



सत्यमेव जयते

LOK SABHA SECRETARIAT  
NEW DELHI  
Price : Re. 1.00

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# LOK SABHA

Wednesday, August 21, 1968/Śravana  
30, 1890 (Saka)

The Lok Sabha met at Eleven of the  
Clock

(MR. SPEAKER in the Chair)

## RE: SITUATION IN CZECHOSLO- VAKIA

**SHRI RANGA:** I am sorry to trouble you. Before you start the proceedings of the Question Hour, will you be good enough to give us some time to raise the question of invasion of Czechoslovakia and the destruction of human rights.

**MR. SPEAKER:** I have received adjournment motions, call-attention notices and all sorts of motions. Naturally Government also perhaps will be considering ...

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRI-MATI INDIRA GANDHI):** We did send a message that I would make a statement but I would prefer to make it a little later in the afternoon... (Interruptions).

**श्री रवि राय (पुरी):** प्रधानमंत्री को इस की निन्दा करनी चाहिए। यह मानवाधिकारों का सवाल है, इस पर डिस्कशन होना चाहिए।

**SHRI M. L. SONDHI:** You stand condemned. There is no sense of urgency ... (Interruptions) There should be some reaction... (Interruptions).

**MR. SPEAKER:** Order, order. So many of you are standing. What can I do?

**SHRI KANWAR LAL GUPTA:** Why should you tolerate this cold-blooded

murder? Government should condemn it. You must come out with a substantive motion... (Interruptions).

**MR. SPEAKER:** Will all of you please sit down? After all, it is not a question of any party. Dozens of Congress members have also given this. All of us, including the Congressmen, the whole country, is horrified at this. There are no two opinions about it. It is not a question of any party. Let us do what we can do without shouting, in a dignified way. This morning a number of hon. friends met me and we have been discussing...

**श्री रवि राय:** हम सब आप से मिले थे। यह ह्यूमन राइट्स का सवाल है।

**MR. SPEAKER:** The Prime Minister also sent a word. Dr. Ram Subhag Singh conveyed it to me. Let me see. There are no two opinions about it that we should discuss and express our opinion.

**श्री रवि राय:** प्रधानमंत्री निन्दा करें तो ठीक है।

**MR. SPEAKER:** We are all horrified. Naturally we will have to express in some shape the opinion of the country and the people. Parliament reflects the people. So, let us do it. But please give me time. In the afternoon we shall see how we shall do and what we shall do ... (Interruptions).

**SHRI BAL RAJ MADHOK:** Here is a very urgent matter. The armies of three or four countries are marching towards Czechoslovakia. If we take some time to express our opinion, by that time this poor country will be eaten away by those countries which have invaded it, and there will be no use. Therefore, it is very important that we give expression to the view, not of any party but of the whole country, the feeling of horror and condemnation, immediately.

**SHRI M. R. MASANI:** Will the Prime Minister assure us that at 12 O' Clock she will come forward and tell us what she wants to do. We must have an answer by 12 O' Clock.

**श्री जार्ज करनेग्नीज :** जेकोस्लोवाकिया सरकार से उन के पास कोई पत्र या सन्देश आया है या नहीं इस का भी खुलासा होना चाहिए।

**श्री सिव नारायण :** यह बड़ा गम्भीर प्रश्न है। प्राइम मिनिस्टर ने एग्शोरेंस दिया है स्टेटमेंट देने का। उन को सोच कर मुनासिब बयान देना चाहिए।

**श्री रवि राय :** आज 8 बजे आल इंडिया रेडियो से यह खबर आई कि तीनी देशों की सेनाओं ने मार्च किया है जेकोस्लोवाकिया की टेरिटरी में। इस में सब से बड़ा सवाल मानवाधिकारों का है। इस लिये यह अच्छा होगा कि आज सारे राष्ट्र की ओर से और लोक सभा की ओर से हम इस की निन्दा करें। यह प्रधान मंत्री का कोई अपना सवाल नहीं है। प्रधान मंत्री को इस को कंडेम करना चाहिए।

**SHRI NATH PAI:** I want to make a procedural point. What I have to say substantially, I will say later.

You have already spoken not only for this House but for the entire Indian nation. We have been horrified by this brutal act of aggression of the small nation under the name of friendship.

We shall say what we want to say later on. But at this stage, may I plead with you that under Direction 2, you may be pleased to direct that the business before the House be suspended and our substantive motion be taken up for discussion by the House immediately?

**SHRI HANUMANTHAIYA:** This House has great respect for you, and in a few words, you have crystallised the feeling of the House and also of the country. I am not speaking in a partisan way. I appreciate the earnestness of the Leaders of the Opposition and the Members of the Opposi-

tion parties. They themselves say that the Prime Minister must make a statement in a particular manner.

**SHRI M. L. SONDHAI:** Condemning the aggression. (*Interruptions*).

**SHRI SURENDRANATH DWIVEDI:** Even on such an issue as this, the Congress Members want to shout?

**SHRI HANUMANTHAIYA:** They must be able to sit with the Prime Minister and have a little talk over the matter. Without that joint talk, how can a satisfactory statement be evolved?

Secondly, we have to know all aspects of the matter before we take a decision. Once we take a decision we stick to it. It must be appreciated not only by every party in this country but also by world opinion. Therefore, if it is a matter of one or two hours, nothing is lost. On the other hand, the forging of a united front on this matter by every political party could easily be achieved.

I am one of those who have been pleading again and again with the Leaders of the Opposition parties to see areas where we could come to an agreement with Government so that this House can act unitedly and purposefully.

**SHRI NATH PAI:** Let us adjourn so that we can go for discussions with the Prime Minister. We can adjourn immediately and meet her.

**SHRI M. L. SONDHAI:** They are stooges...(*Interruptions*).

**THE DEPUTY MINISTER IN THE DEPARTMENT OF SOCIAL WELFARE AND IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI MUTHYAL RAO):** I object to this kind of remark. Why should he say that we are stooges?

**SHRI M. L. SONDHAI:** You are condemned. You stand condemned. If this country becomes a stooges we shall not stand it. We represent the youth of India, and we represent the future. Let the past bury itself. You

are a double stooge. You do not think for yourself. (*Interruptions*).

**SHRI SURENDRANATH DWIVEDI:** Should the Congress Members shout even on an issue like this.

**SHRI MANUBHAI PATEL:** Are we to tolerate such remarks?

**SHRI HANUMANTHAIYA:** My hon. friend Shri M. L. Sondhi must purposefully channel his patriotic and righteous indignation instead of calling us names. We do not deserve to be called names.

श्री रवि राय : आप भी पैट्रियाट हैं ।

**SHRI HANUMANTHAIYA:** We in the Congress also are with them in the matter of...

**SHRI NATH PAI:** In condemning the aggression.

**SHRI HANUMANTHAIYA:** ...expressing a common opinion; and a common opinion cannot be had by shouting at one another.

**AN HON. MEMBER:** Let us express our righteous indignation.

**SHRI HANUMANTHAIYA:** I may tell you that there are other parties, the Communist Parties, and we must take them also into our confidence. They are not foreigners to our country....

**SHRI NATH PAI:** They are welcome to join us.

**SHRI HANUMANTHAIYA:** Therefore, I would suggest that this country should evolve a consensus of opinion on national matters, particularly in foreign affairs. It is for them and the Leader of the House to think over this subject for one or two hours and then evolve a statement.

**SHRI HEM BARUA:** May I make one submission? When Egypt was attacked, we did not go in for any confabulations with the Prime Minister. The Prime Minister came to the House and condemned this attack roundly and she did a very right thing. Now, what is happening is that Czechoslovakia has been invaded.

Therefore, the Prime Minister should immediately come forward and condemn the aggression.

**SHRI BAL RAJ MADHOK:** We are aggrieved, because this issue was raised about three days back and we had given a joint motion and the Government of India have refused to come out with a clear statement. We expected the Prime Minister to come out with a clear statement.

**MR. SPEAKER:** I am afraid this would not help us...

**SHRI RANGA:** I am told that AIR has not yet come out with this news. Is that correct?

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT):** It has come out with the news. It is a tragedy that the hon. Member does not listen even to our radio.

श्री कंबर लाल गुप्त : लेटेस्ट न्यूज यह है कि राष्ट्रपति को घेर लिया गया है। रशियन फोर्सोंने राष्ट्रपति के पैलेस को घेर लिया है।

**SHRI RANGA:** I am glad to find that the Minister of External Affairs who is generally tongue-tied and constipated in his expression of the resentment of the House and the opinion of this country has at last become suddenly excited and also eloquent. I have not heard what he has said..

**MR. SPEAKER:** He has said that the radio has announced the news.

**SHRI RANGA:** I said that I spoke subject to correction. I am glad that All India Radio has given this news. But how long is it going to take for the Government to consider this matter and place their view and also help us to place our view before the country as well as the world?

Again I am told, I speak subject to correction again, that the Soviet and other troops have already surrounded Prague and are now trying to capture the whole of that Government and the whole of that country and destroy the soul of that country. Are we going to wait for too many

hours? My hon. friend Shri Hanumanthaiya was talking about consensus and said that we should explore areas of agreement and see whether it would be possible for us all to express our opinion taking a national view of things. But what is it that the Prime Minister has done? What is it that the whole of her Cabinet has done?...

**MR. SPEAKER:** I am afraid hon. Members have already begun a discussion.

**SHRI RANGA:** While we were trying to reach you, did they ever try to consult any of us, to reach us and to enlighten us and give us information and take us into their confidence?

श्री एस० एम० जोशी : जो कांग्रेस के नेता श्री हनुमन्तय्या जी ने कहा है कि उन लोगों को भी चिन्ता है और दुख है और भोर्ति है, उसको मैं मानता हूँ। मैं जानता हूँ कि जैसे हम लोगों को चिन्ता इसके बारे में है वैसे ही उनको भी है। यह भी मैं मान्य करने के लिए तैयार हूँ कि यहां एक दम कोई प्रस्ताव नहीं लाया जा सकता है। लेकिन हमारी जो भावनायें हैं उनको हमें अगर जाहिर करना है तो हमारे मित्र ने जो प्रस्ताव रखा है कि हाउस को इस वक्ता हम एडजर्न कर दें और उधर और उधर के सभी नेता बैठ कर इस पर विचार करें कि कैसा सबस्टेविंग मोशन होना चाहिये और उसके बारे में फैसला करके फिर अपनी कार्रवाई को शुरू करें, तो ज्यादा अच्छा होगा।

**SHRIMATI INDIRA GANDHI:** If I may deal with what my hon. friend Shri Ranga has said, we were having a meeting amongst ourselves naturally, first, and then because it was a Question Hour and it is Question Hour for me, I had to come here immediately. It is not right for hon. Members of the Opposition to presume what I am going to say. They do not know what I am going to say. What I had requested was...

**SHRI M. L. SONDHI:** She had misled the House in her last statement.

**MR. SPEAKER:** She has a right to reply. This kind of interruption cannot be tolerated.

**SHRIMATI INDIRA GANDHI:** These are very serious matters and if the Opposition would like to meet me, certainly we can meet together. But if Shri Nath Pai will permit me to say so, I do not think that it would be right to adjourn the House for this.

**SHRI RABI RAY:** Why not?

**SHRI M. L. SONDHI:** Why not?

**SHRIMATI INDIRA GANDHI:** No. That these are serious developments. What we say is not going to make any difference there; the Soviet tanks are not going to be recalled by our saying anything here. Our Government has to consider every word before it makes a statement. That is why, I have said that I shall make a statement afterwards; I shall be here in the House until after 12 noon, and it is only after that that I can do it....

**SHRI M. L. SONDHI:** Procrastination.

**SHRIMATI INDIRA GANDHI:** But I have said that I shall make the statement some time this afternoon..

**SHRI M. L. SONDHI:** You are following Chamberlain's policy that it is a far away country.

**SHRI M. R. MASANI:** Under rule 32 I would request you to adjourn the House: The rule says that the first hour shall be devoted to questions, but you Sir, have a right to direct otherwise. Therefore, I would request that you may be pleased to direct that the question Hour be suspended. Let the House adjourn immediately, and let the Prime Minister tell us her proposals about how we should deal with this matter at 12 noon. You have the right to suspend the Question Hour under rule 32.

**MR. SPEAKER:** On this matter, I would not like the House to divide. If the House wishes to adjourn, I have no objection. But I shall not myself take that decision. Nor do I want the House to divide on this issue.

If the Leaders want to meet the Prime Minister, they can certainly go and meet her. The rest of the members can continue with the Question Hour. If the Prime Minister is making a statement today, we shall have a discussion about it this afternoon.

**SHRI BALRAJ MADHOK:** At the earliest today.

**MR. SPEAKER:** I am myself saying that. Therefore, let us not do anything now which will bring down the standard we have kept up.

**SHRI KANWAR LAL GUPTA:** Does the Prime Minister agree to meet the Leaders of the Opposition?

**SHRIMATI INDIRA GANDHI:** Not now; after the Question Hour. If they do not want me to be present in the House now, then Shri Bhagat can deal with the questions concerning my Ministry.

**SHRI SURENDRANATH DWIVEDI:** We have this assurance that sometime in the afternoon we will discuss this matter and that the Prime Minister will make a statement.

**MR. SPEAKER:** Yes. But I cannot assure him on which motion we shall discuss because there are a bundle of motions before me.

श्री राम सेवक यादव : प्रश्न चल सकते हैं लेकिन—

**MR. SPEAKER:** I am on my legs. No second round of discussion now. If the Leaders want to meet the Prime Minister even during the Question Hour, I would suggest they could go. Shri Bhagat and the other Ministers here will carry on with the Question Hour and answer on behalf of Government. It all depends on the Leaders and the Prime Minister. But I would suggest that we shall go ahead with the Question Hour.

श्री राम सेवक यादव : प्रधान मंत्री और नेता लोग अभी जा कर आपस में बातचीत कर सकते हैं।

## ORAL ANSWERS TO QUESTIONS

### DEPRIVATION OF HUMAN RIGHTS IN TIBET

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\*571. **SHRI RANGA:**

**SHRI K. M. KUSHIK:**

**SHRI GADILINGANA**

**GOWD:**

**SHRI C. C. DESAI:**

**SHRI M. L. SONDI:**

**SHRI N. K. SOMANI:**

Will the Minister of EXTERNAL AFFAIRS be pleased to state whether, in view of the changed circumstances in the Asian political situation and of the declaration of 1968 as the Human Rights Year by the United Nations, the Government of India would sponsor or co-sponsor a Resolution in the next session of the U.N. General Assembly against the continued deprivation of the Human Rights in Tibet and an appeal to humanity as a whole to the conscience of China to release the Tibetans from her stranglehold?

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT):** The Government will support any General Assembly Resolution calling for the cessation of practices which result in the deprivation of fundamental Human rights in Tibet.

**SHRI RANGA:** Just now the House is so full of what is happening in Czechoslovakia and the destruction of her human rights. Now the House should be in a position to appreciate even much more poignantly what has been happening for the past twelve years, if not for a much longer period, in Tibet. Why is it that the Government of India do not wish to take any initiative even now, at such a late hour, in asking the UN to take necessary steps and measures to get this question examined on the basis of human rights and enlighten the whole world as to what exactly and to what extent and in what horrible manner the civil and human rights of the people of Tibet are being destroyed?

**SHRI B. R. BHAGAT:** The two questions, Tibet and Czechoslovakia, cannot be compared because in one it is a question between two independent countries....

**SHRI M. L. SONDHI:** So what?

**SHRI BALRAJ MADHOK:** Do not mislead the House. Tibet was never part of China.

**SHRI M. L. SONDHI:** Tibet was free prior to Czechoslovakia.

**SHRI B. R. BHAGAT:** Howsoever the hon. Member may shout, facts cannot be denied.

**SHRI BALRAJ MADHOK:** I shall challenge him. He is telling wrong facts. Tibet was never part of China.

श्री रवि राय: तिब्बत कभी चीन का हिस्सा नहीं था। इनको वापिस लेना चाहिये गलत बयानी कर रहे हैं।

**MR. SPEAKER:** Nobody can put a question just now. The Minister has not completed his answer. If he thinks that the House does not want to listen to the answer, he is mistaken and it will be very wrong to go about in that manner. This cannot be allowed.

श्री रवि राय: गलत बयानी कर रहे हैं।

**MR. SPEAKER:** *Galat* does not mean that he should be interrupted like this. I will give him a chance later to ask a question. But he does not allow the answer to be given at all. If he wants to put his words into the Minister's mouth, naturally he will not accept it. He must say what he wants to say.

**SHRI B. R. BHAGAT:** As for educating the world about conditions in Tibet, the House knows that this matter has been raised in the General Assembly and last time India supported a resolution. The world known about the situation in Tibet, how the rights of the people are being suppressed there.

**SHRI RANGA:** My point is this. Why should not the Government of

India themselves sponsor this resolution, at least now? I am not asking the Government of India to do it for the first time. So many other countries which are so far away from Tibet and which are not associated with Tibetan culture as intimately as we are have come forward to sponsor a resolution in the United Nations on several occasions. At least now, why is not the Government of India prepared to take courage in both hands and raise this question, not against a friendly country but against communist China which has invaded our country unprovoked? May I also draw attention to the fact that once the United Nations had appointed a committee on forced labour in Soviet Russia? At that time Soviet Russia did not allow that commission to come there. Still the Commission carried on its work and published a report on the conditions of life of humans in Soviet Russia. Many things came to light thereafter. Why should not our Government take some such step, take the initiative on this occasion and go to the United Nations and invoke its aid in order to see that these people are helped to some extent at least?

**SHRI B. R. BHAGAT:** While appreciating the point of the hon. Member, we should realise that this has to be looked into from all aspects. The first and foremost consideration is that it should help the people of Tibet. If because of the strained relations between India and China, if India takes the lead and initiates such a move in the General Assembly, probably the Chinese will exploit it... (*Interruptions.*) The hon. Member may not agree with the reasoning given by me. I am only saying that it is probable. This question of Tibet should be viewed more objectively without bringing in the India-China strained relations. According to our judgment, this will make the position of the Tibetan people worse and China will deliberately exploit it to its political advantage. While agreeing with the wishes expressed that the suppression of the Tibetan people's rights should stop, I think the stand that we

have taken is correct, namely, if this matter comes up in the General Assembly, we shall support it. That is the best stand that we can take.

**SHRI K. M. Koushik :** An international committee of jurists have examined this question of violation human rights in Tibet and they have also recommended that it should be raised in the U.N. May I also remind the Government that the Jamshaheb of Navanagar as a representative of India in the steering committee of the United Nations had given an assurance that the Tibetan question would be solved peacefully and gave a guarantee there. In view of this may I know from the Government whether they are going to raise it on the floor of the United Nations?

**MR. SPEAKER :** He has answered that question.

**SHRI K. M. Koushik :** The point is whether they had it in mind.

**SHRI B. R. Bhagat :** That point is always before us.

**SHRI M. L. Sondhi :** Is it not a fact that according to wall posters appearing in Peking during the last year the Chinese Foreign Minister, Chen Yi, who was severely attacked—including physical assault by the red guards who scaled the walls of the Chinese foreign office, something which we do not do here—was charged that he advocated a so-called capitulatory policy towards Indonesia, Burma and presumably Tibet.

In this context may I know whether Government of India have considered the effects of the Cultural Revolution in creating wide ranging antagonisms within Chinese ruling elite on foreign policy issues including that of Tibet, and whether in objective terms the Prime Minister is in a position to accept the complete reversal of the international attitudes towards Tibet as exemplified by, in the case of China, the undermining of its professional diplomacy and the emergence of large-scale infighting in Tibet by the Red Guards and those

opposing them, in the case of the Soviet Union unmistakable evidence of fresh scrutiny of the southern border of China along side Tibet, for example in the *Journal New Times*, and in the case of the United States—I hope my Communist friends will appreciate it—the emergence of a pro-Peking lobby which derives its confidence from the fact that while last year China was involved in ugly and violent incidents with nearly three score countries, there was no crisis with the USA and the Ambassadorial level talks at Warsaw continued in a satisfactory and comfortable manner....

**MR. SPEAKER :** What is the question? The whole foreign policy you are giving by way of a supplementary.

**SHRI M. L. Sondhi :** This is an important background. I wish to make it clear that I am not one of those who want tension between India and China. I look forward sometime later for good relations between India and China—I do not hesitate to say that. May I know whether instead of passively voting for resolutions brought by others on Tibet, which are drafted by other people and which may actually lead to raise tension, there are other possibilities through which Government can in a sober manner simultaneously lower tensions with China while firmly supporting the favourable trends of thinking in favour of Tibet by taking initiative and themselves sponsoring a resolution in their own words, which would be a balanced and carefully worded one, at the United Nations?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** We are in touch with other nations and we can certainly influence the wording of any particular resolution which may come up. As the Minister has pointed out just now we have given very careful consideration to this matter and we do not think it will be in the interest of the

Tibetans for us to take a leading role in this.

**SHRI RANGA :** Have they consulted the Dalai Lama, Sir?

**SHRIMATI INDIRA GANDHI :** I meant members of other countries in the Human Rights Commission. (*Interruption*).

**SHRI HEM BARUA :** Sir, Tibet has been reduced to a vast prison house by China by now. As the military occupation of Tibet by China has been complete and Tibet has been used as the springboard of war preparations by China against India it has affected India's security also. In the context of that may I know what steps Government are taking or propose to take in the interest of our security to neutralise Tibet and to restore the status of Independence so far as Tibet is concerned. Shri Jawaharlal Nehru in his book *Glimpses of World History*, 1939 Edition, page 842, has written "Tibet was independent".

**SHRI NATH PAI :** It is in "a letter to his daughter".

**SHRI HEM BARUA :** If the position of Tibet is so, why is it that the Minister of External Affairs has said that Tibet was under the control of China? It is a very wrong thing to say. It contradicts Mr. Nehru and also this Government. In any case it contradicts the policy of the people. In the context of that, may I know what positive steps Government are taking or propose to take to ensure security by neutralising Tibet and restoring the status of independence so far as Tibet is concerned and whether Government are prepared to recognise the emigre government under the leadership of Dalai Lama in this country or not?

**SHRIMATI INDIRA GANDHI :** We have recognised Chinese sovereignty over Tibet.

**SHRI M. L. SONDHY :** Suzerainty.

**SHRIMATI INDIRA GANDHI :** Whatever the conditions were earlier on, world conditions do change and, I think, we have to live with the

realities of the situation. We cannot ignore facts. We feel deeply concerned about the human problem in Tibet, about the atrocities which are committed there and about what we hear of young people, teenagers, being taken away from their parents to Peking or other parts of China and so on. It is also true that Tibet is used as a base for propaganda against us.

**SHRI NATH PAI :** Not only propaganda but aggression also.

**SHRI HEM BARUA :** I said, "war preparations".

**SHRIMATI INDIRA GANDHI :** As far as aggression is concerned, we have to look to our own security arrangements and to strengthen them, which we are doing. We have also to look to our own propaganda machinery and to strengthen it and make it more effective. But I do not really see the connection with the question that is asked about sponsoring this matter in the Human Rights Commission.

**SHRI NATH PAI :** General Assembly.

**SHRI NAMBIAR :** Why can an emigre government not be set up in India?

**SHRI SWELL :** The Prime Minister has rightly said that in all these things that are happening in Tibet or anywhere else in the world the most important thing for us is to look to the security arrangements of this country. In the international field two things have happened recently: the decision of the Soviet Union to sell arms to Pakistan and the invasion of Czechoslovakia the news of which we have heard only today. These two things have given rise to a widespread feeling in the people of this country and of the world that India should reappraise and reshape her foreign policy. It is wisely said that in this process of reshaping our foreign policy the most important thing is to mend our fences with our neighbours. I would like to know from the Government whether they subscribe to this fundamental policy of mending our



fences with our neighbours. It is recognised that among our neighbours the most portentous is China. May I know whether this Government will reappraise its foreign policy with a view to mending its fences with China.... (Interruption) ? Let me put my question. You are not to answer it; the Prime Minister is to answer it. You are entitled to your own views and I am entitled to my own. If the Government subscribes to this policy of mending fences with our neighbours, may I know whether it will be helpful to us even now to raise this question again, however much we may feel for the people of Tibet, at this moment ?

**SHRI RANGA :** Aha ! Aha !

**SHRIMATI INDIRA GANDHI :** There is some validity in what the hon. Member has said. In this limited matter I must say I agree with what the hon. Member, Shri Sondhi, said that we must not regard our relationship with China to be hostile for all time to come. But an atmosphere has to be created or certain things must happen before we can have better relations.

**SHRI NAMBIAR :** The best solution is to set up a Tibetan Government in India.

**SOME HON. MEMBERS :** Hear, Hear.

**SHRI PILOO MODY :** I am beginning to see some hope for the country.

**SHRI R. D. BHANDARE :** I quite appreciate the difficulty that may be before the Government of India in sponsoring the resolution regarding Tibet. But in view of the fact that the Government of India is prepared to support the resolution in the United Nations, if moved, may I know from the Government if, in case small nations are prepared to sponsor and move the resolution, the Government of India will move a step forward and fall in line in co-sponsoring the resolution sponsored by the small nations ?

**SHRI PILOO MODY :** Let the co-Minister answer the question.

**SHRI B. R. BHAGAT :** It has been made clear that we are not co-sponsoring any resolution. But we will support the resolution.

**श्री रवि राय :** अध्यक्ष महोदय, भले ही सरकार की राय नहीं है लेकिन हम लोगों की तो यह पक्की राय है कि तिब्बत कभी इतिहास में चीन का हिस्सा नहीं था। इसलिए मैं पूछना चाहता हूँ कि भारत सरकार की फिलहाल जो चीनी नीति है क्या सरकार इस पृष्ठभूमि में कि वहाँ अत्याचार हो रहा है, जनोसाइड हो रहा है, अपनी नीति बदलने की कोशिश करेगी और जैसे कि पेंकिंग सरकार को मान्यता दो है इस सिलसिले में ताइवान सरकार को मान्यता देने की कोशिश करेगी ?

**श्री ब० रा० जगत :** माननीय सदस्य तिब्बत से ताइवान चले गए। इन दोनों का रिश्ता तो मुझे कोई मालूम नहीं पड़ता।

**SHRI SURENDRANATH DWIVEDI :** The Prime Minister spoke about the interest of the people of Tibet. She has herself admitted of the atrocities committed by China on Tibet. Yet we have not taken any initiative to sponsor a resolution in the Human Rights Commission in this matter. In view of the fact that we committed a mistake earlier by accepting the sovereignty of China over Tibet, because of the changed situation, whenever the question of admission of China into the United Nations is raised would it be the stand of the government that they would no longer support any such move for admission of China ?

**SHRIMATI INDIRA GANDHI :** I think the hon. Member is contradicting himself because the whole point of our sponsoring China's membership of the United Nations is that it would be easier to bring her to book about all these matters.

**SHRI RANGA :** Never, never.

**SHRI P. VENKATASUBBAIAH :** While appreciating the obvious embarrassment of Shri Anandan Nambiar

whenever the issue of Tibet vis-a-vis China is raised in this House....

**MR. SPEAKER:** Is it for Shri Nambiar to answer this question?

**SHRI P. VENKATASUBBAIAH:** While government's point has been made very clear about sponsoring or co-sponsoring any resolution, I would like to know whether the government will take a leading role in mobilising world opinion towards the inhuman treatment meted out to the Tibetans by the Chinese whenever this issue has been brought before the United Nations by some other country.

**SHRI B. R. BHAGAT:** As the Prime Minister has stated, we are already in touch with other governments on this respect and if this resolution comes up in the United Nations General Assembly we would support it. While supporting it, the exchange of views with other governments also takes place. We will certainly make our views clear to other governments.

**SHRI BAL RAJ MADHOK:** The hon. Minister began his speech by saying that there is no comparison of Tibet with Czechoslovakia and he also said that Tibet is part of China. May I know whether he is prepared to appoint a committee of historians to go into all the facts regarding Tibet in relation to China and India and arrive at a conclusion whether Tibet was ever part of China. You have made the original mistake of admitting that Tibet was under the suzerainty or sovereignty of China. Can't we rectify a *bona fide* mistake we have committed earlier? so, the first question is: are you prepared to appoint a committee of historians to find out whether Tibet was ever part of China? If anything, it had friendly relations with India. But it had its own passport and foreign policy; it was never part of China. Then you said that we should improve our relations with China. I quite agree with you. But how can we improve our relations with China when by the occupation of Tibet the biggest

barrier of geographical distance dividing India from China has been removed? Unless and until Tibet becomes free and our very confrontation with China disappears, there can be no peace with China. My question is this. Are you prepared to take concrete steps to see that Tibet is restored its autonomy or freedom, whatever name you may give it, so that the ground may be prepared for improving the relations between India and China in the times to come?

**SHRIMATI INDIRA GANDHI:** Is it the hon. Member's contention that by sponsoring this resolution, Tibet will become free?

**SHRI BAL RAJ MADHOK:** What about my first question? Are you prepared to go into the question of independence of Tibet or its being a part of China? I want a specific answer.

**SHRIMATI INDIRA GANDHI:** I do not know whether any useful purpose will be served by having a committee of historians. We have seen, whenever experts meet together, they always have different views on the subject.

