him more time than anybody else. He can go on for another 3-5 minutes but there is no unlimited time.

Shri Harish Chandra Mathur: It is an important subject. But I will sit down when you ask me even though my speech is half-finished.

Shri Goray (Poona): Will it be possible to extend the time? . . . (Interruptions.) The subject is very important and we should be allowed to express our views.

Mr. Chairman: I think the remarks of the hon. Member do not represent the correct position. Just before the hon. Members asked for this, I believe—I was not in the House—the question had already been put and the hon. Deputy-Speaker told me that the time had already been extended right up to 5 or 3 minutes to 5 p.m. It has already been extend-

ed. That is what he gave me to understand.

Shri Nagi Reddy (Anantapur): It was already extended by 27 minutes . . . (Interruptions).

Mr. Chairman: I think Shri Mathur will have to find out if he wants a very long time to make his speech. Obviously it cannot be more than ten minutes, more than anybody else. He will have to confine his speech to that. If he says that he has not even touched a fraction of what he has to say, I am afraid he will have to leave out certain portions of his speech.

Shri Harish Chandra Mathur: I will see. As I told you, I am absolutely in your hands; you can stop me whenever you like.

Mr. Chairman: Please continue....

Shri Harish Chandra Mathur: I made this request to the hon. Deputy-Speaker also. I was saying that we have to face very many new problems, problems which we had never imagined, problems to which the administration had never given any consideration. I just gave you the example of the Planning Commission. Take, again, the National Development Council. You will remember that our ex Food Minister, only the other day, wrote two articles which make one feel absolutely agitated. One does not know where the Minister stands, what is the relationship of the National Development Council so far as the Planning Commission is concerned, so as the Central Ministries are concerned, so far as the State Ministries are concerned. These are very important problems which have got to be looked into and examined so that the Minister does not find himself absolutely in the lurch, absolutely in difficulty, in the blind alley. He has raised this point. It comes out of this, that we have to examine this problem.

[Shri Harish Chandra Mathur]

Take another thing. We are now, under this Plan, making huge contributions to non-official bodies, some grants-in-aid. Some comprehensive study has got to be made as to how these aids should be given, what should be the relationship, what should be the control etc. Somebody said, if you give any aid, if you set up any public enterprises you must do this and you must do that. No comprehensive study of the problem has been made, which is absolutely essential. It is absolutely essential, if the administration is to be run properly, that something is done about it.

Therefore, I submit, again, that it is not a few Secretaries who can look into the matter. It is not Mr. Gorwala, it is not Mr. Appleby who can examine it. It is only a high-powered commission which can look into it. What we are examining, as a matter of fact, is a very important issue. I have, as a matter of fact, four or five issues. They should be examined by that commission. We had a committee in the Congress Party, and the expenditure is freezed today. We must look into it in a thorough and proper manner. What I would like to examine is reduction of expenditure, elimination of duplication of services, consolidation of work and abolition of non-essential services. If we take the relationship between the Secretaries and Ministers, the autonomy of the States and the autonomy of the new enterprises, there is complete confusion. We do not know where we stand. If we are to do real justice—it does not matter if this report takes another two years to come; we shall be prepared—we will have to do this, and then we shall be prepared to deal with our Third Plan in a much better manner. Therefore, it is of prime importance that we appoint such a high-powered Commission today. It would be of great assistance and help, as a matter of fact, to the Ministry itself. If it gives a report

within two years time and we set our administrative machinery and other things in such a way that they will be able to meet the demand of the day, the situation of the day, the new problems which have crept up before us, I think we will be rendering a very great service to the country.

Having underlined very strongly the necessity for such a high-powered commission, I would like to draw the pointed attention of the House to two or three very important aspects which must be agitating the minds of everyone here today. What happens is, unfortunately, we cannot consider the administrative machinery in isolation. The administrative machinery has got to be considered in relation with the Parliament and in relation with the Ministers. Has there been a proper adjustment between the Ministers, the legislators and the services? This is a very crucial point. I have talked to many senior civil servants, people engaged on developmental works. They do not take decisions. Everybody shuns decision; he wants to throw responsibility on somebody else. They think that the Public Accounts Committee is a dread to them. This matter has to be examined. I do not blame the Public Accounts Committee or the Estimates Committee. But we must see that the Public Accounts Committee and the Estimates Committee do not have a paralysing effect, but they have a healthy and stimulating effect. We have got to define the relationship with the Minister. What is happening today? We are forming into a vicious circle. The politician is condemning the services, the services do not get an opportunity to condemn the politician in the open but they have got the least regard for the politician today and the politician is coming day by day into public contempt. As a matter of fact, for various reasons, he is to be blamed. We have not got any code of conduct for ourselves. He is coming into contempt in the public eyes. People say,

so far as students are concerned he should be kept out, so far as labourers are concerned he should be kept out so far as panchayats are concerned he should be kept out, so far as community development is concerned he should be kept out. This is a very serious and dangerous situation that is developing. Again, we say here that the Services are thoroughly corrupt, inefficient this, that and the other. If we develop this sort of contempt in the public mind, and I am afraid this contempt is developing every day in the mind of the people, contempt for politician, contempt for the services, what do we lead to? As a matter of fact, we are only moving farther and farther away from democracy. This is the end and the death-knell of democracy, if the politician and the services stand condemned in the eyes of the people.

Until and unless we create a great respect for the politician as well as the services so far as the public is concerned we are doomed. This is a very important matter. I think it would be necessary to redefine our responsibility, to understand the responsibility of the ruling party. The responsibility of the ruling party is very great. As a matter of fact, most of the responsibility lies with the ruling party. You cannot have efficient services until and unless the ruling party has a code of conduct for itself, a code of conduct which will create great respect for it in the country, a code of conduct which will create a great respect for the ruling party in the minds of the services in this country.

Mr. Chairman: The hon. Member should conclude now.

Shri Harish Chandra Mathur: Madam, I close my speech without touching two or three other important points because there is no time.

Shri Nagi Reddy: Madam, let me begin my speech with a quotation from Shri Jawaharlal Nehru's book

The Discovery of India in which he aptly quoted:

"The Bengal Administrative Inquiry Committee, in their report, say:

'So widespread has corruption become, and so defeatist is the attitude taken towards it, that we think that the most drastic steps should be taken to stamp out the evil which has corrupted the public service and public morals'.

The Committee received, with surprise and regret, evidence that the attitude of some civil servants towards the public left much to be desired. It was stated that they adopt an attitude of aloof superiority, appear to pay greater regard to the mechanical operation of a soulless machine than to promoting the welfare of the people and look upon themselves rather as masters than as servants of the people."

That was two years before independence was achieved. My question to the Ministry is, what steps have we taken, after such pertinent remarks made about the administration, within these ten years to see that the administration is toned up, is brought nearer to the people, and to implement the new policy that the Government has taken into its hands, the policy of planned economy and our development towards a socialist society. Any administration which is set up serves a particular objective. The British Government when it was here, had as its objective the collection of land revenue or revenue in general and keeping law and order intact. These were the two major factors of administration so far as the British Government was in existence. Independence came, and then we began our grand economy eight years ago. Three years back, we declared that our objective was the socialist pattern of society. Yet, we are

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continuing on the same super-structure which had been built by the British imperialism. Therefore it is that we are finding ourselves in the most difficult situation today.

If there is any change that has taken place at all in our administration, it is this. Here is a small comment made by Sir John Thorne, once a very distinguished member of the ICS. When he joined the Government of India in 1935, he says that in his department there were only six persons down to the Under Secretary including one Member of Council. He says that when he visited India in 1956, the staff in that department was "one Minister, one Deputy Minister, one Secretary, one Additional Secretary, four Joint Secretaries, fourteen Deputy Secretaries and twenty-three Under Secretaries". Add to all this, he remarks:

"Now everyone down to Deputy Secretaries (inclusive) has at least one Private Secretary or Personal Assistant, sitting in ante-rooms and protecting their masters from interruption by telephone or otherwise".

That is the fundamental change, I am afraid, we have made in our administrative set-up after we became independent. Therefore it is that even to this day, our administrative machine is as soulless, perhaps eight times more soulless than it was ten years ago. The result of this, nobody knows as to where things can be got done. It is so from the village peasant up to the Members of Parliament. There is no doubt about it. Even if Members of Parliament want certain things, they have to wait until the department gets it done. Of course, because he is a Member of Parliament he might come to know about a thing within three hours or in some cases within three or four days, but non outside can get anything.

Shri Narasimham: So they are very impartial, and soul-less in that sense.

Shri Nagi Reddy: The position has been described long, long ago, by one of the great novelists in the world, realistically, in his novel, *Little Dorrit*. That novel is by Charles Dickens. In that novel, one of the characters goes to a very important member of the administration, Mr. Barnacle, of whom it is said:

"This touch and go young Barnacle had "got up" the Department in a private secretaryship, that he might be ready for any little bit of fat that came to hand; and he fully understood the Department to be a politico-diplomatic hocus pocus piece of machinery for the assistance of the nobs in keeping off the snobs".

That was a most pertinent remark about the type of administration that was existing at that time in Britain which, probably very successfully, we have copied here in our country today. Mr. Barnacle goes on to point out what is to be done if anything has got to be done. He says:

"When the business is regularly before that Department, whatever it is....then you can watch it from time to time through that Department. When it comes regularly before this department, then you must watch it from time to time through this Department. We shall have to refer it right and left; and when we refer it anywhere, then you will have to look it up...."

I do not want to read the whole of it. But it is very interesting and I wish the hon. Minister takes a little time off from his very prosaic duty of administration and go through this novel. Then he will understand

what the Government departments are doing, and how they were working in Britain at that time.

Therefore, what is the result? The result has been very pertinently remarked by the panel of the Planning Commission which, I think, in 1956, has said as follows:

"Even the most carefully considered law will however fail to achieve its object unless it is supported by firm and thorough going administrative action. Problems relating to administrative organisation should therefore receive immediate attention".

Why did they say that? They said so after reviewing the major legislations that have been passed in the country in relation to land, as for example, the tenancy reform laws and the zamindari abolition laws. What was the result of these laws? Did the people get even the little benefit that was expected out of those laws? No. Why did the panel say that? They went into it very closely and came out with the most apt definition saying that the administration unfortunately was tilted to wards the landlords. Let me read out the relevant portions so that the point may be made very clear. They said that "the attitude of the revenue officers may at times be unconsciously against him". Against whom? Against the tenant. They further say:

"In the case of conflicting evidence, there is a greater tendency to believe the landlord than the tenant, the presumption being that a poor man is more likely to speak untruth with a view to obtain some land than the rich landlord who having already enough land, may not be under immediate pressure to do so".

This is what exactly I would like the Minister to realise. This tendency should be stopped. Unless we are

able to stop this tendency in the outlook of the administrative personnel, or, to put it bluntly, even in the outlook of the ministry that is ruling the country, whatever laws we may pass, whatever enactments we might get through day in and day out, I am sure that even one-tenth of the benefits that the peasant or the common man of the country should receive will not be received by him. It is with this idea in mind that I want a commission to be appointed to go into the whole question as to what our objective is, how our objective can be implemented, what type of administrative machinery is necessary to implement this objective and how from top to bottom we will be able to keep the people in constant contact with the administration, so that there will be closer co-operation between the people on the one hand and the administration on the other.

We have not even tried to change the patwari system and the duties of the patwari in our country. I myself come from a family of patwaris, and I know the mischief of the patwari, what mischief he can do. Our whole administration stands on that single pedestal of the patwari, in the village. The village is our backbone; the village is our foundation-stone. You have panchayats. In Andhra we are going to have an extension of the panchayat system up to Zila Parishad. Yet, these panchayats do not have that most important administrative duty of keeping the revenue records or continuing to keep the revenue records. It is the patwari who is most important, and no tenant, no agricultural labourer has ever got any justice done. The Congress agrarian reform movement gave the same slogan. The panel of the Planning Commission has given us the same slogan. Yet, with all this experience, we have not found it necessary to change the administrative pattern of society. I wish that a Commission is appointed to go into this matter.

[Shri Nagi Reddy]

I am thankful to Shri D. C. Sharma the experienced professor in this House, for having brought this resolution, and I am sure Government will accept it and try to see the reality as it is, through the Commission which should be appointed. I also plead that the recommendations of the Commission should be implemented.

श्री पाल देव (बम्बा): सभा वेदी मूलोदया, अंद्रेजॉन ने अंती से नहीं बल्कि मजदूरियों के कारण इस देश के बासिन की डागडौर कांपेंस को बिल्डने कि भारत की स्वाक्षिनता के लिए अत्यत प्रयत्न किया था, सौंपी। जिन विचार-भारतीयों के लिए या जिस स्वरूप का यूंते रूप में भासी के लिए भारतीयों ने जग की भी और उसके प्रभुसार प्रभने देश को बनाना था उसके लिए उनके पास उस बक्त भवीनी भी गुद नहीं थी। प्रशासन का जो ठांचा अंग्रेजी राज्य में था उसको ही भारतीयों ने अपनाया और काफी लोगों ने कहा कि यह नई बोतल में चुरानी शराब रखी गई है। मैं यह तो नहीं कहता कि इस १३ साल के समय में भारत में कोई उन्नति नहीं हुई, मह.न् उन्नति हुई है किन्तु उस में प्रशासन के सम्बन्ध में हम विचार करते हैं तो कुछ इसके अन्दर विवादता सी दिलती है। इसके बालू करने में निपोटिज्म भेरा मतलब है रैंड टैपिज्म इस समय सबसे अधिक बड़ा हुआ नजर आता है। उसके लिए सरकार ने भी एंड एम डिवीजन बनाया है जिसके कि सेक्वेन्ह हर एक भिन्निटी के साथ लग है किन्तु इसने कितर्ना उन्नति की है इसको प्रशासन अच्छी प्रकार से जान सकता है। ऐसा नजर आता है कि उन्नति जरूर कुछ हुई किन्तु भाज के एटैचिंग युग में वह उतनी नहीं हुई जितनी कि होनी चाहिए थी।

मैं इस बात में पूर्ण विश्वास रखता हूं कि असारे और नेता जौय हैं वे पूरी तरह से सहकर हैं और वे देश को जगने के लाभा बासते हैं। देश के अन्दर समृद्धि लाना चाहते हैं केविन कुछ ऐसी

प्राच्यवनें बीच में बल रही है कि इतना उपरा सर्व करने के बाबजूद भी जो व देलना चाहते हैं व शायद उनको भी नहीं दिलती।

दूसरी बीज जैसे ये ये पहा कि जकाल बनाने के लिए हमेसा मकान निर्माता की उस्तर रहती है। शासन चलाने के लिए शासनकों की ज़ज़र रहती है। इस समय जितनी अपने देश के अन्दर सम्प्रसेज है, मेरे सम्भाल में केवलीय सरकार के कोई ५५ साल कार्यकारी होने विनामों कि इस देश के भारी भार को प्रपदे सिर पर उठा रका है। इसके अन्दर कुछ

16 hrs.

स्टैचिटी नजर नहीं आती। काटण उसका बे है कि एक तो हर प्रकार का इंटर्निटेस होता है उस्तकेप होता है जिससे कि कर्मचारी स्वतन्त्रतापूर्वक प्रभने बान के मुताबिक देश के कार्य भार को बहन नहीं करते और व ही अपना दायित्व समझते हैं। फाइल एक जगह से दूसरी जगह और दूसरी जगह से तीसरी जगह इस तरह से चलता रहती है और कई दफा तो ऐसा भी होता है कि कई केसेज का सालों तक निर्णय नहीं होता। यह इसलिए भी होता है क्योंकि नियुक्तियों में भी कुछ ठीक ठंग का कार्य नहीं चलता, कई बार पलपात इत्यादि भी होता है और बांव में दबल देते हैं और नसका नीतीजा यह है कि जो हमारे कार्य की स्टेजज होनी चाहिए थी वह नहीं होती बल्कि हर काम को सेट्लाइज करने की कोशिश की जाती है और उसेट्लाइज जशन का तरफ पग नहीं उठाया जाता और जिसका कि नीतीजा यह है कि हर कोई जिम्मेदारी को महसूस न रहता हुआ काम को आग से आग टालता है। मेरे कहने का मतलब यह है कि कुछ इसीसिधन का अभाव नजर आता है। जल्दी से किसी बीज में निर्णय हमें आहिए, ऐसा नहीं होने पाता। इसका मुख्य कारण बालूब नहीं अवैधिक होना तो ऐसा ही अस्तित्व भाज के जमाने में। उसे कई काम हैं जोकि हमारे

देश में बाद में किये वैसे ही जाते हैं हालांकि मूँह में कुछ विवरण नहीं उबमें बल्कि है जैसे कि यह अब अवश्यक का केस है और ऐसे कई और भी हैं। अब वो साल के बाद हम बंसा ही जानते हैं लेकिन कुछ में ऐसा नहीं होता। इसी तरीके से बहुतेरे काम हमारे देश में हैं जिनके कि अन्दर जल्दी से जल्दी जो काम किया जा सकता है किया जाता जाहिए और लोगों का जब नेताओं के कारण पूरा विवरास है तो उनके पैर उसमें कांपते रहीं जाहिए बल्कि पूरी जगतका; और और और संकल्प के सभी कार्य कर ही डालना चाहिए। इसी में मूल्क आगे जा जाता है और इससे मूल्क भी इसी तरह बढ़े। इसका कारण यह है कि जिस काम की करने का उन्होंने नियंत्रण किया उसकी पूरी जकित के साथ, पूरे बल के साथ पूर्ण करने का प्रयत्न किया।

करपान अवार्ति अध्याकार के सम्बन्ध में काफी बातचीत की जाती है। मेरे कहने का यह आभय नहीं है कि हमारी सरकार उसके अति उपेक्षित है, उसके अति उपेक्षित मही है उसके लिए उन्होंने विजिलेंस डिपार्टमेंट्स भी खोले हैं और वे काम करते हैं लेकिन कहीं पर तो बहुत ज्यादा हो जाता है तो कहीं पर आवरत्नक हो जाता है। ऐसे हालात के अन्दर जिनकी कि कुछ ऐसी बातें होती हैं उनके दिल के अन्दर कुछ करने के लिए श्रद्धा नहीं पैदा होती और अश्रद्धा पैदा होती है हालांकि सरकार बहुत कुछ कर रही है मूल्क के लिए लेकिन जब कोई ऐसी घटना उनके सामने घटती है तो मैंने निवेदन किया कि उनके दिल में जरा कुछ अविश्वास हो जाता है। एक बात यह कि इस बक्त आप देखेंगे कि मूल्क में चाहे वह सरकारी भर्तीनी हो अथवा हमारे दूसरे दूसरे, उनके अन्दर इस बक्त अनशासन का अभाव है। डिस्ट्रिक्शन नहीं है चाहे दफ्तरों में जांच अथवा स्कूलों में जांच अवश्यक ही क्ले जांच, एक ही देश दुनिका में द्वारा द्वारा इसा सिंगल जहां स्कूल में पढ़ने

वाले विद्यार्थी भी स्ट्रैक करते हैं और उसके लिए कोई न कोई बहाना ढूढ़ने का प्रयत्न करते हैं और जब देश के अन्दर अनुशासन न हो तो आप समझ सकते हैं कि जितनी अशिक्षा हो जायगी। इसका एक बड़ा कारण तो यह है कि ठीक ढंग का पथ प्रदर्शन नहीं है। ठीक ढंग का कार्य और पथ प्रदर्शन हो तो ऐसे द्वायल में अपने देश के अन्दर इस किस्म का एलिमेंट बहुत योड़ा है भले ही हल्ला गुल्जा चाहे कितना होता हो।

दूसरी बात यह है कि संसाधन रिसर्च-सिन्डिकेट, जो अपने कर्मचारी हैं या लीडर हैं या जो भी हैं उनके दिल के अन्दर अपनी जिम्मेदारी का अहसास नहीं है। जितनों हमारी सरकारी आगेनाइजेशन हैं और उनके अन्दर कुछ ज्यादा श्रद्धा और एक काम करने की भावना नहीं है। उसका नतीजा है कि आपके सामने अशोक होटल, इंडियन एंथर लाइन्ट कार्पोरेशन और तिदरो फट्टलाइज़सं वर्गरह यह जितने भी सरकारी काम चले द्वारा हैं उनका काम अगर किसी एक व्यक्ति के पास होता तो जितना कार्यदा वह व्यक्ति इन कामों को चला कर दिखा सकता था उतना ज्यादा सरकारी प्रबन्ध में इन कामों के चलने से नहीं होता। आज हम प्रयत्न कर रहे हैं कि हर एक चीज़ नेशन-लाइज़ हो जाय लेकिन ऐसा नजर नहीं आता।

इसके साथ ही आज यह प्रयत्न किया जाता है कि जब काम कुछ ज्यादा बड़ा गया तो जट कोई एक एसा तरीका निकालते हैं, एक नया सुपरिनेंटेंट और उनके नीचे किर कर्मचारियों की सूच भरती होती है। इस तरह कर्मचारियों की संख्या बढ़ती ही चली जा रही है। और कोई पता नहीं कि इसकी सीमा कहां खत्म होगी। काम इतना नहीं हो रहा है जितनी कि आज सरकारी कर्मचारियों की भर्ती हो रही है हर एक

[भी पढ़ देव]

इदारे के अन्दर। मैं समझता हूँ कि इसके बारे में जहर विचार करने की जरूरत है।

एक बात जो कि मैं बहुत ही अद्भुत समझता हूँ वह यह है कि पुलिस का एक बहुत बड़ा अफसर है वह एक केस को इनवेस्टिगेट करता है और उसकी जांच के फलस्वरूप वह चोर है डाकू है बदमाश है लेकिन उसके बाद जब वह तहसीलदार के पास आता है तो वह एक बहुत छोटी कंटेंगरी का अफसर होता है तो वहां पर उसके लिए किरनहीं तरह से वह सारा का सारा केस इनवेस्टिगेट होता है, नहीं तरह से साक्षियां ली जाती हैं तो इस तरीके से यहां इस बक्त जितने हमारे सरकारी इदारे हैं उनके अन्दर आपस में किसी किस्म का कोश्चार्डनेशन नहीं है और न सरकारी कर्मचारी इस बात को महसूस करते हैं कि यह सारा का सारा मुल्क हमारा है, हम इसमें सब साक्षीदार हैं और मिल कर इस मुल्क को हमने आगे ले जाना है। आज हालात यह हो रही है कि लोग अपनी जिम्मेदारी नहीं समझते और जैसे तैसे किसी तरह अपने डूयूटी के बंटे काट देते हैं और उसके बाद दफ्तर को आग लग जाय, कुछ हो जाय, उनकी कोई जिम्मेदारी नहीं होती। ऐसे हालात के प्रधार में होम मिनिस्टर साहब से यह प्रार्थना करूँगा कि यह ऐसी चीजें हैं जिनके कि ऊपर हमको निहायत संजीदगी के साथ, ईमानदारी के साथ सोच-विचार करना है। आखिरकार मुल्क ने इस पार्लियामेंट के सिपुर्द या पार्लियामेंट ने अपने मिनिस्टरों के सिपुर्द यह जो देश के प्रशासन का भार किया है तो उनकी एक बहुत और महान् जिम्मेदारी है। लास तीर पर ऐसे समय में जब कि भूल्क के बारों तरफ शबू भी मंडला रहे हैं हम यहां तिक्क पैसे गिनने में लगे हैं। पैसा और पद ये दो ही चीजें जब हमारे सामने होती हैं तो हमारे देश के लिए बड़ी मुश्किल हो जाती है। दो मैं बाहता हूँ कि चाहे

कमीशन बने या कुछ और बने, लेकिन बहुरत यह है कि हमने जो पुरानी मैशिनरी इनहैरिट की है उसमें न केवल छोटी रुद्दोबदल की जाए बल्कि बहुत बड़ी कांति लायी जाये। यहां फिरीशियन से काम नहीं चलेगा, बल्कि हमारे मिनिस्टर सरजन भी बन जाएं, ताकि मुल्क का काम ठीक ढंग से चले।

Shri Aurobindo Ghoshal (Uluberia):
Mr. Chairman, this motion covers a very wide field and touches the fundamental principle of administrative policy. The administrative set up is generally dependent on the character of a Government and the ultimate purpose which they want to achieve. This idea of reorganisation of the administration is agitating the minds of us all.

The British had a quite well-knit administration which was quite fitting with their policy. The real purpose or policy was to rule us, not for our interest, but for exploitation for enriching their nation at our cost. Naturally, the framework of their administration was laid down to suit their purpose. This framework alone cannot move unless the living part of the machinery which will work within the framework of that machinery is suitably made to fit with that framework. So, a set of persons with diehard attitude with some I.C.S. heads on those departments were fixed within that framework in a well-knit bureaucratic manner for their bureaucratic purposes. Their administration went on quite well on that line.

Now, about a decade ago, when the Britishers transferred their political power, the administrative framework was also inherited by us. We inherited the whole system even without a jolt. At that time, with the transfer of power, a change in the administrative set up was neither necessary nor possible. So, we got political power by transfer, not by forcible occupation. Of course, we had to pay a huge price for the last 100 years to attain our Independence. But, the transfer

was quite peaceful, peaceful in the sense that it was on understanding with the transferor.

After our Independence, the whole approach of the Government has changed. It has become national, democratic and in some respects, progressive too. Our Constitution guaranteed democracy and its goal has been declared as socialism. In pursuance of the same, the Government quite naturally wanted to bring reforms in our society and also in our national life. It has been trying to abolish feudalism and to industrialise the country through the Plans. Huge developmental projects and programmes have been initiated in order to raise the standard of living of the people. The public sector is gradually being widened. People are becoming gradually conscious of their fundamental rights and are becoming assertive. But, the old machinery cannot be responsive due to their inherent narrow and un-accommodative attitude and method of work. Naturally the clash is inevitable. So, the framework is neither wide and pliable enough to welcome the socialist approach, nor is the machinery which will work out the new objectives fit to implement the same properly.

So, in our experience we find that lofty plans, big projects and grandiloquent schemes are being floundered on the rock of this bureaucracy. Though speed is the essence of our present developmental progress, still too much officialdom and red-tapism have stood in our way. Not only that. This bureaucracy which was being previously controlled by the autocratic top, have got a long rope under the so-called liberalism of the present Government. Too much dilatoriness and negligence have created a hopeless condition in the sphere of administration. Favouritism, corruption and nepotism have now corroded the steel frame of the British administration. A callous attitude and colossal wastage are found everywhere, and the Government is losing the confidence of the people as days are passing by.

Somehow this rot has got to be stopped. Two important reports have

so far been made, one by Shri Gorwala and another by Mr. Appleby, but I agree with the opinion of Shri Mathur that these two reports are inadequate and cursory. Both of them have analysed the problems, but they have not been able to lay down robust principles for future administration.

The present Government has lost its link with the people and has been segregated from them. The authorities of the present Government are working from an emerald tower, far, far away from the din and bustle of the madding crowd. This smoke-screen which the bureaucracy has been able to create between the Government and the common people should be removed. In order to do that, a committee is necessary to go into the details and to suggest the reorganisation of the country's administration which will be helpful in achieving the goal of a socialist State.

I would like to refer to another point which has become very prominent and troublesome also, viz., the relation of the Centre with the States. We find that every year in the Budget huge amounts are being granted to the States for developmental projects, but they are not used; they lapse and are surrendered. Whenever we raise any question about such matters we are told that it is within the jurisdiction of the State, that the Centre has got no control over it. This should also be considered by this committee, to see that the grants which are being made to the States for development projects, for the total development of the country, are regularly and properly spent.

Public undertakings are now controlled by separate statutory bodies which are also beyond the scope of Parliament, because whenever a question is put whenever anything comes to light, we are told that this is not within our scope. Naturally, all these problems and many others are there. To make the administrative machinery coherent and organised, an enquiry is necessary and for that reason this commission is also required.

With these words, I support this motion.

MR. CHAIRMAN: Shri Guha.

Before the hon. Member speaks, I would like to know the desire of the House. Some Members were very agitated and they wanted that the time should be extended. Is it the opinion of the House that I use my discretion to extend the time by an hour? Are the Members prepared to sit for another hour?

Some Hon. Members: Yes.

MR. CHAIRMAN: Of course, they can move a motion if it is beyond one hour.

There are only three or four speakers, and if we sit for one hour I think we can finish it and everybody can be given a chance.

SHRI A. C. GUHA (Barasat): What is the time allotted?

MR. CHAIRMAN: I have requested that each hon. Member may take ten minutes. One hon. Member has taken twenty minutes, and naturally, the subject being a very exhaustive one, he has not been able to finish; and obviously, he has not been anxious to remain in the House after that.

SHRI A. C. GUHA I shall try to be as brief as possible.

It is a very important subject that Shri D. C. Sharma has brought before this House for discussion and I am thankful to him, and I think the whole House should be thankful to him for bringing up this resolution before this House—although, actually, I do not like the idea of having another commission because a commission would mean the shelving of the whole matter for another four or five years more. We know the fate of so many commissions in the past; their reports have been published, but hardly any action has been taken or if any is taken, it is in slow partial doses with the result that the real purpose of appointing those commissions has more or less been neutralised. This is a subject in which Government should act expedi-

tiously and I think they have got enough guides already in the many reports on this subject.

It is rather strange that after the attainment of Independence, Government have not thought fit to appoint any enquiry commission or committee to look into the question of reorganisation of the administration. The British gave us an administration that was intended for the law and order purpose. Although the whole character of the State has changed since then, yet the administration has remained the same in form, in outlook and in everything else.

Only recently, when I was touring one of the flood-affected areas of Bengal, I happened to come into contact with a district magistrate. He openly told me that with this machinery, one could not expect to have a welfare State. He said that it was within his discretion to spend even crores of rupees by way of gratuitous relief, but he did not have the authority to spend even Rs. 200 or Rs. 300 for any item of permanent utility to the public. On the one hand, Government have devolved enormous powers on the services for distribution of money and for distribution of patronages; thereby, the authority of the officers before the public has increased; their prestige and power have increased. But on the other hand, there are so many rules and formalities which are in vogue still, these were in vogue during the British days, there are so many rules, formalities, standing orders and other things in vogue still, which curb the initiative of the officers for doing any permanent good or to undertake any development schemes beneficial to the public. That is why I think the whole administrative set-up must be re-examined and reoriented on the basis of a welfare State. It is no longer a law and order State now, but a Welfare State. So, the services also should be so shaped physically and mentally, that the real purpose of the administration can be served.

We have a federal system of government in our country. The authorities between the States and the Centre

have not been clearly defined. The different States are endowed with autonomous powers, but they have not got the revenue with them to undertake any development work. Revenue is mostly in the hands of the Centre, and so, they have to depend on the Centre either as grants or as loans for their developmental works. It is quite natural and it is psychologically also true, that in respect of money received from other sources, they become somewhat lenient and loose while spending that money. That has been the case in regard to the expenditure of the money received by the different States from the Centre also. It depends upon the lobbying capacity of the different State Governments how much money a State will get from the Centre. It leads to administrative laxities. It has often been heard that a particular officer is retained in a State because he has got some influence here with some Secretaries and other important persons; so he can get more money from the Centre for that State. So that officer has to be retained and his services extended year after year, even though he has reached the age of superannuation.

This is a bad sort of thing. I think the revenue position between the States and the Centre should also be revised so that the States can stand on their feet for their finance. If any help is to be received from the Centre, that should not be for a very minor work, but only for any major development work.

As regards the money received by the State from the Centre for particular schemes, the Centre has no authority to look into the expenditure of that money after it is given. Every State is so very alert and keen on the maintenance of its prestige that it won't allow the Centre to interfere by enquiring how it has spent the money. That makes the position still worse.