**SHRI P. GOPALAN:** Last time, when this issue of so-called suppression of human rights was brought in the U.N., not a single non-aligned country supported it except India and some of the satellites of America ... (Interruptions)

**SOME HON. MEMBERS:** No, no.

**SHRI P. GOPALAN:** I would like to know from the Minister whether the Government have tried to find out the reason why not a single non-aligned country supported the resolution when it was brought in the U.N.

**SHRI B. R. BHAGAT:** I can give the list of the countries. The description I leave it to the hon. Member. The draft resolution was co-sponsored by Ireland, Malayasia, Malta, Philippines, Thailand and some other countries. (Interruption) 43 countries voted in favour. I can lay the whole list on the Table of the House.

**SHRI M. L. SONDHI:** You name them...*(Interruptions)*

**MR. SPEAKER:** Will you kindly sit down? You read out only 5 or 6 names. Either you read out all the names....

**SHRI B. R. BHAGAT:** I do not have all the names now.

**MR. SPEAKER:** All right. He will lay it on the Table later on.

**SHRI SHIVAJIRAO S. DESHMUKH:** Our hon. Prime Minister is the Prime Minister of the country of Buddha, Ashoka and Gandhi. In view of the fact that Buddhism as the Indian religion recognises Dalai Lama as the living Buddha, may I know what specific steps the Prime Minister propose to take to translate into action the sentiments of sympathy and grievances which were expressed just now?

**SHRIMATI INDIRA GANDHI:** If I may go back to the earlier question, I shall read out the list of the countries which I have just received. Those who voted in favour were:

Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Spain, Thailand, Togo, United Kingdom of Great British and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Iceland, India, Ireland, Israel, Italy, Japan, Jordan, Liberia, Luxembourg, Madagascar, Malaysia, Malta.

Those who voted against were:

Mongolia, Morocco, Nepal, Pakistan, Poland, Romania, Sudan, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Yugoslavia, Albania, Algeria, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Congo (Brazzaville), Cuba, Czechoslovakia, Ethiopia, Guinea, Hungary, Iraq, Mali.

And those who abstained were:

Portugal, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sweden, Tunisia, Afghanistan, Austria, Ceylon, Dahomey, Denmark, Finland, France, Ghana, Iran, Ivory Coast, Jamaica, Kuwait, Lebanon, Maldives, Islands, Mexico.

The Resolution was adopted by 43 votes to 26, with 22 abstentions.

**SHRI SURENDRANATH DWIVEDI:** She has not replied to Mr. Shivajirao Deshmukh's question.

**MR. SPEAKER:** His question was also covered by the answer.

**SHRIMATI INDIRA GANDHI:** The question has already been answered earlier...*(Interruption)*. If the matter comes up, we will support it.

**श्री एस० एम० जोशी:** अध्यक्ष महोदय, जो सवाल इस समय सदन के सामने है, उस का जवाब देते हुए हुकूमत की तरफ से यह बताया गया कि यदि हम उस प्रस्ताव को स्पॉन्सर करें या को-स्पॉन्सर करें तो हम को देखना होगा कि क्या वह तिब्बतन लोगों के हित में है या नहीं है। मैं हुकूमत से यह जानना चाहता हूँ कि तिब्बती लोगों के हित में क्या चीज है या क्या नहीं है—उस का फैसला हम लोग खुद करने जा रहे हैं या उन लोगों के साथ, तिब्बत के प्रतिनिधि दलाई लामा यहां बैठे हुए हैं, उन से बातचीत कर के फैसला करेंगे? यदि उन्होंने उस को अपने हित में बताया तथा आपको स्पॉन्सर करने के लिये कहा तो क्या आप स्पॉन्सर करने को तैयार हैं?

**श्री ब० रा० भगत:** मेरे जवाब का माननीय सदस्य ने दूसरा अर्थ लगाया है। मैंने कई कारणों में एक कारण यह भी बताया था कि सम्भवतः चीन इस बात को लेकर कि हिन्दुस्तान इस मामले को उठा रहा है और चीन व हिन्दुस्तान के सम्बन्ध अच्छे नहीं हैं—वह इसका फायदा उठायेगा .....*(व्यवधान)* ..... यह

बात किस के हित में है या नहीं है—यह मैंने नहीं कहा था ..... (व्यवधान) .....

**SHRI M. L. SONDHİ :** It is an insult. You are following Kutzen Bach. It is an American lie. You are following it completely. I can prove it. We can debate it anywhere.

**SHRI B. R. BHAGAT :** I hope, the hon. Member will be more balanced in his approach. No country, no person, can influence my mind. I have paid through my blood for this country...

**SHRI M. L. SONDHİ :** Shed it once again. Do not stand on your laurels. Do not think of the past. Think of the future.

**SHRI B. R. BHAGAT :** I was saying that a number of considerations are involved in this and when we determine this question, we do it keeping in view all those considerations. One of the considerations, as I said, which is taken into account in determining and coming to a valued judgment in this matter is what would be the best course to adopt keeping in view the objective that we have to guard against suppression of human rights, fight it and do whatever is possible. With that objective, we have taken the steps which we considered to be the best. This is what I said... (Interruptions)

**श्री रवि राय :** दलाई लामा के साथ बातचीत करेंगे क्या ?

**MR. SPEAKER :** He has said that the decision is taken based on what is good for India and what is in the interest of India. It may not necessarily concern the Dalai Lama. You cannot force him to do that.

Mr. Nambiar.

**SHRI NAMBIAR :** May I know whether, in view of the fact that we have to render friendly assistance to Tibet and to the people of China and create a better understanding between the two countries, it will be possible for the Government of India to consider the feasibility of sending out the Dalai Lama from the borders of India? He is creating the trouble between India and China.

**SHRI M. L. SONDHİ :** Let them try; let them try sending out the Dalai Lama. The Government will rot.

**AN HON. MEMBER :** We want an assurance that the Dalai Lama is an honoured guest.

**MR. SPEAKER :** The Question Hour has to be utilised only for getting information and not assurances. If any hon. Member asks for an assurance during the Question Hour that will be wrong. Question Hour is meant only for eliciting information.

**SHRI SURENDRANATH DWIVEDY :** Let us know what the reply is, whether they will send the Dalai Lama out.

**SHRIMATI INDIRA GANDHI :** We have given, and from times immemorial, India has given, refuge to people who have been persecuted on religious or other grounds in other countries. This was the reason why we welcomed the Dalai Lama when he came here.

**SHRI S. M. KRISHNA :** Let Shri Nambiar see what has happened to the Panchen Lama.

**SHRIMATI INDIRA GANDHI :** Not only the Dalai Lama himself but large numbers of other Tibetan refugees are in India, and the Government of India and other voluntary agencies are...

**SHRI RANGA :** And the nation also.

**SHRIMATI INDIRA GANDHI :** ... are helping to settle them and also to look after them.

**SHRI NAMBIAR :** He is doing political work here.

**SHRI RANGA :** My hon. friend ought to behave properly. The Dalai Lama is our honoured guest. He should not speak like this. (Interruptions)

**श्री कर्बूर लाल गुप्त :** अध्यक्ष महोदय, यह प्रसन्नता की बात है कि हमारी प्रधान मन्त्री महोदया ने कहा है कि जो तिब्बत में हो रहा है उससे उन्हें चिन्ता है और वे पूरी तौर से तिब्बत के काब को आगे ले जायेंगे। मैं जानना चाहता हूँ कि क्या कभी दलाई लामा ने यह प्रार्थना की कि तिब्बत

के इन्टरेस्ट में यह बात है कि भारत यू० एन० ओ० में तिब्बत के काज को स्पान्सर करे? और क्या दलाई लामा ने, चीन तिब्बत में जो एट्रासिटीज कर रहा है उसकी तफसील दी? दूसरे यह कि जब चीन हमारे साथ होस्टाइल एट्रीट्यूड रखता है, मीजो, पाकिस्तान और नागाओं के सम्बन्ध में तो क्या भारत सरकार दलाई लामा की सरकार को यहां पर मान्यता देगी?

**MR. SPEAKER :** I think all these questions have been answered here so many times. He wants to know whether the Dalai Lama's Government will be recognised.

**SHRIMATI INDIRA GANDHI :** I have talked to the Dalai Lama, though I must confess not recently. And as far as I recall, he had appreciated the Government's point of view. The Dalai Lama is not a political person, and, therefore, it is difficult for him to assess the political consequences of such moves.

With regard to the details of the atrocities committed we have had some information from the Dalai Lama and other Tibetans, as also from other sources.

With regard to the last question of the hon. Minister I would say that if we think that China is doing something wrong, then it is not proper for us to behave similarly. We must stand by certain values and principles.

**SHRI HANUMANTHAIYA :** In view of the treaty signed by both China and India guaranteeing the autonomy of Tibet, to which we are a party, is it not a moral duty on our part to take the initiative in the matter of protecting the human rights of the Tibetans directly and not wait in the sidelines?

**SHRIMATI INDIRA GANDHI :** In political life, I think that one has to look at many aspects, and I do not think that we can just function in the air in a matter like this.

**श्री प्रकाशवीर शास्त्री :** क्या तिब्बत के एक मात्र धार्मिक और राजनीतिक शासक

श्री दलाई लामा ने इस सम्बन्ध में भारत सरकार को कोई पत्र लिखा है कि संयुक्त राष्ट्र संघ की जनरल असेम्बली का एजेन्डा 29 अगस्त को पूर्ण हो जायेगा और यह अनु-रोध किया है कि उससे पहले भारत सरकार अपना मन बना ले? यदि हां, तो उसमें उन्होंने क्या कारण बताए हैं और भारत सरकार ने उसका क्या उत्तर दिया है?

**SHRI M. L. SONDHI :** It is a direct question, and we want an honest answer.

**श्री ब० रा० भगत :** उनकी तरफ से ऐसी बात लिखी गई थी मगर जो हमारी नीति है वह हमने स्पष्ट कर दी है कि ऐसा कोई रेजोल्यूशन आए तो उसका समर्थन करने के लिए तैयार हैं।

**SHRI BAL RAJ MADHOK :** A very unconvincing answer.

**SHRI CHENGALRAYA NAIDU :** When the British were here they were exercising some control over Tibet. What are the circumstances now why we are not having that control? When the Chinese are committing such inhuman acts in Tibet over the Tibetans, why are our Government so weak that they are not able to call a dog a dog? Further, there are so many Chinese agents in our country. Will Government consider the question of sending them to China from this country? My hon. friend Shri Namblar may be sent out from here.

**श्री विमूति मिश्र :** अध्यक्ष महोदय, ह्यूमन राइट्स को दिलाना एक बहुत जरूरी काम है लेकिन तिब्बत को ह्यूमन राइट्स दिलाने के लिए चाहना से बँर लेना होगा तो मैं जानना चाहता हूँ कि क्या इधर के लोग और क्या उधर के लोग इस सरकार को मदद करते हैं कि सरकार खेती के मामले में ताकतवर हो, कस्-कारखाने के मामले ताकतवर हो और एटम बने भी बना ले क्योंकि तभी हम चाहना का मुकाबला कर सकेंगे और

क्या इस समय हमारी सरकार इस पोलीशन में है ? (Interruptions)

**SHRI CHENGALRAYA NAIDU :** They are traitors to this country. People like Shri Nambiar should get out of this country.

**श्री विभूति मिश्र :** अध्यक्ष महोदय, मेरे प्रश्न का उत्तर तो दिलवाइये।

**श्रीमती इन्दिरा गांधी :** अणुबम के बारे में कई दफा यहां पर बहस हो चुकी है।

**SHRI S. A. DANGE :** I just want to know from the Prime Minister whether when we are discussing the question of protecting human rights in Tibet she would do something to protect the human rights of the workers in India first.

**SHRIMATI SUCHETA KRIPALANI :** In view of the overwhelming opinion expressed in the House that Tibet matters should be taken up at the international forum, if possible sponsored by us or at least co-sponsored by us, is the Prime Minister willing to reconsider the Government's policy in this regard ?

**SHRIMATI INDIRA GANDHI :** We have already replied to this question.

**SHRI NATH PAI :** It is a demand from every section of the House.

**SHRI HANUMANTHAIYA :** The majority opinion is in favour of a change of policy.

**SHRIMATI INDIRA GANDHI :** We have to look at our national interest. Government have to look at the long-term national interest. We feel that our present policy is framed having regard to that. We always welcome the expression of views by hon. Members and we always do take them into consideration. But we have to look, as I said, to the long-term national interests of India.

**MR. SPEAKER :** Short Notice Question No. 8.

**श्री हुकम चन्द कछवाय :** आज अध्यक्ष महोदय क्वेश्चंस चूंकि 17 मिनट बाद शुरू किये गये हैं इसलिए 12 बजे के के बाद 17 मिनट और क्वेश्चंस को दिये जाने चाहिए।

**MR. SPEAKER :** No.

### SHORT NOTICE QUESTION

DEATH DUE TO FOOD POISONING IN  
MONGHYAR VILLAGE, BIHAR

✓  
**S.N.Q. 8. SHRI MADHU LIMAYE :**  
**SHRI BHOGENDRA JHA :**  
**SHRI N. T. DAS :**  
**SHRIMATI ILA PALCHOU-**  
**DHURI :**

**SHRI ONKAR LAL BERWA :**

Will the Minister of HEALTH, FAMILY PLANNING AND URBAN DEVELOPMENT be pleased to state :

(a) whether it is a fact that more than 50 persons have died and 73 are lying in a precarious condition in the Monghyar Hospital in Bihar due to food poisoning; and

(b) if so, the details thereof with the causes and the remedial measures taken ?

**THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH, FAMILY PLANNING AND URBAN DEVELOPMENT (SHRI B. S. MURTHY) :** (a) and (b). A statement is laid on the table of the Sabha.

### STATEMENT

On the night of the 1st August, 1968, one Ekramul Haque of village Satarkhana, about two miles from Monghyr Hospital, gave a party in celebration of circumcision ceremony of his son. 110 people mostly children took food consisting of pulao, beef and vegetables and soon thereafter started becoming unconscious. 47 persons, including 41 children, had died by the time they were brought to the hospital. All the other affected persons, including 58 children, who were admitted to the hospital showed symptoms

of food poisoning. Necessary medical treatment was provided immediately by mobilisation of local resources. It is suspected that poison was added to the food by a hostile relation of the person who gave the party. The viscera and seized cooked materials have been sent for chemical examination and the matter is under police investigation.

Police have registered a case under Sections 302/328 I.P.C. and are reported to have already arrested three persons in this connection.

**श्री मधु लिमये :** अध्यक्ष महोदय, बयान वह तो मैंने पढ़ा नहीं। मैं तो चेकोस्लोवाकिया में फंस गया था। वह स्टेटमेंट कोई लम्बा नहीं है और उपमन्त्री महोदय उसे पढ़ दें।

**SHRIMATI SHARDA MUKERJEE :** On a point of order. If one of us here asks a Minister to read a statement which has already been laid on the Table, it would not be permitted.

**MR. SPEAKER :** The Minister is prepared to do it.

**SHRIMATI SHARDA MUKERJEE :** This is a peculiar procedure we are following.

**श्री मधु लिमये :** जैसा मैंने कहा मैं चेकोस्लोवाकिया में फंस गया था। आप से मिलने हम लोग आये थे और मैं उसे पढ़ ही नहीं पाया।

**MR. SPEAKER :** You cannot help it. When in reply to a question, the answer is laid on the Table, hon. Members are expected to read it. Normally that is the practice. Today it may be a short statement, but tomorrow it may be a 5-page statement.

**श्री मधु लिमये :** ठीक है। मैं प्रश्न पूछे लेता हूँ। मैं मंत्री महोदय से जानना चाहता हूँ कि यह जो विष प्रयोग हुआ और जिसमें इतने लोग मर गये क्या सरकार ऐसा सोचती है कि उस के पीछे कोई षड्यन्त्र था, यदि हाँ, तो जो अपराधी लोग हैं क्या यह सही है कि वे लोग भाग गये हैं?

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**SHRI B. S. MURTHY :** As far as the information received by us indicates, 41 have died so far. It is said that during the investigation it was found that litigation had been going on between Ekramul Hoque and his younger brother Iramul Hoque who had not been invited to this dinner. It is presumed that this brother has a hand in this and he is responsible for this calamity.

**MR. SPEAKER :** Has he run away.

**SHRI B. S. MURTHY :** Nobody has run away.

**श्री मधु लिमये :** उन को गिरफ्तार किया गया है?

**SHRI B. S. MURTHY :** So far three people have been arrested.

**श्री मधु लिमये :** मेरा दूसरा प्रश्न यह है कि इस में जो लोग मर गये हैं या बीमार हो गये हैं क्या उन के परिवार वालों को कोई सहायता वित्तीय, वैद्यकीय आदि सरकार के द्वारा दी जा रही है

**SHRI B. S. MURTHY :** I think the hon. Member as an expert in parliamentary procedure knows that the Bihar Government would be looking into this matter.

**श्री मधु लिमये :** अध्यक्ष महोदय, बिहार में राष्ट्रपति शासन है वरना यह प्रश्न ही यहाँ नहीं आ सकता था। मेरा व्यवस्था का प्रश्न है। अध्यक्ष महोदय, हम जानते हैं कि यह राज्याधीन मामला है लेकिन चूंकि बिहार में राष्ट्रपति शासन है इसलिए यहाँ पर इसे लाये हैं।

**SHRIMATI TARKESHWARI SINHA :** The Central Government would be looking into this matter.

**SHRI B. S. MURTHY :** These matters will be attended to by the State Government.

**श्री मधु लिमये :** जी नहीं, अब राष्ट्रपति शासन के कारण हम लोग जिम्मेदार हैं। मंत्री महोदय को संविधान की जानकारी नहीं है।

**MR. SPEAKER :** It is understood. Otherwise, this question would not have come up here. There is no State Assembly and State Government responsible to that there. So this question of health has come up here.

**SHRI B. S. MURTHY :** I have no information.

**श्री मधु लिमये :** जरा कानून मंत्री उन को समझा दें।

**SHRI N. T. DAS :** May I know the number of people invited by Ekramul Haque ?

**SHRI B. S. MURTHY :** 200.

**SHRIMATI ILA PALCHOUDHURI :** May I know whether the Government has ascertained that it was some poison that was deposited in the food ? Or was there any poison in the cooking media that were used for the food, and the manufacturers may also be held responsible ?

**SHRI B. S. MURTHY :** It is suspected that poison had been deposited; it has not been definitely proved and the viscera and seized cooked materials have been sent for chemical examination.

**श्री जॉकार लाल बेरवा :** यह जो हरकतें की हैं विष मिलाने की यह एक योजनाबद्ध तरीके से की गयी हैं तो क्या यह इनामुल हक वगैरह लोगों के पीछे कोई ऐसा पाकिस्तानी षडयन्त्रकारी गुप्त है जोकि इस तरह से आदमियों को खाने में विष मिला करके उन को खत्म करना चाहता है क्योंकि जाहिर है कि यह विष मिलाने की हरकतें एक, दो आदमियों से नहीं हो सकती हैं और इस में रोटी पकाने वाला भी होगा, और पानी भरने वाला भी होगा तो ऐसी हरकतों को बंद कराने के हेतु क्या सरकार इस बारे में कोई जांच पड़ताल करवा रही है ?

**SHRI B. S. MURTHY :** I do not think there is any evidence to suggest that.

**श्री भोगेन्द्र झा :** उप मंत्री महोदय अजीब सा जवाब दे रहे हैं। दरअसल इस प्रश्न का सम्बन्ध जनसंख्या की रक्षा से है जबकि उन के विभाग का सम्बन्ध जनसंख्या के घटाने से है और इसीलिए मैं समझता हूँ कि उन के द्वारा संतोषजनक जवाब नहीं दिये जा रहे हैं। क्या मैं आशा करूँ कि वह जो सवाल का मकसद है उसके अनुरूप जवाब देंगे ? प्रश्न जनसंख्या की रक्षा करने का है और मैं इसलिए चाहूँगा कि वह जनसंख्या घटाने की ओर कम ध्यान दें। सवाल यह है कि इतने बड़े पैमाने पर जो मृत्युएं हुईं उन में दो बात का सम्बन्ध है और वह यह कि क्या इस जहर के इतने बड़े पैमाने पर मिलाने में कोई नीयत या कोई सक्रिय प्रयास था या नहीं और इस के बारे में अभी तक सरकार की जो जानकारी है जो नतीजा है उस पर क्या कार्यवाही की जा रही है ?

इतने बड़े पैमाने पर जो मृत्युएं हुईं उन को तुरन्त डाक्टरी व्यवस्था के जरिए रोकना सम्भव था या नहीं ? लोगों का ऐसा विश्वास है कि उस का रोकना संभव था लेकिन उस में अत्यधिक विलम्ब हुआ और इस कारण इतने बड़े पैमाने पर मृत्युएं हुईं। क्या अगर सतर्कता बरती जाती और विलम्ब न किया जाता तो कुछ की या सबों की जान नहीं बचाई जा सकती थी और यह कि इस के लिए जो चिकित्सा विभाग के लोग दोषी हैं उन के बारे में सरकार की अभी तक क्या समझ है या जानकारी है और क्या ऐसे लोगों के खिलाफ सरकार द्वारा कुछ कार्यवाही करने पर विचार हो रहा है ?

**SHRI B. S. MURTHY :** 41 persons died before they were taken to the hospital. As for the other information which the hon. Member wants, it is suspected that there was some poison mixed with food and it was due to rivalry between two brothers. But these are all allegations.

**श्री भोगेन्द्र झा :** अध्यक्ष महोदय, मैं जानना चाहता हूँ कि क्या सरकार ने पता



लगाया है लेकिन मंत्री जी ठीक से जवाब नहीं दे रहे हैं। इस तरह से समय व्यर्थ जा रहा है और मेरा अनुरोध है कि स्वास्थ्य मंत्री महोदय को बूलवा दें...

**अध्यक्ष महोदय :** श्री विभूति मिश्र ।

**श्री विभूति मिश्र :** क्या उप मंत्री महोदय इस बारे में पता लगायेंगे कि पटना के सरकारी कारखाने से, बरौनी, बोकारो या और किसी सरकारी कारखाने से इस तरह का जहर गायब हुआ और यह कि वहां से यह जहर गायब होने के बाद वह एक मुसलमान भाइयों में जो सुन्नत की तकरीब होती है उस में परोसे जाने वाले खाने में मिलाया गया और उस के खाते ही पहली पंगत वाले लोग जिनमें अधिकतर बच्चे थे बेहोश होने शुरू हो गये और दरवाजे के पास ही यह लोग गिरने लगे और परिणामस्वरूप उस भाई के सारे परिवार के लोग तो बच गये लेकिन बाहर से आने वाले लोग जोकि पहले खाना खा चुके थे उन में से बहुत से मर गये ? क्या सरकार ने अपनी एजेंसी के जरिए से इस बारे में पता लगाया है कि उन के यहां पटना के सरकारी कारखाने में, बोकारो में या बरौनी में कोई ऐसा जहर है जिसे कि खाने में अगर मिला दिया जाये तो उस खाने को खाने वाला आदमी मर जायगा ? क्या सरकार ने इस का पता लगाया है । यदि लगाया है तो क्या रिपोर्ट आई है ?

**SHRI B. S. MURTHY :** All these things are being investigated into and when they are available we will place a statement on the Table of the House.

**श्री हुकम चन्द कछवाय :** मैं जानना चाहता हूं कि जिन लोगों ने खाना खाया वह खाने के बाद कितनी देर में मरे और अस्पताल कितने समय बाद उन को ले जाया गया ? क्या यह बात सही है कि अस्पताल के अन्दर वह दवायें नहीं थीं जिन को देकर सभी को तत्काल बचा लिया जा सकता था, और काफी विलम्ब से दवायें मंगाई गई ?

क्या यह भी सही है कि जो लोग मरे हैं उन के परिवारों को आप की ओर से कुछ सहायता दी गई है ? यदि दी गई है तो कितनी ? जो लोग पकड़े गये हैं वह तो पकड़े ही गये हैं लेकिन उन लोगों में से कई जिम्मेदार व्यक्तियों को पकड़ा भी नहीं गया है, जिन की खोज सरकार कर रही है । क्या यह सही है कि वह पाकिस्तान भाग गये ?

**SHRI B. S. MURTHY :** It is said that the first batch of 110 people took their meals and, after that, before the second batch could sit there were signs that the people who ate in the first batch were suffering from pain and some ailment. Then arrangements were made to take them to the hospital. Before they were transported to the hospital 41 of them, mostly children, died. The other people who were taken to the hospital, more or less all of them were saved. Therefore, I do not think there was any difficulty as far as medical care was concerned. Everything was done by the hospital authorities to save every individual affected there.

**श्री हुकम चन्द कछवाय :** सरकार जिन लोगों की खोज कर रही है वह पाकिस्तान भाग गये हैं या नहीं, इस के बारे में क्या सरकार को कोई जानकारी है ?

**SHRI B. S. MURTHY :** We have no information as far as that is concerned.

**श्री मधु लिमये :** प्रत्येक को ही "नो इन्फार्मेशन" जवाब आ रहा है।

**श्री हुकम चन्द कछवाय :** जो लोग मरे हैं क्या उन के परिवारों को कोई सहायता सरकार ने दी है ?

**MR. SPEAKER :** He has replied that he has no information.

**श्री रणबीर सिंह :** क्या यह सही है कि इस किस्म के गैंग न सिर्फ बिहार में बल्कि सारे देश में मुनज्जम तरीके से काम कर रहे हैं और इस गैंग के पीछे बड़ी साजिश है ।

कोई फर्म या आर्गनाइजेशन है जो गैंग सप्लाय करने का काम करता है। जिस वक्त कुरुक्षेत्र में मेला हुआ उस वक्त दिल्ली स्टेशन पर इसी तरह से दस किसानों को जहर दिया गया और वह लोग तीन घंटे के अन्दर मर गये। मैं जानना चाहता हूँ कि क्या इस गैंग और उस गैंग का कोई ताल्लुक मिला है? क्या गवर्नमेंट इस गैंग को ट्रेस आउट कर के लिक्विडेट करेगी?

**SHRI B. S. MURTHY:** As I told you, Sir, information is not available on all these details. But the police are investigating into the matter.

**SHRIMATI TARKESHWARI SINHA:** May I know whether the Government of Bihar supplied the report to Government of India after they received the FIR from the Police; if so, how many evidences were collected by the police before the FIR was submitted to be forwarded to the Government of India?

**SHRI B. S. MURTHY:** Whatever information I am giving is only information I have got from the Government of Bihar.

#### WRITTEN ANSWERS TO QUESTIONS

#### A.I.R. STAFF MEMBERS' CONTRIBUTIONS TO FOREIGN BROADCASTING ORGANISATIONS

\*572. **SHRI HARDAYAL DEVGUN:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that some staff members of All India Radio contribute also to foreign broadcasting organisations and receive payments;

(b) if so, the number of such officers and their names;

(c) whether prior permission is obtained from Government by these persons; and

(d) if not, the reasons therefor?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH):** (a) Yes, Sir.

(b) Two.

1. **Shri V. M. Chakrapani, News-reader** (Since resigned effective from 22-8-1968.)

2. **Shri R. S. Sharma, Editor, Akashvani Group of Journals.** (This information relates only to local offices of All India Radio. Information from remaining offices is being collected and will be laid on the Table of the House.)

(c) Prior permission was obtained by **Shri V. M. Chakrapani**. It was, however, not obtained by **Shri R. S. Sharma**.

(d) **Shri Sharma** did not obtain prior permission as the two short stories contributed by him for broadcast from BBC in the World Service were of non-controversial, non-political and literary nature. However the whole question is being examined with reference to the rules on the subject.

#### रेडियो 'पीस एंड प्रोग्रेस' के प्रसारण

\*573 **श्री टी० पी० शाह:**

**श्री बृज भूषण साह:**

**श्री ओंकार सिंह:**

**श्री जि० बे० सिंह:**

**श्री हुकुम चन्द कछवाय:**

क्या बंबेईसिक-कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि जून और जुलाई, 1968 के महीनों में 'रेडियो पीस एंड प्रोग्रेस' ने कुछ भारतीय नेताओं की आलोचना की थी;

(ख) क्या सरकार ऐसे प्रसारणों को भारत रूस मैत्री के विरुद्ध समझती है;

(ग) क्या सरकार ने इन महीनों में ऐसे प्रसारणों के विरुद्ध रूस सरकार को कोई विरोधपत्र भेजा है;

(घ) यदि हां, तो प्राप्त उत्तर का व्योरा क्या है; और

(ङ) इस आशय के प्रसारण के बारे में सरकार की क्या प्रतिक्रिया है कि कुछ वरिष्ठ नेता अमरीकी सेंट्रल इंटेलीजेंस एजेंसी के ऐजेंट हैं?

**बैदेशिक-कार्य मंत्रालय में उप मंत्री (श्री सुरेन्द्र पाल सिंह) :** (क) जी हां।

(ख) से (घ) जिस प्रकार के प्रसारणों का उल्लेख है उस प्रकार के कुछ प्रसारण स्पष्टतः आपत्तिजनक हैं।

इन प्रसारणों की ओर, और भारत-सोवियत संबंधों की दृष्टि से इन की हानिकारक प्रकृति की ओर, सोवियत प्राधिकारियों का ध्यान दिलाया गया है। सोवियत सरकार ने इस तरह के प्रसारणों के विरुद्ध हमारी आपत्तियों पर यथोचित ध्यान देने का वचन दिया है।

(ङ) यह आरोप एकदम बेहूदा है और सरकार इसे मानने के लिए हरगिज़ तैयार नहीं।

#### TRADE RELATIONS WITH RHODESIA

\*574. SHRI S. K. TAPURIAH : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether U.N.O. have recommended snapping totally the trade relations with Rhodesia; and

(b) if so, the details thereof and Government's reaction thereto?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) :**

(a) and (b). The Security Council adopted a resolution on 29th May 1968 imposing comprehensive mandatory sanctions against Southern Rhodesia. India voted for the resolution. The sanctions covers the areas of commercial, financial, immigration and transportation facilities.

Even before the passage of this resolution, India had severed commercial, diplomatic and other connections with Southern Rhodesia.

#### CONDEMNED VEHICLES FOR MEN

\*575. SHRI HEM RAJ : Will the Minister of DEFENCE be pleased to state :

(a) the number of condemned vehicles given to the Association of ex-servicemen, in 1966-67, 1967-68 and up-to July 1968 during the current financial year; and

(b) whether Government propose to increase their quota of these vehicles if any, in view of the large number of released ex-servicemen?

**THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA) :** (a) The number of discarded defence vehicles sold to cooperative societies of ex-servicemen at a pre-determined price was as follows :

Period	No. of discarded Defence vehicles released.
1966-67	15
1967-68	9
1968-69 (Upto July 1968)	NIL

(b) There is no fixed quota and hence the question of increase does not arise.

#### RELEASE OF PAKISTANI BOATS

\*576. SHRI NARENDRA KUMAR SALVE : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that Pakistani boats captured by the Indian Navy during January-February this year for intrusion into Indian waters have been released; and

(b) if so, the reasons therefor?

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT) :** (a) and (b). Out of 30 Pakistani vessels apprehended during January-February last, two vessels were found to have indulged in smuggling activities and necessary action is being taken against them. As the remaining vessels were not found involved in similar unlawful activities, it has been decided to

release them after taking legal action against the Pakistani nationals occupying these vessels for unauthorised entry.

#### EXTENSION OF AGREEMENT ON SUSPENSION OF OPERATIONS IN NAGALAND

\*577. SHRI BEDABRATA BARUA :  
SHRI RAGUVIR SINGH  
SHASTRI :

SHRI M. S. OBEROI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Naga underground have asked for a further extension of the Suspension of Operations Agreement beyond the 31st July, 1968;

(b) if so, Government's reaction thereto;

(c) whether this will also continue to include some areas of Manipur;

(d) whether the Manipur Government have asked for non-extension of the Agreement to Manipur in future; and

(e) if so, Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) :

(a) to (c). The period of the Agreement on the Suspension of Operations has been extended by the Governor of Nagaland up to 30th September, 1968. There is no change in the area covered by the Agreement which includes the three northern sub-divisions of Manipur.

(d) No, Sir.

(e) Does not arise.

#### अमृतसर में टेलीविजन

\*578. श्री ओम प्रकाश त्यागी :  
क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि अमृतसर तथा उस के आसपास के क्षेत्रों में रहने वाले लोगों के पास टेलीविजन सेट हैं तथा वहां से भारतीय टेलीविजन कार्यक्रम प्रसारित न होने के कारण वे लोग लाहौर

से टेलीकास्ट " किये जाने वाले कार्यक्रमों को देखते हैं ;

(ख) यदि हां, तो क्या अमृतसर में तुरन्त ही एक टेलीविजन केन्द्र खोलने के प्रश्न पर सरकार विचार करेगी ताकि वहां की जनता पाकिस्तान द्वारा टेलीविजनों से किये जाने वाले भारत-विरोधी प्रचार से गुमराह न हो सकें; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) जी, हां। अमृतसर में दो टेलीविजन सेटों के लिए अगस्त, 1968 में लाइसेंस दिए गए हैं। क्योंकि अमृतसर में लाहौर केन्द्र से टेलीविजकास्ट किए कार्यक्रम ही देखे जा सकते हैं, अतः ऐसा अनुमान है कि वे इन सेटों पर उन कार्यक्रम को देखते हैं।

(ख) अमृतसर में टेलीविजन केन्द्र स्थापित करने के किसी प्रस्ताव पर अभी तक विचार नहीं किया गया है। ना ही इस पर निकट भविष्य में विचार किए जाने की सम्भावना है।

(ग) साधनों की कमी।

#### NEPAL-PAK. TRADE ROUTE

\*579. SHRI R. K. SINHA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that Nepal and Pakistan are planning a land route between the two countries;

(b) if so, whether the route would be provided by the Government of India; and

(c) the impact of the road on Indian defences ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) :

(a) Government are not aware of such a move; indeed, there is no common border between Nepal and Pakistan so that there can be no question of a direct land route.

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

श्री लंका के तामिल भाषी लोगों की कठिनाइयाँ

\*580. श्री भटल बिहारी वाजपेयी :

श्री नारायण स्वरूप शर्मा :

श्री शारदानन्द :

श्री बलराज मधोक :

श्री जगन्नाथ राव जोशी :

क्या बंबेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि श्रीलंका के लगभग सात हजार तामिल भाषी व्यक्तियों को इस कारण बड़ी कठिनाइयाँ उठानी पड़ रही है क्योंकि केवल सिहाली को ही हाल में श्री लंका की राजभाषा बनाया गया है ;

(ख) क्या इन लोगों के हितों की रक्षा के लिए श्रीलंका सरकार के साथ कोई बातचीत की गई है ; और

(ग) यदि हाँ, तो उसका व्यौरा क्या है और उसका क्या परिणाम निकला है ?

बंबेशिक-कार्य मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र पास सिंह) : (क) भारत सरकार ने इस बारे में रिपोर्टें देखी हैं।

(ख) और (ग) जी नहीं। सदस्य मन्त्र तो जानते ही हैं, इस मामले का संबंध दूसरे देश के आंतरिक मामलों से है।

OFFICE OF MYSORE TRADE AGENT IN U.K.

\*581. SHRI J. MOHAMED IMAM :  
SHRI YASHPAL SINGH :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that Government have been urging the State Government of Mysore to abolish the office of the Mysore Trade Agent which is located in London for the last 40 years; and

(b) if so, the reasons for taking this step ?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT) : (a) and (b). No Sir. However, the question of the future of the office of the Mysore

Trade Agent in London is proposed to be examined in consultation with the State Govt. of Mysore and the Ministries concerned.

CHINESE PLAN OF GUERRILLA WARFARE IN INDO-BURMESE MOUNTAINS

\*582. SHRI MADHU LIMAYE : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that China has decided to underwrite a new theatre of guerilla warfare on the Vietnam pattern in the Indo-Burmese mountains; and

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

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT) : (a) and (b). While Government are not aware of any such specific plan, they are aware of active Chinese collusion with hostile Naga elements.

All possible measures have been taken to counter the activities of these Chinese elements.

JAPAN-INDIA BUSINESS Co-OPERATION COMMITTEE

\*583. SHRI YAMUNA PRASAD MANDAL : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) when the meetings of the Japan-India Business Cooperation Committee and those of the "mixed commissions" were held; and

(b) if so, the details of their discussions ?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) The first joint meeting of India-Japan and Japan-India Business Co-operation Committee was held in Tokyo on September 12 and 20, 1967.

(b) A copy of a statement issued on the occasion giving full details of the discussions and conclusions arrived at the meeting is placed on the Table of the House.

[Placed in Library. See No. LT-1801/68]

**भारतीय सैनिक अकादमी में प्रवेश के लिए  
पालीटेक्निक डिप्लोमा प्राप्त विद्यार्थियों की  
समस्या**

\*584. श्री निहाल सिंह : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय सैनिक अकादमी की परीक्षाओं के लिए दो-वर्षीय पाठ्य-क्रम के पालीटेक्निक डिप्लोमा को मान्यता देने का प्रश्न सरकार के विचाराधीन है; और

(ख) यदि हां, तो इस पर सरकार ने क्या निर्णय किया है?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) : (क) तथा (ख). इंजीनियरी में एक डिप्लोमा परीक्षा भारतीय सैनिक अकादमी में प्रवेश के लिए पहले से स्वीकार्य है अगर परीक्षा मैट्रिकुलेशन पास करने के पश्चात् कम से कम 2 वर्ष के पाठ्य क्रम के पश्चात् पास की गई हो, और परीक्षा किसी राज्य सरकार द्वारा उस के अधीन सेवा के लिए मान्य हो। भारतीय विदेश सेवा के बारे में पिल्ले समिति का प्रतिवेदन

\*585. श्री रामस्वरूप विद्यार्थी : क्या वंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारतीय विदेश सेवा के बारे में पिल्ले समिति द्वारा की गई सभी सिफारिशों को स्वीकार कर लिया गया है ;

(ख) यदि नहीं, तो किन सिफारिशों को स्वीकार किया गया और उन्हें किस प्रकार क्रियान्वित किया है ; और

(ग) सरकार द्वारा अस्वीकार की गई सिफारिशों का ब्योरा क्या है ?

वंदेशिक-कार्य मंत्रालय में राज्य मंत्री (श्री ब० रा० मगत) : (क) और (ख). भारतीय विदेश सेवा समिति की अधिकांश प्रमुख सिफारिशें सिद्धांत रूप में स्वीकार कर ली हैं। जो सिफारिशें विदेश मंत्रालय

की प्रशासनिक सामर्थ्य में हैं वे या तो क्रियान्वित कर दी गई हैं या की जा रही हैं जहां तक अन्य सिफारिशों का प्रश्न है जिन पर दूसरे मंत्रालयों से और संघ लोक सेवा आयोग से परामर्श करने की आवश्यकता है, उन पर इस तरह का परामर्श लिया जा रहा है और जल्दी ही अंतिम रूप से कोई निर्णय ले लिया जाएगा।

(ग) विदेश मंत्रालय ने जो प्रमुख सिफारिशें स्वीकार नहीं की हैं, उनमें से भी शामिल हैं :

(1) महा-सचिव का पद पुनः बनाने का प्रस्ताव :

(2) विवाहित महिला अधिकारियों को आदान-प्रदान के आधार पर भारतीय प्रशासन सेवा में स्थानांतरित करना; और

(3) भारतीय प्रशासन सेवा तथा दूसरी सेवाओं से अधिकारियों को नियमित रूप से मांगना।

**DISPUTES IN FILM INDUSTRY**

\*586. SHRI HIMATSINGKA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the disputes and differences between the film producers, distributors and exhibitors have been resolved; and

(b) if so, on what terms the differences between the producers and film stars on the one side and the distributors and exhibitors on the other side have been resolved?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Yes, Sir.

(b) Copies of agreements arrived at between the various constituents of film industry, as supplied by the Indian Motion Picture Producers' Association, are laid on the Table of the House.

[Placed in Library. See No. LT-1802/68].

**GANDHI CENTENARY CELEBRATIONS  
COMMITTEE**

\*587. SHRI C. K. BHATTACHARYA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether a Committee has been set up under his Ministry in connection with the Gandhi Centenary celebrations;

(b) if so, when the committee was set up and who are its members;

(c) the number of meetings of the Committee held so far; and

(d) the work which has been done by the Committee so far ?

THE MINISTER OF INFORMATION AND BROADCASTING ( SHRI K. K. SHAH ) : (a) and (b). In pursuance of the resolution passed by the Executive Committee of the National Committee for Gandhi Centenary a "Sub-Committee for Media of Mass Communication" was set up in March 1966. A statement indicating the membership of the Sub-Committee is placed on the Table of the House. [Placed in Library. See No. LT-1803/68].

(c) Three meetings of the Sub-Committee were held in Delhi on 23rd March, 1966, 20th October, 1966 and 18th June, 1968.

(d) The Sub-Committee has, in consultation with the different media units of the Ministry of Information and Broadcasting, drawn up elaborate plans to spread the message and teachings to Gandhiji during the period of centenary celebration. It has taken various steps to enlist voluntary participation of prominent institutions, non-official agencies, Press, Publishers, film industry, etc. in the organisation and projection of programmes, to be launched during Gandhi Centenary Year. It has also requested the State Governments to prepare similar programmes and many of them have done so.

**MANUFACTURE OF MISSILES IN INDIA**

\*588. SHRI KANWAR LAL GUPTA :  
SHRI RAM GOPAL SHALWALE :

Will the Minister of DEFENCE be pleased to state :

(a) whether any progress has been made in regard to the making of missiles in India;

(b) if so, the details thereof; and

(c) if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) to (c). It will not be in public interest to disclose the information.

**पनडुब्बियों का निर्माण**

\*589. श्री महाराज सिंह भारती :  
क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि किन कारणों से सरकार भारत में पनडुब्बियां बनाने की स्थिति में नहीं है ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री स० ना० मिश्र) : पनडुब्बियों के निर्माण में अन्तर्ग्रस्त है भारी विशिष्ट ज्ञान तथा विशेष सुविधाओं का निर्माण, जो भारत में इस समय प्राप्य नहीं है।

**DROUGHT MAP OF ORISSA**

\*590. SHRI CHINTAMANI PANIGRAHI : Will the PRIME MINISTER be pleased to state :

(a) whether the Orissa Government have been asked to prepare a drought map of Orissa by the Planning Commission for submission to Government in order to draw a programme of permanent solution of the chronic drought conditions in Orissa;

(b) whether this map has been submitted; and

(c) if so, the nature of this map ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) to (c). All State Governments, including Orissa,

have been requested by the Ministry of Food, Agriculture to classify their chronically drought affected areas into 'A', 'B' and 'C' categories, based on a total or almost total failure of crops in the area once every three years, six year, or ten years respectively. It is proposed to make a beginning by taking up pilot projects covering an area not larger than an average district, in the areas classified as 'A'. Scheme relating to the investigation of groundwater and mineral resources, minor irrigation, soil and water conservation works, afforestation and the development of pastures are proposed to be taken up.

The reply of the Government of Orissa is still awaited.

#### ALTERNATIVE JOBS TO DISCHARGED TRADE APPRENTICES

\*591. SHRI S. M. BANERJEE: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that the Trade Apprentices discharged from the various Ordnance Factories have not so far been provided with alternative jobs;

(b) if so, the number of those who are still waiting for jobs; and

(c) the reasons for not providing them with jobs in the newly established Ordnance Factories?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA): (a) Trade Apprentices are trained in the Factories under the provisions of the Apprentices Act 1961. There is no obligation on the part of the Management to provide employment to the apprentices on completion of the training.

(b) The number of Trade Apprentices, who have completed training but could not be offered employment is 1,114.

(c) Although the names of such Apprentices have been circulated to the new factories, they could not be absorbed due to lack of vacancies.

#### भारतीय वायु सीमा का चीन/पाकिस्तान द्वारा उल्लंघन

\*592. श्री प्रकाशवीर शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि ;

(क) क्या गत तीन महीनों के दौरान चीन और पाकिस्तान ने भारतीय वायु सीमा का कोई उल्लंघन किया है ;

(ख) यदि हां, तो कब और कहाँ पर ;

(ग) क्या सम्बन्धित देशों को कोई विरोध पत्र आदि भेजे गये थे ; और

(घ) विरोध-पत्रों पर उन देशों की क्या प्रतिक्रिया है ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) :

(क) तथा (ख) : आज तक सरकार को प्राप्त सूचना के अनुसार गत तीन मासों में पाकिस्तानी विमानों द्वारा भारतीय अन्तरिक्ष क्षेत्र के 3 अतिलंघन हुए हैं, यह अतिलंघन जम्मू तथा काश्मीर और पंजाब में 11 जून, 10 जुलाई और 7 अगस्त 1968 को हुए थे। उपरोक्त अवधि में चीनी विमानों द्वारा भारतीय अन्तरिक्ष क्षेत्र का कोई अतिक्रमण नहीं हुआ है।

(ग) जम्मू तथा काश्मीर के अतिरिक्त अन्य क्षेत्रों में अन्तरिक्ष क्षेत्रीय उल्लंघनों के सम्बन्ध में पाकिस्तान सरकार को विरोध पत्र भेजे गए थे। जम्मू तथा काश्मीर में अन्तरिक्ष उल्लंघन के सम्बन्ध में संयुक्त राष्ट्रों के प्रेक्षकों को सिकायत भेज दी गई थी।

(घ) पाकिस्तान सरकार से उत्तर प्रतीक्षित है।

#### CHINA'S ARRANGEMENTS WITH PAKISTAN AND AFGHANISTAN ABOUT I.C.B.M. OVER- FLIGHTS

\*593. SHRI BENI SHANKER SHARMA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether China is making arrangements with Pakistan and Afghanistan for over-flights by an improvised inter-continental ballistic



missile presumably to be launched from the Sinkiang desert and aimed towards the Indian Ocean; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT): (a) Government of India have no such information.

(b) Does not arise.

DIPLOMATIC PASSPORT FOR CONGRESS PRESIDENT

\*594. SHRI P. VISWAMBHARAN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Congress President, Shri Nijalingappa, has been issued diplomatic passport to visit Japan.

(b) if so, the reasons therefor; and

(c) whether office-bearers of other political parties are also given diplomatic passports when they go abroad?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT): (a) Yes, Sir.

(b) Shri S. Nijalingappa was issued a diplomatic passport in accordance with the rules which were laid on the Table of the House (Lok Sabha) with reference to question No. 4754 answered on 18-12-1967.

(c) The question has not arisen so far.

ANTI-INDIAN PROPAGANDA BY RADIO PAKISTAN AND RADIO PEKING

\*595. SHRI D. C. SHARMA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether propaganda by Radio Pakistan and Radio Peking against India continues unabated;

(b) if so, whether any efforts have been made by Government to check the same; and

(c) if so, with what results?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT): (a) Yes, Sir.

(b) and (c) Efforts are constantly made, through various available means, to counter such propaganda. We believe that our position is generally understood and the propagandist character of Chinese and Pakistani radio broadcast is exposed.

PAK.-IRAN JOINT COMMUNIQUE ABOUT KASHMIR

\*596. SHRI ANBUCHESZHIAN:

SHRI N. R. LASKAR:

SHRI K. R. GANESH:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the Pak-Iran Joint Communique issued on the 27th July, 1968 in which reference has been made about Kashmir;

(b) the reaction of Government thereto; and

(c) whether this matter has been taken with the Government of Iran and if so, the result thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT): (a) Yes, Sir.

(b) and (c) We have taken up the matter with the Iranian Government through its Embassy here, as well as the Foreign Office in Tehran.

CONCENTRATION OF PAKISTAN'S ARMED STRENGTH ON JAMMU AND KASHMIR BORDERS

\*597. SHRI CHENGALRAYA NAIDU: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that Pakistan is concentrating her armed strength in the areas of Gilgit in Jammu and Kashmir State and a Pakistan Military Plane crash took place in Gilgit recently;

(b) if so, whether the plane had intruded into the Indian territory also;

(c) why the Indian forces did not intercept the plane; and

(d) the steps taken by Government to strengthen the security arrangements at the borders in view of Pakistan's war-like designs?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) :** (a) Government have no information regarding any unusual Pakistani troop concentrations in Gilgit area. Two Pakistani aircraft are reported to have crashed in the area recently.

(b) No, Sir.

(c) Does not arise.

(d) it is not in public interest to give details of the security arrangements taken by us on our borders.

#### **EAST EUROPEAN COUNTRIES' STAND ON KASHMIR ISSUE**

**\*598. SHRI P. N. SOLANKI :** Will the Minister of **EXTERNAL AFFAIRS** be pleased to state :

(a) the stand of the East European countries on the Kashmir issue;

(b) whether the East European countries or any single country from the region has given a separate viewpoint on the Kashmir issue;

(c) if so, the details thereof;

(d) whether there is any East European country which has openly supported Pakistan on the Kashmir issue; and

(e) if so, which country or countries ?

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT) :** (a) to (e). All the East European countries except Albania have broadly speaking, supported India's position on Kashmir. Albania, however, takes a pro-Pakistani attitude on Kashmir.

#### **MIG PLANT AT NASIK**

**\*599. SHRI INDRAJIT GUPTA :** Will the Minister of **DEFENCE** be pleased to state :

(a) whether it is a fact that delay in the construction of several key buildings and shops of the MIG plant at Nasik has delayed the manufacturing schedule also;

(b) the name of the construction firm to whom the building contracts were given;

(c) whether it is a fact that the Hindustan Aeronautics Ltd., management exercised no direct supervision over the works; and

(d) if so, the amount, if any, recoverable on account of non-fulfilment of the target dates for construction ?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) :** (a) Yes, Sir. There has been delay in the construction of some key buildings and shops. The delay in the production programme, however, has not been so serious as to affect production schedule adversely.

(b) M/s. Gammon (India) Limited.

(c) Yes, Sir. The civil works have been undertaken through the agency of the State Government.

(d) Rs. 2,24,900 approx. subject to any refunds that may be sanctioned.

#### **NAGA PROBLEM**

**\*600. SHRI PREM CHAND VERMA :** Will the Minister of **EXTERNAL AFFAIRS** be pleased to state :

(a) whether it is a fact that a review of Naga problem was made in the consultation with the Government of Nagaland and the Governor of Assam and Nagaland recently at New Delhi; and

(b) if so, the nature of issues discussed and the decisions taken in regard to the policy to be adopted in dealing with the underground Nagas ?

**THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) :** (a) Such periodical review does take place as part of the normal administrative process.

(b) The House will not expect the details of such Secret internal discussions to be disclosed.

#### **VICTIMISATION OF STAFF OF A.I.R., NAGPUR**

**4673. SHRI ABDUL GHANI DAR :** Will the Minister of **INFORMATION AND BROADCASTING** be pleased to state :

(a) whether it is a fact that certain employees have been penalised for expressing the grievances of the local

staff of A.I.R., Nagpur during 1966-67 and 1967-68; and

(b) if so, the steps likely to be taken to safeguard the rights of A.I.R. employees in such cases?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) :** (a) No, Sir. But some employees who were found guilty of misconduct and disorderly behaviour have been proceeded against departmentally.

(b) Does not arise. Legitimate interests of AIR employees are always safeguarded and their grievances looked into sympathetically.

#### COMPENSATION FOR ACQUISITION OF LAND

4674. **SHRI C. K. BHATTACHARYA :** Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred Question No. 1085 on the 20th November, 1967 and state :

(a) whether compensation already determined had since been paid to all the 92 families of Darjeeling District, who were affected by acquisition of their homestead land; and

(b) whether compensation due to the remaining 58 families has also been finally determined and paid?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) :** (a) Yes, Sir. Initial compensation amounting to Rs. 48058.71 and rental compensation amounting to Rs. 7460.64 at Rs. 2410.02 per annum for the period ending 18-2-1968 have since been disbursed by the local revenue authorities to the 92 families.

(b) The final assessment of compensation due to the remaining 58 families has not yet been completed by the Competent Authority who has been expedited to determine the same and disburse the amounts involved.

#### COMMERCIAL BROADCASTS

4675. **SHRI BABURAO PATEL :** Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the names of stations from where commercial advertising is broadcast and the time of the day when it is done;

(b) when the remaining stations will be used for this purpose;

(c) the rates charged for commercial advertising and whether they are for a particular station or on all-India bands;

(d) the commission allowed to advertising agencies;

(e) whether tapes are accepted for advertising purposes; and

(f) the net revenue received since the inception of the scheme and the amount of commission paid to advertising agencies with their names?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) :** (a) Advertisements are broadcast from Bombay, Poona and Nagpur for a total duration of 75 minutes per day in the Vividh Bharati Service between the hours of 7 a.m. and 10.40 p.m. on all days. On Saturdays the hours of broadcast extend up to 11.10 p.m.

(b) The Commercial Service will be extended to other Vividh Bharati Centres according to a phased programme. It will be extended to Calcutta, Delhi and Madras in the course of the next few months.

(c) The rates charged for advertising vary with the time of day, duration, and various other factors. Rate cards, setting forth all the details are distributed and are available to those who require them.

The rates would vary from centre to centre. Those fixed for Bombay include the broadcast of the same advertisements from Poona and Nagpur simultaneously.

(d) A 15% commission is allowed to accredited/recognised advertising Agencies.

(e) Yes, Sir. The advertising "spots" are accepted in the form of recordings on tape which are provided by the advertisers.

(f) The net revenue from advertising after deducting agency commissions between 1-11-1967 and 31st July 1968 is Rs. 29,75,629. The total amount paid in commissions to 42 agencies is

Rs. 5,12,036. The information relating to individual agencies is confidential.

**भारतीय सेना के मेजर द्वारा कुमारी बिल्ली (श्री फिजो की भतीजी) को बचाने का यत्न**

4677. श्री राम गोपाल शालवाले : क्या बंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय सेना के एक मेजर ने विद्रोही नागा नेता श्री फिजो की भतीजी कुमारी बिल्ली को बचाने के लिए अपने सैनिकों को तब तक गोली न चलाने का आदेश दिया जब तक कि वह सुरक्षित रूप से बाहर नहीं आ जाती ;

(ख) क्या यह भी सच है कि मेजर की कुमारी बिल्ली से व्यक्तिगत रूप से जानपहचान थी, यदि हां, तो क्या सरकार को उसकी गतिविधियों की जानकारी है ;

(ग) क्या यह भी सच है कि उक्त मेजर जब विद्रोहियों के कैंप की ओर कुमारी बिल्ली को वापिस छोड़ने जा रहा था तो उसे विद्रोहियों ने गोली से मार दिया ; और

(घ) क्या सरकार को किसी और ऐसे अधिकारी की जानकारी है कि जिसका विद्रोहियों के परिवार के किसी परिवार के साथ सम्बन्ध है ?

**प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंदेशिक-कार्य मंत्री (श्रीमती इंदिरा गांधी) :** (क) से (घ). सरकार की जानकारी यह है कि नागालैंड स्थित सुरक्षा सेना द्वारा प्राप्त सूचना से ऐसा समझा जाता है कि तुतूरसीनो (फिजो की पुत्री) के साथ कुछ और लड़कियां भूमिगत कैंप में उपस्थित थीं। 7 जून, 1968 को हमारी सुरक्षा सेना ने इस कैंप पर छापा मारा था ; किन्तु उपद्रवी नागा छिप गए और इस बात की पुष्टि नहीं हो सकी कि लड़कियां सचमुच में उपस्थित थीं भी या नहीं। इस मुठभेड़ में एक थल सेना मेजर मारा गया जो छिपे नागाओं पर हमला करने के लिए

न कि जैसा कहा गया है, तथाकथित कुमारी बिल्ली को बचाने के लिए, अपनी बटालियन का नेतृत्व कर रहा था।

**EDUCATION ALLOWANCE TO CHILDREN OF J.C.Os.**

4678. SHRI HEM RAJ : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that the Education Allowance given to the children of the Junior Commissioned Officers and other ranks is stopped on their retirement even though their wards may not have completed their education; and

(b) if so, whether Government propose to continue this allowance after their retirement from service till such time as their children complete their education ?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) :** (a) and (b). Children Education Allowance is admissible to the children of JCOs and Other Ranks till the end of the academic year, in case they retire or are discharged in the middle of an academic year. This is payable subject to the fulfilment of other prescribed conditions. One of the basic condition is, that the children study and stay at a place other than the one at which the retired or discharged serviceman resides. Government do not propose to relax further the existing concession.

**MILITARY DELEGATION FROM U.S.S.R.**

4679. SHRI PREM CHAND VERMA :  
SHRI YAJNA DATT  
SHARMA :

Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that a high-powered Military Delegation from U.S.S.R. is due to visit India;

(b) whether it is also a fact that the same delegation visited Pakistan prior to its scheduled visit to India; and

(c) the nature of discussions held with the delegation in India and the outcome thereof ?

**THE MINISTER OF DEFENCE**  
(SHRI SWARAN SINGH) : (a) No, Sir.

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

**ATOMIC ENERGY FOR FOOD PRODUCTION**

4680. SHRI NARENDRA KUMAR SALVE : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that atomic energy is to be utilised for increasing food production in the country; and

(b) if so, the progress which has so far been made in this direction ?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS** (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir. Improvement of crop plants by atomic radiations is one of the important objectives of the atomic energy programme.

(b) A number of high yielding and promising mutant varieties have been evolved in rice and of groundnut. 3 rice varieties and 8 groundnut varieties are being tested by All India Co-ordinated Rice and Groundnut Improvement Projects organised by the Indian Council of Agricultural Research.

**EXPERTS BODY GARHWALI CULTURE IN AIR**

4681. SHRI R. K. SINHA :  
SHRI YASHPAL SINGH :

Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether Government have received complaints about the derogatory reference made to Garhwal during the Crime Prevention Week in the All India Radio;

(b) whether any demand from the Garhwal Nav Jagran Samiti has been made for setting up a Committee of experts to advise the All India Radio on the Garhwali culture and folk songs; and

(c) if so, Government's reaction thereto ?

**THE MINISTER OF INFORMATION AND BROADCASTING** (SHRI K. K. SHAH) : (a) Yes, Sir.

(b) Yes, Sir.