Then I think crores of rupees have been spent even from the time before the attainment of independence on grow-more-food and many other

schemes with the States collaborating. It would be worthwhile for Government to hold an inquiry as to how many of these schemes are still being continued and maintained by State Governments. Certain amounts might have been spent and certain schemes put into operation. But as soon as the Central Government aid is withdrawn, those schemes have also gone out of operation and have ceased rendering any service to the public. I am afraid that this may happen to the whole community development scheme also. In the post-intensive period, most of the development works in the Community Development areas are being neglected and are not kept in operation. This refers particularly to some of the social service schemes. They have not been working after the Central Government aid was withdrawn at the end of the intensive period. All these things require a certain reconsideration and revision of the entire scheme. This is also an important factor in the administration.

In April this year, during the budget discussions, in this House and outside there was a lot of talk about the multiplication of offices and officers and infructuous expenditure. A number of offices, autonomous bodies, subordinate offices and a lot of other offices are being created, big buildings are being set up. I think most of the money that has been received through the taxation proposals during the Second Plan has been spent on non-development expenditure, a fact which has been admitted even in the Government statement circulated to us along with the budget papers. This means a lack of proper outlook in the administration. This is also an aspect of the administration. If a particular sum is to be spent on a particular scheme, we have to see whether the full value for the money is received.

Recently, I received a copy of the report of a Corporation. Its total subscribed capital is Rs. 10 lakhs. The entire subscribed capital is from the Government. In one year's working, it has lost only Rs. 3,82,000 odd!

Shri Braj Raj Singh (Firozabad):
Only?

Shri A. C. Guha: That means one-third of the total capital lost in one year's operation. And the Corporation is supposed to be a commercial body; it is not set up just for development or other probing purposes. So a commercial body has to be run on commercial lines. Out of Rs. 10 lakhs, one-third, about Rs. 3,33,000, has been lost in one year and Government have been good enough to reimburse it practically with the entire amount. The Central Government have reimbursed about Rs. 3,22,000, for enabling it to incur fresh losses during the next year. Why should so many Corporations be created? These are things that require to be looked into.

We are having a democratic set-up. We are proud of it. It has also to be examined whether we are having a democratic set-up or a bureaucratic set-up. Recently, about 2 years ago, a report was published. An eminent Member of this House was the Chairman of the committee. It recommended democratic decentralisation to start from the bottom. If democratic decentralisation were to start at the bottom and at the top we tighten up bureaucratic centralisation, in a few years' time we shall have a clash between the two sectors. If we start with decentralisation at the bottom, in the Centre also there should be some decentralisation of authority and not bureaucratic centralisation of authority as it is happening today.

You have rung the bell. So, lastly I should say the administration today has lost its reputation and its prestige before the public and it is gradually losing public confidence. It is no use for the Minister defending the administration in the House. We may take it from the Minister that the administration is quite all right. I may also say that all that is being talked about in public about the administration is not wholly correct. But still in a democracy, it is public opinion which counts and should carry some weight with Government. If Government have any eyes to see and any ears to

hear, they must realise that the administration today is not enjoying the same prestige and confidence for integrity and efficiency and for expeditious discharge of duty as it had before. That is the most important thing. For all these things there should be a proper reorientation of the whole administrative set-up on the basis of a Welfare State.

I am not sure whether a commission of the type suggested by Shri D C. Sharma will be quite necessary for that. Government have already got so many reports. They must have their own ideas also. They can start taking some action even if a Commission is set up. They can start taking some action immediately. There should be no delay in this matter. Otherwise, as my hon. friend Shri Mathur has said the whole democratic set-up would be in danger.

We have got the Appleby Report; we have got other reports also and we have got the O. & M. Division and the Vigilance Organisation and all those things. They have not been able to remove the anachronism and anomalies in the administration as they exist today. So, I would suggest that a proper review should be made and Government should take appropriate and immediate steps to set the administration on a proper footing so that the objects of the Welfare State could be really fulfilled. The nation expects that for every pie of the money it is paying there should be sufficient return,—the officials paid from revenue, should be welfare service-minded. There should be that feeling that the ideal of a Welfare State is being realised but that is not the feeling in the country at present.

Shri Goray: Madam, the subject we are discussing today is very vital, in my opinion. It is as vital as the defence of the country. But I do not say we should be pessimistic in our approach. Had I been pessimistic I would have said like my friend, Shri Mahanty, that not a blade of grass is

likely to grow under this accursed Government, I do not want to be over-optimistic either because, if I may be allowed to anticipate the Minister, most probably in his reply he would say that everything is best in the best of all possible worlds. I do not want to take either of these two views. What has happened is that during the last decade we have been trying to move from the concept of the law and order State to the concept of the welfare State. Because we want to face this new challenge, we are coming across all these difficulties.

In the first chapter of Raghuvanssa, the ideal kingdom was described as one where the king was said to be:

प्रजानि विनयाधानात् रत्नगद्भरणादपि ।

स पिता पितरस्ते गं केवलं जन्म हेतवः ॥

I do not know whether the Raghus lived up to that standard but that is the objective that we have set for ourselves. If we want to reach that objective, we shall have to overhaul the whole system. I do not want to be pessimistic because I think this problem is not peculiar to India. In almost all the countries which are trying to build up a particular standard in the shortest period of time, these difficulties have been experienced. When the late Roosevelt launched his New Deal in America, he had to face some difficulties; how to create an apparatus which would be able to ensure quick and just results and to root out corruption, poverty and unemployment from the land. If we look to other totalitarian countries like Russia or China, we find that they have to pass through these difficult periods. What do the purges of the thirties suggest? Thousands of scientists and experts were mowed down because the plans they made went away and some scapegoat had to be found. They got hold of people in charge of these difficult projects and because they could not come up to the standard they were eliminated. Here in India the position becomes all the more difficult because we want to be a welfare State in the quickest possible time. At

the same time we want to keep intact the framework of democracy. These are the limitations that we have accepted for ourselves. Within those limitations we have to function. That is, I suppose, one of the challenges which we shall have to meet.

A Commission has been asked for in this Resolution. I do not think it will be able to achieve a miracle because there have been reports right from the Gopalaswamy Ayyangar Report to the recent report of the Kerala Government. In every report they have tried to analyse the malady and suggested a way out. Let a Commission be appointed but it is not going to discover something which is altogether unknown. We know there is a lot of corruption, inefficiency and nepotism. We know there are such delays. I can quote an instance or two.

Last year on the 1st of May, near Ahmednagar, a tank belonging to the Defence Forces over-ran and killed a man who was an employee of the local body. Since that day, 1st May 1958, his widow has been writing to the Defence Ministry. When she came to me only a month back, she produced before me about fifty receipts of registered letters and nothing was done. She was being told that the case is under consideration. When I took it up, perhaps it was because I was there, a Member of Parliament, they said: "All right, let the widow be given Rs. 900 and the whole claim settled". This is how thing goes on. A postal employee had made certain mistakes eleven years back. No action was taken. He thought that his defence was accepted. After eleven years they have said that because he committed some mistake he is to be punished. The supervisors who supervised the work at that time have retired and no punishment has been meted out to them. This is what happens. I do not want to flog the dead horse but it is there.

I would go a step further and ask, after all, who are these functionaries? They come out of the people. If the

[Shri Goray]

people as a whole are not above suspicion, the officers who are recruited from the people also will be not above suspicion. What I am saying is, when we are blaming the bureaucracy, we are blaming ourselves; that is the way I look at it. I have my friends who have just passed their IAS and other examinations. As soon as they enter the cadre I find deterioration starts. What happens? Young people who want to be patriotic, who want to build up their country, who think the challenge should be accepted—they are engineers, scientists, professors, administrators—as soon as they are recruited we see that they gradually begin to lose their enthusiasm. Why? It is because they find that the whole atmosphere of the country is like that. It is not the bureaucracy which is to blame, it is not the Parliament which is to blame, it is not the Ministers who are to blame, but it is the whole society which has created a particular type of atmosphere.

Therefore, I would say, after the commission is appointed let it go into the total problem, make an overall study of the whole milieu in which we are working and then let us try to find out where we should begin. Of course, I have noted, as they say that the fish begins to rot from the head, there is something wrong with the heads of the Government. There is no doubt about it and so many people have tried to highlight this factor. Only today it was mentioned in the House that the Punjab Government has interfered somewhere. Though, of course, the Home Minister said, he is looking into it, everybody knows that there is something rotten in the State of Denmark and that something must be weeded out but we do not make the necessary effort.

Then, I would say, when we are thinking of the expanding public sector let us try to understand how

fast we are trying to expand. In the First Five Year Plan the public sector and the private sector were on a par, 50 per cent of the investment was in the public sector and 50 per cent in the private sector. In the Second Five Year Plan 61 per cent of the investment was in the public sector and the remaining in the private sector. In the Third Plan most probably from 61 per cent we may move up to 65 or 75 per cent, because the Prime Minister has said that in view of the danger that is threatening our country the first thing must be heavy industries. If these heavy industries are going to be given the top priority, the investment in the public sector will go up.

The task we are faced with is, where do we find the people who will give or furnish the necessary functional leadership to the public sector which is growing at such a hectic pace. I think that if we really want to furnish the country with functional leadership then we will have to see to it that the young people who graduate or who pass the competitive examinations will have to be cared for and we will have to be more attentive in order to create the necessary morale in them. We should also see to it that they do not develop into a bureaucratic caste but that they remained linked up with the people. What I feel is the most essential thing, at this time to do, is to see that they do not lose contact with the grassroots.

Shri Ajit Singh Sarhadi (Ludhiana): Mr. Chairman, there is a consensus of opinion in the country that the administrative set-up not only needs gearing up to meet the changed conditions but also needs a change to meet the changed objectives. It must also be admitted that we have not been able to achieve much during the last ten years to further our objectives to obtain a welfare State, at least not to the extent that we hoped for. Of course, we started with high hopes and higher

ambitions. Yet, the assessment of the last ten years is not as much as we expected in any walk of the administrative set-up.

If we take the public services which have come up for much criticism in this House, we must admit that the criterion for the utility of these services is not what we hoped for. Have the services endeared themselves to the man in the street or the man behind the plough? Have the services endeared themselves to the people in anyway after these ten to 12 years and can they be called the people's services? Is not the Deputy Commissioner in the district still looked upon with fear and awe? Is not the magistracy of a district still looked upon as some one unapproachable? If that is so, then we must concede that we have not been able to achieve even a part of the objective of a welfare State.

Let us see the judicial system. Everybody has got the highest regard for the judiciary, for its integrity and honesty at all levels, certainly. But how topheavy is the judicial set-up? That must also be considered. The accumulation of work is one of the points certainly, but that is not all. The accumulation of work and arrears of cases are not due to the fault of the judiciary as such, but due to the duties which the Constitution has laid on the judges to decide upon and carry out. The high courts and the Supreme Court have been given the power of superintendence over all breaches of the Constitution and breaches of the law. But the disease lies elsewhere. The judicial system which we have inherited was set up with a set objective, and with the changed conditions and changed objectives, it should also have been changed. That is to say, there should have been decentralisation in order to lessen the arrears of work and to entrust the people themselves to decide certain matters of dispute relating to offences relating to person or property.

Similarly, let us turn to the police force. It is equally looked upon with suspicion. I believe it is looked upon with greater suspicion now than it was being looked upon previously. It has been said in this House that this applies to Punjab. I am afraid it applies equally to all the States. What I would submit respectfully to the House is that whatever be the administration that is functioning, it is looked upon with suspicion and not endearment.

We have embarked upon a socialist pattern of society. That is very good. But are we not creating another bureaucracy even in the public sector which will certainly be enlarged in times to come?

Therefore, my respectful submission to the House is that the administrative set-up certainly needs a change. How can that change be brought about? Of course, one suggestion which has been made and which I welcome is the appointment of a high-powered committee, which is postulated in this resolution, which should be able to look into it and suggest how the administrative set-up can be changed to achieve the objective of a welfare State.

The only way in which the administrative set-up can be changed to fit in with the changed conditions and changed objectives is absolute decentralisation in all aspects of administration—judicial, social, economical and I would say even political. We have got a nucleus of community development blocks from which we can start. If we want to build a welfare State for the benefit of the man in the street or the man behind the plough, we must see that he also participates in those activities which are for his welfare.

Let us look at the laws. All the laws we inherited from the British masters were for a certain objective and not for utilitarian type or social welfare. For changing the administrative set-up, the community development blocks are the foundation on

[Shri Ajit Singh Sarhadi]

which the edifice of a welfare State can be built. In those community blocks, you can have people's courts and panchayat courts, which should decide all minor disputes not only with regard to property, but also with regard to minor offences. There is no reason why the panchayats should not be empowered with powers to decide disputes. Also, our ambitions and aspirations should be that each community development block should perform all those functions which pertain to and which go to the extent of creating self-sufficiency in the matter of administration of justice and their economic needs. I would say that the functions of the community development blocks and the people living therein should be like those of the Greek city States, which at one time were really democratic institutions, in the right sense of the term, when peoples themselves participated in all the activities.

So, I submit for the consideration of the House, particularly the Home Minister, that they must look into this problem from a human and democratic point of view and should not stand on any prestige. If it is correct that the present administrative set-up does not fit in with the changed conditions, if the present assessment is that for the last ten years, we have not been able to endear the administration to the man in the street or the man behind the plough in the village, I submit it is very necessary that that change should be made. When we have got a certain basis on which we can start, why should we not do it earlier? The earlier we do it, the better. Therefore I am sure the resolution is of such a nature that the hon. Home Minister would not find any difficulty in accepting it.

Shrimati Ila Palchoudhuri (Nabdwip): I am very happy to support this Resolution, because I had actually brought a resolution practically identical with this in the last session but Shri D. C. Sharma had more luck

in the ballot than I had. However, I certainly commend this resolution.

First I would like to quote a few words of the Prime Minister in the Lok Sabha where he said:

"My earnest desire has been that we should speak less in world assemblies and confine our activities to our own internal affairs."

Really, the time has come when that should be done.

When we look at this question, when we look at this Resolution, I am entirely of the opinion, as expressed by my friend Shri Mathur, that it behoves on us to have such a commission as this, because in the shadow of the Third Five Year Plan unless we have this assessment, we cannot do justice to the next Five Year Plan. And the tax-payer has every right to see that some assessment has been made that the money that he pays in taxes is fully utilised. Because, it is not money alone that is wasted; there is wastage of effort and wastage of time which, if translated into terms of money, would mean crores of rupees. In India today we spend Rs. 190 crores in salaries alone, out of a revenue of Rs. 725 crores. This may not be the exact figure for every year, but this is more or less the average that we spend. That is a very high figure and so we must look into it.

16.75 hrs.

[MR. SPEAKER in the Chair]

I have nothing against the administrative services. It has become a fashion to call them a bureaucratic set-up, and we have got the red-tapism for a number of years. I should say in the first place that the set-up is there to do a certain work. Let that work be done efficiently. It is not a question of a person here, or a person there, or the Secretary, or the Under Secretary that is responsible. It is

the procedure and the rules and everything surrounding them that need to be looked into. As far as red-tapism goes, it is there for a number of years, people write long notes, files travel from place to place and it results in red-tapism. Incidentally, Government has changed the red tape to white tape now. But it has not made any difference in the time taken for taking decision. It is the same as it was before when the red tape was there.

Now clerks are employed, hundreds and thousands of them. When letters are received, one man opens it; another clerk registers the letter; a third clerk files the letter. It is a long process, and if we want to find out anything, naturally we have to turn round, asking many people, and it has become impossible to find out anything from the morass of so many people. As a woman I certainly feel the worth of the proverb, "too many cooks spoil the broth". In the same way, too many people in an office, I think, spoil the efficiency of service.

We have had the reports of Appleby and Gorwala. Of course, those reports are piece-meal. It is a report of this kind which we need, which will go into the whole subject, and not really criticise anything but try to find out ways and means how the money of the country can be saved, and if saving can be achieved how it can be used for development purposes. Because, I think the first thing to be done is to have a contented administrative service, and that I think must be achieved by whatever means we have in our power. And contentment will come if the person has full scope for work, he has security of service and his work is appreciated.