(c) A Garhwali programme of 10 minutes' duration, mainly consisting of songs, is broadcast twice a week in the Forces Programme broadcast by AIR Delhi. Government do not consider it necessary to set up a committee of experts on the culture and folk songs of Garhwal because the Garhwali programme is already in the hands of a person well conversant with the Garhwali culture. Nevertheless, the help of wellknown writers and authorities on Garhwali culture and music is obtained, wherever necessary, in planning and presenting the Garhwali Programmes.

The feature broadcast on 18th April, 1968 in connection with the Crime Prevention Week did not intend to cast any aspersion on the Garhwali community or area.

**"VANDNA" PROGRAMME OF A.I.R.**

4682. SHRI SHIV KUMAR SHASTRI :

SHRI RAMAVATAR SHASTRI :

Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that psalms are prominently sung in the "Vandna" programme of A.I.R. twice a week between 6.45 A.M. and 7.30 A.M.

(b) whether it is also a fact that despite repeated demands for including the ancient Indian devotional songs about Vedas in that programme, they are not being included therein;

(c) if so, the reasons therefor ?

**THE MINISTER OF INFORMATION AND BROADCASTING** (SHRI K. K. SHAH) : (a) Psalms are sung in the Vandana programme of A.I.R. once a week, namely, on Sundays for a duration of ten minutes;

(b) No, Sir. Vedic hymns and songs about Dadas are broadcast on two days in a week, namely, Wednesdays and

Saturdays. In addition, devotional songs in Sanskrit are included in the Vandana programme;

(c) Does not arise.

गांधी शताब्दी समारोह के सम्बन्ध में पुस्तकें

4683. श्री यमुना प्रसाद मंडल : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) 1969 में गांधी शताब्दी समारोह के सम्बन्ध में उनके मंत्रालय का विचार कितनी पुस्तकें प्रकाशित करने का है; और

(ख) ये पुस्तकें कब तक प्रकाशित हो जायेंगी ?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह) : (क) 19 शीर्षकों के अन्तर्गत विभिन्न भाषाओं में 58 पुस्तकें।

(ख) दस पहले ही प्रकाशित की जा चुकी हैं, सात और की 2 अक्तूबर, 1968 तक प्रकाशित हो जाने की संभावना है और शेष प्रकाशन शताब्दी वर्ष के दौरान तैयार हो जायेंगी।

आकाशवाणी के दरभंगा केन्द्र से गांधी शताब्दी समारोह के लिये कार्यक्रम

4684. श्री यमुना प्रसाद मंडल : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) गांधी शताब्दी समारोह के अवसर पर 1969 में आकाशवाणी के दरभंगा केन्द्र से विशेषकर सीमावर्ती क्षेत्रों के लिये प्रसारित किये जाने वाले कार्यक्रमों का व्यौर क्या है;

(ख) ऐसे दूरस्थ क्षेत्रों के नाम क्या-क्या हैं जहां दरभंगा केन्द्र की मंडलियों ने प्रचार कार्य किया है, कर रही हैं करेंगी तथा क्या उनके लिये कोई निश्चित कार्यक्रम तैयार किया गया है तथा वहां से कितने मैथिली कार्यक्रम प्रसारित किये जाते हैं; और

(ग) क्या दरभंगा केन्द्र से सीमावर्ती क्षेत्रों के लिए विशेष प्रकार कार्य करने के

लिये संसद सदस्यों की एक छोटी अनौपचारिक सलाहकार समिति बनाने का सरकार का विचार है ?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह) : (क) आकाशवाणी का दरभंगा में इस समय कोई केन्द्र नहीं है और इसके 1969 तक स्थापित होने की संभावना नहीं है।

(ख) और (ग). इस अवस्था में सवाल नहीं उठता, परन्तु इस पर केन्द्र के स्थापित होने के बाद विचार किया जाएगा।

नाटक मंडली द्वारा नाटक खेलना

4685. श्री यमुना प्रसाद मंडल : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि उत्तर प्रदेश और बिहार के लिए चुनी गयी नाटक मंडली ने 1967-68 में कितने नाटक खेले, किन-किन जिलों में तथा किस-किस तारीख को खेले ?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह) : 1967-68 में गीत तथा नाटक प्रभाग की विभागीय नाटक मंडली ने उत्तर प्रदेश और बिहार के लिये 103 कार्यक्रम दिये। एक विवरण जिसमें व्यौर दिया हुआ है सदन की मेज पर रख दिया गया है [पुस्तकालय में रख दिया गया। देखिये संख्या LT—1804/68]।

हिन्दी भ्रशुलिपिक

4687. श्री राम स्वरूप विद्याधी : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय में हिन्दी आशुलिपिकों के कितने पद हैं;

(ख) गृहकार्य मंत्रालय के आदेशानुसार अनुसूचित जातियों तथा अनुसूचित आदिम जातियों के लिए कितने पद आरक्षित हैं;

(ग) क्या उपरोक्त जातियों तथा आदिम जातियों के व्यक्ति सभी आरक्षित पदों पर काम कर रहे हैं; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) :

(क) दो :

(ख) से (घ). (हिन्दी आशुलिपिकों समेत) आशुलिपिकों के ग्रेड में अनुसूचित जातियों और अनुसूचित कबीलों के लिए स्थान आरक्षित करने का प्रश्न इस समय इस विषय पर गृह मंत्रालय द्वारा आधुनिकतम आदेशों की रोशनी में समग्रतः निरावधानाधीन है।

योजना आयोग में हिन्दी आशुलिपिक

4688. श्री राम स्वरूप विद्यार्थी : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) योजना आयोग में हिन्दी आशुलिपिकों के कितने पद हैं ;

(ख) गृह-कार्य मन्त्रालय के आदेशों के अनुसार अनुसूचित जातियों और अनुसूचित आदिम जातियों के लिए कितने पद आरक्षित हैं ;

(ग) क्या उक्त जातियों और आदिम जातियों के लिए आरक्षित सभी पदों पर उन जातियों और आदिम जातियों से सम्बन्धित व्यक्ति काम कर रहे हैं ; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा बंदेशिक-कार्य मंत्री : (श्रीमती इंदिरा गांधी) : (क) से (घ). दिनांक 4-12-1967 के अतारक्षित प्रश्न संख्या 2917 के उत्तर की ओर ध्यान दिलाया जाता है। अभी स्थिति वही है।

CINEMA HOUSES UNDER FOURTH PLAN

4689. SHRI HIMATSINGKA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether there is any scheme for increasing the number of cinema houses in the different States under the Fourth Five Year Plan; and

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(b) if so, the details thereof and whether the Central or State Governments would participate in the venture and if so, in what manner ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). Cinema is a states subject and therefore, so far no coordinated plan could be prepared. Government of India are, however, exploring possibilities of setting up a co-ordinating body for solution of various problems including the question of increasing of cinema houses.

U.K. RESEARCH ON GERM WELFARE

4690. SHRI KANWAL LAL GUPTA :

SHRI SHARDA NAND :

SHRI RAM GOPAL SHALWALE :

SHRI T. P. SHAH :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government are aware that the U.K. Government are making research on Germ Warfare ;

(b) whether it is also a fact that some protests were also made in U.K. against this research; and

(c) if so, whether Government have protested against this ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). Government has seen the Press report to this effect.

(c) No, Sir.

कृषि संबंधी प्रसारण

4691. श्री महाराज सिंह भारती : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आकाशवाणी द्वारा प्रसारित कृषि सम्बन्धी भाषणों और वार्ताओं को भी कुछ समाचार पत्रों में प्रकाशित किया जाता है ;

(ख) यदि हां, तो उन समाचार पत्रों के क्या नाम हैं ; और

(ग) यदि नहीं, तो जो किसान आवश्यकता पड़ने पर इनको पढ़ना या इनका उपयोग करना चाहते हैं उनके लिए इस बारे में क्या प्रबन्ध करने का विचार है?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह) : (क) जी, हाँ। कृषि सम्बन्धी महत्वपूर्ण वार्ताएँ उन समाचार-पत्रों और पत्रिकाओं को उपलब्ध की जाती हैं जिन्होंने उनसे रुचि दिखाई हो।

(ख) निम्नलिखित समाचार पत्रों ने हाल के महीनों में कुछ वार्ताओं को संक्षिप्त रूप में प्रकाशित किया है :—

स्वतन्त्र भारत, लखनऊ मेल (हिन्दी),  
पाइनर (अंग्रेजी), तरुण भारत  
(मराठी), दीन मलार (तमिल),  
संयुक्त कर्नाटक, विशाल कर्नाटक और विश्ववाणी (कन्नड)

(ग) अनेक राज्य सरकारों ने कृषि और उससे सम्बन्धित विषयों पर महत्वपूर्ण वार्ताएँ सम्पूर्ण या संक्षिप्त रूप में अपनी उन पत्रिकाओं में प्रकाशित करने के प्रबन्ध किए हैं जो कृषि और ग्रामीण विकास के बारे में होती हैं। इस प्रकार की पत्रिकाएँ आम तौर पर पंचायतों और ग्राम पुस्तकालयों में उपलब्ध हैं।

**मेरठ छावनी में असेैनिक कर्मचारी**

4692. श्री महाराज सिंह भारती : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) मेरठ छावनी में कितने असेैनिक लोगों के मकान सैनिक आवश्यकताओं के लिए खाली करवाये जा रहे हैं और ये सैनिक आवश्यकताएँ क्या हैं;

(ख) क्या ये आवश्यकताएँ हजारों एकड़ उपलब्ध परती भूमि तथा खेती वाली भूमि से पूरी नहीं की जा सकती;

(ग) क्या सरकार ने कोई ऐसे नियम बनाये हैं जिनके अन्तर्गत उस स्थिति में

असेैनिक लोगों के मकान खाली नहीं करवाये जाने चाहिए जब कि इन आवश्यकताओं को पूरा करने के लिए अन्य वैकल्पिक स्थान उपलब्ध हों; और

(घ) यदि हाँ, तो मेरठ छावनी के बारे में इन नियमों का पालन न किये जाने के क्या कारण हैं?

प्रति रक्षा मंत्री (श्री स्वर्ण सिंह) :

(क) पुरानी घाटों के 7 बंगले कि जो समग्रतः या अंशतः असेैनिकों द्वारा धारण किए गए हैं और जिन का क्षेत्र लगभग 20 एकड़ है, सैनिक सेविवर्ग को वास्य स्थान प्राप्य करने के लिए वापस किए जा रहे हैं।

(ख) स्पष्ट है कि छावनियों में ऐसी भूमि पर समस्त उद्देश्य के लिए अधिक उपयुक्त हैं।

(ग) और (घ). वापस लौटाने के हर मामले पर मेरिट के आधार पर सावधानी से विचार किया जाता है, और वैकल्पिक स्थानों की प्राप्यता का भी ध्यान रखा जाता है।

**मेरठ में बाबूगढ़ फार्म**

4693. श्री महाराज सिंह भारती : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मेरठ जिले में बाबूगढ़ फार्म में आलू के विकास के बारे में अनुसंधान कार्य का संचालन उनके मंत्रालय के अन्तर्गत हो रहा है;

(ख) यदि हाँ, तो इस बारे में अब तक कितनी प्रगति हुई है; और

(ग) यदि नहीं, तो उक्त फार्म की भूमि किन व्यक्तियों को पट्टे पर दी गई है, पट्टे पर दी गई भूमि का क्षेत्र कितना है, इसकी शर्तें क्या हैं और यह भूमि कितने वर्षों के लिए पट्टे पर दी गई है?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) :

(क) से (ग). सेना का एक ऐक्वाइन



ब्रीडिंग स्टड बावूगढ़ में स्थित है जहां कृषि संक्रियाएं हस्तगत की जाती हैं। इस स्टड से संलग्न भूमि में आलुओं के विकास के लिए कोई अनुसंधान नहीं किया जाता। न ही स्टड की कोई भूमि पट्टे पर ही दी गई है।

**LEAVE TO INDUSTRIAL WORKERS IN DEFENCE ESTABLISHMENTS**

4694. SHRI S. M. BANERJEE: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that the unanimous recommendations of the Second Pay Commission regarding the grant of leave to industrial workers in the Defence Establishments has not so far been implemented;

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

(c) the steps taken by Government to implement them -

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) to (c). The recommendations of the Second Pay Commission regarding leave to industrial workers in Defence Establishments, except that relating to "earned leave" have been implemented. As regards the recommendation relating to earned leave, it was decided by Government in 1960, that it should be placed before the National Council of the Joint Consultative Machinery as it involved a general issue. The Council discussed this item in their meetings held on 11th and 12th July 1963. A detailed note was circulated by the official side, with a view (i) to simplify the procedure in working out the leave entitlement; and (ii) to get the concurrence of the Council to the recommendations of the Pay Commission. As the staff side wanted further time to consider the full implication of the proposal, further consideration of this item was postponed.

**भारत के विरुद्ध पाकिस्तान और चीन द्वारा युद्ध की तैयारी**

4695. श्री प्रकाशबीर शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि चीन तथा पाकिस्तान आसाम-नागालैंड-नेफा सीमाओं पर योजनाबद्ध तरीके से युद्ध की तैयारी कर रहे हैं;

(ख) क्या उन्होंने अपनी प्रतिरक्षा स्थिति में भी काफी सुधार कर लिया है; और

(ग) क्या विद्रोही नागाओं से हाल में पकड़े गये मानचित्रों तथा दस्तावेज से भी इस तथ्य की पुष्टि होती है?

**प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) :** (क) से (ग). पाकिस्तान के चीन से संबंधित विशेष-कर सैनिक क्षेत्र में, अच्छी तरह विदित हैं। चीनी सैनिक हमारी सीमाओं के उस पार भारी संख्या में विद्यमान हैं। उन्होंने नई सड़कों का निर्माण करके और वर्तमान सड़कों में सुधार कर के अपनी लाजिस्टिक क्षमता में भी सुधार कर लिया है। सशस्त्र पाकिस्तानी सेनाओं में वृद्धि समेत पाकिस्तान की सैनिक तैयारी जारी है। इन से समस्त सीमा के साथ-साथ संकट का भय है, और किसी विछिन्न ढंग से किसी एक क्षेत्र के संबंध में कार्यवाही बुद्धिमत्ता न होगी। नागा विद्रोहियों से हाल ही में पकड़ी दस्तावेज पाकिस्तान या चीन की सैनिक तैयारियों से संबंधित नहीं है।

**RUSSIAN CONSULATE AT CALCUTTA**

4696. SHRI BENI SHANKER SHARMA :

**SHRI D. C. SHARMA :**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the Russian Embassy officials have drawn the attention of the Protocol Division of his Ministry to the attack on their Consulate at Calcutta during the second week of July, 1968 by students led by the Right-Wing Vidhyarti Parishad which had organised a demonstration against the reported decision by U.S.S.R. to give arms to Pakistan;

(b) if so, the reaction of Government thereto; and

(c) the action taken in the matter ?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) Yes, Sir.

(b) and (c). The Government, while conveying regret, have informed the Soviet Embassy that necessary measures would be taken to maintain law and order, particularly in view of the friendly relations between the two countries. The State Governments concerned have been instructed to take adequate precautionary measures to prevent such lawless acts. The West Bengal Government have arrested 21 demonstrators and have registered a case under Section 148/427 IPC against them.

#### CHINESE PROPAGANDA IN TIBET

**4697. SHRI BENI SHANKER SHARMA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware that the Chinese have launched a propaganda in Tibet that the Government of India in collusion with the Dalai Lama are making preparations to attack Tibet; and

(b) if so, the steps which Government have taken or are taking to counteract this anti-Indian propaganda besides the usual protest note

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) No, Sir. Government's information is that Chinese propaganda has been to the effect that the Dalai Lama will not return to Tibet.

(b) Does not arise.

#### COUP IN IRAQ

**4698. SHRI BENI SHANKER SHARMA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the regime of President Abdel Rahman Aref was overthrown on the 16th July, 1968 in a bloodless coup-d'etat and Major General Ahmed Hassan al Bakr was elected President of Iraq; and

(b) if so, whether Government have recognised the new Government of Iraq?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) Presumably the Hon'ble Member is referring to the change of Government that took place in Iraq on the 17th July 1968.

(b) The new Iraqi Government headed by General Ahmed Hassan al-Bakr is recognised as the legal Government of Iraq by the Government of India. As it is only a change in Government, there is no question of extending formal recognition to the new Government of Iraq.

#### STRIKING POWER OF INDIAN AIR FORCE

**4699. SHRI BENI SHANKER SHARMA:** Will the Minister of DEFENCE be pleased to state:

(a) whether the striking power of the Indian Air Force has improved considerably;

(b) if so, how it compares with that of Pakistan;

(c) whether there is need for further improvement; and

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

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) Yes, Sir.

(b) I.A.F. continues to maintain air superiority.

(c) Yes, Sir.

(d) Development of the Air Force is constantly under review.

#### EDITOR-IN-CHIEF OF SAINIK SAMACHAR

**4700. SHRI P. VISWAMBHARAN:** Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred Question No. 2116 on the 28th February, 1968 and state:

(a) what were the qualifications and background of the present incumbent of the post of Editor-in-Chief of Sainik Samachar on the date of his attachment;

(b) what were the qualifications and background of other officers, if any,

who were considered alongwith him for the post;

(c) whether this officer is retiring shortly and if so, whether a decision to appoint or attach another officer in his place has been taken; and

(d) whether qualifications for civilian incumbents to this post have since been prescribed?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) The officer is a regular Service Officer. He is a graduate and is an author of literary works. He has service background of work both in the Army and the Navy.

(b) No other Service officer was considered.

(c) The officer will attain the age of superannuation viz. 52 years on March 31, 1969 when he will become due for retirement from service. A decision regarding his replacement will be taken at the appropriate time.

(d) The question of prescribing qualifications for civilian incumbents of the post is still under consideration.

**U.S.S.R.'s INVITATION TO DEFENCE MINISTER**

**4702. SHRI ANBUCHZHIAN:**  
**SHRI CHENGALRAYA NAIDU:**  
**SHRI INDRAJIT GUPTA:**  
**SHRI N. R. LASKAR:**  
**SHRI K. R. GANESH:**

Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that U.S.S.R. has renewed its invitation to him to visit U.S.S.R.;

(b) if so, whether he has accepted the invitation;

(c) if so, when he is likely to visit that country; and

(d) the subjects likely to be discussed with the U.S.S.R. Government?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH):** (a) Yes, Sir.

(b) Yes, Sir.

(c) This is under consideration.

(d) No agenda is settled in such cases.

**DIPLOMATIC RELATIONS WITH TAIWAN**

**4703. SHRI P. N. SOLANKI:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government propose to establish diplomatic relations with Taiwan;

(b) if so, when; and

(c) if not, the reasons therefor?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) No, Sir.

(b) Does not arise.

(c) Taiwan is not a State and has not been recognised as such by any other state.

**INDIAN TERRITORY UNDER CHINA'S OCCUPATION**

**4704. SHRI P. N. SOLANKI:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether China has shown Indian territory under its forcible occupation in the Chinese maps and documents;

(b) whether China has made attempts to offer this Indian territory to any country; and

(c) if so, the action which has been taken by Government in this regard?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) Yes, Sir.

(b) China has entered into an illegal agreement with the Government of Pakistan with respect to the border between Sinkiang and Kashmir west of Karakoram Pass. According to the so-called agreement, over 2000 sq. miles of Indian territory has been ceded to China. The remaining portion of Chinese claim in this areas has been ceded to Pakistan by China in terms of this illegal agreement.

(c) Government of India do not recognise the validity of the illegal agreement entered into between China and Pakistan, as both parties had no legal or constitutional locus standi in

concluding an agreement with respect to territory belonging to India. Our position has been made known to both the Governments of China and Pakistan.

#### INDIAN ENVOY TO HANOI

4705. **SHRI INDRAJIT GUPTA :** Will the Minister of **EXTERNAL AFFAIRS** be pleased to state :

(a) whether any Indian Envoy has been appointed to Hanoi;

(b) if so, whether and when he has assumed office;

(c) the reasons for having kept the post vacant so long; and

(d) whether the appointment will also be accompanied by the resumption of trade and commerce between India and Democratic Republic of Vietnam ?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** (a) and (b). Yes, Sir. A new Consul General has been appointed and has assumed charge of his office in Hanoi on 2nd August, 1968.

(c) The post remained vacant only from 1st June, 1968 to 1st August 1968. Such a brief gap is not unusual when a change-over takes place, and the work of the Mission is attended to by other officers.

(d) The appointment of the new Consul General has been made in the normal course. The question of trade and commerce between India and the Democratic Republic of Vietnam is a separate issue which is constantly kept under consideration.

#### SEARCH OF LEH-BOUND I.A.F. MISSING PLANE

4706. **SHRI BAL RAJ MADHOK :**  
**SHRI SWELL :**

Will the Minister of **DEFENCE** be pleased to state :

(a) whether it is a fact that no remnants of the I.A.F. plane carrying about one hundred officers and Jawans to Leh which had been missing since the 7th February, 1968 have been

found so far in spite of thorough search on the ground;

(b) if so, whether Government have considered the possibility of the ill-fated plane having strayed into Chinese territory; and

(c) whether Government have made any enquiries from the Government of China in that regard ?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) :** (a) Yes, Sir.

(b) The Court of Inquiry ruled out any likelihood of the aircraft in question having strayed into Chinese territory.

(c) Does not arise.

#### EX-MPS. WORKING IN INDIAN MISSIONS

4707. **SHRI JYOTIRMOY BASU :** Will the Minister of **EXTERNAL AFFAIRS** be pleased to state the number of ex-Members of Parliament belonging to each party with their names who have been employed by Government to work in the various Indian Missions abroad ?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** The following ex-Members of Parliament are at present holding diplomatic assignments :

#### Name and Party affiliation

- (i) H. H. Swai Man Singh, Maharaja of Jaipur Ambassador to Spain.—Independent.
- (ii) Shri Raj Bahadur Ambassador to Nepal.—Congress.
- (iii) Shri A. M. Thomas High Commissioner to Australia.—Congress.
- (iv) Shri O. V. Alagesan Ambassador designate to Ethiopia.—Congress.

#### ACCREDITATION RULES

4708. **SHRI JYOTIRMOY BASU :** Will the Minister of **INFORMATION AND BROADCASTING** be pleased to state :

(a) whether the Press Information Bureau and the Central Accreditation

Committee have relaxed the accreditation rules regarding period of journalistic experience;

(b) if so, the list of such cases of exceptions;

(c) whether a lady working as a Business Representative exclusively since she started her working life and without any journalistic experience has been given accreditation;

(d) whether a full-time employee of Burmah Shell Cooking Gas store has also been given accreditation on behalf of a feature syndicate; and

(e) whether the Business Manager of the ORBIT weekly is also an accredited correspondent?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) :** (a) and (b). No, Sir. A proposal made by the Central Press Accreditation Committee with regard to relaxation of the prescribed period of journalistic experience in one case for the purpose of Accreditation is under Government's consideration.

(c) No, Sir. Before finalising its recommendations, the Central Press Accreditation Committee satisfies itself that the person seeking accreditation is a working journalist and is employed as a whole-time Correspondent.

(d) Government has no information. Enquiries are being made.

(e) No, Sir.

#### PRESS REPRESENTATIVES

4709. **SHRI JYOTIRMOY BASU :** Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether Government propose to lay a list of accredited press representatives who make frequent calls on the office of the Directorate of Advertising and Visual Publicity and the Registrar of Newspapers for business work on the Table; and

(b) whether the Central Bureau of Investigation has presented to the Press Information Bureau a list of

press representatives who serve as liaison agent at the Udyog Bhavan?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) :** (a) and (b). The requisite information is being collected and will be laid on the Table of the House.

#### EMERGENCY-COMMISSIONED OFFICERS

4710. **SHRI D. C. SHARMA :** Will the Minister of DEFENCE be pleased to state :

(a) whether some Emergency Commissioned Officers who were sent for training under the Survey of India have been retrenched;

(b) whether it is a fact that a lot of amount has been spent on their training; and

(c) if so, whether the desirability of absorbing them as civilians has been examined?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) :** (a) Yes, Sir.

(b) Expenditure has been incurred on their training, which is normally for a period of 2 years, by way of their pay and allowances and other normal training expenses.

(c) Yes, Sir. At the instance of the Ministry of Defence, the question of their absorption in the Survey of India in a civilian capacity is under consideration of the Ministry of Education in consultation with the Ministry of Home Affairs and the Union Public Service Commission.

#### TALKS WITH NAGA UNDERGROUNDS

4711. **SHRI D. C. SHARMA :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether there is any possibility of resumption of talks between the Central Government and the Naga undergrounds;

(b) if so, the prospects thereof; and

(c) the steps taken in this direction?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF**

**PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) There is no probability of such talks being held in the foreseeable future, unless the Underground give up importing arms from outside and their insistence on independence;

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

#### KACHCHATIVU ISLAND

**4713. SHRI BABURAO PATEL:**  
**SHRI ATAL BIHARI VAJ-**  
**PAYEE:**  
**SHRI JAGANNATH RAO**  
**JOSHI:**  
**SHRI BAL RAJ MADHOK:**  
**SHRI SHIVA CHANDRA JHA:**  
**SHRI KAMESHWAR SINGH:**  
**SHRI A. SREEDHARAN:**  
**SHRI M. L. SONDHI:**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the salient points and the nature of preliminary discussions our senior officers had with the officers of Ceylon over the Kachchativu Island in the Palk Straits;

(b) the salient features of the exact claim made by Ceylon over this Island;

(c) whether it is intended to refer this dispute to the International Court at Hague as was done in the case of Kutch;

(d) if so, when; and

(e) in whose possession is the Island at present?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) to (d). Preliminary discussions have been held through diplomatic channels concerning Kachchativu but it would not be proper to disclose the nature of these confidential discussions at present or to speculate on the mode of settlement.

(e) There is no administration on the island. It is normally uninhabited

except when it is visited by pilgrims from India and Ceylon during St. Anthony's fair.

#### ISLAMIC BLOC OF AFRO-ASIAN MUSLIM COUNTRIES

**4714. SHRI BABURAO PATEL:**  
**SHRI ONKAR LAL BERWA:**

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware that due to the unceasing efforts of Pakistan, an Islamic bloc of Afro-Asian Muslim countries has been formed and a secret military pact to assist each other has been signed, particularly between Turkey, Iran, Saudi Arabia and Pakistan;

(b) whether Government realize the danger to India of the new highway between Pakistan and Tehran that is being constructed by this Islamic bloc with American help; and

(c) the reaction of Government to these secret activities of these Islamic nations?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) Proposals to form an Islamic bloc of Afro-Asian Muslim countries, in one form or another, have been made from time to time, but for the moment it appears that the idea is not being pursued very seriously. Government has no information of any secret military pact having been signed by Turkey, Iran Saudi Arabia and Pakistan.

(b) Government is not aware of any new highway, under construction, between Pakistan and Tehran by Afro-Asian Muslim countries with American help. It has, however, been reported that work is in progress for linking Lak Post (Quetta) with Mirjawa road on the Iranian border under the auspices of the Regional Cooperation for Development (RCD). In 1964, it was agreed by the Ministerial Council of the RCD that the construction of the road between Karachi and the Iranian border should be undertaken by the

Government of Pakistan and completed by 1968.

(c) Does not arise.

#### VACANCIES FOR ENGINEERS IN BORDER ROADS ORGANISATION

4715. SHRI BABURAO PATEL : Will the Minister of DEFENCE be pleased to state :

(a) whether Government's attention has been drawn to a statement made on the 19th May, 1968 in Darjeeling by the Director General, Border Roads Organisation that there were more than 2,000 vacancies for Engineers in the Border Roads Organisation but the available candidates did not come up to the standards set for the defence services;

(b) the reasons for not employing 6,000 Engineers unemployed in the country at present and for giving additional training to them; and

(c) the steps Government propose to take to fill up the vacancies for the purposes of our defence ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) In course of discussion at a symposium held under the auspices of Institution of Engineers at Darjeeling on 19-5-1968 the DGBR had stated that about two thousand vacancies exist in the Defence Organisation and Border Roads Organisation for engineering personnel. There is inadequate response from amongst young engineers to join the Defence Services.

(b) and (c). Due publicity is given in the press to the employment opportunities available in the Defence and Border Roads Organisations and the persons recruited are provided appropriate training to fit them for the jobs for which they are recruited.

#### FILM ON FREEDOM STRUGGLE OF 1857

4716. SHRI ESWARA REDDY : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether Government have considered the question of producing a

film based on the great freedom struggle of 1857; and

(b) if so, the decision taken thereon?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) and (b). No, Sir.