Even the Gorwala report says that:

"Officers are unwilling to take responsibility because they feel that they are not likely to get support if things go wrong. Because of this feeling the inclination is to shirk work. If it is

the desire that more work should be done by the lower level officers, they should be made to feel that their superiors trust them and are prepared to leave the initiative to them."

That, I think, is the keynote of efficiency. They must be trusted; they must be secure. We must look after the rules and procedures so that they can be simplified and they do not take so long to implement them. Look at the co-operatives. Almost the main hurdle in the organisation of co-operatives is the Rules. We have not yet done anything to simplify the rules and the co-operatives do not get on. I could multiply instances. There is not much time. I do not want to burden the House with too many figures. Here, in India, we spend on collection 10 per cent of the taxes that we realise. This is a very high figure for any civilised country. I do not think it is so anywhere else.

17 hrs.

Secondly, I would also put this to you. We have this Audit. In Japan, there is the Auditor General and he is supported by eight experts. They not only do financial audit, but they also do efficiency audit. I think we should evolve some sort of a system like that. I think, if a Commission like this is set up and it goes into the question thoroughly, large savings can be made. The External Affairs Ministry which is the most live Ministry as far as I can see, has really made substantial savings by having a probe into the various Embassies. The High Commission in London has made a lot of savings. I think all the Ministries could do this and the whole set up can be looked into. There was the Hoover Commission in the U.S.A. The United States is a richer country than us. What was the result of this Commission? It had people, teams of experts, going into each department to find out ways and means of how to create more efficiency, how to get more value out of the money of the tax-payer.

[Shrimati Lalapalchoudhuri]

What did they find? As a result of the Commission's recommendations, a saving of 3 billion dollars was effected. On paper alone, there was a saving of 288 million dollars: I will say this about our Constitution; I noticed it from the time when it was drafted. Ours is the longest and the most extensive Constitution in any country in the world. It comprises 300 pages. The U.S. Constitution comprises 10 pages. I have no quarrel with that. Let us have a well written extensive Constitution that deals with every aspect of welfare as we want it to be done. Because, in these ten years, the whole concept of the State, as it is supposed to be, has undergone a change. Since 1947, there are four things that we have achieved. We have achieved Independence. We have declared ourselves a Republic. We have a Plan and lastly, we have declared ourselves to be going forward for a Socialistic Welfare State. If we have to achieve this, the whole set up has to be looked into. There should be a contented administrative service, whose grievances, whose wants or difficulties are enumerated and taken care of.

The Pay Commission has come in. Their recommendations must be adopted and implemented as soon as possible. I think we could really take a Chinese saying which is very good although we may be allergic to many Chinese things at the moment. There is a Chinese saying that if you are planning for a year, plant grain, if you are planning for ten years, plant trees and if you are planning for 100 years, plant men. I should say, plant men in the right places. Keep your administrative service in the right place. Nourish them with confidence. See that their jobs are secure. When the time for them to retire comes, the time will be very good and it will have the rich value of all their experience. The whole set up will be much more organised and much less expensive and really driving towards a Welfare State as we wish it to be.

I have no criticism to make of the Government. I commend this Resolution. This Commission, I think, would do infinite good if, before the Third Plan, within these two years, they submitted even some sort of a report.

Dr. Melkote (Raichur): Mr. Speaker, I congratulate the Mover of this Resolution, the hon. Shri D. C. Sharma for bringing this Resolution at this juncture. He has done a service, because, I feel that it is not merely that a Commission should be set up, but commissions of this nature periodically to examine the question once in ten years would do a great deal of good to the country. I also congratulate Shri Goray for placing his views in such a moderate manner, because he has considered every aspect of the question without leaning to one side or the other.

The problem is this. As is said, we get the type of government we deserve. With a cross-section of the population in the civil service, whether they are good or bad, they reflect the society at large. Therefore, if that cross-section is considered bad, why are we bad, what is the reason, and what is the feeling of the common man?

Before independence we had a police *raj*, and today our ideal is a *raj* of the public, a welfare State. The people expect the Government to implement that ideal, and any shortfall in it would naturally be resented. But it is not merely the ideal, it is the working towards that ideal that is very necessary. If there is improvement, people will recognise it, but today there is a great deal of dissatisfaction among the people, because, when all is said and done, in a democracy the people, the common masses, ought to feel satisfied. The administration has got to convince the common man that everything is being done for him, and make him satisfied. What is the good of building huge

dams, railway stations and other amenities, if the common man who goes there does not get the benefit from them to the extent that he expects. It is there that the common man is disillusioned and is criticising the Government.

But that is not all the picture. There have been encomiums from the world over with regard to the methods we have adopted after independence. The problems that we have faced during these ten years have been colossal. There was the partition, there was the bloodshed after that, there was the integration of the different States, and then their realignment on a linguistic basis. These and other things have gone on and during this period the administration also has changed considerably for the better. The people the world over admire the way we have gone on and have given credit to the Indian nation. If that credit is due, we have got to give credit to the administrators also, the civil service which has rendered service and brought this applause from the world over.

Whereas this is a fact, the other aspect of the question is this. If the common man is dissatisfied, to what extent ought Government to modify its administration? From that point of view, public criticisms of this nature ought to be welcomed, and a review of the administration periodically should be welcomed. Then, people will not merely say these things; ultimately they will also come to know that all their criticism is not justified, many of their suggestions cannot be implemented even if they themselves are to administer these things.

The services have to look at it from a different angle altogether. They have got to see that the common man is satisfied. Today the common man is not satisfied. Applications may be received, letters may be acknowledged, but they are never followed up. Hundreds and thousands of applications pour into the rooms of

these services, and beyond acknowledgment nothing further takes place. The common man feels terribly dissatisfied.

On the one side there is public criticism which should be welcomed, on the other hand there is an influential section which controls the press. While the common man voices his views, these people voice altogether different views in the name of the common man. So, a balance has to be struck between these two. Therefore, while all criticism may not be incorrect, it is also necessary for the Government to look into the correct aspects of the criticism and rectify matters to the extent necessary. A good deal could be spoken with regard to these administrative aspects, but I do not want to say anything very much; I only hope that the Home Minister would accept the motion and set up a commission which will look into the whole affair and recommend whatever is necessary.

श्री राम हुल्लु गुप्त (महेन्द्रगढ़) : प्रध्यक्ष महोदय, मैं अपने आनंदेविल मेम्बर प्र० दी० च० शर्मा का बड़ा शमकूर है कि उन्होंने एक बहुत ज़रूरी रेजोल्यूशन हाउस के सामने पेश करके तमाम देश का ध्यान हमारे मौजूदा एडमिनिस्ट्रेटिव सिस्टम की तरफ खींचा है। मुझे पूरा विश्वास है कि सरकार कमिशन मुकारर किए जाने की मांग को स्वीकार कर लेगी और मौजूदा सिस्टम में जो डिफिक्ट्स हैं, उनको दूर करने की कोशिश की जाएगी। हमारे एडमिनिस्ट्रेटिव सिस्टम में डिफिक्ट्स आने के जो कारण हैं उनमें सब से बड़ा कारण यह है, जैसा कि बहुत से माननीय सदस्यों ने कहा है, कि हमारे सिस्टम की जो बुनियाद है वही कमज़ोर है। हिस्टोरिकली और पोलिटिकली भगवर हम इस सिस्टम को स्टॉप करें तो हमें पता लगेगा कि हमारे मौजूदा एडमिनिस्ट्रेटिव सिस्टम की बुनियाद उन दिनों में डाली गई थी जबकि अंग्रेजों ने हिन्दुस्तान पर कब्ज़ा किया था। हमने इस सिस्टम

[भी राम कृष्ण गुप्त]

को लिटिश गवर्नमेंट से इनहैरिट किया है। उन्होंने इसको किसी एक खास आबजकिटव के लिए बनाया था और उनका क्या आबजकिटव था, इसको आप अच्छी तरह से जानते हैं। इसलिए मैं समझता हूँ कि बैलफोर स्टेट काम काम चलाने के लिए इसको रिप्रो-नाइज करने की सब से ज्यादा जरूरत है। इसको तभी किया जा सकता है जबकि एक कमिशन मुकरर कर दिया जाए, जोकि सारे सिस्टम को धारोली स्टडी करे, देश के सभी प्रान्तों का दौरा करके पालियामेंट के सामने अपनी रिपोर्ट पेश करे और जब ऐसा हो जाए तभी सही नीति पर पहुँचा जा सकता है।

जहां तक डिफेंट्स का ताल्लुक है, आप जानते ही हैं कि सब से बड़े डिफेंट्स इनएफिशनी, कोरप्शन और नेपोटिज्म का होना है और इन चीजों को दूर करने की सब से ज्यादा जरूरत है। जहां तक इनएफिशनी का ताल्लुक है इसके बारे में पिछले दिनों भी हाउस के अन्दर बहस हुई थी और आनरेबल होम मिनिस्टर साहब ने डिवेट का जवाब देते हुए खुद इस बात को तखलीम किया था कि दूसरे नेशंस के अन्दर किसी काम को करने के लिए जहां एक आदमी की ज़रूरत होती है वहां उतना ही काम करने के लिए यहां तीन और चार आदमियों की ज़रूरत पड़ती है। मुझे पूरा विश्वास है कि इस इनएफिशनी को दूर करने की पूरी कोशिश की जाएगी और यह मालूम किया जाएगा कि इसके क्या कारण है। इसका जो सब से बड़ा कारण है, उसको मैं हाउस के सामने रखना चाहता हूँ। आनरेबल प्राइम मिनिस्टर मिनिस्टर साहब ने ४-६-१९५६ को लोक सभा को टेबिल पर चौथी सालाना रिपोर्ट पेश की थी और उस रिपोर्ट में भी इस बात का ज़िक्र किया गया है और कहा गया है:—

One of the major causes for delays in the disposals of Government busi-

ness was the tendency on the part of officers to make avoidable references to authorities outside and within the same department, the report said.

"There, unnecessary horizontal and vertical references were mostly due to the "intellectual" dishonesty, i.e., reluctance on the part of individual officers to take full responsibility."

मैंने इस बात का ज़िक्र इसलिए किया है ताकि इस और ध्यान दिया जा सके और इसको दूर करने की कोशिश की जा सके। यह तभी दूर हो सकती है जबकि रिसपांसिविलिटी फ़िल्स की जाए। हाउस के अन्दर इस बात का कोई बार ज़िक्र आया है। बहुत से ऐसे एकान होते हैं जिन में कि आफिसर्स के बिलाफ एकान लिया जाना ज़रूरी हो जाता है। लेकिन वह एकान इसलिए नहीं लिया जा सकता है कि हम आसानी से किसी आफिसर के बिलाफ रिसपांसिविलिटी फ़िल्स नहीं कर सकते हैं। इस तरह से मैं समझता हूँ कि हमारे सिस्टम के अन्दर जो ये डिफेंट्स हैं, ये बुनियादी डिफेंट्स हैं और इनको दूर करने को सब से ज्यादा ज़रूरत है। और जब तक आफिसर्स अपनी रिसपांसिविलिटी को रीयनाइज़ नहीं करेंगे उनके अन्दर एशियों नहीं आ सकती हैं।

बैलफोर स्टेट के अन्दर जिस दूसरी बात की सब से ज्यादा ज़रूरत होती है वह यह है कि हाउस सिस्टम ऐसा हो कि जो डिवेलेपमेंट के काम है, उनकी बढ़ावा मिले, उनके अन्दर कोई किसी किस्म की रुकावट पैदा न हो और हमें सोचना होगा कि किस तरह से यह सम्भव हो सकता है। डिवेलेपमेंट के कामों के लिए किसी भी स्कीम को आप तैयार करें, उसके तीन हिस्से होते हैं। पहले तो स्कीम बनाई जाती है, फिर प्लानिंग किया जाता है और उसके बाद उसको इम्प्लेमेंट करने को कोशिश की जाती है। आज हम देखते हैं कि डिवेलेपमेंट के कामों

मैं काफी से ज्यादा देरी हो जाती है और कभी कभी तो इतनी देरी हो जाती है और इस तरह के केस भी आपको मिलेंगे कि जो रकम उनके सिए बजट में एलाट की जाती है वह जैस हो जाती है जिस से बड़ा भारी नुकसान होता है। इस बास्ते इस और भी ध्यान देने की आज सहज जल्दत है। इसके लिए मेरी तज्जीब यह है कि जास तौर पर डिस्ट्रिक्ट्स के अन्दर डिवेलपमेंट के कामों के सिए अलग आफिसर्स होने चाहिए। आज हम देखते हैं कि जिले की तमाम मशीनरी, जिले के तमाम एडमिनिस्ट्रेटिव सिस्टम का न्यूक्लियर डी०सी० है और सारी मशीनरी उसके बारे तरफ धूमती है। हर काम में उसकी सलाह ली जाती है और सभी काम उसकी देख रेख में किए जाते हैं। इसका नतीजा यह होता है कि कामों में देरी हो जाती है और काफी नुकसान होता है। मुझे भी इस बात का काफी तजुर्बा है। डिस्ट्रिक्ट डिवेलपमेंट काउंसिल को जो भीटिंग्ज होती हैं उनमें मैंने देखा है कि डी०सी० के ऊपर काफी बोझ पड़ता है और कूकि उसके पास समय कम होता है, वह उनकी तरफ पूरा ध्यान नहीं दे पाता है और इसका यह लाजिमी नतीजा निलकलता है कि स्कीमों को काफी नुकसान पहुंचता है।

पिछले दिनों जब डिस्ट्रिलाइजेशन के लिए रिपोर्ट पेश की गई उसमें भी इस बात का जिक्र किया गया और इस बात पर जोर दिया गया कि डिस्ट्रिक्ट डिवेलपमेंट काउंसिल का जो चेयरमैन हो, वह नान-आफिशत होना चाहिए और इस काम को डिस्ट्रिलाइज किया जाना चाहिए। मैं आशा करता हूं कि इस और भी पूरा ध्यान दिया जाएगा और इसको अभ्यन्तर में लाने की कोशिश की जाएगी। यदि एसा किया गया तो हमारा एडमिनिस्ट्रेटिव सिस्टम बहुत ज्यादा सुधर सकता है।

एक आखिरी बात जो मैं कहना चाहता हूं यह है कि हमारी जो एडमिनिस्ट्रेटिव है, जास

तौर पर उसका जो पुलिस का महकमा है, वह हर काम के अन्दर दखल देता है और हमेशा कोशिश करता है कि ला को अपने हाथ में ले। इसका बहुत बुरा असर पड़ता है और इस बोझ को रोकना बहुत आवश्यक है ताकि ला को कोई अपने हाथ में न ले सके। आनंदेवल प्राइम निनिस्टर साहब में भी कल अपने प्रेस कानकस में इस बात का जिक्र किया था और उन्होंने कहा था:—

"There were grave complaints against the Punjab Police taking the law into their own hands."