#### चीन और भारत के बीच विवाद

4717. श्री रामावतार शास्त्री : क्या वंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार चीन और भारत के बीच विवाद को हल करने के लिए नये प्रस्ताव पर विचार कर रही है;

(ख) यदि हां, तो उसका ब्यौरा क्या है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वंदेशिक कार्य मंत्री (श्रीमती इंदिरा गांधी) : (क) और (ख). भारत सरकार ने अनेक बार यह कहा है कि वह सभी विवादों को ऐसे आधार पर हल करने के लिए तैयार है जो भारत की प्रादेशिक अखण्डता, प्रभु-सत्ता तथा राष्ट्रीय सम्मान और गौरव के अनुकूल हो। भारत सरकार की ओर से कोई पहल अभी फलदायक हो सकती है जबकि चीन सरकार का भी इसी तरह का सुझाव दिखाई दे।

#### विदेशों में भारतीय उत्प्रवासी

4718. श्री रामावतार शास्त्री : क्या वंदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने विदेशों में भारतीय उत्प्रवासियों के हितों की रक्षा के लिये कोई कार्यवाही की है ;

(ख) यदि हां, तो उसका ब्यौरा क्या है ;

(ग) क्या सरकार उनके हितों की रक्षा के लिए भारत में कुछ सूचना केन्द्र स्थापित करने पर विचार कर रही है; और

(घ) यदि नहीं, तो उसके क्या कारण हैं ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इंदिरा गांधी): (क) और (ख). जो हां। विदेश जाने वाले कुशल कामिकों, जैसे मिस्त्रियों, दुकानों में काम करने वाले सहायकों, घरेलू नौकरों इत्यादि, के हित की रक्षा उत्प्रवास अधिनियम, 1922 (1922 का 7) के अन्तर्गत की जाती है। जहां तक अन्य उत्प्रवासियों का सवाल है, हमारे विदेश स्थित मिशन उत्प्रवासियों के कुशल क्षेम के लिए आवश्यक कार्रवाई करते हैं।

(ग) कलकत्ता, बम्बई और मद्रास में उत्प्रवासी संरक्षक कार्यालय हैं और इन नगरों में क्षेत्रीय पामपोर्ट अधिकारियों के कार्यालयों में जन सम्पर्क अधिकारी भी रखे गए हैं।

(घ) जिन देशों में भारत मूलक लोग बड़ी संख्या में बस गए हैं, भारत सरकार उन सबमें राजनयिक एवं अन्य प्रकार का प्रतिनिधित्व बनाए हुए है, और वह यह प्रयास करती रहती है कि इन मिशनों के द्वारा उनकी हर मुमकिन मदद की जाए।

#### FOREIGN MILITARY BASES IN ASIAN CONTINENT

4719. DR. RANEN SEN: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government consider the existence of foreign military bases in various parts of the World as source of international tension;

(b) how many such bases now exist in the Asian Continent;

(c) whether Government propose to initiate steps through the U.N. for dismantling of all foreign military bases; and

(d) if so, the steps being taken in this direction ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) Yes, Sir.

(b) Precise information on this matter is not available.

(c) and (d). The item of 'Elimination of foreign military bases in the countries of Asia, Africa and Latin America' has been included in the provisional agenda of the twenty-third regular session of the U.N. General Assembly.

#### POLISH METHOD OF PLANNING

4720. SHRI SHIVA CHANDRA JHA: Will the PRIME MINISTER be pleased to state:

(a) whether the Planning Commission propose to consider Polish economist, Mr. Michal Kalecki's method of planning while formulating the Fourth Five Year Plan; and

(b) if not, the reasons therefor?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) and (b). In formulating our Five Year Plans, methods enunciated by eminent economists, including that by Prof. Michal Kalecki, are taken into account by our Planners. They actually adopt methods and techniques considered, in their judgment, to be best suited to our circumstances as well as to our national interests.

#### NEWS ABOUT M.P.s. IN KUTCH SATYAGRAHA

4721. SHRI SHIVA CHANDRA JHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) who were the Members of Parliament whose names were broadcast on A.I.R., during the Kutch Satyagraha; and

(b) at what times and how many times they were broadcast ?



**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH):** (a) and (b). The information is being collected and will be placed on the Table of the House.

#### INDIANS IN FOREIGN COUNTRIES

**4722. SHRI SHIVA CHANDRA JHA:** Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) how many Indians and persons of Indian origin live outside India and in which countries, country-wise;

(b) what are the problems concerning their immigration and property rights in those countries;

(c) the steps which Government have taken and to what extent they have succeeded in helping those Indians in solving their problems; and

(b) There have been *inter alia*

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** (a) Statement giving the available information is laid on the Table of the House. [Placed in Library. See No. LT-1805/68].

(b) There have been *inter alia* sometimes problems of continued residence, and the inability to continue in their occupation of those who did not obtain local citizenship.

(c) The steps taken vary from country to country and according to particular nature of problem. Every possible step is being taken to work towards an agreed solution. Suitable advice is given to the persons of Indian origin whenever possible. Where necessary concrete assistance has been made available. Negotiations have been conducted with all the countries concerned, at various levels and through diplomatic channels.

(d) Does not arise.

#### LOAN FOR FILM 'PARIVAR'

**4724. SHRI S. S. KOTHARI:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the Film Finance Corporation have rendered financial assistance in the form of

loan, capital; or otherwise, to the producers of the film 'Parivar';

(b) if so, how much assistance has been given and on what terms and conditions; and

(c) when the amount is likely to be repaid?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH):** (a) No, Sir.

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

#### NOVOSTI-P.I.B. AGREEMENT

**4725. SHRI D. N. PATODIA:** Will the Minister of INFORMATION AND BROADCASTING be pleased to refer to the reply given to Unstarred Question No. 710 on the 24th July, 1968 and state:

(a) whether Novosti, under the Agreement with P.I.B. is expected to print and circulate in U.S.S.R. all such materials which are supplied by P.I.B. and to give necessary information to P.I.B. for such circulation;

(b) whether it is a fact that materials supplied by P.I.B. are being screened by Novosti and only a part of these materials are circulated;

(c) whether it is also a fact that in spite of requests by P.I.B., Novosti has not supplied the desired information about circulation of Indian material; and

(d) if so, whether Government propose to abrogate the Agreement with Novosti?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH):** (a) Under the agreement, P.I.B. will supply of A.P.N. feature articles, background material and photographs for distribution among newspapers and periodicals published in the U.S.S.R. which are interested, and also use the material for reference purposes. The obligation for distribution entails on A.P.N. the responsibility of translating, making copies and despatching. There is no obligation, under the agreement, on the part of A.P.N. to give information to P.I.B. regarding the circulation of material, but A.P.N. has in fact informed P.I.B. about material distributed to 900

Soviet newspapers and periodicals in January, 1968.

(b) As the agreement provides, the material supplied by P.I.B. is used both for circulation to the Soviet Press and for reference purposes. It is for distribution amongst papers which have interested.

(c) Besides the information regarding the circulation of P.I.B. material in January, 1968, clippings carrying some of this material were received in April. Further information is awaited.

(d) Does not arise.

#### FERTILIZER PLANTS

4726. SHRI D. N. PATODIA : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that recently during the talks with the representatives of political parties with the Planning Commission, demands have been voiced that every State must have a fertiliser plant and the planning in this regard should be objective and not subjective; and

(b) if so, the reaction of the Commission thereto ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). A suggestion to the effect that it would be appropriate for each State to have at least one fertiliser factory was made by one of the representatives of a political party in the discussions with the Planning Commission. The location of industrial projects, including fertiliser projects, is decided on the basis of objective techno-economic considerations. The question of any subjective judgement in such matters therefore does not arise.

PRESIDENT AYUB KHAN'S VISIT TO U.K.

4727. SHRI S. R. DAMANI :

SHRI D. N. PATODIA :

SHRI B. N. SHASTRI :

Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether President Ayub Khan on his recent visit to the U.K. sought

British help to strengthen Pakistan's armed forces;

(b) if so, the U.K. Government's attitude over such a request; and

(c) the Government's reaction thereto ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) According to Press reports, President Ayub Khan was expected to raise the matter of so-called military imbalance in the sub-continent with the British Prime Minister during his talks in London.

(b) We have no information.

(c) As has been stated in the House on a number of occasions, the Government of India feel that foreign assistance to strengthen Pakistan's armed forces creates tension in the sub-continent and encourages Pakistan's reluctance to normalise relations with India.

#### आकाशवाणी के साम्यवादी विचारधारा वाले कर्मचारी

4728. श्री यशवन्त सिंह कुशवाह : क्या सूचना और प्रसारण मंत्री यह बताते की कृपा करेंगे कि :

(क) आकाशवाणी, दिल्ली में इस समय कार्य कर रहे ऐसे कर्मचारियों की संख्या और, नाम क्या हैं जिनका साम्यवादी विचार धारा की ओर झुकाव है ;

(ख) क्या सरकार ने इस बारे में कोई गुप्त रूप से जांच की है ; और

(ग) यदि हां, तो उसके क्या निष्कर्ष निकले हैं, यदि नहीं, तो इसके या कारण हैं ?

सूचना तथा प्रसारण मंत्री (श्री के० के० शाह) : (क) सरकार के पास ऐसी जानकारी नहीं है कि आकाशवाणी, दिल्ली के किसी कर्मचारी का झुकाव साम्यवादी विचार धारा की ओर है ।

(ख) और (ग). जांच करने का कोई अवसर नहीं आया ।

SUSPENSION AND TERMINATION OF SERVICES OF EMPLOYEES OF A.I.R. NAGPUR

4729. SHRI ABDUL GHANI DAR : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the total number of employees who have been suspended or whose services have been terminated at All India Radio, Nagpur during 1966-67 and 1967-68; and

(b) the reasons therefor ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) 1966-67—Nil.

1967-68—Suspended—8. (out of 8, two have been reinstated, three have been dismissed and against the remaining three cases are pending).

Terminated—1. (His service has been terminated under the Central Civil Services (Temporary Service) Rules.

(b) A statement showing the reasons for suspension/termination is laid on the Table of the House. [Placed in Library. See No. LT-1806/68.]

**मध्य प्रदेश में विकास योजनाएं**

4730. श्री गं० च० दीक्षित : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) प्रथम, द्वितीय और तृतीय पंचवर्षीय योजनाओं में शामिल मध्य प्रदेश की विकास योजनाओं का व्यौरा क्या है ;

(ख) कितनी तथा कौन-कौन सी योजनाएं पूरी हो चुकी हैं ;

(ग) क्या ये सभी विकास योजनाएं निर्धारित समय में पूरी हो गई थीं ; और

(घ) यदि नहीं, तो इसके क्या कारण थे ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इंदिरा गांधी) : (क) और (ख). दिनांक 1 मई, 1968 के अतारांकित प्रश्न संख्या 9183 के उत्तर की ओर ध्यान दिलाया जाता है।

(ग) और (घ). राज्य सरकार से अभी भी सूचना की इन्तजारी की जा रही है।

**मध्य प्रदेश के लिए चौथी पंचवर्षीय योजना**

4731. श्री गं० च० दीक्षित : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि वित्त आयोग ने मध्य प्रदेश की चौथी पंचवर्षीय योजना के लिये स्वीकृत धन की व्यवस्था में 81 करोड़ रुपये की कटौती करने का सुझाव दिया है ;

(ख) क्या यह भी सच है कि मध्य प्रदेश सरकार ने केन्द्रीय सरकार को लिखा है कि चौथी पंचवर्षीय योजना के लिये स्वीकृत धन में कोई कटौती न की जाये क्योंकि वह राज्य एक पिछड़ा और अविकसित राज्य है ; और

(ग) यदि हां, तो इस मामले में सरकार का क्या कार्यवाही करने का विचार है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इंदिरा गांधी) : (क) जी, नहीं। राज्य सरकार से अभी चौथी योजना के प्रारूप के लिए प्रस्ताव प्राप्त होने हैं।

(ख) और (ग). प्रश्न नहीं उठते।

NAVAL TRAINING ESTABLISHMENT AT PARADEEP

4732. SHRI RAMACHANDRA ULAKA :

SHRI DHULESHWAR MEENA :

Will the Minister DEFENCE be pleased to state :

(a) whether the proposal for shifting the existing Naval Training Establishment at Paradeep has been finalised; and

(b) if so, the details thereof ?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) The proposal to shift an existing Naval Training Establishment from Visakhapatnam to Paradeep is still under consideration.

(b) Does not arise.

## NAVAL BASE AT MURMAGAO

4733. SHRI RAMACHANDRA  
ULAKA :  
SHRI DHULESHWAR  
MEENA :

Will the Minister of DEFENCE be pleased to state the stage at which the proposal to set up a Naval Base at Murmagao stands at present?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : Development of naval facilities in the Murmagao port forms part of the integrated development of the port for naval as well as other purposes. This matter is receiving the attention of Government in the Ministries of Defence and Transport.

## FUNDS FOR DEVELOPMENT OF BORDER

4734. SHRI RAMACHANDRA  
ULAKA :  
SHRI DHULESHWAR  
MEENA :

Will the Minister of DEFENCE be pleased to state the amount set apart for the development of border in the Eastern and other border areas of the country during the current year?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : The amount earmarked for allotment under 'Capital Outlay' for the development of border roads in the Eastern and other borders of the country included in the programme of Border Roads Development Board during the current financial year is Rs. 45.52 crores.

## ATTACK ON INDIAN TROOPS BY CHINESE TROOPS AT NATHULA

4735. SHRI RAMACHANDRA  
ULAKA :  
SHRI DHULESHWAR  
MEENA :

Will the Minister of DEFENCE be pleased to state :

(a) whether the Chinese troops attached Indian troops recently near Nathula; and

(b) if so, the action taken by Government thereon?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) : (a) No, Sir.

(b) Does not arise.

## SAMACHAR BHARATI AND HINDUSTAN SAMACHAR

4736. SHRI S. C. SAMANTA : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the news agencies entitled the "Samachar Bharati" and "Hindustan Samachar" have made any significant progress in their work;

(b) what financial assistance Government have given to these agencies up-to-date; and

(c) what are the reasons that the "Samachar Bharati" has not convened any general meeting of its shareholders nor presented its annual accounts for more than last two years?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) Samachar Bharati a multi-lingual News Agency which commenced its operation early in 1967 is so far catering news in Hindi, Marathi and Gujarati languages. It has plans to set up a Dev Nagari network all over the country which are likely to materialise with the availability of Dev Nagari teleprinters. The Hindustan Samachar which is purveying news in Hindi, English and eight other Indian languages has a wide spread organisation located at all state capitals and important cities most of which are linked with teleprinter circuits. It has introduced a 'feature service' with effect from January this year and there has been an increase in number of subscribers to its service.

(b) Government have so far given a loan of Rs. 75,000 to the Samachar Bharati. No financial assistance has been given to the Hindustan Samachar so far. A request for Government loan is under consideration. The All India Radio have also decided to purchase both their services.

(c) It has been ascertained from Samachar Bharati that the annual meeting was held on 31st July, 1968 in which accounts were presented.

## SETTING UP OF INDUSTRIAL UNDERTAKINGS IN DROUGHT HIT AREAS OF U.P. AND BIHAR

4737. SHRI GADILINGANA GOWD : Will the PRIME MINISTER be pleased to state :

(a) whether any proposals for setting up industrial undertakings during

the Fourth Five Year Plan period in the drought-hit areas of Uttar Pradesh and Bihar are under consideration of Government with a view to remove unemployment;

(b) if so, the details thereof, State-wise and the outlay estimated for the same; and

(c) the number of persons likely to be employed in such undertakings?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) to (c). The Fourth Five Year Plan is still under preparation and the industrial development programmes proposed to be incorporated in the Fourth Plan have not yet been finalised.

#### ATLASES PUBLISHED BY VARIOUS COUNTRIES

4738. SHRI GADILINGANA GOWD: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government are aware that the various countries have published their Atlases showing large portion of the Indian territory into the hands of Pakistan and China;

(b) if so, the names of those countries with details thereof; and

(c) the action taken by Government in the matter?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) Yes, Sir.

(b) Some of such atlases that have come to our notice have been published in the U.K., U.S.A., West Germany, Australia, Sweden, Hong Kong, Brazil, Rumania, Hungary, the U.S.S.R., Poland and Czechoslovakia, etc. In some of these atlases.

(i) Kashmir has been shown as a separate entity from both India and Pakistan with its boundaries marked either by international boundary symbol or by other symbols, in some cases it has even been shown

as a part of Pakistan or as a part of India. In some other cases the Cease-fire Line has been shown as international boundary between India and Pakistan.

(ii) Parts of North Eastern Frontier Agency and Ladakh region of Kashmir have either been depicted as disputed territories or territories claimed by China. In some cases these parts have been partly or wholly included in China.

(c) The Government of India has taken up the matter with both the Foreign Governments concerned and the unofficial agencies. In the past some of them have agreed to make necessary corrections while replies from others are awaited. In the case of those publishers who do not agree to make the necessary corrections, necessary action is taken under our laws.

#### EXPLOSIONS IN DEFENCE FACTORIES/ LABORATORIES

4739. SHRI GADILINGANA GOWD: Will the Minister of DEFENCE be pleased to state :

(a) the number of explosions which occurred in the various Defence factories/laboratories during the last 5 years factory/laboratory wise;

(b) the reasons for explosion in each case;

(c) the details of losses sustained; and

(d) the measures adopted to minimise such occurrences?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) to (d). The information is being collected and will be laid on the Table of the House as soon as possible.

#### MALTREATMENT OF RESIDENTS IN HAJI PIR AREA BY PAKISTAN

4740. SHRI M. L. SONDHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether Government are aware of the protests made by the residents

in the Haji Pir area against maltreatment by Pakistan authorities;

(b) whether at the time of withdrawal of Indian troops from Haji Pir area under the Tashkent Agreement, any assurances were received by India from the Soviet Union or from Pakistan in regard to treatment to be meted out to the residents in that area; and

(c) whether Government propose to offer some relief to the residents of Haji Pir area on humanitarian ground through the International Red Cross?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) Government have seen press reports to this effect.

(b) No, Sir.

(c) No such proposal is under consideration.

STATEMENT OF PRESIDENT AYUB KHAN  
ABOUT MUSLIMS IN INDIA

4741. SHRI M. L. SONDHI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to a statement by President Ayub Khan of Pakistan in which he said "Since the time of Emperor Aurangzeb Muslims in India were ill-treated";

(b) whether Government regard this statement as a violation of the Tashkent spirit; and

(c) if so, the steps taken by Government to present a correct picture of the treatment of Muslims in India?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) to (c). The Government have seen some press reports about a recent statement made by President Ayub Khan wherein he had alleged that the sufferings of the Indian Muslims are on the increase. Some other leaders of Pakistan as well as its press have also made similar allegations. These charges have been refuted and the Government of

Pakistan have been told that the propaganda and the distorted stories about the communal situation in India, carried on by the leaders and the news media of Pakistan are in violation of the Nehru-Liaquat Pact as well as the Tashkent Declaration. The Government have also taken adequate steps through our Missions abroad to counter the Pakistani propaganda.

INQUIRY AGAINST PRINCIPAL, FILM  
INSTITUTE OF INDIA

4742. SHRI GEORGE FERNANDES: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government's attention has been drawn to the judgment of the Judicial Magistrate of Poona in Criminal Case No. 493 of 1965 delivered on the 8th November, 1965 in which the learned Magistrate has suggested that the Government should make an enquiry into the activities of the Principal of the Film Institute of India at Poona;

(b) if so, the circumstances in which these comments were made and what Government have done in the matter; and

(c) if the enquiry has not so far been instituted, the reasons therefor?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH): (a) to (c). It is true that the learned Magistrate in criminal case No. 493 of 1965 has passed the remarks that 'this case deserves that full enquiry should be made and pursued in the matter'. The judgment also *inter alia* stated that the letters involve not only the writer of the letter but also the accused himself and also the Government itself. It was ordered that 'the letters be handed over to the Police Officer Deccan Gymkhana Police Station with a direction to make a full and thorough enquiry in the matter and, if necessary, to get necessary sanction from the Government'. The direction was that Police should enquire and not this Ministry.

When the case went before the Additional Sessions Judge the Judge, while dismissing the revision application, remarked that even apart from

the sanction, it could be said that the complaint had failed to make out a case which even if un rebutted, would warrant the conviction of the accused. It appears that no action was taken on the Judicial Magistrate's Order in view of these remarks. However, enquiries are being made from the Judicial Magistrate and the Police Station Deccan Gymkhana.

### रूसी युद्ध पोतों का कराची जाना

4745. श्री हुकुम चन्द कछवाय : क्या वैदेशिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि मई, 1968 में दो रूसी युद्धपोत कुछ सप्ताहों के लिए कराची आये थे।

(ख) क्या सरकार को यह भी पता है कि उन युद्धपोतों ने कराची में पाकिस्तानी युद्धपोतों के साथ नौसैनिक अभ्यास किये थे ; और

(ग) यदि हां, तो इस बारे में सरकार की क्या प्रतिक्रिया है।

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) दो सोवियत जहाजों ने 25 मई से 31 मई, 1968 तक कराची की सद्भावना यात्रा की।

(ख) और (ग) इस प्रकार के कोई भी अभ्यास नहीं किए गए।

### गंगतोक में पाकिस्तानी राष्ट्रजनों की गिरफ्तारी

4746. श्री हुकुम चन्द कछवाय : क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जन, 1968 में गंगतोक में एक सैनिक-शिविर में भारतीय सैनिक पुलिस ने एक पाकिस्तानी राष्ट्रजन को गिरफ्तार किया था;

(ख) यदि हां, तो गिरफ्तार किये गये उस व्यक्ति के पास से बरामद की गई वस्तुओं का ब्यौरा क्या है; और

(ग) उसके विरुद्ध सरकार ने क्या कार्यवाही की है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक-कार्य मंत्री (श्रीमती इन्दिरा गांधी) : (क) से (ग) भारतीय सैन्य पुलिस ने 21 मई 1968 को गंगतोक में मिलिटरी कैंन्टोनमेंट के पास एक पाकिस्तानी राष्ट्रिक पकड़ा था और उसे सिविक पुलिस के हवाले कर दिया था और उन्होंने उस व्यक्ति को पश्चिम बंगाल पुलिस को सौंप दिया। उससे कोई चीज नहीं मिली है।

### कनाडा को लिबरेटर विमान प्रस्तुत करना

4747. श्री हुकुम चन्द कछवाय : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय वायु-सेना ने 1968 के मई में कनाडा को एक लिबरेटर विमान भेंट किया था; और

(ख) यदि हां, तो उसका मूल्य क्या है।

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) : (क) और (ख). जून 1968 में एक लिब्रेटर विमान कनेडा सरकार को उनके रायल कनेडियन वायुसेना के संग्रहालय में प्रदर्शन के लिए भेंट किया गया था। इससे पहले कनेडियन वायुसेना ने भारतीय वायुसेना को, वायुसेना संग्रहालय पालम में प्रदर्शन के लिए एक लाजसेंडर विमान भेंट किया था। लिब्रेटर विमान की कीमत लगभग 17,000 रुपये अनुमानित की जा सकती है।

RECEPTION TO CZECH DELEGATION BY CHAIRMAN, FILM FINANCE CORPORATION

4748. SHANKARRAO MANE : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether any dinner was hosted by the Chairman of Film Finance Corporation Ltd., Bombay in honour of

the visiting Czech delegation in the first half of May, 1968;

(b) if so, whether it is a fact that only diplomats of the Eastern countries were invited to this dinner and no diplomats from Western Countries were invited; and

(c) if the reply to part (b) above be in the affirmative the reasons therefor?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH):** (a) Yes, Sir.

(b) No, Sir. According to the Chairman he had personally talked to the French representative, but on account of preoccupation he could not accept invitation.

(c) Does not arise.

#### PRICE INCREASE BY DAILIES

**4749. SHRI LOBO PRABHU:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the increase in the price of the five leading dailies viz. the Times of India, Statesman, Hindustan Times, Indian Express and Hindu since the Award of the Wage Board for Journalists and Non-Journalists;

(b) how far the increase is related to the Award; and

(c) the break-up of the prices of these newspapers at the time of the Award and at present?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH):** (a) No case of such an increase has so far come to the notice of the Government.

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

#### PRODUCTION OF MIGS IN INDIA

**4750. SHRI LOBO PRABHU:** Will the Minister of DEFENCE be pleased to state:

(a) the number of MIGs manufactured in India;

(b) the percentage of Indian components in them; and

(c) the schedule for increased percentage of Indian components in them?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA):** (a) to (c). It is not in public interest to disclose the information.

#### N.C.C. TRAINING CENTRE AT PURANDHAR

**4751. SHRI ANANTRAO PATIL:** Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that the N.C.C. Training Centre at Purandhar is to be closed down or shifted to some other place;

(b) if so, the reasons therefor; and

(c) how many officers are being trained there annually?

**THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA):** (a) There is no such proposal at present.

(b) Does not arise.

(c) The N.C.C. Academy Purandhar trained the following number of officers and instructional staff of the N.C.C. during the last 3 financial years.

1965-66—862.

1966-67—1170.

1967-68—795.

#### PUBLICATION OF LATE JAWAHAR LAL NEHRU'S BOOKS

**4752. SHRI GEORGE FERNANDES:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the titles of the books and other works of the Late Prime Minister Jawahar Lal Nehru published by Government since his death and the number of copies printed;

(b) the total expenditure incurred in publishing these titles;

(c) the terms and conditions of the royalty paid on these publications and the names of the individuals or institutions with whom such agreements for payment of royalty have been entered into; and

(d) the total amount of royalty so far paid?



THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) None, Sir.

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

### दानापुर छावनी बोर्ड

4753. श्री राम अवतार शास्त्री : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) छावनी अधिनियम के अन्तर्गत जनवरी, 1960 से 31 जुलाई, 1968 की अवधि में दानापुर (पटना) छावनी बोर्ड ने कितने व्यक्तियों के विरुद्ध मुकदमे किये, बोर्ड कितने मामलों में जीत गया और कितने मामलों में हार गया;

(ख) उक्त अवधि में बोर्ड ने मुकदमे बाजी पर कितना धन व्यय किया; और

(ग) इसका औचित्य क्या था ?

प्रति रक्षा मंत्री ( श्री स्वर्ण सिंह ) :

(क) से (ग). सूचना इकट्ठी की जा रही है और सभा के पटल पर रख दी जायगी।

सरकारी उपक्रमों द्वारा दिये जाने वाले विज्ञापन

4854. श्री ओंकार लाल बोहरा : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार द्वारा समाचार पत्रों को विज्ञापन देने के बारे में क्या तरीका अपनाया जा रहा है और गत वर्ष के दौरान सरकारी क्षेत्रों में काम कर रहे प्रत्येक औद्योगिक उपक्रमों ने कितने विज्ञापन दिये ;

(ख) पचास मुख्य समाचार पत्रों के नाम क्या हैं और गत वर्ष के दौरान उन्हें दिये जाने वाले विज्ञापनों की तुलनात्मक दृष्टि से संख्या क्या है; और

(ग) क्या गत वर्ष के दौरान समाचार पत्रों को दिये जाने वाले वर्गीकृत और गैर-वर्गीकृत विज्ञापनों की संख्या के बारे में एक विवरण सभा-पटल पर रखने का सरकार का विचार है ?

सूचना तथा प्रसारण मंत्री ( श्री के० के० शाह ) : (क) से (ग). जहां तक सरकार द्वारा समाचार पत्रों को विज्ञापन देने का आधार का सम्बन्ध है, लोक सभा के 7 अगस्त, 1968 के अतारांकित प्रश्न संख्या 306 के उत्तर के भाग (ड) की ओर ध्यान आकर्षित किया जाता है। कुछ को छोड़ कर जिनके विज्ञापन का कार्य विज्ञापन और दृश्य प्रचार निदेशालय द्वारा देखा जाता है, सरकारी क्षेत्र के शेष औद्योगिक उपक्रम अपना विज्ञापन का काम स्वयं करते हैं।

भिन्न-भिन्न समाचार पत्रों को दिये गये विज्ञापनों और उनको दी गई राशि के बारे में जो सूचना है वह विज्ञापन और दृश्य प्रचार निदेशालय और सम्बन्धित पत्रों के बीच गोपनीय समझी जाती है, सम्बन्धित पत्रों की पूर्व सहमति के बिना इस बारे में इक्तरफा सूचना देना अच्छी व्यापार नैतिकता नहीं है। विज्ञापन और दृश्य प्रचार निदेशालय ने 1967-68 में सरकारी क्षेत्र में औद्योगिक उपक्रमों की ओर से कोई सजावटी विज्ञापन जारी नहीं किये; उन्होंने उनकी ओर से 488 वर्गीकृत विज्ञापन जारी किये। इनमें उन उपक्रमों के विज्ञापन शामिल नहीं हैं, जिनके विज्ञापन का कार्य विज्ञापन और दृश्य प्रचार निदेशालय द्वारा नहीं किया जाता।

### राजस्थान में अणुशक्ति परियोजना

4755. श्री ओंकार लाल बोहरा : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गत वर्ष अणुशक्ति परियोजना राजस्थान में हुई घटना के बारे में की गई जांच से यह सिद्ध हुआ है कि कुछ राष्ट्रविरोधी तत्वों ने खुले तौर पर कारखाने को क्षति पहुंचाने का प्रयत्न किया था; और

(ख) यदि हां, तो उनके विरुद्ध क्या कार्यवाही की गई है ?

प्रधान मंत्री अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक कार्य मंत्री ( श्रीमती इन्दिरा गांधी ) : (क) जी, नहीं ।

(ख) प्रश्न ही नहीं उठता ।

राजस्थान में परमाणु शक्ति परियोजना

4756. श्री ओंकार लाल बोहरा : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान की अणुशक्ति परियोजना के 1971-72 तक पूरे करने के कार्यक्रम के अनुसार काम पूरा हो जायेगा ;

(ख) इस परियोजना में कितनी पूंजी लगायी जायेगी; और

(ग) इस परियोजना से उत्पन्न होने वाली बिजली के वितरण के लिये सरकार ने क्या योजना बनाई है ?