मैं चहता हूं कि हमारा सिस्टम इस ढंग से रिकार्डेनाइज किया जाए जिससे कि पुलिस ला को अपने हाथ में न ले सके।

इन तमाम चीजों को मदनजर रखते हुए मैं समझता हूं कि इस किस्म के कमिशन का मुकर्र रिकार्ड किया जाया बहुत आवश्यक है और माननीय मंत्री महोदय इस मांग को स्वीकार कर लेंगे। मैं इससे आगे बढ़ कर यह भी कहना चाहता हूं कि इस कमिशन को सिफ इसलिए ही मुकर्र न किया जाए कि वह इनक्वायरी करे और रिपोर्ट पेश करे। बल्कि इसके अलावा एक ऐसे हाई पावर कमिशन की भी जरूरत है जोकि जिन लोगों को एजेंटिव के हाथों या दूसरे लोगों से इन्साफ नहीं मिलता है, उनको इन्साफ दिलाये और उस तरह के मामलात की जांच करे। आज अक्सर देखने में आता है कि बहुत से महकमों के अन्दर बड़े बड़े आफिसर दखल देते हैं जिससे काफी नुकसान होता है और उनके खिलाफ कोई कार्यवाई आसानी से नहीं हो सकती है और अगर कभी कोई इनक्वायरी होती भी है तो उसमें बहुत ज्यादा डिले होती है। इस बास्ते सब से बहुत तरीका यह है कि एक हाई पावर कमिशन मुकर्र किया जाए और यह उसकी पावर में हो, कि वह महिलाओं

[बोराम कृष्ण गुप्त]

को किसी के खिलाफ कोई शिकायत हो, तो वहां से उसे वह इन्साफ दिला सके।

इन चन्द शब्दों के साथ मैं इस रेजोल्यूशन की ताईद करता हूँ और मुझे पूरी आशा है कि मिनिस्टर साहब जरूर इसे स्वीकार करेंगे। आज इसकी सब से ज्यादा जरूरत है। आज हमें इस तरफ सब से ज्यादा ध्यान देना पड़ेगा और अपने इस सिस्टम को सुधारना पड़ेगा बर्ना, जैसा भ्रमी कहा गया, अगर इस तरफ ध्यान नहीं दिया गया तो जो हमारी डैमोक्रसी है वह खतरे में पड़ सकती है। हमारा जो पुराना सिस्टम था वह किसी खास आवृत्तिकृति के लिये बनाया गया था। वह सिस्टम डिमोक्रेटिस गवर्नेंमेंट के लिये फिट नहीं है। मुझे पूरा विश्वास है कि कमिशन मुकर्रर करके इन डिफेक्ट्स को जरूर रिमूव किया जायेगा।

श्री बजराज सिंह: अध्यक्ष महोदय, एक कहावत है:

“यथा राजा तथा प्रजा”

लेकिन जो इस कहावत की भावना है उस के खिलाफ ही आज शासन की तरफ से बहुत सी बातें कही जाने लगी हैं। आज बार बार यह दलील दी जाती है कि चूंकि जनता का स्तर गिर गया है इस लिये वह शासन और प्रशासन में प्रतिविम्बित होता है। जब जनता का स्तर ऊंचा उठ जायगा, ताहे वह उस की नीति सम्बन्धी हो चाहे आचार सम्बन्धी हो, तब प्रशासन का स्तर भी उठेगा। लेकिन बात बिल्कुल उल्टी है। हम आज देखते हैं, और सदन में भी इसकी काफी चर्चा होती है, कि हिन्दुस्तान के आजाद होने के बाद भ्रष्टाचार, पक्षपात और कुनबापरवरी का जितना बोलबाला आज है उतना पहले से भवतः कभी नहीं था। भ्रष्टाचार की शिकायतें थीं, लेकिन कुनबापरवरी और पक्ष-बात की शिकायतें सम्भवतः उतनी नहीं

थीं जितनी भाज बढ़ गई हैं। अगर हमारे यहां स्वाराज्य होने के बाद इस तरह की शिकायतें हों तो यह प्रतीत होता है कि जो हमारे प्रलासन का ऊंचा हिस्सा है, खास तौर से जो कविनट और भ्रष्टाचारों का हिस्सा है उसमें भी भ्रष्टाचार, पक्षपात और कुनबापरवरी बहुत ऊंचाई की तरफ चली गई है। जब गंगोत्री में ही काफी कीवड़ इकट्ठा हो जाय तो हम आशा नहीं कर सकते कि प्रयाग और हावड़ा में जै कर कहीं भी गंगा का पानी साफ़ मिल सकता है। आज यह हात देने वाले गंगोत्री में ही कीवड़ इकट्ठा है। जब तक हम वहां से कीवड़ हटाने की कोशिश नहीं करते, अपविनित को हटाने की कोशिश नहीं करते तब तक हम प्रशासन को शुद्ध और स्वच्छ नहीं बना सकते।

तो प्रश्न यह है कि हम इस को करें कैसे? बहुत से सुझाव दिये गये हैं। मैं कहना चाहता हूँ कि जो मूलभूत समस्या है जब तक उस के लिये कोई मूलभूत उपाय नहीं सोचा जायेगा, जब तक ऐसा कोई उपाय नहीं सोचा जायेगा जो क्रन्तिकारी परिवर्तन ले आये, तब तक मैं समझता हूँ कि न इस भ्रष्टाचार को खत्म किया जा सकता है और न प्रशासन का पुनर्गठन हो सकता है। मूलभूत यह समस्या है कि हम विकेन्द्रीकरण की बात तो बहुत करते हैं लेकिन केन्द्र में रहने वाले लोग ही ज्यादा से ज्यादा शक्ति अपने हाथ में लेना चाहते ने। उदाहरण के लिये आज एक प्रश्न पूछा गया और उस के उत्तर में शिक्षा मंत्री जी ने कहा कि वैसे तो जो शिक्षा का विषय है वह राज्य के हाथ में है, उस की नीति पर अमल करना राज्यों की जिम्मेदारी है और राज्य उस पर अमल करते हैं। लेकिन यहां तक रुपया देने का सबाल आयेगा, योजना के अनुसार कामों को करने का सबाल आयेगा,

स्कीमों को मंजूर करने का सवाल आयेगा, तो वह केन्द्र करेगा। नतीजा यह होता है कि सारी शक्तियाँ केन्द्र में ही केन्द्रित रहती हैं और राज्य सरकारों को कोई मीका नहीं मिलता कि वे अपनी इच्छा के मुताबिक काम करें। इसी तरह से हमारे युनिवर्सिटी ग्रान्ट्स कमिशन की स्थापना हुई। युनिवर्सिटी ग्रान्ट्स कमिशन का काम वही हैं जो राज्य सरकारें करती हैं। मगर युनिवर्सिटी ग्रान्ट्स कमिशन की स्थापना बार के युनिवर्सिटियों और बड़े बड़े कालेजों को जो अनुदान दिया जाता है उसे शक्ति को एक स्थान पर केन्द्रित कर के एक व्यक्ति या आयोग के हाथ में दे दिया गया है। नतीजा यह होता है कि युनिवर्सिटियों और कालेजों ने जो अपने उम्मल बना रखते हैं अच्छे अच्छे, उन के मुताबिक वह काम करने हैं तो उन को अनुदान नहीं मिलता। मैं कहना चाहता हूँ कि अगर हमें प्रशासन का पुनर्गठन करना है तो हमें यह निरचय करना पड़ेगा कि आज जो हमारी शक्ति केन्द्रित होती जा रही है एक स्थान पर, हम उस का विकेन्द्रीकरण करें। जनवादी विकेन्द्रीकरण के लिये एक रेजोन्यूशन पास किया गया। लेकिन उस के बाद आज क्या हो रहा है? राज्यों में जिला परिषदों की स्थापना हुई। मैं उत्तर प्रदेश के बारे में जानता हूँ। वहाँ जिला परिषदों की स्थापना हुई। पर उस के अध्यक्ष बनाये गये क्लेक्टर या डिस्ट्रिक्ट मैजिस्ट्रेट। वहाँ पर कुछ चुने हुए आदमी होंगे, और उन का अध्यक्ष कौन होगा? वह होगा एक ऐसा आदमी जो सरकारी नौकर है। मैं सरकारी नौकरों की भर्त्ता हूँ कि विकेन्द्रीकरण के यह माने कमी नहीं है कि जो चुने हुए लोग हैं उन के ऊपर हम ऐसे आदमी को रख दें जो स्थायी सर्विस का हो।

जनवादी विकेन्द्रीकरण की जो बात कही जाती है उसके बारे में हमें देखना पड़ेगा कि हम जनवादी विकेन्द्रीकरण को ऐसे स्थान तक ले जायें जो कि प्रशासन को चार हिस्सों में बांटे। एक हिस्सा होगा केन्द्र। केन्द्र के विषय निर्वाचित हों, उन विषयों में केन्द्र को अधिकार होगा। इसके अलावा राज्यों के विषय होंगे और राज्य के बहुत अधिक विषय हो सकते हैं। जो विषय आज केन्द्र के पास हैं उन से ज्यादा राज्यों को जा सकते हैं, राज्यों को जो अधिकार मिलेंगे उन से बहुत ज्यादा विषय ऐसे हो सकते हैं जो कि जिलों को जा सकते हैं और जो अधिकार जिलों में हैं उन से बहुत ज्यादा अधिकार ग्राम सभाओं को जा सकते हैं। जब तक उन को पूरे अधिकार न होंगे, जब तक हम इस तरह से अपने राज्यों की योजना नहीं बनायेंगे, तब तक मैं समझता हूँ कि कभी प्रशासन में शुद्धता नहीं हो सकती है। इस चौखम्मा योजना के साथ साथ मैं यह भी निवेदन करूँगा कि इस को अमल में लाने के लिये जो राजस्व है, रेवन्यू है, उस का भी हम उसी हिसाब से विभाजन कर दें और वह चारों स्थानों पर बराबर बराबर जाय। आज यह टेन्डर्सी बढ़ती जा रही है कि सारे का सारा राजस्व केन्द्र में आये और केन्द्र अनुदान दे जिस के साथ उस की अपनी शर्तें लगी हों। जैसा कि मेरे मित्र ने कहा कुछ राज्यों को अपने यहाँ ऐसे अफसर रखने होते हैं जिन का केन्द्र में जो मिनिस्टर और प्राफिसर्स हैं उन से सम्पर्क रहता है। अनुदान पाने के लिये ऐसे अधिकारियों को राज्यों को अपने यहाँ बढ़ाना पड़ता है। इससे बड़ी दुर्भायपूर्ण बात और नहीं हो सकती कि कोई राज्य अपने यहाँ केवल राजस्व प्राप्त करने के लिये अधिकारियों को रखते जो कि लाबींग कर सकें और केन्द्र में कोशिश कर सकें जिस में कि ज्यादा अनुदान मिल सके। ऐसी बात जानी चाहिये और इस तरह की बात जाने का मार्ग यही है कि हम राजस्व का विभाजन कर दें। सारा राजस्व एक

[भी बजारा ब लिह]

अगह पर इकट्ठा हो और उस में से हर स्थान का बांटा जाय। एक चौथाई केन्द्र का हो, एक चौथाई राज्य का हो, एक चौथाई जिला परिषद् को जाय और एक चौथाई ग्राम सभा को जाय। लेकिन इस के साथ साथ प्रश्न यह उठता है कि प्रशासन का पुराना ही ढांचा बला आ रहा है, उस में परिवर्तन कैसे हो। अगर प्रशासन के ढांचे में परिवर्तन नहीं हुआ तो हमारा 'काम कैसे चलेगा? जो पुराना प्रशासन चला आ रहा है उसे हम पुलिस राज्य का ढांचा कहें या शांति और व्यवस्था कायम करने का ढांचा कहें, उस से इस तरह की बात पूरी नहीं हो सकती। इस सरकार की जो सब से बड़ी गलती हुई वह यह कि उस ने सारे ढांचे को बदलने की कोशिश नहीं की, कहीं कहीं बदलने की कोशिश की। नवीजा यह हुआ है कि हम एक दूसरे जंजाल में फँस गये हैं, एक ऐसे जाल में फँस गये हैं जो बदलते हुए युग में अपनी जड़ों को नहीं बदल सकता है। उन की परम्पराओं को बदलना है, जड़ बदलनी है। अगर उन जड़ों में हम नई जड़ों का समावेश नहीं कर सकते तो हमारा काम नहीं चल सकता। हम यहां नये कानून बनाते हैं जिन से हम नये लक्ष्य पूरे करने की कोशिश करते हैं, लेकिन वह पूरे नहीं हो सकते।

आज बार बार कहा जाता है कि एकिशेष्टी या योग्यता के आधार पर सारे प्रभावी हैं तां प्रत्वाइंटेमेट हों। लेकिन यह एक बड़ा भारी मिथ है, यह एक ऐसा शूठा जल है जिस के अनुसार कभी भी देश का भला नहीं हो सकता। हम प्रशासन में, सर्विसेज में इतने आदमी देखते हैं, उन का एक अलग क्लास बन गया है। अगर कोई अन्डर सेक्रेटरी है तो उस का लड़का यही चाहता है कि वह सेक्रेटरी हो जाय, कलनटर साहब का लड़का कमिशनर बनना चाहता है, गवर्नर बनना चाहता है। लेकिन बेलदार का लड़का

किसान ही रहेगा, मजदूर का लड़का मजदूर ही रहेगा। बपरासी की कभी हिम्मत नहीं हो सकती कि वह सोचे कि उस का लड़का या वह लुद सेक्रेटरी हो जाय। इसलिये मैं कहना चाहता हूं कि जब तक हम प्रशासन के इस ढांचे को नहीं बदलेंगे कि योग्यता के आधार पर प्रमोशन मिलेगा या वरीयता मिलेगी, या सर्विस मिलेगी, तब तक प्रशासन को आप भूच्छा बना ही नहीं सकते। हमें इस का निश्चय करना पड़ेगा। आज इन सब बातों का नवीजा क्या होता है? मेरे मित्र श्री नारी रेडी ने कहा, और सही कहा, कि सरकारी अधिकारियों की यह आदत हो जाती है क्योंकि उन की पृष्ठभूमि ही ऐसी होती है कि अगर कभी कोई सवाल आता है किसान और जर्मींदार का तो हमेशा उन का शुकाव जर्मींदार की तरफ होता है, कभी कारखानों के मालिक और मजदूरों के सम्बन्ध का सवाल आता है तो वह कारखाने के मालिक की तरफ शुकेरे क्योंकि वह उसी वर्ग से आते हैं। इसलिये हमें इस पृष्ठभूमि में देखना होगा कि जो नया ढांचा ही प्रशासन का उस में हमारे अधिकारी उन वर्गों से आये जो दबे रहे हैं, पददलित रहे हैं, जिन को सताया जाता रहा है। उन को प्रशासन की जिम्मेदारी सौंपी जानी चाहिये। जब उन में से लोग आयेंगे तो एक नई विचारधारा उत्पन्न होगी, एक नया तरीका आयेगा और वे लोग जो हमारा सोशलिस्टिक पैटर्न आफ सोसायटी का लक्ष्य है उसे पूरा करने की कोशिश करेंगे।

मैं निवेदन करूँगा कि यह एक ऐसा विषय है जिस पर गम्भीरतापूर्वक विचार करने की जरूरत है। यह कह देना काफ़ी नहीं है कि तहकीकात हो रही है, जांच पढ़ताल हो रही है। जांच पढ़ताल से ऊपर का काम चल सकता है लेकिन मैं समझता हूं कि यह समाज को सही तीर से समझना नहीं है। इसलिये जिस आयोग का सुझाव दिया गया है इस प्रस्ताव में वह स्थानग्रह करने योग्य है।

इस आयोग के बिना पुनर्गठित हुए हम सारे देश का अध्ययन कर ही नहीं सकते, हम जान ही नहीं सकते कि क्या-क्या कार्य प्रशासन के लिये किया जाय जिस से सर्वा कम ही सके, किस तरह से कीचड़ में फंसा हुआ प्रशासन उस से बाहर आ सकता है, किस तरह नीकरशाही का जो ढांचा बन गया है उसे खत्म करने के लिये मदद की जा सकती है यह चुने हुए प्रतिनिधियों को। इस लिये जरूरी है कि इन सब दृष्टियों से इस पर विचार हो।

मैं जानता हूँ कि इस पर विचार होने में साल दो साल का समय लग सकता है। अब तक सरकार का जो एक काम करने का तरीका रहा है वह पुरानी लकीर और पुरानी नींव पर ही पुराने ढर्टे से काम करने का रहा है लेकिन यह जरूर है कि आयोग द्वारा इस साल दो साल का जो अध्ययन होगा उससे आगे आने वाली योजना के लिए हम बहुत ही भजबूत नींव रख सकते हैं। अब तक तो पुरा लकीर पर ही चला गया है। इस लिए मैं गृह मंत्री महोदय से निवेदन करूँगा कि वह इस आयोग के प्रस्ताव को स्वीकार करने में प्रैस्टिज का सवाल न लाये। ऐसी कोई बात नहीं है कि सरकार यदि यह प्रस्ताव स्वीकार कर लेती है तो सरकार की प्रतिष्ठा गिर जाती है। अगर इसी के स्वीकार करने से सरकार की प्रतिष्ठा के गिरने का सवाल आता है तो मैं कहूँगा कि हमारे प्रधान मंत्री महोदय स्वयं कह दिया करते हैं कि कलकट्टर का काम दफ्तर में बैठना नहीं है उसे तो दूर करना चाहिए और इलाके में घूम घाय कर लोगों से मिलना जुलना चाहिए और सही हालात से भ्रमन को पोस्ट करना चाहिए। लेकिन क्या बाकई में ऐसा होता है? मैं तो मानतीय गृह मंत्री से निवेदन करूँगा कि मैं इस आयोग सम्बन्धी प्रस्ताव को स्वीकार कर लै और यह चीज कहीं प्रपत्त दिभाग से निकाल दें कि इसमें कोई प्रतिष्ठा गिरने का सवाल नहीं। जिस तरह की वरिष्ठतियों में है

हरे हैं उन कमज़ूरियों को पूर करने के लिए अगर हैं कुछ एक कान्तिकारी कदम उठाने की जरूरत ही तो उन्हें उठाने के लिए हमें प्रपत्त हाथों में हिम्मत बटोरनी चाहिए और हिम्मत बटोर कर यह कहना चाहिए कि हम इस आयोग को बनाना चाहते हैं। अगर इस आयोग की स्थापना होती है तो सारे के सारे ढांचे को ओवरहॉल करने के जो सुझाव दिये गए हैं, उन तमाम मानवीय भवस्यों की सरक से जो सुझाव आये हैं उन्हें उन्हें लेकर वह आयोग विचार करे और विचार करके इस तरह की एक रिपोर्ट पेश करे और जो कि बाद में पालियामेंट के सामने आये ताकि सारे के सभे ढांचे को हम बदल सकें, पूरे प्रशासन को ओवरहॉल करना है। ऐसा करके हम देश में एक नई जान डाल सकते हैं और याद रखिये कि जब तक देश में यह नई जान और नवचेतना नहीं आयेगी तब तक यह जो हमारा सारा देश का जनतंत्रीय ढांचा है वह कभी भी गिर सकता है। इसलिए मैं निवेदन करूँगा कि हमारे गृह मंत्री महोदय प्रतिष्ठान का सवाल न उठा कर इस प्रत्ताव को स्वीकार करने की कृपा करें।

Mr. Speaker: Shri Brijeswar Prasad. I would suggest that in all such matters as this, so that whoever sits in the Chair may have an idea about the allocation of time, hon. Members who want to participate in the debate must rise in their seats once or twice in the first instance. Thereafter the Chair will determine what time to allot to hon. Members. Now hon. Members are getting up one after the other, and when I made up my mind to call the hon. Minister I found it difficult to refuse to accommodate hon. Members.

Shri M. C. Jain (Kaithal): I gave my name two hours ago.

Mr. Speaker: Very well; others have been called.

Shri Brajeshwar Prasad (Gaya): Mr. Speaker, Sir, I rise to support the resolution. The establishment of a unitary State is the urgent need of the hour. Legislative centralisation coupled with administrative decentralisation will solve all our problems. My interim suggestions are two in number. The unit of administration should be the parliamentary constituency. There should be a council in each parliamentary constituency of which the Chairman and the members should be the member of the Lok Sabha and the members of the State Assembly respectively. This council should be vested with all administrative, financial and judicial powers. In every Assembly constituency there should be a council consisting of the member of the Assembly and all the elected mukhias. This council should be vested with all powers over irrigation, health, education and planning. The members of the Lok Sabha and the Provincial Assembly should be graduates of recognised universities. The Constitution needs to be amended. The goal is the liquidation of the evils of bureaucracy, capitalism and provincial autonomy.

Shri M. C. Joshi: अध्यक्ष महोदय, मैं इस प्रस्ताव की ताहद करने के लिए लड़ा हुआ हूँ गोपिकि मैं यह समझता हूँ कि यह प्रस्ताव जिस हद तक जाता है वह नाकाफी है। मैं नाकाफी इसलिए कहता हूँ कि मूवर ने तिक्क इस बात के लिए तज्जीब की है कि हम एक ऐसा ऐडमिनिस्ट्रेटिव ढांचा अपने देश में बनायें और उसके लिए यह कमिशन बनाने की जो तज्जीब उहोंने की है और जो कि एक बेलफेयर स्टेट को हासिल करने में मदद की, मूनासिब है। लेकिन मैं कहूँगा कि एक बेलफेयर स्टेट के लिए जो ऐडमिनिस्ट्रेटिव ढांचा चाहिए, वह काफी नहीं है। हमें तो सोशलिस्टिक बेलफेयर स्टेट के लिए एक ऐडमिनिस्ट्रेटिव ढांचे की जरूरत है जो कि सोशलिस्टिक बेलफेयर स्टेट की स्थापना करने का व्येष है उसकी कोई जरूरत नहीं है और तिक्क बेलफेयर स्टेट ही काफी होता चाहिए और बेलफेयर स्टेट होता ही काफी है। यह बेलफेयर स्टेट के लिए एक खास ऐडमिनिस्ट्रेटिव ढांचे की जरूरत होती है गोपिकि मैं उसकीम करता हूँ कि आज जो हमारी वर्तमान ऐडमिनिस्ट्रेटिव मध्यीनस्ती है वह एक बेलफेयर स्टेट के लिए भी काफी नहीं है और उसके लिए भी इन्सफिशिएंट है तब सोशलिस्टिक बेलफेयर स्टेट के लिए तो वह भी भी ना काफी होता। लेकिन मैं स्पीकर साहब यह अर्ज करना चाहता हूँ कि प्रगत यह जो हमारे सामने बेलफेयर स्टेट की आइडिएल है तो उसके लिए जो हमें ऐडमिनिस्ट्रेटिव ढांचा बनाना चाहिए, उसको वर्तमान ढांचे के कायम रहते हम उसे नहीं बना पा सकते हैं तो किर इस वर्तमान ढांचे के रहते तो हम सोशलिस्टिक बेलफेयर स्टेट कायम करने में तो और भी असफल होंगे। मैं इस पर इस बजह से जोर दे रहा हूँ कि वैसे तो पालियामट में और कई मंडियों पर इस बारे में बहस हो चुकी है। सोशलिस्टिक बेलफेयर स्टेट का जो एक आदर्श हमने अपने भासने रखा है उसके एक खास मायने हैं और जब इसने उस आदर्श को अपने सामने रखा है तो ऐडमिनिस्ट्रेटिव ढांचे को उसके अनुरूप हमें बनाना पड़ेगा और आज के वर्तमान ढांचे में आमूल चूल परिवर्तन करना होगा। आगर हम उससे कम स्टेज पर कोई आदर्श अपने सामने रखेंगे और उस लिहाज से ही हम उस किस्म का कोई ऐडमिनिस्ट्रेटिव ढांचा बनाना चाहिए तो किर में कहूँगा कि हम अपने आइडियल से नीचे आ गये हैं। मैं तो चाहूँगा कि जैसी हम बेलफेयर स्टेट बनाना चाहत हैं उसी के अनुरूप हमारा ऐडमिनिस्ट्रेटिव ढांचा भी होता चाहिए। मैं तो मूवर साहब से रिक्वेस्ट करूँगा कि अपने इस रेजोल्यूशन में इतना और एक कर से कि

reorganisation of the country's administration so that it could be helpful

भाषणी है कि इतारत यह जो सोशलिस्टिक बेलफेयर स्टेट की स्थापना करने का व्येष है उसकी कोई जरूरत नहीं है और तिक्क बेलफेयर स्टेट ही काफी होता चाहिए और बेलफेयर स्टेट होता ही काफी है। यह बेलफेयर स्टेट के लिए एक खास ऐडमिनिस्ट्रेटिव ढांचे की जरूरत होती है गोपिकि मैं उसकीम करता हूँ कि आज जो हमारी वर्तमान ऐडमिनिस्ट्रेटिव मध्यीनस्ती है वह एक बेलफेयर स्टेट के लिए भी काफी नहीं है और उसके लिए भी इन्सफिशिएंट है तब सोशलिस्टिक बेलफेयर स्टेट के लिए तो वह भी भी ना काफी होता। लेकिन मैं स्पीकर साहब यह अर्ज करना चाहता हूँ कि प्रगत यह जो हमारे सामने बेलफेयर स्टेट की आइडिएल है तो उसके लिए जो हमें ऐडमिनिस्ट्रेटिव ढांचा बनाना चाहिए, उसको वर्तमान ढांचे के कायम रहते हम उसे नहीं बना पा सकते हैं तो किर इस वर्तमान ढांचे के रहते तो हम सोशलिस्टिक बेलफेयर स्टेट कायम करने में तो और भी असफल होंगे। मैं इस पर इस बजह से जोर दे रहा हूँ कि वैसे तो पालियामट में और कई मंडियों पर इस बारे में बहस हो चुकी है। सोशलिस्टिक बेलफेयर स्टेट का जो एक आदर्श हमने अपने भासने रखा है उसके एक खास मायने हैं और जब इसने उस आदर्श को अपने सामने रखा है तो ऐडमिनिस्ट्रेटिव ढांचे को उसके अनुरूप हमें बनाना पड़ेगा और आज के वर्तमान ढांचे में आमूल चूल परिवर्तन करना होगा। आगर हम उससे कम स्टेज पर कोई आदर्श अपने सामने रखेंगे और उस लिहाज से ही हम उस किस्म का कोई ऐडमिनिस्ट्रेटिव ढांचा बनाना चाहिए तो किर में कहूँगा कि हम अपने आइडियल से नीचे आ गये हैं। मैं तो चाहूँगा कि जैसी हम बेलफेयर स्टेट बनाना चाहत हैं उसी के अनुरूप हमारा ऐडमिनिस्ट्रेटिव ढांचा भी होता चाहिए। मैं तो मूवर साहब से रिक्वेस्ट करूँगा कि अपने इस रेजोल्यूशन में इतना और एक कर से कि

in achieving the goal of a Socialistic Welfare State तो मेरे इसको ज्यादा बैलकम कहता है।

मेरे ख्याल में मेरे से भी ज्यादा तकसील में बहुत से भानरेबूल भेम्बरान ने इस प्रस्ताव की ताईद की है कि एक कमिशन होना चाहिए। जहां तक हमारे लीडरान का ताल्लुक वे भी जब कभी एडमिनिस्ट्रेटिव डांचे की बाबत बात करते हैं तो तो इस चीज को मानते हैं और तसलीम करते हैं कि आज एडमिनिस्ट्रेटिव डांचे को बदलने और औवरहाल करने की सूल जरूरत है। एपिलबी ने भी इसकी जरूरत महसूस की और उसने इसके बारे में बहुत शानदार रिपोर्ट रखी। हमारे सेंकेंड फाइव इपर प्लान में एडमिनिस्ट्रेशन के बारे में एक खास चैप्टर है और फर्स्ट फाइव इपर प्लान में भी उसका जिक्र है। हर एक ने इस तरफ इशारा किया है कि हमारा जो एडमिनिस्ट्रेटिव डांचा है वह नाकामी है। अंग्रेजों के जमाने में एक खास किस्म की स्टेट के लिए वह बनाया गया और आज के बदले हालात में उसको कम्पलीटनी औवरहाल करना बहुत जरूरी हो गया है। मैं मानता हूं कि पिछले १२ सालों में हमारी सरकार ने देश और जनता की भलाई और उम्मति के लिए अनेकों प्लान बनाये और कुछ पर अमल भी हो रहा है और उनके मो के बास्ते लाखों और करोड़ों रुपये खर्च किये जा रहे हैं लेकिन एडमिनिस्ट्रेटिव डांचा चूकि ठीक नहीं है इसलिए हम देखते हैं और जैसा कि दूसरे भानरेबूल भेम्बरान ने भी बताया कि हालत यह है कि बेशुमार रुपया पब्लिक बैलफेयर के नाम पर खर्च किया जा रहा है बेशुमार रुपया प्लानिंग कमिशन की मार्फत स्टेट्स को जाता है, वह तमाम रुपया प्राप्ति के से ज्यादा होता है? देखते की चीज यह है कि आया जिन गरीबों के बास्ते वह रुपया दिया गया उनको बाकी में वह रुपया अपवा जमीन मिलती भी है कि नहीं और मैं कहना चाहता हूं कि यह अफसोस का विषय है कि ऐसा आमतौर पर नहीं हो पाता है और

दिवरविंग हैंडस तक वह रुपया और हमदाद नहीं पहुंच पाती है। इस सिलसिले में मैं चल्द एक बाक्यात होम मिनिस्टर के नोटिस में लाना चाहता हूं और एक दो चीज की तरफ हालां कि टाइम बहुत ही थोड़ा मेरे पास रह गया है उनका व्यान दिलाना चाहता हूं। मिसाल की तौर पर मैं घर्ज करूं कि गवर्नर्मेंट आफ इंडिया की यह स्कीम है कि हर एक स्टेट में हरिजनों को जमीन दी जाये और जिसके कि मुताबिक आधा रुपया उनको बतौर प्रांट के हो और आधा रुपया उन हरिजनों को कर्ज की शक्ति में मिले और जो कि बाद में उन से आसान कित्तों में बसूल कर लिया जाय लेकिन आप यह सुन कर हैरान होंगे कि वह रुपया जो गवर्नर्मेंट आफ इंडिया स्टेट्स को देती है और उस रुपये से जो जमीनें हरिजनों को देनी चाहिए तो मैं पंजाब की बाबत कह सकता हूं कि हरिजनों को वहां पर वस्त टाइप आफ लैंडस दिये गये हैं। जो वाटर लौण्ड एरियाज थे और जिनकी कि ५० रुपये और १०० रुपये की एकड़ से ज्यादा कीमत नहीं थी वही जमीनें वहां पर बेचारे हरिजनों को ८०० और १००० रुपये के हिसाब से दी गई हैं और वे इस काविल करते ही नहीं थीं। और जिनका कि आधा रुपया भी मिलना चाहिए था। होम मिनिस्टर साहब कहेंगे कि आप कैसी मिसाल दे रहे हैं। यह एक मिसाल नहीं है। आप अठारहाँ जिलों की मिसालें ले लीजिए। शायद ही कोई ऐसा खुशकिस्मत जिला हो जिसे अच्छी जमीन मिल गयी हो। ऐसा चीजों हो रहा है? इस सिलसिले में मुझे एक हिसाल याद आती है। हमारी तरफ यह रिवाज था, और शायद हिस्तुतान के और हिस्तों में भी होगा, कि जब बारात चढ़ती थी और शादी के बाद दुलहन को छोली में बिठा लेते थे उसके बाद दुलहन के ऊपर कुछ पैसा कोड़ी की बजेर किया करते थे। आजकल भी कहीं कहीं यह रिवाज होगा। जब यह पैसों और रेजगारी की बजेर करते थे।

[भी चू० च० जैन]

तो आम तौर पर छोटे छोटे बच्चे डोली के आगे से उन पैसों को चुग लेते थे। लेकिन कहीं कहीं कुछ तगड़े मुश्टंडे आदमी चार लाठियों में अप्रदर बांध कर जो डोली पर से पैसे केंके जाते थे उनको ऊपर से ऊपर उड़ा लेते थे और इस तरह वह सारा का सारा पैसा समेट लेते थे। इसी तरह से आजकल हमारे यहां ही रहा है। जो पैसा सरकार की तरफ से गरीब के लिए दिया जाता है वह उस गरीब तक पहुंचता नहीं और बीच में एडमिनिस्ट्रेशन और दूसरे मुश्टंडे उसको ले लेते हैं। कोआपरेटिव सोसाइटीज के नाम से रुपया भिलता है। ये करनाल और रोहतक जिलों की मिसालें हैं और चौथरी रणवीर सिंह साहब भी मेरी ताईद करेंगे अगर उनको बक्त मिले। मैं अपने जिले में देखता हूं कि चन्द मालदार और निकम्मे लोग को-आपरेटिव सोसाइटीज बना कर दो दो चार चार हजार रुपया प्रांट ले लेते हैं लेकिन अगर कोई गरीब चमार चाहे कि उसको जूते बनाने के लिए हजार पांच सौ रुपया भिल जाए तो उससे कह दिया जाता है रुपया छूट्या हो गया। जो चन्द पैसे बाले निकम्मे लोग हैं उनको पया भिल जाता है। मेरे पास ऐसी बहुत सी मिसालें हैं, अगर बक्त हो तो उनको पेश कर सकता हूं। मैं सिर्फ यह कहना चाहता हूं कि एक बड़ो सख्त जरूरत है कि एक हाई पावर्ड कमीशन बने। उसके बारे इस मशीनरी को ओवर हाल नहीं किया जा सकता।