प्रधान मंत्री, अणु शक्ति मंत्री, योजना मंत्री तथा वैदेशिक कार्य मंत्री (श्रीमती इन्दिरा गांधी) वर्तमान संकेतों के अनुसार राजस्थान परमाणु बिजली घर का पहला यूनिट बनाने का काम सन् 1971 के आरम्भ में तथा दूसरा यूनिट बनाने का काम सन् 1973 में पूरा हो जायेगा ।

(ख) 110.66 करोड़ रुपये ।

(ग) इस बिजली घर में उत्पन्न होने वाली बिजली के वितरण के बारे में अभी निर्णय नहीं किया गया है ।

#### EX-SERVICEMEN IN BRANCH POST OFFICES

4757. SHRI HEM RAJ : Will the Minister of DEFENCE be pleased to state :

(a) whether it is a fact that many ex-Servicemen are employed as part time workers in Branch Post Offices and that they are getting their *ad hoc* increase in pension along with their honorarium;

(b) whether it is also, a fact that that *ad hoc* increase of pension is being withdrawn now from such persons; and

(c) if so, the reasons therefor ?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA) : (a) Ex-Servicemen employed as part time worker in Branch Post Offices are getting *ad hoc* increase in their pensions, in addition to the consolidated allowance received by them from the Postal Department.

(b) No, Sir.

(c) Does not arise.

#### COMMERCIAL BROADCASTS

4758. SHRI M. S. OBEROI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether it is a fact that the commercial service introduced by the All India Radio has not proved to be so popular as to stand in competition with that of the commercial broadcasts of the Radio Ceylon; and

(b) if so, the reasons therefor and the steps which are proposed to be taken to make the All India Radio commercial services more popular ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) : (a) No, Sir.

(b) Does not arise.

#### INDIAN EMBASSIES ABROAD

4759. SHRI M. S. OBEROI : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether it is a fact that many of our Embassies in the foreign countries are over-staffed and certain reports have appeared in this regard in the Press recently; and

(b) if so, Government's assessment in this regard ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) and (b). It is not a fact that many of our Missions abroad are over-staffed. Recent reports which have appeared in certain sections of the press are greatly exaggerated. Government is fully alive to the necessity of keeping staff in the Indian

Missions to levels consistent with the work load and the demands of functional efficiency, with due regard to the need for economy.

#### VOTING IN U.N.O.

4760. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of EXTERNAL AFFAIRS be pleased to state the number of times India has voted with U.S.A. and U.S.S.R. or has remained neutral in U.N.O./Security Council since India joined these organisations to date, separately for each ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : The information asked for is available in the UN documents, and will be abstracted and placed on the Table of the House in due course.

An analysis of the recorded voting at the last General Assembly session shows that India voted with U.S.A. on 61 resolutions, and with the U.S.S.R. on 69 resolutions. India voted with both U.S.A. and U.S.S.R. on 57 resolutions.

#### TRANSISTORS PRODUCED IN BHARAT ELECTRONICS LTD.

4761. SHRI NITIRAJ SINGH CHAUDHARY : Will the Minister of DEFENCE be pleased to state :

(a) the defects in the transistors supplied to the Defence Academy last year by the Bharat Electronics Ltd. and rejected by them as sub-standard;

(b) whether these defects could not be remedied; and

(c) the steps Government have since taken to improve the quality and production of transistors in the Bharat Electronics Ltd. ?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA) : (a) to (c). No orders for Transistors were placed on Bharat Electronics Ltd. by the Indian Defence Academy nor were any supplies made by B.E.L. to the Defence Academy during the year 1967-68.

#### INVITEES TO THE CHINESE EMBASSY FUNCTION IN NEW DELHI

4762. SHRI DHIRESHWAR KALITA : Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Chinese Charge D' Affairs in India held Chinese National Day Reception ceremony on the 1st August, 1968 in New Delhi;

(b) if so, who were the invitees;

(c) whether the Chinese Charge D' Affairs complied with the Government of India's direction that "all the invitation cards should be routed through Ministry of External Affairs;" and

(d) if not, the steps which Government took to prevent invitees attending the ceremony ?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) : (a) The Chinese CDA held a reception on the 1st of August, 1968 on the occasion of the anniversary of the founding of the Chinese army.

(b) Invitees included diplomats, foreign students and some Indian nationals.

(c) No Sir.

(d) It has never been the intention of Government to prevent invitees attending functions in the Chinese Embassy. The requirement of routing invitations through the Ministry of External Affairs is only designed to ensure proper security for the Chinese Embassy. Since the Chinese Embassy failed to observe the procedure, Indian invitees had to be identified before being permitted to enter the Embassy.

#### VISIT OF PLANNING COMMISSION DELEGATION TO U.S.S.R.

4763. SHRI B. N. SHASTRI : Will the PRIME MINISTER be pleased to refer to the reply given to Unstarred Question No. 3169 on the 7th August, 1968 and state :

(a) whether composition of the delegation scheduled to visit U.S.S.R. has since been finalised; and

(b) if so, the details thereof?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** (a) No, Sir.

(b) Does not arise.

**CONFERENCE PROPOSED BY PEACE COMMITTEE OF MALAGASY**

**4764. SHRI K. P. SINGH DEO :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the Peace Committee of Malagasy has proposed a Conference of countries bordering the Indian Ocean to be held some time early next year;

(b) if so, the purpose thereof; and

(c) whether Government propose to participate in the Conference?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** (a) It has come to the knowledge of the Government that Malagasy Peace Committee has proposed Conference of their counterparts in countries bordering the Indian Ocean, but no dates have been fixed.

(b) The Government have no information on this point.

(c) The question does not arise, as no inter-Governmental Conference has been proposed.

**MOVEMENT OF HOSTILE NAGAS**

**4765. SHRI NITIRAJ SINGH CHAUDHARY :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether the hostile Nagas specially their leaders are free to move anywhere in Nagaland, Assam and elsewhere in the country with full knowledge of Government and its officials;

(b) if so, the reasons therefor specially when the leaders are guilty of way-laying, murder, etc. of Indian citizens; and

(c) if not, the circumstances under which Shri Kaito was allowed to move

freely and unprotected in Kohima when he was shot?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** (a) Unless deprived of liberty to do so by a Court, all citizens of India are free to move about anywhere within the country subject only to such laws as may constitutionally be in force.

(b) Persons guilty of crimes are prosecuted whenever possible.

(c) Shri Kaito had full liberty as a citizen to move about freely anywhere in the country.

**FILM INDUSTRY**

**4766. SHRI J. H. PATEL :** Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether any study to probe into the working of the film industry in our country has been undertaking so far;

(b) if not, whether Government propose to undertake it now; and

(c) whether Government propose to set up a Parliamentary Committee to go into this matter?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) :** (a) Yes, Sir. The Film Enquiry Committee set up under the Chairmanship of Shri S. K. Patil had gone into the working of the film industry in the country and made a report in 1951. Several of its recommendations concerning the promotion and development of the film industry were adopted and put into action. Some more are under consideration.

(b) and (c). No, Sir.

**AGREEMENT WITH INDONESIA FOR TRAINING OF OFFICERS**

**4767. SHRI V. NARASIMHA RAO :** Will the Minister of DEFENCE be pleased to state :

(a) whether an agreement was signed some time back with Indonesia for providing training facilities to

Indonesian Offices in our Army, Air Force and Navy Academies; and

(b) if so, whether the same agreement is still continuing or any modifications have been made therein?

**THE MINISTER OF DEFENCE (SHRI SWARAN SINGH) :** (a) and (b). Agreements were entered into between Indian and Indonesian Governments some years back which *inter alia* provided for the training of Indonesian officers by the Defence Services in India. These agreements are no longer in force.

#### EXTENSION OF SERVICE TO STAFF

**4768. SHRI SHRI CHAND GOYAL :** Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether the officers of his Ministry in different categories technical, non-technical and Class I to Class IV including its attached and subordinate offices like, PIB and Photo Division, are given extension of service even beyond the prescribed age of retirement of 58 years;

(b) if so, the names of all such officers/employees, who have been given extensions beyond the age of 58 years during the last five years;

(c) the reasons for giving extensions in each case; and

(d) the maximum periods upto which extensions have been granted?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) :** (a) to (d). Necessary information is being collected and will be placed on the Table of the House.

#### ARREST OF TRILOK CHANDRA GUPTA BY PAK. AUTHORITIES

**4769. SHRI M. L. SONDHI :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) the date on which Trilok Chandra Gupta was arrested by the Pakistan authorities and the date on which the Indian High Commission in Islamabad first intervened on his behalf;

(b) whether Government had arranged for his legal defence;

(c) whether Government had contacted the Red Cross to ensure his welfare and if so, how many days after the boy was arrested; and

(d) whether it is a fact that Government did not contest the allegation of Pakistan that Trilok Chandra Gupta had engaged in espionage and if so, the reasons therefor?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** (a) The Government of India became aware of the arrest of Trilok Chandra in Pakistan through his father's letter addressed to the Ministry of External Affairs on 14th March, 1966. The Ministry informed the Indian High Commission in Islamabad on the 17th March, 1966 and the High Commission sent a note to the Pakistan Government on the 24th March, 1966. This was followed by personal discussion of matter between First Secretary of the High Commission and Director, Ministry of Foreign Affairs, Government of Pakistan on 25th March 1966.

(b) The Government of Pakistan have not till today informed us of the detailed charges, the place and date of trial and the term of imprisonment. The question of providing legal defence to Trilok Chandra before his conviction, therefore, did not arise.

(c) The welfare of the boy was known through his letters to his father as well as a visit by officials of our Mission in Pakistan in December, 1966. Whenever there was a complaint from his father about delay in receipt of letters from him, the matter was immediately taken up with the Government of Pakistan to ensure that he was given facility for corresponding with his father.

(d) No, Sir. The allegation that Trilok Chandra has engaged in espionage activities was made only verbally by the Foreign Ministry of the Government of Pakistan in one of their talks with an officer of our High Commission, who immediately refuted the allegation and told them that this was

an absurd charge to be levelled against a boy of 17 years.

**ARTISTES FROM MANIPUR IN SONG AND DRAMA DIVISION**

4770. **SHRI M. MEGHACHANDRA :** Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) the number of artistes who have been recruited from Manipur as artiste

employees in the Song and Drama Division till date, their designated posts and pay scales;

(b) the terms and conditions of their service; and

(c) the manner of recruitment in details ?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH) :** (a) Forty-nine artistes as follows :

Sl. No.	Designation of the post	Prescribed consolidated fee	Prescribed running fee scale	No. of Artists recruited
		Rs.	Rs.	
1.	Dancer . . . . .	Nil	215—440	11
2.	Actor/Actress . . . . .	Nil	215—440	2
3.	Singer . . . . .	Nil	215—400	4
4.	Instrumentalist . . . . .	Nil	215—400	3
5.	Instructor . . . . .	200-00	Nil	3
6.	Performer . . . . .	150-00	Nil	19
7.	Training Assistant . . . . .	100-00	Nil	2
8.	Casual Artists . . . . .	No fee or fee scale has been prescribed; but each Articles selected is appointed on <i>ad hoc</i> terms, depending upon the capabilities of the individual Artist selected.		5

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(b) Staff Artistes in the Song & Drama Division are employed on renewable contracts and given consolidated fee or running fee scale, as prescribed for the corresponding posts. They are eligible for gratuity, on the basis of the service rendered. Those appointed on running fee scales, are also eligible for Dearness Allowance, House Rent Allowance, City Compensatory Allowance and such other allowances as are admissible in the case of regular Government servants.

(c) Applications are invited after due advertisement. They are then screened and candidates considered *prima facie* suitable and qualified are invited for audition before the Selection Committee and final selections made on the basis of the results of audition tests.

**PERSONS OF INDIAN DOMICILE IN CEYLON**

4771. **SHRI NITIRAJ SINGH CHAUDHARY :** Will the Minister of EXTERNAL AFFAIRS be pleased to state :

(a) whether persons of Indian domicile in Ceylon who are to come and settle in India have applied to our High Commissioner there for their early repatriation to India;

(b) if so, their number; and

(c) the steps Government propose to take for early scrutinizing of their applications and for arranging their repatriation ?

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI) :** (a) to (c). It is

presumed that the question is intended to relate to Stateless persons of Indian origin in Ceylon, 5,25,000 of whom are to be accepted by India, over a period of 15 years. Applications have been and continue to be received by your High Commissioner in Ceylon from these persons for the grant of Indian citizenship and are being processed in the normal manner under our regulations between the date of the Agreement, namely 30.10.64 and 31.7.1968, 23,889 persons have thus been granted citizenship. Of these, according to the latest available information, 5,497 persons have returned to India on their own.

#### SEPARATE GOVERNOR FOR NAGALAND

4772. SHRI B. N. SHASTRI: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether there is a proposal to appoint a separate Governor for Nagaland; and

(b) if not, the reasons therefor?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) No, Sir.

(b) In view of the present situation in the eastern region and the need for coordination of the administrative machinery it is not considered advisable to effect any change at present.

#### TECHNICAL HANDS IN ORDNANCE FACTORIES

4773. SHRI P. R. THAKUR: Will the Minister of DEFENCE be pleased to state:

(a) the number of technical hands of the cadre of artisans, skilled craftsmen and supervisors employed at present in each of the Ordnance Factories in the country;

(b) the number of Scheduled Castes and Scheduled Tribes in each of the factories;

(c) the number of vacancies in the aforesaid cadre filled during each of the last five years by the different factories; and

(d) the number of Scheduled Castes and Scheduled Tribes recruits therein, factory-wise?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI L. N. MISHRA): (a) to (d). The information is being collected and will be placed on the Table of the House.

#### CONSTITUTION OF CENTRAL SERVICES

4774. SHRI P. R. THAKUR: Will the Minister of DEFENCE be pleased to state:

(a) the names of the various Central Services already constituted or likely to be constituted shortly under the administrative control of his Ministry;

(b) the dates of the initial constitution and the Government rules framed for each of the Services since the inauguration of the Constitution;

(c) the strength of each of the services at the initial constitution and the number of yearly recruits separately for each of them till to-date; and

(d) the number of persons belonging to Scheduled Castes and Scheduled Tribes appointed to each of the services at the initial constitution and in the yearly recruitment till to-date?

THE MINISTER OF DEFENCE (SHRI SWARAN SINGH): (a) to (d). The information is being collected and will be laid on the Table of the House.

#### SCHEDULED CASTES/TRIBES CIVILIAN APPRENTICES IN THE DEFENCE ESTABLISHMENT:

4775. SHRI P. R. THAKUR: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that as far back as in 1952, his Ministry decided and issued instructions to the concerned authorities to ensure that the rules relating to the reservation of vacancies for the Scheduled Castes and Scheduled Tribes are strictly observed when recruiting civilian apprentices under their control and to make up the deficiency that might have occurred due to non-observance of these rules in future years;

(b) if so, the names of the authorities so intimated;

(c) whether instructions were issued in connection with apprenticeship schemes in the E.M.E. Corps and Ordnance Factories; and

(d) the scheme-wise results of the Government's decision and instructions since 1953 to date in terms of the total number of apprentices/trainees taken every year, the number of Scheduled Castes and Scheduled Tribes therein and the number thereof finally absorbed in regular employment in the concerned organizations?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA): (a) to (d). The information is being collected and will be laid on the Table of the House.

CENTRAL PASSPORT AND EMIGRATION ORGANISATION SERVICE

4776. SHRI P. R. THAKUR:  
SHRI SIDDAYYA:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) the date of the initial constitution of the Central Passport and Emigration Organisation Service and the rules framed therefor;

(b) the strength of the service at its initial constitution and the number of yearly recruits for it till to-date; and

(c) the number of persons belonging to the Scheduled Castes and Scheduled Tribes appointed to it at the initial stage constitution and in the yearly recruitment, till to-date?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): (a) The Central Passport and Emigration Organisation (Initial Constitution and Maintenance) Rules, 1959, came into force on 1.1.1959. These Rules are applicable to all Government servants who were borne on the establishment of either the Regional Passport Offices or the Emigration Offices in India on 1st January, 1959 and to those appointed thereafter in accordance with these Rules to the Central Passport and Emigration

Organisation. A copy of the Rules is laid on the table of the House. [Placed in Library. See No. LT-1807/68.]

(b) Statements showing the strength of the Service at its Initial Constitution and the number of yearly recruits are laid on the Table of the House (Annexures I & II). (These do not include Class IV employees. This information is being collected.)

(c) The total number of persons belonging to Scheduled Castes and Tribes appointed at the initial constitution in 1959 was 16. The yearly recruitment thereafter is as under:—

1960	• • •	2	
1961	• • •	8	(including 1 Sch. Tribe)
1962		:	4
1963		—	
1964		•	1
1965		•	1
1966		•	3 (including 1 Sch. Tribe)
1967	• • •	•	2
1968	• • •	•	

(The above figures do not include Class IV employees. This information is being collected.)

REFUSAL BY N.C.C. CADETS IN MERCARA (MYSORE) TO SALUTE NATIONAL FLAG

4777. SHRI BABURAO PATEL: Will the Minister of DEFENCE be pleased to refer to the reply given to Unstarred Question No. 1477 on the 21st February, 1968 and state:

(a) whether the proceedings of the Court of Enquiry ordered to probe into the incident of refusal by the N.C.C. Cadets in Mercara, Mysore to salute the National Flag has since been received;

(b) if so, the result of the enquiry; and

(c) the action taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI M. R. KRISHNA): (a) Yes.

(b) and (c). The enquiry indicated that the Senior Division cadets of both boys and girls contingents of the Government College, Mercara, who participated in the Republic Day ceremonial parade on the 26th January 1968, failed to obey the words of command given in Hindi and to pay compliments



to the National Flag. In the light of the report of the Court of Inquiry, the Government of Mysore were informed of the Central Government's view that the cadets were guilty of indiscipline and had set a bad example, and that under the scheme of the NCC Act and Rules, appropriate action may be taken against the concerned cadets in consultation with the educational authorities. The majority of the cadets had, however, tendered an unconditional apology.

**CORRECTION OF ANSWER TO UNSTARRED QUESTION NO. 3117 DT. 7-8-1968 CONCERNING AN ARTICLE PUBLISHED IN THE 'OBSERVER' REGARDING NAGA REBELLION.**

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI B. R. BHAGAT) :** In my reply to parts (a) and (b) of Unstarred Question No. 3117 given in the Lok Sabha on 7-8-1968, I had stated as below :

"(a) and (b). Yes, sir."

An inadvertent typographical error makes it necessary to revise the answer to that part of that Question as under:

"(a) Yes, Sir.

(b) Government have no information in this matter."

12.14 hrs.

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE SUPREME COURT JUDGMENT ON PUNJAB APPROPRIATION ACCOUNTS—contd.**

**THE MINISTER OF LAW (SHRI GOVINDA MENON) :** Sir, I understand that a copy of the judgment has been circulated. My statement is rather long. If you agree I will place it on the Table, or if the House desires I will read some portion of it.

**MR. SPEAKER :** He may place it on the Table.

**SHRI GOVINDA MENON :** Sir, I lay it on the Table.

#### STATEMENT

*Statement regarding the Judgment of the Supreme Court in the case relating to the validity of the Punjab Appropriation Acts*

1. The unanimous judgment of the Supreme Court given by five Judges

on July 30, 1968 regarding the Punjab Appropriation Acts, 1968 is of great significance from the point of view *inter alia* of powers of a Presiding Officer of a Legislature. I will briefly recall the main events which led to the Supreme Court decision.

2. The Legislative Assembly of Punjab was summoned to meet on February 22, 1968. The Annual Financial Statement was discussed on March 4, 5 and 6. On the last day, a Resolution was moved expressing no-confidence in the Speaker. The House granted leave and then adjourned itself to the following day.

3. When the meeting commenced next day, one of the members raised a point of order that there was a contravention of article 179(c) of the Constitution in moving the Resolution. The Speaker declared the motion of no-confidence to be unconstitutional and deemed to have not been moved at all. Another Resolution was then moved which led to rowdy scenes. The Speaker purporting to act under rule 105 adjourned the Assembly for two months.

4. A political crisis then arose. The budget had to be adopted before March 31, 1968 but the House stood adjourned to May 6, 1968. No expenditure in the State could, therefore, be made from April 1, 1968. In order to overcome this unprecedented situation, the Governor prorogued the Assembly on March 11, 1968 under article 174(2)(a) of the Constitution. On March 13, 1968, the Governor promulgated the Punjab Legislature (Regulation of Procedure in Relation to Financial Business) Ordinance, 1968. On March 14, 1968 the Governor summoned the Legislative Assembly under Article 174 fixing March 18, 1968 for its sitting. He further sent a message under article 175(2) directing the Assembly to consider the Punjab Appropriation Bills, Demands for Grants and other financial business.

5. The Legislative Assembly met on March 18. After about three hours' discussion on a point of order raised by the Leader of the Opposition the

Speaker gave a ruling that the order of the Governor summoning the House to meet on March 18 was "illegal, unconstitutional and void" and that the Ordinance promulgated by him on March 13 was also "null and void". He then re-affirmed his earlier ruling given on March 7 adjourning the House for two months and left the House. This adjournment was in direct violation of Section 3 of the Ordinance which provided that the sitting of either House of the Legislature shall not be adjourned without the consent of that House until conclusion of financial business.

6. The House continued to sit as directed by the Ordinance with the Deputy Speaker in the Chair and transacted its business. Two Appropriation Bills and other financial demands were passed by the House. The Bills were then transmitted to the Legislative Council certified by the Deputy Speaker that they were Money Bills. An objection was raised that the certificate under article 199(4) must be signed by the Speaker of the Legislative Assembly. This was overruled by the Chairman and the Bills were passed by the Legislative Council. They were then placed before the Governor with another certificate by the Deputy Speaker and the Governor signified his assent.

7. Two writ petitions were then filed in the High Court.

8. A Full Bench of the High Court unanimously held that the prorogation and the re-summoning of the Legislature were regular and legal, but that the ruling given by the Speaker on March 18 made the subsequent proceedings in the House illegal and that the Appropriation Acts were unconstitutional. The majority held that only the Speaker and not the Deputy Speaker was entitled to certify a Money Bill and the certification having been made by the Deputy Speaker was not valid. Section 3 of the Ordinance was declared by the majority as unconstitutional and invalid.

9. The Supreme Court in appeal set aside the judgment of the High Court

and ordered the dismissal of the writ petition with costs. Issues decided by the the Supreme Court are briefly summarised below.

10. The most important question dealt with by the Supreme Court relates to the ruling of the Speaker adjourning the House on March 18, 1968. In the Speaker's opinion the order proroguing the House on March 11 was illegal and void and hence the Governor had no power to re-summon the House on March 14, when it stood adjourned for two months under rule 105. The Speaker was further of the opinion that the Legislature was prorogued on March 18 and not on March 11. The Supreme Court held that the Legislature was prorogued not on March 18 but on March 11 and that the re-summoning of the Legislature on March 14 was a step in the right direction. It set up once again the democratic machinery in the State which had been rudely disturbed by the action of the Speaker. Knowing that it would ordinarily take much time to finish the Financial Business, that time was short and attempt would be made to delay matters, the ordinance created a law which Art. 209 enables to be enacted for the speedy disposal of financial business. The matters were, therefore, left in the hands of the Legislature with the only restriction that the Legislature would not adjourn except when the House by a majority desired it. This respected the democratic right of the Legislature but put down the vagaries of action calculated to delay the business. The measure was eminently healthy and as it was also legal and the Assembly was bound by the law thus enacted.

11. The Supreme Court then dealt with the powers of the Speaker regarding point of order. Points order regarding point of orders. Points of order can only be raised in relation to the interpretation and enforcement of the rules and the interpretation of the articles of the Constitution regulating the business of the House and the question to be decided by the Speaker must be within his cognisance [rule 112(1)]. The finality

of the Speaker's ruling applies subject to this condition [rule 112(3)]. The exact point of order before the Speaker concerned the validity of the Ordinance. According to the Supreme Court the Speaker did not confine his ruling to matters within his cognisance, but asserted himself against the Ordinance which was a law binding on him. If the Ordinance was to be disapproved that can only be done by passing a Resolution under article 213(2)(a). Instead of adopting this course the Speaker proceeded to nullify the Ordinance by a ruling which he was not competent to give and hence his ruling was not only not final but completely null and void and of no effect.

12. The Supreme Court further held that the continuance of the proceedings by the Deputy Speaker was valid and effective and hence the financial business transacted before the Assembly under his chairmanship had legal foundation.

13. On the question of the validity of the certificate issued by the Deputy Speaker under article 199(4) the Supreme Court took the view that the provisions of that article were directory and not mandatory and hence the certificate given by the Deputy Speaker in the circumstances of the case was effective and cannot be questioned in view of the provisions of article 212(1) of the Constitution. The Court accordingly held that the two Appropriation Bills were, therefore, duly certified by the Speaker.

14. In the end for the reasons aforesaid the Supreme Court unanimously allowed the appeals, set aside the judgment of the High Court and ordered the dismissal of the petitions with costs.

15. The Government of India trust that in view of the authoritative judgment of the Supreme Court in the Punjab case controversies about the functions and powers of the Presiding Officers of the Legislatures would be set at rest.

**श्री मधु लिमये (मुंगेर) :** अध्यक्ष महोदय, असल में आप ध्यान आकर्षण नोटिस के विषय को देखिये। हम उन से यह नहीं चाहते थे कि वह संक्षेप में बतलायें कि सुप्रीम कोर्ट ने क्या किया। हम उन से यह अपेक्षा करते थे कि सुप्रीम कोर्ट के द्वारा जिन सवालों पर निर्णय किया गया है, और उन में से एक महत्वपूर्ण सवाल आप के अधिकारों के बारे में हैं, उनके मुतलिक मंत्री महोदय अपनी प्रतिक्रिया बतलायें। उन्होंने अपने जवाब के अन्तिम अनुच्छेद में कहा है कि :

"The Government of India trust that in view of the authoritative judgment of the Supreme Court in the Punjab case controversies about the functions and powers of the Presiding Officers of the Legislatures would be set at rest."

यानी उल्टी बात हुई है। वह कह रहे हैं कि विवाद खत्म हो गया। लेकिन मुझे तो ऐस लगता है कि यह विवाद इस जजमेंट के बाद शुरू हो गया है। मैंने भी भूत काल में इस विवाद में दिलचस्पी ली है, और मैं आप का ध्यान केशव सिंह के बारे में सुप्रीम कोर्ट की जो ऐडवाइजरी ओपीनियन है उसमें पूरी तरह से न जाते हुए, केवल एक वाक्य की ओर दिलाना चाहता हूँ, जिसको लेकर काफी विवाद हुआ था। उसके बारे में तरह तरह की रायें आई थीं। गजेंद्र गडकर साहब की जो ओपीनियन है उसमें वह साफ लिखते हैं कि :

"Article 211(1) seems to make possible for a citizen to call in question in the appropriate court of law the validity of any proceedings inside the legislative chamber, if his case is that the said proceedings suffer not from mere irregularity of procedure but from an illegality. If the impugned procedure is illegal and unconstitutional, it would be open to be scrutinised in a court of law though such scrutiny is prohibited if the complaint against the

[श्री मधु लिमये]

procedure is no more than this that the procedure was irregular."

अब सुप्रीम कोर्ट के जजमेंट में सभा-पतियों के फैसलों के बारे में यह शब्द आते हैं कि :

"But can't his ruling (the Speaker's ruling) be called into question? Our answer is in the affirmative."

आगे भी बहुत सी बातें हैं, लेकिन मैं उन में नहीं जाना चाहता ।

MR. SPEAKER: You cannot deal with it so lightly.

श्री मधु लिमये: इसीलिये आप 193 के अन्दर इस पर बहस का मौका दीजिये ।

MR. SPEAKER: I cannot say anything now. There is so much of work pending before the House.

श्री मधु लिमये : ठीक है, अगले सत्र में हो, इस में कोई बात नहीं है । मेरा सवाल सिर्फ यह है कि कानून मंत्री ने इन फैसलों के बारे में जो नतीजे निकाले हैं क्या वह सत्य है ? यदि सत्य है तो उन के बारे में उन की क्या प्रतिक्रिया है, इससे वह सदन को अवगत कराये ।

SHRI GOVINDA MENON: I have thought about this matter. What the Supreme Court has said and what was read out by the learned Member now is with respect to the opinion of the Speaker of the Punjab Assembly regarding the constitutionality of a piece of law. On that I think the Supreme Court has now pronounced that it is not the function of a Speaker to pronounce upon the constitutionality of any law. In this case the question turned upon the point whether the Ordinance issued by the Governor of Punjab was legal or not. If it was valid law, then all that happened later in the Assembly could be justified. The Supreme Court said that this is valid law and it is not the function of the Speaker to pronounce upon the validity of the law. In this connection, may I draw your attention to what

you have yourself said, presiding over the Conference of Presiding Officers? Sir, you have stated there:

"The Speaker does not give rulings on legal issues. His function is to decide points of order which relate to the interpretation of Rules of Procedure and Articles of the Constitution relating to procedure. In all other cases he leaves the matter to be decided by the House."