अगली बात मैं जूड़ीशियरी और एग्जीक्यूटिव के सेपरेशन के मुतालिक कहना चाहता हूं। एक सोशलिस्ट बैलेफेर स्टेट के लिए यह जरूरी है कि जूड़ीशियरी और एग्जीक्यूटिव को अलाहिदा किया जाए। हमारे कांस्टीट्यूशन के डाइरेक्टर प्रिसिपल्स के अन्दर यह चीज रखी गयी है, लेकिन मुझे अफसोस के साथ कहना पड़ता है कि एक भी स्टेट में इस बुनियादी चीज को भभी तक कम्प्लीट नहीं किया गया। जहां तक

पंजाब का तास्तुक है उसका तो बाबा आदेम ही निराला है। मैं कहता हूं कि कांस्टीट्यूशन बनाने वालों ने जो एक बुनियादी चीज डाइरेक्टर प्रिसिपल्स में रखी थी उस पर भी हम अमल नहीं कर सके हैं। हम अभी तक जूड़ीशियरी और एग्जीक्यूटिव को अलग नहीं कर सके हैं।

आज हाउस में ब्रेवाल केस का जिक्र आया। अगर पंजाब से बाहर के जज न आते तो उस केस में यह नतीजा न होता। ब्रेवाल आदि का सारे राज्य की जूड़ीशियरी से ऐतबार उठ गया था। बाहर के जज आये तो यह पता चला कि एडमिनिस्ट्रेशन कितना राटन हो सकता है। यह बात मैं इसलिए कह रहा हूं कि जहां हमारे एडमिनिस्ट्रेशन पर जिम्मेदारी है वहां उसको चलाने वालों पर भी उसको भीक चलाने की जिम्मेदारी है। हमारे एडमिनिस्ट्रेशन के जो आई० ए० एस० या आई० पी० एस० या दूसरे अफसर हैं वे तो एक मजबूत धोड़े की तरह हैं। अगर धुड़सवार अच्छा होगा तो उनको जैसे चहैगा चला सकेगा। लेकिन अगर सवार ही कमजोर हुआ तो वह धोड़ा अपनी भर्जी से कहीं चला जाएगा। अफसरों को ठीक से चलाने के लिए स्ट्रांग, एफीशेंट और इनकर-प्टिविल मिनिस्टर होने चाहिए। मौजूदा मशीनरी भी अच्छा काम दे सकती है अगर सवार लोग उगड़े हों और उनमें खुद में कर्पशन बर्गरह म हो।

एक बात मैं और कहना चाहता हूं, आज अगर मजारे और भालिक मैं झगड़ा होता है या किसी भ्रमीर और गरीब मैं झगड़ा है तो भ्रमीर की ही जोत होती है क्योंकि एडमिनिस्ट्रेशन की मैटेलिटी प्रो-ट्रिच है। मेरा विश्वास है कि अगर वह धुड़सवार प्रो-ट्रिच न हो, अगर मिनिस्टर खुद प्रो-पुर्शर हो और सोशलिस्ट पैटर्न की सीसाइटी के आदर्श पर यकीन करता हो तो वह अपने आदर्श से नीचे तक एडमिनिस्ट्रेशन को परमिएट कर देगा। इसलिए न तिर्के

एवं भिन्निस्ट्रेशन को ठीक करने की ज़रूरत है, वेकिन यह भी ज़रूरत है कि हम देखें कि हम जिनको मिनिस्टर मुकर्रर करते हैं वे भूद सोशलिस्ट पैटर्न की सोसाइटी के आदर्श पर अकेन रखते हैं या नहीं। ऐसा तो नहीं है कि अन्दर तो चुरी है और बाहर राम राम है। ऐसा तो नहीं है कि वह सोशलिस्ट पैटर्न की बुहाई देकर मिनिस्टर या चीफ मिनिस्टर बन जाते हैं और उस आदर्श में विवास नहीं करते। तो यह भी बड़ी ज़िम्मेदारी है। अगर हम इस पर अमल नहीं करें तो हमारे अकसर ठीक तरह काम नहीं चला सकेंगे, वे हिमारेलाइज हो जायेंगे, उनका इनीशिएटिव सम हो जाएगा। इसलिए मैं कहता हूँ कि यह बहुत गहरा मसला है और यह ज़रूरी है कि होम मिनिस्टर साहब इस पर अपना ध्यान दें और मैं उम्मीद करता हूँ कि एक हाई पावर्ड कमीशन मुकर्रर करने के प्रस्ताव को मंजूर करेंगे।

Ch. Ranbir Singh (Rohtak): May I say a few words?

Mr. Speaker: I am sorry, I am unable to help him. Already, it has been extended by one hour.

Ch. Ranbir Singh: I will not take more than five minutes.

Shri Datar: I will take half an hour, because a number of points have been raised.

Mr. Speaker: Yes, the hon. Member can have another opportunity.

Ch. Ranbir Singh: In any case the Minister will have to be given half an hour. So, I suppose it will be better if I am also given an opportunity.

Mr. Speaker: I am sorry. Now the hon. Minister.

Shri Datar: I heard very intently the numerous points that the hon. Members have made and I have also noted the desire expressed by a number of friends that such a high-power-

ed committee ought to be appointed. But I was very happy to find that there were a number of hon. Members, Sarvashri Goray, Melkote and Guha, who pointed out the difficulties in the way, and who rightly said that there was sufficient material before the country, or before the Government, and that that whatever changes were necessary, whatever improvements were called for, could surely be attended to by Government.

Now, may I also point out here that if we take into account the whole position, that is, the development during the last twelve years, and how this question has been very carefully attended to, examined a number of times and recommendations made by a number of bodies, including the bodies of Parliament, like the Estimates Committee and the Public Accounts Committee,—and all these efforts are duly appreciated by the hon. Members—then they would agree with me that there is no need for the appointment of such a commission at all.

Before I deal with the various points, may I assure the House that whatever new points have been made by hon. Members will surely be looked into and whatever necessary will be done? Because, we and the Parliament are one that the administration has to be absolutely efficient and, secondly, that the people, the common people, should believe that this is a welfare administration designed to advance the interests of the common man. So far as this objective is concerned, all of us, either the Government, or the hon. Members of Parliament, or the people at large, are fully agreed. I might also assure the hon. Mover and others that we do not claim that there are no defects at all. But, all the same, whenever they are brought out, immediate action is taken by Government to see to it that they are completely eradicated. I might also point out here to my friend, Shri Braj Raj Singh, that in opposing this Resolution we are not actuated by any sense of

[Shri Datar]

prestige at all. The question of prestige does not arise, and if the hon. Members see how the Government have been carrying on their work on their behalf, they will find that the question of prestige is the last to be taken into account. For these reasons, I should like to submit as briefly as possible what has been done in this respect during the last 12 years.

May I also, before dealing with this, point out that two hon. Members suggested improvement in the administration of justice. So far as that question is concerned, we had a Law Commission. Their recommendations have been received. They concern very largely administration of justice within the orbit of the States. A Law Ministers Conference is going to be held and naturally, at the Central level and also at the State level, the recommendations made by the Law Commission will be fully enquired into. My hon. friend brought in the question of the separation of the judiciary from the executive. To that question also, due attention is given and we have been requesting the State Governments to try to effect this measure as early as possible. Certain States have done so. I am confident that during the next few years, all the States will fall in line.

Then, I come to the main question of the administrative machinery to which this particular Resolution is confined. We have got the usual complaints and stock phrases are used. I would not like to use any strong words. But, I would like to point out in all humility that this is a question which has to be considered specifically. So far as the various charges are concerned, it is often said that there is inefficiency, corruption and nepotism. May I point out that whenever such charges are made and whenever they are specific, immediately they are enquired into and the persons who are responsible therefor are brought to book. I would therefore request in all humility hon. Members of Parliament to give us specific instances wherever

there are any, then, it will be duty not only of the Central Government, but also of the State Governments to see to it that all such cases are immediately looked into and proper, and wherever necessary, stern action is taken.

The question is like this: first, is there a need for a high-powered commission and secondly, will anything new be placed before the Government by the findings of such a Commission? As regards the first point, I would point out to the House that almost immediately after the popular ministry took over charge of the Central Government, and within a few months of popular ministries taking over in the States, attempts have been made, and in a number of cases, very effectively to meet charges of inefficiency, etc. that have been brought. It is also true that during the British administration, naturally, as Shri Goray rightly pointed out, it was more or less a law and order administration, though here and there they dealt with certain welfare schemes only to the minimum extent. After we took over, even before a Resolution was passed by Parliament that the objective of the Government administration was to establish first a welfare state and then a society on the socialist pattern, the Government of India had already taken steps with a view to improve the administration and to change it wherever it was necessary. It might be called reorganisation of the administrative machinery. That is the reason why in 1949 the late Shri Gopalaswami Ayyangar, who was an hon. Minister of this Government was entrusted with the task of going through the whole of the Central Government administrative machinery. His report is very valuable. His report as also a statement of the action taken by the Government have been placed before Parliament, long long ago.

Thereafter, this question was again examined by an independent critic who was to a large extent interested in the problems of administration. It was Mr. Appleby who came to India

twice, whose reports make interesting reading. I would not like to go into those reports in detail, but I would point out that after naming certain defects, he rightly pointed out that on the whole the administration in India of the Central Government was perfectly sound and progressive. This is what he has said in his report:

"I should like to begin, however, by discounting some of the popular criticisms of governmental administration commonly heard among citizens. The four most prevalent are that Government has too many employees, that it is permeated with dishonesty, that it is inefficient, and that its work is unnecessarily hampered by red tape."

He made reference to such criticism on the floor of Parliament as also from the public platforms. So, he went into the whole question, and he admitted that the administration was, as I have said, on the whole efficient and progressive.

He refers to the achievements of the Government of India, and thereafter says:

"Yet in the face of these achievements, one finds in Parliament, in the press, in the universities, and in many conversations that citizens of pretension, cultivation and influence voice criticisms which tend to suggest a sense of failure and a lack of confidence. Criticisms that would be appropriate enough as counsels of improvement (which is ever to be had and always desirable) are made in such sweeping and extravagant terms, and in terms so little recognizing the nature and means to administrative improvement, as to be damaging and threatening of increasing damage to India's great march forward. One is moved to observe that India's greatest need is for a sense of certainty concerning her own success."

Thus, he has dealt with the various problems. He came to India twice, he

had the fullest opportunity of examining the governmental machinery at various levels. Thereafter, he made certain suggestions and those suggestions have been to a large extent accepted and implemented by Government, especially where they were of such a character that they required immediate enforcement.

Thus, we have before us not only Shri Gopalaswamy Ayyangar's report, but also the report of an independent person, a foreigner who came here with an open mind, and studied the conditions as they were.

Shri S. M. Banerjee: That was in 1951.

Shri Datar: No. This report is subsequent. This report was also debated upon in both Houses of Parliament. The Prime Minister himself, if I remember aright, initiated this debate in both Houses and we had the advantage of the views of the hon. Members of this House also.

Then, I would point out that when the Planning Commission was appointed and when they were asked to prepare the First Five Year Plan, they devoted special attention to the administrative machinery, because, as you are aware, unless the administrative machinery was properly geared up and consisted of men who work not in an ordinary or casual manner but with a sense of devotion and dedication, the Five Year Plan could not have been successful at all. Therefore, they made certain suggestions. In fact, they have a particular division, so far as administrative matters are concerned. They deal not only with initiating new projects but also with finding out to what extent the administrative machinery has been working properly, with a view to implement the Five Year Plan.

18 hrs.

Thereafter, at the time of the formulation of the Second Five Year Plan also, the Planning Commission in particular, and the Government in general, had the advantage of finding out

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how the administrative machinery had been working. We found that there were certain defects here and there, and attempts were made to eliminate all these defects and to make the condition as proper and salutary as possible in respect of the Second Five Year Plan. Now, when the Third Five Year Plan is under consideration, all these defects in the administrative machinery will surely be taken into account and will be eliminated to the extent that it is possible to do so.

Now, I would point out some broad features of the improvements which Government have made. Though my hon. friend Shri Harish Chandra Mathur stated that this was a resolution which ought to be accepted, yet towards the last portion of his speech, he struck a correct and salutary note. He stated that it was not proper always to entertain a sense of contempt either for the services or for the politicians. That is unfortunately what we do sometimes, because we believe that the services are entirely defective, and are absolutely inefficient; and, therefore, there has been a tendency everywhere to go on offering criticism. Some of this criticism is either exaggerated or is generally overpainted. For these reasons, another hon. Member pointed out rightly that the governmental machinery has to be improved, and the fullest efficiency has to be our aim. I accept this position. We are also trying our best to see to it, as another hon. Member has pointed out, that there is a sense of contentment so far as the large official machinery is concerned. That was the reason why the Central Pay Commission was appointed. That report is now before us. It is valuable not only because they have recommended various scales of pay, but also because they have taken what I might call an overall picture of the improvements, which, according to them, are required in the administrative machinery.

Without going very deep into the subject, I would, in this connection,

make a reference very briefly to certain chapters where they have dealt with this question. In chapter XLV, they have dealt with the question of promotion and character rolls. Then, the most important point has been raised in chapter LIII, and that deals with efficiency in public services. Then, there are other chapters where they have given their valuable views. They are all entitled to the greatest respect, and Government will consider and take such steps as are necessary, so far as their suggestions are concerned.

Then, a number of hon. Members stated, and my hon. friend Shri Goray also contended, that even the young people, the most brilliant people, who join the IAS or the other services, immediately after they enter service, become actuated by the same feelings, according to him, the other senior members of the services have. To some extent, it might be true, but we are trying our best to do two things; one is that in respect of the existing service personnel, we have always impressed upon them, we have almost warned them that in the new set-up which is a democratic one, they have to adjust themselves to democratic considerations. They cannot carry on their administration in the way they did during the British administration. We have stated that the sovereignty is in the people, and all of us have to work as servants of the people.

My hon. friend, Prof. Sharma, did not like the expression 'civil servant' and suggested the expression 'social servant'. May I point out that we are trying our best to reach that particular ideal and we have impressed upon our government servants at all levels that they should never consider themselves as masters, they ought not to be autocrats but they are to be the servants of the people and any separation, any difference, that formerly existed between a non-official social worker and a government servant ought to be reduced to the minimum? The government servants themselves have to be

the social servants of the people and they have to carry out their duties in this manner under this particular conception.

Secondly, we are also trying our best to see to it that they are properly trained. In this connection, I would invite the attention of hon. Members to the National Academy of Administration that we have established at Mussoorie. Now the object of that School as also the general policy of Government is that our new probationers in the All India services and the Central services ought to be imbued with a great sense of humanism. Formerly, as a number of hon. Members rightly pointed out, the human element was lacking. Therefore, we are trying our best to so train them and so imbue them with a new idea of service that they must always consider that they are administrators not in a rig'd way, not in a technical way but administrators with a grace of humanism. Every question has to be approached in a human way, especially when we have a democratic form of government. For that purpose, a number of subjects have been introduced, subjects like social service, humanism etc. and we are trying to develop in them not only the idea of service but,—may I add?—the ethics of service. The service has to be as less patronising as possible, a service without reservations, because they are of the common people and the common people as their masters are entitled to expect full, dedicated service from all our officers.

Therefore, we are trying our best to see that the young entrants to those services are trained properly. Secondly, we have also what are called refresher courses! after six or eight years of experience, we bring them back and then they are trained in what is known as refresher courses, whereby they come into contact with other fellow-government servants. There whatever is done during that period is fully reviewed and proper instructions, and where necessary, guidance and advice, are given to them.

Thus you will find that these services, the IAS, IPS and the Central Services are not of the former type. At the district level, you will find that these officers have to be not merely the administrative heads of the district, but they have also to be the benefactors of the people at large in the fullest sense of the term. Everywhere, especially at the district level, we take care to see that these officers mix with the people, know their minds, know their difficulties and aspirations and try to attend to them as best as possible. Under these circumstances, I would point out to my hon. friend, the Mover that the conditions have changed very materially.

Going further, he made a mention of the Community Development schemes. These are schemes that concern the people directly at some of the lower levels and even at the lowest levels. Naturally Government had to appoint officers for carrying out these schemes. But at every stage, we took into account the fact that there was the need for advice and there was the need for contacts with the people. That was the reason why advisory committees were appointed at various stages.

Now, certain hon. Members have rightly pointed out that the lowest self-governing unit in India has to be the panchayat. Unfortunately, there was a break in the great tradition that we had so far as the panchayat administration is concerned. Some time must e apse. We are anxious to hand over as much work as possible to the panchayats. That is the reason why a new and very important experiment is being tried in the Andhra State as also in Rajasthan.

We are anxious that the panchayats should take over as much of administration especially of those matters which are in the interests of the community as a whole and that the panchayats should be competent and should be above factions and the members of the panchayats should also

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work as servants of the people and for the interest and benefit of all the sections of the community. That is a very great experiment that is being tried.

Sir, you are aware of Shri Balwant-ray Mehta Committee's Report. That report has pointed out how there ought to be panchayats and panchayat samitis and pachayat parishads. All that is a matter of great moment. It is not that Government have been impervious to the calls of modern times and to the calls of progressive and democratic times. We have been examining every aspect of this question and I am anxious that the panchayats are developed as early as possible.

In the course of my tours I always visit the community development projects and have informal discussions both with the people at large and with the official machinery. And, I am happy to find that the common people have a sense of appreciation of what is being done. There is a lot of enthusiasm in their favour and some of the people have pointed out realistically that for some time at least they would require the help of the governmental machinery. Therefore, our officers have to be advisers. At present they have to carry out the execution of these schemes. I am looking forward to the time when the main brunt of the work and the responsibility will be taken over by these panchayats at various levels. Sometimes expert advice may be necessary and that will always be made available because, as I have stated already, our officers are social servants.

Thus you will find that from the panchayat which is the lowest unit of self-government up to Parliament we are having various bodies which deal with the various governmental problems. We have the invaluable advice of the hon. Members of Parliament not only during Sessions but whenever they are out they always oblige us by making suggestions, by

bringing complaints to our notice especially so far as the administrative machinery is concerned.

I would not, at this stage, give a long list of the committees that we have appointed for ascertaining the desires as also the aspirations and difficulties of the common people. I have got before me the list of a number of consultative committees attached to the various Ministries. Even here one charge was made that there was over-centralisation. May I point out that we are following the path of decentralisation not only as between Ministries or as between departments but we are trying to follow it up so far as the various schemes to be executed by the State Governments are concerned.

Some hon. Members suggested that sometimes the amounts have not been properly utilised. I would point out that sometimes there were such cases. But, on the whole our State Administrations are trying their best to improve their administration and to give us a good account of all the moneys that we are giving them. In these circumstances, we have to consider whether any new suggestions worth considering are coming or are likely to come from the appointment of what the hon. Member called a high-power commission. Government have full materials before them and are looking into all aspects of this question.

Reference was made to a retired civil servant who stated that during his time the staff was very small and it has become very large after Independence. But the activities of Government have increased generally about ten-fold. It was not a welfare State in those days. While considering the question of economy in expenditure, we have also to take into account the fact that the Government activities have been expanding in all directions. That is the reason why we have to take a decision after considering all these questions. We are always trying to see where there is

extravagance. We have got what is known as the 'Special Reorganisation Unit' which goes into all these questions, not only sporadically but every time. There is an organised attempt to see that no amount is wasted because it is the money of the public and the tax-payer and we have to act as trustees. We are responsible to Parliament for every pie of the expenditure. Therefore, I would point out how such considerations arise. All the same we are trying our best to keep the whole machinery as active and up-to-date as possible. It was found that the machinery was not yielding proper results or working expeditiously. Therefore, a special division has been appointed known as the Organisation and Methods Division. It goes into the whole thing and an hon. Member pointed out how they have developed a new machinery and coined new words to eliminate certain defects. It is constantly working and the defects pointed out are immediately removed.

A number of hon. Members spoke about corruption. I have said that four years ago we have set up a special division known as the Administrative Vigilance Division. This does not only deal with actual corruption cases because when corruption erupts we have to take action for detecting the crime and for punishing the wrong-doer. Corruption is two-fold. There is on the one side the officer's readiness to receive illegal gratification. There is also the other side which should be noted. That is the common man's desire to get at the results as quickly as possible and not minding to pay some money in addition. This is a two-way house. Shri Goray also pointed out that the public also has to be extremely careful. A little inconvenience or harassment might be caused because things may not be done immediately. All the same, the public has to be trained to be above such temptations of getting work done easily. Corruption is one of the most important points to which the Government have been giving not only immediate attention

but stern attention. We have got the Special Police Establishment also which deals with larger cases of corruption. You will find that in a number of cases we have got convictions from the courts. Government are no respecter of persons. Action is taken if a wrong is committed or if corruption is found even at the highest level. I would not mention the instances, but Government takes action against even the delays of these people. In one case—I would not mention the name—where an officer was given a light sentence we moved the High Court and the sentence was enhanced from six months to two years. That is how Government had been acting about corruption. Whenever, as I have said, specific instances are brought forward, every instance is looked into. We know that corruption is a highly corroding evil and corruption has to disappear as early as possible, but we should not make large and general charges that all the people at all levels are corrupt. As we go up, though there might be some instances here and there, the extent of corruption also diminishes to a large extent. All the same, we are trying our best to see that all cases of corruption are fully and sternly attended to, and we either take strong departmental action or, where the case requires further action, we prosecute the officer.

So far as magistrates and others are concerned, we are maintaining the highest independence of the judiciary and therefore we are having results which are on the whole satisfactory.

I would not like to take any further time of the House, but I would only point out how we have been trying our best to take various steps for improving the whole machinery, for maintaining the highest efficiency, for eliminating corruption and for decentralising to the extent that is compatible with the progress of the country, with the advancement of the nation.

If, as I have briefly pointed out, we are taking action in respect of the

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matters about which there was considerable complaint from many hon. Members, I am quite sure the narration of the various steps that the Government have been taking will satisfy even my professor friend that the Government are not idle, much less are they self-complacent. This is a matter which is of the greatest importance, and I would assure all hon. Members that Government would be remiss in their duty if they do not act strongly so far as this aspect of the matter is concerned.

In these circumstances, in the light of what I have pointed out, I would appeal to hon. Members to consider whether it is necessary to have, what my hon. friend calls, a high-powered commission. That is a question which is being tackled. It is our constant effort to remove all corruption, to make the administration as efficient as possible and to avoid delays at all steps. So far as these matters are concerned there are certain suggestions made by the Central Pay Commission. They will also be fully and thoroughly considered, and whatever action is necessary will be fully taken.

I would assure my hon. friend that Government are fully aware of their responsibility to the country in general and to the distinguished hon. Members of this House in particular. I have profited, Sir, by what a number of hon. Members have stated. I wish to assure them that whatever new points they have made will be fully enquired into and effective and appropriate action taken so far as these points are concerned. Under the circumstances, may I appeal to the hon. Member not to press this resolution?

Shri D. C. Sharma: Sir, I once again thank you for extending the time for this resolution. You have been very generous as usual and you have allowed a large number of speakers to have their say. I have no word, Sir, to thank you for this kindness. My second duty, Sir, is

to thank all hon. Members who have taken part in this debate. I think every party has been represented so far as this debate is concerned. All the groups have been represented so far as this discussion is concerned. I think this question has been looked at from almost every point of view that is relevant, material and vital. But one of the results of this discussion has been that the hon. Minister in the Ministry of Home Affairs has refused to be convinced. That is the failing in our ministers; that is one of the occupational diseases of our ministers. I think they do not try to be convinced by what we say.

Mr. Speaker, under your kind auspices and leadership and presidency, I have moved several resolutions on the floor of this House. The first reaction to those resolutions by the ministers has been a negative one. I spoke about the journalists. There was a negative reaction but afterwards they had to do something for the journalists. I spoke about the Pay Commission in this House. It had a negative reaction, but afterwards, the Government had to appoint a Pay Commission. I can assure you, without being a prophet, that the Government will be well-advised to appoint a Commission to go into the question of administration as a whole.

The hon. Minister has said that he has so many committees. I am reminded of a shop of a physician in my village who has all kinds of bottles in his shop with different medicines. One can go and see a whole array of bottles with him. Similarly, my hon. friend the Minister has a large number of committees. What are those committees? Those committees contain, like the phials of the physician in my village, medicine which does not produce the desired result; they contain old medicine, useless medicine. I would submit very respectfully that these committees have not produced the desired effect. They are giving homoeopathic doses to a person who requires

allopathic doses. They are giving a small dose to the patient who requires a big dose. The small doses are not going to help him.

बीमू च० च० च० : मर्जन बहुता गया
जर्यों देवा की ।

Shri D. C. Sharma: I wonder what world our ministers live in. Wherever the minister goes, he gets sense of appreciation from the people! And wherever we, the Members of Parliament, go, you know what we get. I do not want to say it. I would like to go with the Minister one day and see where the sense of appreciation on the part of the people goes.

Shri M. C. Jain: Let him go incognito.

Shri D. C. Sharma: The difficulty is, our ministers live in a world which is different from the world of ordinary Members of Parliament. I want all the hon. Ministers who deserve my respect, who deserve my admiration and who deserve every kind of appreciation that I can give, to look at these things from the point of view of Members of Parliament who rub shoulders with the population, who mix with the *janta* and who obliterate the distance between themselves and the people. If the ministers were to look at these points from that point of view, I am sure the minister would agree with the humble suggestion that I have made.

Everybody has supported my resolution. The hon. Minister went on saying that Sarvashri so and so and so have not supported it. Everybody has supported it. I can produce the documents and the verbatim report which has been taken here to show that everybody has supported the resolution in substance excepting one person who always disagrees with whatever is said on the floor of this House.

An Hon. Member: Who is that person?

Shri D. C. Sharma: Everybody has said that there should be some Commission appointed. The hon. Minister said so and so—he was giving some names of hon. Members—have not joined me in this resolution. If three persons do not join me, are they going to turn down the suggestion of 16 persons? I do not know what democratic logic is this. The hon. Minister tells me that three persons do not want a Commission. But then 16 hon. Members demand the appointment of a Commission and they say that it would help the democratic functioning of the administration in this country. Otherwise, as I see, there is democratic inaction. 16 persons are for me and 3 persons are against me, but those 3 persons overrule the 16 persons.

Sir, I do not deny that our administration is improving day by day. But this administration will not improve at the speed at which we want it to improve and attain the efficiency which we want it to attain. Unless the whole problem is examined on the basis which covers every aspect of administration. Our administration requires a whole medical check-up. It does not require check-up of one part of the body or the other, but it requires an over-all medical check-up. I would submit very respectfully that the hon. Home Minister should go home, read all the speeches that have been made today understand all the intentions of the speakers today and come to the conclusion that the commission is needed.

I do not want to be egoistical, but I am not a man to yield. I will go on pressing this point till the commission is appointed. If I do not press this point, my hon. friend, Shri Banerjee, will do it or somebody else will do it, because this is one of the most desired things in the India of today. I would request the hon. Minister to see what the need of the hour is. He has talked about the administrative training school at Mussoorie and about refresher courses. Sir, I am a teacher and all

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my life has been spent with students. I can give you a discourse for 45 minutes on what is happening in that administrative training school. But I do not want to tire the patience of the Members of this House and of the benevolent Speaker of the House. So, an overhauling is needed all along the line and committees here or there are not going to solve the problem. So, I would again request the hon. Minister to change his mind and accept my resolution.

Mr. Speaker: Is it necessary to put the resolution to the vote of the House?

Some Hon. Members: Yes.

Mr. Speaker: The question is:

"This House calls upon the Government to appoint a high-powered Commission, consisting of public men, administrators and two judges of a High Court, to suggest ways and means for the re organisation of the country's administration so that it could be helpful in achieving the goal of a Welfare State."

The motion was negative.

18:33 hrs.

**RESOLUTION RE: DEVELOPMENT
OF DRUG INDUSTRY AS STATE
CONCERN**

Shri A. K. Gopalan (Kesergod): I beg to move:

"This House is of opinion that the development of drug industry in the country be taken up as a State concern."

Mr. Speaker: He may continue on the next day.

18:33½ hrs.

BUSINESS ADVISORY COMMITTEE

FORTY-SIXTH REPORT

Shri Rane (Buldana): Sir, I beg to present the Forty-sixth Report of the Business Advisory Committee.

18:34 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, December 7, 1959 |Agrahayana 16, 1881 (Saka)

[Friday, December 4, 1959/Agrahayana 13, 1881 (Saka)]

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PAPERS LAID ON THE TABLE

(i) A copy of each of the following papers, under sub-section (2) of Section 16 of the Tariff Commission Act, 1951 :

(i) Report (1959) of the Tariff Commission on the Levy of interest on Special Advances to the Tata Iron and Steel Company Limited and the Indian Iron and Steel Company Limited.

(ii) Government Resolution No. PS-45(112)/57 dated the 25th November, 1959.

(iii) Statement explaining the reasons why a copy each of the documents at (i) and (ii) above could not be laid on the Table within the period prescribed in the said sub-section.

1 A copy of Notification No. G.S.R. 1249 dated the 14th November, 1959, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955.

MESSAGE FROM RAJYA SABHA

Secretary reported a message from Rajya Sabha that at its sitting held on the 2nd December, 1959, Rajya Sabha had agreed without any amendment to the Indian Penal Code (Amendment) Bill, 1959, passed by Lok Sabha on the 24th November, 1959.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Shri Vajpayee called the attention of the Minister of Works, Housing and Supply to the ex-

COLUMNS

3420-21

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE—contd.

COLUMNS

plosion in a godown in Jamuria Bazar near Asansol on November 29, 1959 resulting in the death of some persons and injuries to many others.

The Minister of Works, Housing and Supply (Shri K. C. Reddy) made a statement in regard thereto.

ANNOUNCEMENT BY SPEAKER RE. CORRECTION OF RESULT OF DIVISION

3427-28

The Speaker made an announcement regarding certain corrections in the figures of the divisions held on the Constitution (Eighth Amendment) Bill, 1959 on the 1st December, 1959.

BILL PASSED

3430-32

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddy) moved for the consideration of the Kerala Appropriation (No. 2) Bill, 1959. The motion was adopted. After clause-by-clause consideration the Bill was passed.

3421

BILL UNDER CONSIDERATION

3432-83

Further discussion on the motion to consider the Dowry Prohibition Bill, as reported by Joint Committee continued. The discussion was not concluded.

3422-27

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED

3483-85

Fifty-second Report was adopted.

COLUMNS

COLUMNS

PRIVATE MEMBER'S RESOLUTION NEGATIVED 3485—3585

Further discussion on the Resolution *re* : Re-organisation of Country's Administration concluded and the Resolution was negatived.

PRIVATE MEMBER'S RESOLUTION UNDER DISCUSSION

3586

Shri A. K. Gopalan moved the Resolution *re*: Development of Drug Industry as State Concern. The discussion was not concluded.

AGENDA FOR MONDAY, DECEMBER 7, 1959/AG-RAHAYANA 16, 1881 (SAKA)—

Further discussion on the motion to consider and passing of the Dowry Prohibition Bill, as reported by the Joint Committee and consideration of the Annual Reports of the Hindustan Machine Tools (Private) Limited for 1957-58 and 1958-59.