Now, all that the Supreme Court said in this matter was that it was not open to the Speaker to say that that Ordinance was illegal. It was binding on him and binding on the House.

श्री मधु लिमये: अध्यक्ष महोदय, मेरे प्रश्न का उत्तर नहीं दिया गया ।

MR. SPEAKER: But it is too complicated a question. I do not think you can solve this question so easily. Now, Shri D. N. Patodia is not here. Shri Tyagi.

श्री ओम प्रकाश त्यागी (मोरादाबाद) :

सुप्रीम कोर्ट का जो आर्डर है उसने एक बड़ी समस्या देश के सामने उपस्थित कर दी है और वह यह है कि प्रजातन्त्र का जो स्वरूप है, उसके जिस स्वरूप को हम अब तक इस देश में मानते चले आये थे, वह अब संकट में आ गया है । प्रशासन, न्याय और लैजिस्लेचर के ऊपर गवर्नर को ला कर खड़ा कर दिया गया है और इससे मैं समझता हूँ कि समस्त समस्याएँ जटिल बन कर खड़ी हो जायेंगी । दूसरी समस्या इस देश में यह बन कर खड़ी हो गई है कि अगर स्पीकर के आर्डर, उसकी रूलिंग फाइनल नहीं है तो अब तक जितनी रूलिंग चाहे पार्लियामेंट में, चाहे प्रान्तीय असेम्बलियों में दी गई हैं सब बेकार हो जाती हैं, उनकी कोई कीमत नहीं रह जाती है । इस वास्ते सरकार के सामने यह प्रश्न है कि गवर्नर की पावर्ज फाइनल है या लैजिस्लेचर की और स्पीकर की ? इन दोनों में डिमार्केशन आप को करना होगा । सुप्रीम कोर्ट की जजमेंट ने एक चीज ला कर आपके सामने उपस्थित

की है कि सरकार को गवर्नर की पावर्ज और स्पीकर की पावर्ज को क्लेरिफाई कर देना चाहिये ताकि भविष्य में पंजाब जैसी स्थिति दूसरे किसी स्थान पर उत्पन्न न हो और देश में प्रजातन्त्र सुरक्षित रह सके। मैं जानना चाहता हूँ कि क्या सरकार ने इस दिशा में कोई विचार किया है ?

MR. SPEAKER : I do not think Government can do that business of clarifying the powers of the Speakers. I wonder if Government can do that.

SHRI GOVINDA MENON : Anyhow, that question does not arise from this judgment. What I would say is that the Governor's rulings are final with respect to matters which are under his jurisdiction and the rulings of the Speakers are final with respect to matters which come under them.

श्री हुक्म चंद कछवाय (उज्जैन) : मैं सरकार का ध्यान 18 मार्च को उन घटनाओं की ओर दिलाना चाहता हूँ जो कि विधान सभा के अन्दर हुई थीं जब कि कुछ पुलिस के अफसर सादी वर्दी में वहाँ घुस गए थे और उन्होंने सदस्यों के साथ मारपीट की थी, धक्का धक्का किया था, हुल्लड़बाजी की थी। मैं जानना चाहता हूँ कि इस प्रकार की घटनाओं का होना कहां तक ठीक है और कहां तक सरकार इसको ठीक मानती है ?

SHRI GOVINDA MENON : Sir, I am to be asked about the Supreme Court judgment.

श्री कंबर लाल गुप्त (दिल्ली सदर) : मैं यह मान कर चलता हूँ कि पंजाब असेम्बली के स्पीकर ने अपनी पावर्ज को एक्सीड किया कुछ मामलों में। लेकिन जो सुप्रीम कोर्ट का जजमेंट है इसके भी फार रीचिंग कंसिक्वेंसिस हैं और इसके इम्पलिकेशन भी बहुत गहरे हैं। मैं सुप्रीम कोर्ट की जजमेंट को फिटिसाइज करना नहीं चाहता हूँ और बैसा करना ठीक भी नहीं है। उन्होंने एक प्रेक्टिकल कंसिड्रेशन को सामने रखा है। लेकिन एक चीज है। जैसा मधु लिमये जी

ने कहा है कि क्या स्पीकर की रूलिंग फाइनल है, यह एक सवाल है। जैसे इस में यह कहा गया है कि स्पीकर ने एडजर्न कर दिया था हाउस को 18 मार्च को। आया उसका यह रूलिंग वैलिड था या ठीक था या वाइडिंग था या नहीं था ? उसके बाद गवर्नर ने उसको फिर बुलाया था। अब एक तरह से गवर्नर अगर वहाँ के रूलज आफ प्रोसीजर को—

MR. SPEAKER : You are discussing the legality of it and all that. I do not think the Minister can answer it.

श्री कंबर लाल गुप्त : मेरा कहना यह है कि इस जजमेंट से गवर्नर को बहुत ज्यादा पावर्ज मिल गई है और एक तरह से इसका मौका मिल गया है कि अगर कोई केन्द्रीय सरकार कल को गवर्नर की इंस्टीट्यूशन को मिसयूज करना चाहे तो वह वैसा भी कर सकता है। इस चीज का खयाल रखते हुए क्या सरकार जो इस जजमेंट की इम्पलिकेशन हैं उनको ठीक तरह से जानने के लिये कोई एक्सपर्ट कमेटी विठायेगी जो यह मालूम करे कि इस जजमेंट की बैकग्राउंड में हमारे विधान में क्या तरमीम की जानी चाहिये ?

SHRI GOVINDA MENON : With respect to the Governor's powers all that the Supreme Court judgment has said is that the Governor has got a power to prorogue the House under article 174. The Supreme Court has also said that the Governor can issue an Ordinance under article 213 when the Houses are not in session. These are non-controversial matters and are laid down in the Constitution. I do not think any expert committee is to look into this matter.

12.24 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

THIRTY-SIXTH REPORT

SHRI R. K. KHADILKAR (Khed) : Sir, I beg to present the Thirty-sixth Report of the Committee on Private Members' Bills and Resolutions.

**PETITION RE: GREIVANCES OF STATE EMPLOYEES OF BIHAR, UTTAR PRADESH AND WEST BENGAL**

**SHRI JYOTIRMOY BASU** (Diamond Harbour) : Sir, I beg to present a petition from Sarvashri Arabinda Ghosh and A. Sreeramulu regarding grievances of employees of the States of Bihar, Uttar Pradesh and West Bengal.

**MR. SPEAKER** : Kripalaniji.

**SHRI S. M. BANERJEE** (Kanpur) : Sir, on this petition, I have to make a submission.

**MR. SPEAKER** : No please; I have called Kripalaniji.

**SHRI S. M. BANERJEE** : Under Rule 169. . .

**MR. SPEAKER** : There is no point of order. You quote some rule everyday, Read the Rule first.

**SHRI S. M. BANERJEE** : I shall read it. Rule 169 says :

"Every petition shall, after presentation by a member or report by the Secretary, as the case may be, stand referred to the Committee on Petitions."

**MR. SPEAKER** : It is agreed. There is no point of order. Naturally, the petition will be sent to the Petitions Committee. Kripalaniji.

**SHRI S. M. BANERJEE** : Please hear me.

**MR. SPEAKER** : I have accepted it. What is the question? There is no controversy.

**SHRI S. M. BANERJEE** : If this is the attitude about the rules of the House, I better walk out.

**SOME HON. MEMBERS** : Go, go.

**MR. SPEAKER** : Kripalaniji. (*Interruptions*).

**SHRI S. M. BANERJEE** : What is this? There are certain rules. . . (*Interruptions*).

**MR. SPEAKER** : Please sit down.

श्रीमती तारकेश्वरी सिन्हा (बाढ़) वे लौट कर आए खुदा की कृदरत कभी हम उन को और कभी इस घर को देखते हैं ।

**MR. SPEAKER** : I request you to sit down. I have accepted what you say. You wanted it to be sent to the Petitions Committee. We will send it.

**SHRI S. M. BANERJEE** : I say, before sending it to the Committee, this is actually a petition. . . .

**MR. SPEAKER** : I don't mind hearing you. Everyday, you quote some rule. . . . (*Interruption*) I accept it and even then you want to say something.

**SHRI S. M. BANERJEE** : There is no question of acceptance of this rule. This rule is there. It will go to the Committee.

**MR. SPEAKER** : The whole House believes that whoever shouts will get a chance. All right. You go on.

**SHRI S. M. BANERJEE** : If this is the attitude, I am sorry. The whole day we are here.

**MR. SPEAKER** : Others are also here, not only you.

**SHRI S. M. BANERJEE** : Sir, I seek your guidance. My point of order may be wrong, my interpretation may be wrong. I have a right to raise the point of order.

**MR. SPEAKER** : You quote some rule everyday. You read this Rule 169 and I also read it. I accept it.

**SHRI S. M. BANERJEE** : Here is a petition which has been presented to the House. We know what is going to be the fate of the petition. This is a very important issue. . . .

**MR. SPEAKER** : How is it relevant now?

**SHRI S. M. BANERJEE** : What is in the Order Paper? There is item 5 :

"Shri Jyotirmoy Basu to present a petition from Sarvashri Arabinda Ghosh and A. Sreeramulu regarding grievances of employees of the States of Bihar, Uttar Pradesh and West Bengal."

Now, he has presented a petition. My submission is. . . .

**MR. SPEAKER** : You want to discuss that.

SHRI S. M. BANERJEE: I do not want to discuss that. Kindly hear me. Don't stop me without hearing me.

MR. SPEAKER: Everyday, it is happening; it has become routine.

SHRI S. M. BANERJEE: Naturally, when something strikes me, I want to seek your guidance. (*Interruption*).

MR. SPEAKER: The whole House is ridiculing not only you but me also.

श्री ब्रह्मदत्त गनी दार (गुड़गांव): आन ए प्वाइंट आफ आर्डर, सर। मैं अर्ज करना चाहता हूँ कि आप सारे हाउस के मालिक हैं। अगर एक शब्द को हर रोज सूने और वह पढ़ कर आए और दूसरे मेम्बर पढ़ कर न आएँ तो आप उससे खफा हो जायेंगे? क्या आप यह कहेंगे कि वह क्यों रोज प्वाइंट आफ आर्डर रोज करता है? मेरी गुजारिश है कि आप उसको सुनें और सुन कर आप अगर समझते हैं कि उसके प्वाइंट आफ आर्डर में कोई सबस्टेंस नहीं है तो उसको रद्द कर दें—

آ [شری عبدالغنی ڈار (گڑگاؤں): آن اے پوائنٹ آف آرڈر سر۔ میں عرض کرنا چاہتا ہوں کہ آپ سارے ہاؤس کے مالک ہیں۔ اگر ایک شخص کو ہر روز سوچھے اور وہ پڑھ کر آئے اور دوسرے ممبر پڑھ کر نہ آئیں تو آپ اس سے خفا ہو جائیں گے؟ کیا آپ یہ کہیں گے کہ وہ کیوں روز پوائنٹ آف آرڈر ریز کرتا ہے۔ میری گزارش ہے کہ آپ اس کو سنیں اور سن کر آپ اگر سمجھتے ہیں کہ اس کے پوائنٹ آف آرڈر میں کوئی سبستنس نہیں ہے تو اس کو رد کر دیں۔]

MR. SPEAKER: Will you kindly sit down? There is no point of order. It is a point of disorder, not a point

of order. These types of points of order are bringing the House to ridicule. He calls it a point of order. It is a disorder. Kripalaniji.

SHRI S. M. BANERJEE: On a point of personal explanation. May I request you not to get angry with those Members who take active part in the House and who try to understand the things. I do not claim to be a genius like them. I still consider myself to be an ordinary Member, a humble Member, who tries to read the papers and tries to understand something. My question is this. This particular petition is of a special nature. Three State Governments are under the Centre—West Bengal, U.P. and Bihar. So, I want to request you under the rule that before referring it to the Committee, you may kindly allow a discussion on that in the House. This is my request under the rule.

MR. SPEAKER: Is this the way of asking? Suppose, a paper is laid on the Table, should a member get up and say that we should have a discussion on this? The rule is there for everybody. Let us first discuss it....

SHRI S. M. BANERJEE: I have made a request under the rule.

MR. SPEAKER: I have read the rule. If you want any discussion, you must write to me. On any subject, if anybody wants a discussion, he must first write to me. I have been allowing so many discussions. If you just raise it on the spot, do you think that I will allow a discussion on the spot? If, on the spot, you say, 'Come on; let us have a discussion', how can I allow it? Will it be possible for me to do it?

SHRI S. M. BANERJEE: I got this opportunity. A petition was presented. I am talking on that petition. I am requesting on the basis of rule, Sir.

MR. SPEAKER: Suppose, a paper is laid on the Table. Can anybody get up and say, 'On this, I want a discussion'? The same thing applies here.

SHRI S. M. BANERJEE: I am talking on petition, on the basis of rule.

MR. SPEAKER: For them also some other rule is there. Anyway, even if

[Mr. Speaker]

you raise it, I cannot possibly allow a discussion here and now. I cannot even guarantee that a discussion will be allowed. It will have to be considered and then we will have to find time for it. There are so many procedures. Even if you ask, will the Speaker be able to say on the spot, 'Come on; let us have a discussion tomorrow or the day after'? Is it possible? Will he then be able to adjust the work of the House?

SHRI S. M. BANERJEE : I never said that. I realise your difficulty. But you must also realise our difficulties.

SHRI N. DANDEKER (Jamnagar) : This can be closed in a minute. The rule says : "Every petition shall stand referred to the Committee". There can be no question of any discussion.

MR. SPEAKER : Everybody knows that.

श्री एस० एम० जोशी (पूना) : अध्यक्ष महोदय, मेरे मित्र, श्री बनर्जी, ने कहा है कि इन प्रदेशों में राष्ट्रपति की हुकूमत है, इस लिये इसके बारे में चर्चा होनी चाहिये। बिहार के बजट के बारे में आज या कल हाउस में चर्चा होने वाला है। मैं प्रार्थना करूँगा कि उस में माननीय सदस्यों को इस सवाल को उठाने का ज्यादा मौका दिया जाये।

12.33 hrs.

#### PERSONAL EXPLANATION UNDER RULE 357

SHRI J. B. KRIPALANI (Guna) : I do not stand to give a personal explanation, but I sit and give it.

The day before yesterday, in the discussion on Mr. Madhu Limaye's motion, in my speech I used one expression which I find I ought not to have used. I said, nobody can be a Minister unless there is something shady about him. If any objection had been raised then, I would have withdrawn that word immediately. But I do so now and I apologize to the members on the Treasury Benches. What I meant to say was that nobody could

be a Minister unless he has some worldly wisdom which the members of the Opposition lack at present and which sometime they will gain when they aspire to that office.

12.34 hrs.

#### BUSINESS ADVISORY COMMITTEE TWENTY-SECOND REPORT

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH) : I beg to move :

"That this House agrees with the Twenty-second Report of the Business Advisory Committee presented to the House on the 20th August, 1968."

श्री इसहाक सम्भली (अमरोहा) : अध्यक्ष महोदय, मैं अर्ज करना चाहता हूँ कि यू० पी० के बजट पर डिसकशन के लिये सिर्फ एक घंटा रखा गया है, जब कि यू० पी० में गोली चलने की पाँच वारदातें हो चुकी हैं और हरिजनों के साथ जा-बजा अत्याचार किये जा रहे हैं, जो कि सरकारी रिपोर्टों में एडमिट किया गया है। यह खुशी की बात है कि बिहार के लिये तीन घंटे रखे गये हैं। हो सकता है कि इस की वजह यह है कि डा० राम सुभग सिंह का वह प्रदेश है। लेकिन यू० पी० के बजट के डिसकशन के लिए एक घंटा बिल्कुल नाकाफी है। मैं समझता हूँ कि इसके लिये कम से कम तीन घंटे दिये जाने चाहिये। यह किसी पार्टी का सवाल नहीं है। यू० पी० हिन्दुस्तान की बिगैस्ट स्टेट है। उस के बजट के लिये सिर्फ एक घंटा रखना बड़ी भारी ना-इन्साफी है।

श्री राम सेवक यादव (बाराबंकी) : मेरे जिले में चार हरिजनों की हत्या हुई है।

श्री श्रीचन्द गोयल (चण्डीगढ़) : अध्यक्ष महोदय, मैं श्री सम्भली के सुझाव का अनुमोदन करता हूँ। जहाँ तक मैं समझता हूँ, बिजनेस एडवाइजरी कमेटी की



पहली रिपोर्ट में यू० पी० के लिये तीन घंटे रखे गये थे। न मालूम, किस कारण इस रिपोर्ट में वहां के बजट पर विवाद के लिये केवल एक घण्टा रखा गया है। वह इतना बड़ा प्रदेश है और इस सदन में उस के इतने अधिक सदस्य हैं। इस लिये इसके लिये समय निश्चित रूप से बढ़ाना चाहिये।

**श्री महाराज सिंह भारती (मेरठ) :** अध्यक्ष महोदय, अगर आप हर एक पार्टी के प्रतिनिधि को दस मिनट भी देंगे, तो तीन घंटे से कम समय नहीं लगेगा। एक घंटे से काम नहीं चलेगा। इससे अच्छा है कि इस बजट को ऐसे ही पास कर लिया जाये।

**श्री रामावतार शास्त्री (पटना) :** अध्यक्ष महोदय, बिहार के बजट के लिये आप ने तीन घंटे का समय निश्चित किया है। हम उस बजट पर नये सिरे से विचार करने जा रहे हैं। इस लिये उसका समय बढ़ाना चाहिये। इस के अलावा डेलीगेशन आफ पावर्स के लिये एक घण्टा रखा गया है। यह समय भी अपर्याप्त है। इस लिए इन दोनों आइटम्स के लिये कुल छः घण्टे का समय रखा जाना चाहिये।

**श्री मोहन प्रसाद (बांसगांव) :** अध्यक्ष महोदय, यू० पी० के लिये समय जरूर बढ़ाना चाहिये। मेरे जिले में चार महीनों में चालीस हत्याएँ हुई हैं।

**श्री प्रकाशवीर शास्त्री (हापुड़) :** अध्यक्ष महोदय, आप को स्मरण होगा कि जब पिछले शुक्रवार को इस सप्ताह के कार्य की घोषणा हो रही थी, तो मैंने, श्री इन्द्रजीत महोदय और अन्य माननीय सदस्यों ने काश्मीर का प्रश्न उठाया था। डा० राम मुभग सिंह ने उस समय यह स्वीकार किया था कि काश्मीर की विशेष स्थिति को ध्यान में रखते हुए उस पर इसी अधिवेशन में चर्चा की जायेगी। लेकिन मुझे यह देख कर आश्चर्य हुआ है कि इस सूची में से उस

आइटम को बिल्कुल हटा दिया गया है। आपकी उपस्थिति में संसद-कार्य मंत्री ने यह वक्तव्य दिया था। इस लिए मेरा अनुरोध है कि काश्मीर के सम्बन्ध में चर्चा को अगले सप्ताह निश्चित रूप से लेना चाहिये।

**श्री चन्द्रिका प्रसाद (बलिया) :** अध्यक्ष महोदय, यू० पी० के लिये समय कम दिया गया है। यू० पी० में हरिजनों पर गोलियां चलाई जा रही हैं। मैंने बलिया में गोली चलने के सम्बन्ध में दो कालिग-एटेंशन नोटिस दिये थे, लेकिन आप ने उन को मंजूर नहीं किया है। मेरा निवेदन है कि इस के लिये तीन घण्टे का समय देना जरूरी है।

**MR. SPEAKER :** I shall explain the position. Yesterday, the representatives of all the parties were there and we had discussed this matter. The question is asked why there is only one hour allotted for the discussion on UP while 3 hours are there for Bihar. It is not as though there is any discrimination. So far as UP is concerned, hon. Members are getting 3 hours more on the continuance of President's rule there, and they will be getting 1 hour for the discussion of the UP demands, and so, in all they would be getting 4 hours. Anyway, Dr. Ram Subhag Singh will say what he wants to say about it.

As regards Kashmir, there is a non-official resolution by Shri Atal Bihari Vajpayee which has secured the first place. So, hon. Members will be getting not half an hour or one hour for that discussion but perhaps one whole afternoon, and I think that it is coming up this Friday. Shri Atal Bihari Vajpayee was also there at the meeting, and this matter was considered, and it was felt that whether it be by way of an official motion or non-official motion, Kashmir would be discussed for one whole afternoon, and, therefore, that would be enough. Anyway, let us hear what the hon. Minister has to say.

**श्री इसहाक सम्भली :** इस में यू० पी० के बजट के लिये तीन घंटे तो नहीं दिये गये हैं। वह तो राष्ट्रपति शासन के लिये हैं।

**MR. SPEAKER :** It is already included in the report of the Business Advisory Committee presented last week. Three hours are there for the discussion on President's rule and 1 hour will be there for the Demands.

**श्री महाराज सिंह भारती :** 11 करोड़ लोगों का बजट है, इस पर इतने कम समय में कैसे होगा ?

**श्री इसहाक सम्भली :** यह दोनों एक साथ, क्यों नहीं हो सकता ? ..... (व्यवधान) . . . .

**MR. SPEAKER :** It is in the earlier report—three hours for that. We have an additional one hour now for these Demands. That has to come now.

**श्री भोलू प्रसाद :** गोरखपुर में इतना अत्याचार हुआ है ..... (व्यवधान) ..... एक श्री ध्यान आकर्षण सूचना आप हमारी मंजूर नहीं करते हैं तो हम कब उस के ऊपर डिस्कशन करेंगे ?

**MR. SPEAKER :** Is it possible to take it up today, this UP matter and have four hours ?

**DR. RAM SUBHAG SINGH :** No, Sir. How can it be possible ? It is not within my competence. You have clearly explained the whole position. Shri Ishaq Sambhali was not there in the meeting. His representative was there. Without any hesitation he agreed to the arrangement that has been made. The UP Budget was discussed a long time back. Now the Bihar Budget is going to be taken up. He is seeing everything through his own eyes. I make no discrimination between UP and Bihar. This is the UP Supplementary Demands which we have to take up. So no such statement was called for.

As regards Jammu and Kashmir, you have already made the position clear.

**श्री इसहाक सम्भली :** अध्यक्ष महोदय, यह क्यों नहीं हो सकता जैसा कि आप ने सजेस्ट किया कि इस सप्लीमेंट्री बजट को और गवर्नर के रूल को एक साथ ले लिया जाय ? इस में क्या दुश्चारी पेश आ रही है ?

**डा० राम सुभग सिंह :** हम को तो वह स्वीकार है। अध्यक्ष महोदय ने जो बताया डिस्कशन आन दि रेजोल्यूशन सीकिंग कान्टीन्यूएंस आफ प्रेसीडेंट्स रूल इन यू० पी०, इस पर तीन घंटे समय है और सप्लीमेंट्री बजट पर 1 घंटा है, दोनों को साथ ले लीजिए, मुझे कहां एतराज है ?

**MR. SPEAKER :** There is nothing to be stated here. It is only adjusting the work. One hour is quite insufficient. UP has got so many members here; no member will be able to do justice to the subject. We did discuss that. But these three hours are there. Complaints were made to me about the insufficiency of the time before. Now some other friends have also come with the same complaint. But all these matters that they want to raise can be raised in those three hours that we are going to have. The Supplementary Demands can be disposed of perhaps in one hour. But in the other three hours, they can deal with all other aspects of the administration and the problems of the State.

**श्री एस० एम० जोशी (पूना) :** अध्यक्ष महोदय, बजट के ऊपर हम कटमोशन देते हैं, मगर उस पर हम बोलेंगे नहीं तो कटमोशन का मतलब क्या रह जाता है ? हम कभी देते नहीं, लेकिन इस वक़्त दे दिया है, तो कम से कम हम को बोलने का मौका होना चाहिये।

**MR. SPEAKER :** I agree with you.

**श्री शिव चरण साह (फिरोजाबाद) :** अध्यक्ष महोदय, यू० पी० में पुलिस का अत्याचार चरम सीमा पर पहुँच गया है। मैं ने सवाल किया था, उसे आप ने काट

दिया। मैं आप के पास गया... (व्यवधान)... मैं फिरोजाबाद जिला आगरा के तोतापुरी और दूसरे गांवों का किस्सा बताऊँ, पुलिस ने वहाँ हरिजनों के साथ इतना अत्याचार किया है जो अंग्रेजों के वक्त में भी कमो नहीं हुआ। 32 घण्टे तक लगातार लूट होती रही, 11 मातों को उन्होंने लूटा और..... (व्यवधान)..... अध्यक्ष महादय, आप ने मेरा सबाल काट दिया। मैं चाहता हूँ इसकी जाँच करायी जाय, मंत्री जो इसकी जाँच करायें.....

MR. SPEAKER: Order, order. When UP is discussed, he can say all that. We are now discussing only the time allocation, not the details. May I suggest that instead of one hour for the Supplementary Demands, in addition to the three hours we will have two hours?

श्री मोलू प्रसाद: एक भी ध्यान आकर्षण सूचना आप हमारी मंजूर नहीं करते हैं। सब डिसएलाऊ कर देते हैं....

MR. SPEAKER: When UP comes up for discussion, he can say all that.

SHRI SHIV CHARAN LAL\*\*

MR. SPEAKER: Order, order. There must be some limit to this. Nothing that he says will be recorded.

His party will I am sure give him a chance to explain all these things when the U.P. Budget comes up before the House. But not now. I shall give him a chance; let his party send his name and then I shall give him a chance.

श्री शिव चरण लाल: मैं दो दफे आप से मिलने गया इस मसले पर लेकिन आप ने मुझे कोई रास्ता नहीं बताया.....

श्री मोलू प्रसाद: पोलैंड का, हार्लैंड का, दुनिया के किसी देश का सबाल आता है उसकी सूचना आप मंजूर कर लेते हैं लेकिन देश के अन्दर क्या हो रहा है इसकी सूचना कभी मंजूर नहीं करते। हम कोई भी

सूचना देते हैं, वह डिसएलाऊ कर देते हैं।

MR. SPEAKER: Work is now being stopped. We have reached the limit, I am afraid. We are becoming a laughing stock. I do not think that anybody should go on shouting like this. I have been trying to accommodate all sections of the House.

श्री मंसूह प्रसाद: पुलिस का अत्याचार वहाँ चरम समा पर पहुँच गया है.... (व्यवधान)....

MR. SPEAKER: If there is this type indiscipline and shouting, I cannot control. I do not know what method the leaders will tell me to adopt. This is not the way of doing things. I hope it will not be repeated and the patience of the Chair will not be tested.

श्री न० प्र० यादव (सीतामढ़ी): अध्यक्ष महोदय, बिहार बजट पर तीन घण्टे का समय दिया गया है। उत्तर प्रदेश के लोगों ने हल्ला किया तो अपने समय बढ़ाया। मैं कहना चाहता हूँ, बिहार के बजट पर कम से कम छः घण्टे समय दजिए। हम हल्ला नहीं मचाते हैं तो आप हमें बोलने के लिए समय नहीं देते हैं।

MR. SPEAKER: All right. I recommend strongly to the Minister of Parliamentary Affairs that Bihar Budget may be allotted 12 hours. There is another Member from U.P. He also wants more time. I strongly recommend to the Minister of Parliamentary Affairs 12 hours for Bihar and not three hours, but 16 hours for U.P.?

The question is:

"That this House agrees with the Twenty-second Report of the Business Advisory Committee presented to the House on the 20th August, 1968, subject to the modification that the time allotted for the discussion and voting of the Demands for Supplementary Grants (Uttar Pradesh) for 1968-69, be increased from one hour to two hours."

\*\*Not recorded.

[Mr. Speaker]

*The motion was adopted.*

12.48 hrs.

**APPROPRIATION (RAILWAYS) NO. 3 BILL\*, 1968**

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI PARIMAL GHOSH): On behalf of Shri C. M. Poonacha, I move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1968-69 for the purpose of Railways.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1968-69 for the purposes of Railways."

*The motion was adopted.*

SHRI PARIMAL GHOSH: I introduce the Bill.

12.48½ hrs.

**APPROPRIATION (RAILWAYS) NO. 4 BILL,\* 1968**

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI PARIMAL GHOSH): On behalf of Shri C. M. Poonacha I move for leave to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1966, in excess of the amounts granted for those services and for that year.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1966, in

excess of the amounts granted for those services and for that year."

*The motion was adopted.*

SHRI PARIMAL GHOSH: I introduce the Bill.

12.49 hrs.

**GOLD (CONTROL) BILL—Contd.**

MR. SPEAKER: We shall take up the Gold (Control) Bill now. Shrimati Sharda Mukerjee was speaking yesterday.

SHRI S. M. BANERJEE (Kanpur): How will you divide the time, Sir?

MR. SPEAKER: Eight hours have been allotted. We can have four hours for general discussion, three hours for clause-by-clause consideration and one hour for the third reading.

SHRI S. M. BANERJEE: There are nearly 300 amendments.

MR. SPEAKER: Do you want three hours for general discussion and four hours for the other thing?

SHRIMATI TARKESHWARI SINHA (Barh): What you, Sir, have said is all right.

SHRIMATI SHARDA MUKERJEE (Ratnagiri): Sir, as I was saying yesterday, even the report of the informal group on gold control, that is, the Gold Control Bill, has stressed some reasons for the unsuccessful operation of the Gold Control Order. These are very valid reasons and these reasons continue to exist today. And as far as I can see, unless there is a considerable change in the social patterns and economic development of the country, these reasons will be there for many years to come.

The reasons as mentioned by the informal group are: (1) "Lack of political support". I would rather say it is lack of social sanction. Secondly, "lack of response to the legitimate complaints of thousands of small goldsmiths." In other words, lack of provision of opportunities for smaller types of craftsmen as far as goldsmiths

\*Published in Gazette of India Extraordinary, Part II, section 2, dated 21st August 1968.

†Introduced with the recommendation of the President.

are concerned. Thirdly, "lack of adequate machinery for effective and equitable enforcement of the control." I do not wish to reiterate what the hon. Members before me from all sides of the House have expressed so ably and so convincingly. The question before the House is, will this Bill, in its present form, fulfil economic, social and national objectives which it seeks to attain or is it going to be another piece of legislation honoured more in the breach than in the observance?

12.52 hrs.

[MR. DEPUTY-SPEAKER in the chair.]

Is it going to clear the way for the rich and the influential and cause harassment and hardship to the poor and unprotected sections of society, and, above all, is it going to provide another easy source of corruption for the givers of licences and executors of searches? I have seen the markets of cities flooded with contraband articles, and the villages of India deprived of all the basic items of food because of foodgrain control, the fraudulent execution of authority by the smallest revenue officials in an ordinary matter of transfer of land; how then can one have confidence that this Bill will ensure justice to the goldsmiths and the villager, when there is no statutory provision for the rehabilitation of the unemployed or redress of grievances except through a court of law which is out of the question for the large majority of people who will be directly affected by this Bill when it becomes the law of the land?

I doubt whether even the States have been consulted about this Bill. That even the Members of the Joint Committee have not been unanimous in their recommendations is adequate proof that this Bill could have been presented in a more acceptable form.

The Joint Committee report also mentions that no evidence could be taken. The questions before us are, how is it possible to regulate those things and watch over every goldsmith working in thousands of places in thousands of small houses all over

India? How is it possible to deal with the social problem affecting those classes of artisans if they are deprived of their main occupation and livelihood? These problems include the transfer of their places of residence, include the question of their re-employment in a period of recession and their family problems. How, may I ask, under the present circumstances, when neither the co-operative banking system nor the State or commercial banking systems have succeeded in coping with the rural credit needs, can the habit of investing in gold be changed? I do not want to go into the complexities of the co-operative credit systems and their methods of operation, but this is a fact of life—that no legislation in itself can cure all these things unless there is a parallel method which is employed to understand and remove the causes. So, this legislation will in fact prove in operable, ineffective and untenable. It will increase the administrative costs and it will not solve the problem at all. We should have learned from the experiences of food controls, licensing of industries, prohibition and other such measures. The objectives were laudable; the intentions were super-human, but the results have been disastrous. Therefore, while I admit and recognise the economic needs of the country, I am much more concerned with the implementation of this Bill which I feel does not provide any way whereby the small man is not harassed and whereby the rich man can get away with all the things which we are supposed to stop.

When we see that in the last five years the price of gold which had come down to Rs. 90 and Rs. 95 in 1963, is today Rs. 162, when we see that everywhere the law has become ineffective, because certain people have the influence to subvert the law and that we cannot go through with it, my only submission is that there should be some guarantee that there is no harassment of the small man and the harassment will take place in regard to the small goldsmith, not the big jeweller; not in regard to the big jeweller but to the small man. So,

[Shrimati Sharda Mukerjee]

in 1963, when there was a modification of the Gold Control Order, when certain demands and certain appeals were made, various leaders even promised to see that there would be a redress of all grievances, but unfortunately we have had to go back on it. So, I would say that if there were a control on primary gold—if there was a removal of the restriction on the manufacture and trade of ornaments,—if this clause concerning possession—or clause 101—which is so wide regarding the precautions which a licensed dealer is supposed to take when he acquires gold—if all these clauses could be put right, could be put in such a way that they cannot be implemented into a harassment of the people, then I think that perhaps we would go some part of the way in reducing the distress which is bound to be caused to the small goldsmiths. We shall deal with this clause when we come to the clause-by-clause consideration of the Bill.

Finally, I would also like to submit that in the report which the Joint Committee has given, we find that the clauses are not the same, as in the Bill circulated to us. For instance, clause 17 is given as clause 16 in the Bill as presented by the Joint Committee. Clause 101 is given as clause 100. This is obviously some kind of slip-up on the part of the Secretariat, but it does make for a lot of confusion when you have clause 16 in the Bill as reported by the Joint Committee and which is given as clause 17 in the original Bill. This, I want to bring to your notice. Please kindly look up what is clause 17 here, on possession, and what is clause 16 in the Bill as reported by the Joint Committee. Such a thing goes through all the provisions of the Bill. The clauses in the Bill do not concur or do not co-ordinate with the clauses as given in the Bill that emerged from the Joint Committee.

MR. DEPUTY-SPEAKER: May I know whether the hon. lady Member would require some more time?

SHRIMATI SHARDA MUKERJEE:

I have finished: It is only a preliminary discussion; there is still the clause-by-clause consideration which is coming.

13 hrs.

The Lok Sabha adjourned for lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after lunch at five minutes past fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the chair.]

GOLD (CONTROL) BILL—Contd.

MR. DEPUTY-SPEAKER: Shri Dinkar Desai.

SHRI DINKAR DESAI (Kanara):

Mr. Deputy-Speaker, Sir, I rise to oppose the Gold (Control) Bill. Though I am in favour of the objectives of this Bill. I strongly feel that these objectives will not be achieved by this Bill or any Bill of this kind.

In the first place, it has been said that it is the intention of the Bill to keep the price of gold under check, that by having this legislation the price of gold will not increase. But Sir, experience has shown that price of gold has increased tremendously after the Gold (Control) Order. Then, it is expected that this Bill when it becomes an Act will stop gold smuggling in this country. But that also has not happened after the Gold (Control) Order was enforced, and this point has been very forcefully made yesterday by my hon. friend, Shri Dandeker. I fully agree with what he said yesterday to the effect that this Bill will not in any way stop gold smuggling. Then there is the question of foreign exchange. This will not solve foreign exchange, because the difficulty of foreign exchange is in no way connected with the smuggling of gold. Then, there is the question of hoarding. We find that hoarding of gold did not lessen after the Gold Control Order came into force. Considered from any point of view, it is very clear that this Bill will not achieve the objectives. On the other hand, it creates certain very serious problems. The goldsmiths, particularly those who are in the villages, numbering lakhs, will be

unemployed; they are already unemployed and this unemployment will continue and cause terrible misery for the goldsmiths.

Of course, the Deputy Prime Minister may say that there is a scheme for rehabilitation for goldsmiths. But rehabilitation will not help in any way, because after all, the rehabilitation cannot be complete. Moreover, rehabilitation is not a thing which is liked, and rightly so, by the goldsmiths. What is the idea of rehabilitation of goldsmiths? I know certain cash payments are made to them. They do not like the cash payments for two reasons: in the first place, these cash payments will not be useful to them till the end of their lives. They are very meagre. Secondly, they do not want this charity from Government or from anybody else. They want to have the right to work, and earn their livelihood. They are against this rehabilitation idea, because it is nothing but charity, and no respectable person would like to live on charity, and our goldsmiths certainly would not like that.

Then there is the question of corruption and harassment. This Gold Control Order has led to corruption and it has resulted in harassment of the poor goldsmiths, 90 per cent of whom are living in our villages. That is why this legislation will not benefit the country, but, on the contrary, it will lead to many evils.

Then, it is stated that this particular Bill will help the economy of this country. If you see the economy of this country, the greatest trouble today is the rise in prices, and in a way people want to have some gold as an insurance against inflation. Today, why do people want to have some gold, because they have no confidence in this Government because under this Government, during the last 20 years, the prices have rocketed high and whenever in a country the prices go up, the people lose confidence in the Government, and the only security against inflation is gold. That is so because gold has got a permanent value; the Governments may change but gold

never changes its value. That is the reason why our people are interested in having some gold with them as an insurance against inflation.

SHRI C. K. BHATTACHARYYA (Raiganj): The value of gold changes.

SHRI DINKAR DESAI: Not that way. It will buy still the same thing. The monetary value of gold may change under certain circumstances but not its intrinsic value. I would like to bring to the notice of this house that gold is the most important security against famine in our villages. I would like to give the example, in this connection, of the Bijapur district in Mysore State is a famine district, and that district has more gold than any other district in the Mysore State. In 1962, when China invaded our country, there was an appeal for gold donations and Bijapur district alone gave about 40 to 45 per cent of the entire gold that was collected in the whole Mysore State. We know that there is more gold in Bijapur district because it is a famine district. The kisans there will have to take some gold as an insurance against famine years. In Bajipur district, what happens is that there is a famine almost once in three years on an average: if this year is a famine year, next year is scarcity and then there is a bumper crop year. So, when they get a bumper crop, they purchase some gold, particularly some gold ornaments, and they keep those ornaments as a security against the famine years, because whenever famine appears they take those ornaments to the moneylenders, get the money and thus on their ornaments they live in the Bijapur district, for one or two years because sometimes there are no rains there even for two years together. Bijapur is a notorious famine district and that is the reason why we clearly see that in that district there is more gold than in any other district in the whole of Mysore State, because it is a question of security for our peasants. Yesterday, this point was made by my hon. friend Shri Tenneti Viswanatham and here is an example of that. That is why it goes without saying that people should have some gold with them.

[Shri Dinkar Desai]

Moreover, in the villages there are no banking facilities. Of course, the hon. Deputy Prime Minister may say, 'Why should they give the gold to a private moneylender and take money? Then can keep the money in the bank.' First of all, there are not adequate banking facilities in the villages. Further, the villagers are not also sufficiently bank-minded because it will take a lot of time.

Then, there is the question of artisan-ship. The gold artisanship has been there in our country for the last two thousand years. It is world famous, and if we have this legislation, then I am sure that in course of time, we shall lose this artisanship and workmanship. This gold workmanship and artisanship is such an excellent workmanship that I just want to give one example. There are some villages in my district where the goldsmiths prepare beautiful ornaments and they are exported in large quantities to America. But after the gold control order, that has practically stopped. One village called Kadwa in Karwar taluk used to export more than Rs. 5 lakhs worth of gold because the workmanship was so good, and the Americans could not have that workmanship and they have had to import the ornaments made in this country. Instead of having this gold control order, I would request the Deputy Prime Minister to devise a way how to increase the exports of our gold ornaments.

Then, there is another fundamental question. The hon. Minister thinks that everything can be improved by legislation. All things cannot be improved by legislation. We have to face the realities. I shall give just one example. The Deputy Prime Minister thought that if there would be total prohibition by law, there would be no drinking in this country. But the reality is not so. In spite of prohibition people are drinking and drinking on a larger scale. Further despite prohibition, drink has entered even in the villages to a greater extent, and illicit distillation has become a magnificent cottage industry. The

same thing will happen in regard to this Bill also. Just as drinking has gone underground, likewise, gold will also go underground.

SHRIMATI TARKESHWARI  
SINHA : It has.

SHRI DINKAR DESAI : It will go underground still deeper.

SHRIMATI TARKESHWARI  
SINHA : That is better.

SHRI DINKAR DESAI : I do not know how that is better. If she wants everything underground and she does not want anything over ground, then I do not know what is going to be the position. That is why I would request the Deputy Prime Minister to face the realities and see how he can reduce the lure for gold. He should try to educate our population. First, we must educate our girls. The majority of the school-going age-group girls are not going to schools today. Let us send all the children of the school-going age to schools first and educate them. When the girls are educated, they will not use so much of ornaments, or they will use ornaments only to a limited extent, as for instance, Shrimati Tarkeshwari Sinha does. She has no ornaments because she is educated. 90 per cent of our women in villages are illiterate. Let there be universal literacy in this country. Primary education must be made universal. All the girls belonging to the school-going age group must be sent to schools. If education is made universal in this country, then within our lifetime a stage will come when our women, will use very little gold.

So, I would request the Deputy Prime Minister and appeal to him to face the realities and withdraw this legislation.

SHRIMATI TARKESHWARI  
SINHA (Barh) : The debate on this Bill today takes me back to the Bombay session of the AICC.

SHRI RABI RAY (Puri) : Let her stick to that.

SHRIMATI TARKESHWARI  
SINHA : I would stick to it to the very last. During that session, myself and some other colleagues of mine had



moved a resolution that the gold control in the form in which it then existed should be withdrawn. Mr. Kamaraj was the Congress president then, and it is within the knowledge of everybody that he called me and some other colleagues of mine aside because he had sensed the mood of the House and found that virtually the entire House was of that opinion that the gold control should be withdrawn. He assured us that due consideration would be given to the feelings expressed in the House and action would be taken accordingly.

Therefore, it came as a surprise to us when this Bill was introduced here by the Deputy Prime Minister. Of course, he has used the argument and he has tried to explain that because the DIR was ending and the period of the ordinance was to expire, therefore, it was obligatory on his part to bring forward this Bill, because otherwise we would have been left neither this way nor that way. I do accept some reason behind this argument. But I would certainly submit to him, that he himself has been of this opinion that the truncated legislation of this form would not be conducive to meet the challenge of the problem. I think he has himself publicly expressed this kind of opinion. The Bill that he has brought forward is not a Bill which can satisfy either him or this House.

There are two purposes in view. One is to check the consumption of gold. I do not think that there are two opinions on that and we all support the Finance Minister in that respect. In one of the international conferences to which I had gone, when I had gone abroad, everyday was asking me about this. At that time, the original gold control order had come and there was a good deal of controversy on that. I was a Minister then and everybody was naturally asking me what was going on in our country. They were surprised that this country which was the poorest had so much lure for gold and was paradoxically enough paying the maximum price per ounce of gold. It is a paradox that this country is the poorest in the world and yet it pays

the maximum price for this dead-weight. Of course, my hon. friend Shri N. Dandekar may say that gold is very good as a piece of decoration. But God forbid if he advises his investors not to invest in the companies with which he is associated but to make jewellery and ornaments for their wives and children. I do not think that he seriously means that we are not indulging in any piece of decorative legislation. We cannot really argue on the basis that girls going to school should really bedeck themselves with jewellery. I think bedecking may be all right; it may satisfy the ego but it does not satisfy anything else.

Some hon. Members, for instance, Shri Yajna Datt Sharma pointed out that gold was a personal bank to every individual. It is a fact that it acts as a personal bank for the individual today. This piece of legislation does not convert that personal bank and does not divert the investment in that personal bank to any other fruitful and conducive channel of investment. This is a socio-economic legislation. We have seen the history and fate of laws passed in the past. The Dowry Act is still a dead letter. Can the Deputy Prime Minister deny it when I say that the Dowry Act is dead letter of law? But the Sarda Act did not remain a dead law. It was probably a dead law when it was passed but because of the social reform that followed, because of the social leadership that was provided by Gandhiji and many other people in this country, social reforms preceded and followed legal reforms and there was no time-lag between a piece of legal legislation and a social obligation, that is why the Sarda Act succeeded but the Dowry Act remained a dead letter. Everyday takes dowry now. Dowry, like truth, should not be spoken naked. The Dowry Act does not speak the truth. It does tell the truth in law but it does not speak the truth in substance and we are a party to it. We have passed the law but we have not seen to it that the substance of the law is implemented. We all know it. We

[Shrimati Tarkeshwari Sinha]  
have failed to do anything in this matter.

The law cannot do anything in this matter because the social obligation has not been built up. Social consciousness has not been evoked. Therefore, a socio-economic problem like this should have been dealt with with this perspective in view. The Deputy Prime Minister is not only a Minister but he is also a leader of this country. I would like to ask him this question. Has he, or his colleagues and other leaders, done anything to rouse the conscience of the country in this matter? It has not been done. I am sorry to say that my own party, as well as the opposition parties, have lagged very much in this field. We have not done anything to rouse the conscience of the country that gold is a dead investment and that we should not divert our savings into gold.

Therefore, this socio-economic problem is not solved and cannot be solved, by a piece of legislation. And if the Finance Minister believes that this piece of legislation can really solve the problem of smuggling and also the problem of reduction in consumption of gold, probably he has changed his earlier view when he himself stated that the truncated Bill as it exists today, could not do anything. This Bill is truncated; there is no doubt about it. This is not the baby which he brought in the House originally. When he as Finance Minister in the earlier government brought this piece of legislation, it became the target of severe attack, fierce attack from all sections of the House and the country and he had to modify it considerably. From that point of view of effective legislation, it could certainly not be a piece of legislation which could satisfy the hon. Finance Minister. I think it is not a Bill, but an excuse of a Bill.

I think there is not much one can talk about this Bill. My problem is very difficult because I am one of those persons who feel more embarrassed to talk about this Bill. I was a person who was all the time under the impression that this is going to be

withdrawn. So, when this Bill came before the House I was really not only surprised but a little shocked; I found the earth moving under my feet because I was not prepared for this piece of legislation. But since this new Bill has been brought forward, I can only express my opinion. I would certainly go by the mandate of the party and the discipline of the party in this matter.

An Hon. Member : Shame, shame

श्री रबी राय : बांट बिल के खिलाफ  
ही देना चाहिये।

SHRIMATI TARKESHWARI SINHA : It may be a matter of shame for the opposition, but I do not have to oblige the opposition in this matter. I am a loyal member of my party and even if my personal wishes and personal desires do not conform to the wishes of the party, as a loyal member of the party I will go by the mandate of the party and I would request Shri Rabi Ray to teach this lesson to his followers.

SHRI PILOO MODY (Godhra) : How do you act as a loyal citizen of this country?

SHRIMATI TARKESHWARI SINHA : Coming to the merits of the Bill, there is hardly much to talk about. I would certainly agree with those who say that arbitrary powers have been given to the Administrator. The hon. Finance Minister knows what is the present administration. He deals with administration. He is conscious of this fact that administration and red-tape have become the Frankenstein against which he has not been able to fight successfully. Does he not realise it? If wide powers are given to the Administrator, it will result in great harassment to the people. Do we not know how customs have been functioning? Do we not know how Central Excise functions? In the last budget the hon. Deputy Prime Minister was himself conscious of this fact and so he brought forward a Finance Bill, which has become the law, giving a lot of freedom to the persons operating industries and business units because

he knew that too much of interference by the excise people is not conducive to the healthy growth of industries. Therefore he himself issued a notification saying that the excise inspectors should go and do consolidated accounting and should not interfere and provide pinpricks from day to day. Therefore, I think, the Finance Minister would certainly agree that very wide powers to the Administrator whereby he can interfere in all the details will not only be cumbersome to him but will also be terribly cumbersome to the people.

Then, I understand that a large number of applications are pending. Those applicants should be granted licences and their fate should not be kept hanging in uncertainty.

I would also appeal that the Finance Minister should instruct that the forms which are to be filled up by the goldsmiths or the workers for licences should be in the regional languages also. You have provided forms only in English but there are the regional languages in the States. So why not print these forms in the regional languages also?

Then, clause 17(7) in this Bill is unnecessary and I would appeal to the Finance Minister to delete it. In the presence of clauses 34 and 25 I do not understand any reason for keeping clause 17(7). These three clauses are not complimentary to each other. If you take clauses 34 and 25, clause 17(7) is completely irrelevant.

Then clauses 18, 28 and 2(b), (c) and (d) also must be deleted because there is no purpose in keeping them. You give a licence to a person. Then, why are you looking at him as if he is a doubtful person? Every time he has to renew it, he has to give his bona fides and has to satisfy you that he is the same person. I am submitting this because I know that these Government rules and regulations sometimes are ridiculously implemented. For example, a person, who is a pensioner, would not get his pension for June and July if he submits the return that he is entitled to pension in August because he has not filed a

return for June and July. These are rules which are ridiculous. Therefore I feel that clauses 18, 28 and 2(b), (c) and (d) must be deleted.

With these words I thank you. I would have another opportunity to speak on the clauses. Then I will speak on the provision of the clauses.

MR. DEPUTY-SPEAKER: Shri Kandappan. Seven minutes only.

SHRI S. KANDAPPAN (Mettur): My party must get at least 10 minutes.

MR. DEPUTY-SPEAKER: You will get another opportunity.

SHRI SHEO NARAIN (Basti): Sir, I had given my name yesterday.

MR. DEPUTY-SPEAKER: You will get an opportunity during clause-by-clause consideration.

SHRI S. KANDAPPAN: Sir, the Bill has come with a vengeance. There is not a single measure of this Government which has been discussed repeatedly so many times on the floor of this House since 1962 or since the introduction of these provisions and there is not a single instance where the whole House stood united against a measure of the Government as it does today against this Bill. If democracy means anything, in all fairness he should bow to the wishes of the majority, rather to the wishes of the unanimity, and withdraw the Bill. That is my simple request to the Finance Minister without even going into the merits of the Bill. If he thinks that he is the only man who can arrogate to himself all the wisdom of economics and fiscal policies of this country, I am afraid, it is an insult even to the Congress Members at least some of whom, I am sure, are well versed in economics and know something about gold economics and other things.

SHRI RANDHIR SINGH (Rohtak): You are absolutely mistaken.

SHRI SHEO NARAIN: This is the DMK standard.... (Interruption).

MR. DEPUTY-SPEAKER: The hon. Member has every right to say that.... (Interruption)

**SHRI KAMALNAYAN BAJAJ** (Wardha) : He says, it is insult to us. This is no insult. Can't we protest? (Interruptions).

**MR. DEPUTY-SPEAKER** : Order, order.

**SHRI S. KANDAPPAN** : Why are they agitated?

**SHRI RANDHIR SINGH** : We are proud of our leaders. (Interruptions).

**MR. DEPUTY-SPEAKER** : You are wasting the time of the House.

**SHRI S. KANDAPPAN** : Then, there is an opinion and a suspicion in my part of the country that in order to spite a political opponent, our Deputy Prime Minister has simply brought forward this measure. The former A.I.C.C. President was totally against it and he had given his word to goldsmiths that it was not going to be brought forward. That is an opinion there. In the interest of the image of our own Finance Minister here, I would like him to clarify his stand as to why they have changed the A.I.C.C. policy that they had during its 1966 session.

Coming to the measure itself, all Members who spoke on this Bill have made it very clear that, as far as the policy or the attitude or the purpose of this Bill is concerned, that is, to wean away the lure of gold from public mind—nobody is opposed to that—the crux of the argument is that this Bill is not going to meet it. The Deputy Prime Minister, even while initiating the Bill and while referring to the dissenting notes submitted by various Members in the Select Committee, has not met that point fully. I for one would like to state categorically that as early as in 1940s, when we had started self-respect movement in Tamilnad, there were two points on which that party was agitating along with other things to have reforms, that is, about the family planning and about the necessity for the people not to feel attached towards gold. This was the programme that we had even as early as in 1940s. Since then, we have been fighting against it. I would

like to ask Government : What have you done? Have you really made an honest attempt to see that you educate the public mind?

The Deputy Prime Minister, in his preliminary remarks, while he was initiating the Bill, made an appeal that Members should exert their influence and lend their active support towards extensive public education so as to wean the public away from the habit of locking resources in gold. What is the machinery with Government? What is the guide-line that Government has formulated for us to approach, for us to work, in this direction? Rather, I should say that there is a provision in the Bill under which special attractions have been provided in case of gold which forms part of the structure of public religious institutions and in case of ornaments owned by these institutions. I have nothing against gods and goddesses. But when we allow them to be paraded on festivals and other occasions with these gold ornaments, definitely, it will go against the avowed policy of weaning away the public from gold. Definitely, this is not going to help the attitude of the Government. Probably, in deference to the wishes of religious trusts and religious-minded people, they are doing it. I would like to tell them that it is better to put them in the treasury, in the name of the particular deity or the trustee, whatever it is.

The Government should be scrupulous and they should see that they take all measures that are possible to educate the public mind and try to wean them away from the lure of gold. As already pointed out, they are just trying to treat the symptom rather than going into the root cause and analysing the disease.

Yesterday, Mr. Dandekar had very ably put forward the argument that smuggling takes place because of over-invoicing, under-invoicing and other foreign exchange anomalies that are there. So, it is rather the effect of this foreign exchange drain that comes in the shape of smuggled gold. Unless that is plugged, and unless you

take measures there, the symptoms are not going to be cured. He went on saying that, as far as gold was concerned, that was dead, when you make ornaments or other artistic things, they attract the foreigners. As another hon. member was pointing out, only from one village Rs. 5 lakh worth of ornaments are exported. There are many other places like that. If the Government takes steps in the right direction, I am sure this gold, instead of being a dead-weight on our public, can very well be utilised even for earning foreign exchange. So, that sort of constructive and positive approach must be made by Government and not this kind of thing....

MR. DEPUTY-SPEAKER: The hon. Member may please conclude.

SHRI S. KANDAPPAN: I will finish in two minutes.

MR. DEPUTY-SPEAKER: You will have an opportunity during clause-by-clause consideration.

SHRI S. KANDAPPAN: I am not very keen to speak at that time. There are more than 300 amendments; I am afraid I may not get a chance.

There is one very very important point, and I expect the hon. Minister to answer that. When this measure was brought under the Defence of India rules, Ordinance and all that, the State Governments were saying that, with regard to rehabilitation of goldsmiths, they would be facing a lot of difficulties. At that time the Government at Delhi gave a promise that this was their responsibility and that they would meet all the expenditure. Yesterday Shrimati Sucheta Kripalani was telling us that when she was the Chief Minister, she faced a lot of difficulties, she was not able to meet even a fringe of the problem. In my State and other States, there are a lot of loans advanced to the displaced goldsmiths already and there is no indication, no possibility, of recovering even 10 per cent of what has been advanced to goldsmiths, I would like to ask the hon. Minister whether it is proper that the sins of

the Centre should visit the States. This is the responsibility of the Centre, and by this measure I am sure the situation is going to aggravate, and there will be more and more problems of rehabilitation. So, whose responsibility is this? Because it is a loan advanced by the State with the concurrence of the Centre or with the advice of the Centre, it is the responsibility of the Centre to see that either they are recovered or they are written off under their accounts and not under the accounts of the State. This is a very vital matter and I would like the hon. Minister to answer to this point. This is definitely going to be a very serious problem. There are many States which are demanding that this should not be put on their accounts. When there was a question sometime back on the floor of this House about the loans advanced by the States for rehabilitating goldsmiths, the Finance Minister said that it was not his responsibility and that the States have to recover the loans. What I say is that it is none of the business of the States to do it, it is the business of the Centre to recover it; it is the Centre which has put the goldsmiths in a very pathetic situation; it is the Centre which has the moral responsibility to see that they are rehabilitated and, therefore, when it is a question of finance, it must be met by the Centre fully and totally.

श्री रवि राय : मैं एक बिनती करना चाहता हूँ —

श्री शिव नारायण : मैंने भी कल नाम दिया था । मुझे भी मौका मिलना चाहिये ।

MR. DEPUTY-SPEAKER: Mr. Nath Pai has written to me.

श्री रवि राय : उसके बारे में बताइये ।

MR. DEPUTY-SPEAKER: At the appropriate time you will get a reply.

श्री यशवन्त सिंह कुशवाह (भिड़) : उपाध्यक्ष महोदय, इस विधेयक में बहुत से दोष हैं । इस बिल को पेश करते हुए इस बात का कतई ध्यान नहीं रखा गया है कि इस देश की अधिकांश जनता गांव में रहती

## [श्री यशवन्त सिंह कुशवाह]

है, अनपढ़ है और इस विधेयक से उसको कितनी असुविधा होंगी।

दूसरी बात यह है कि इस विधेयक को ड्राफ्ट करते समय एक खास भावना जो ध्यान में रखी गई है वह यह रखी गई है कि ऐसा मान कर चला गया है कि "जो स्वर्णकार हैं या जो स्वर्ण से जेवर बनाने का धंधा करने वाले लोग हैं, वे समा बर्इमान हैं और इसी लिए हमें उन सब से यह धंधा छुड़ा देना चाहिये।" किसी वर्ग-विशेष या कोई धंधा-विशेष करने वालों के प्रति ऐसी भावना रखना नितान्त अनुचित है। यह संविधान की भावना के भी विरुद्ध है कि किसी वर्ग-विशेष पर या किसी विशेष धंधे को करने वालों पर ऐसा प्रतिबन्ध लगा दिया जाये।

स्वर्ण-नियन्त्रण विधेयक लाने के ये तीन उद्देश्य बताये गये थे : "स्वर्ण के तस्करो-व्यापार को रोकना," "स्वर्ण के प्रति आकर्षण समाप्त करना" और "स्वर्ण का मूल्य घटाना" लेकिन अनुमान के आधार पर यह निश्चित रूप से कहा जा सकता है कि इस दिशा में जितने भी प्रयत्न हुए हैं, उन में सफलता नहीं मिली है और न ही मिलने की सम्भावना है। इस का कारण यह है कि हमारा सामाजिक गठन इस प्रकार का है, हमारे सामाजिक बन्धन और विवाह-संस्कार आदि ऐसे हैं कि कुछ न कुछ स्वर्ण खरीदने की आवश्यकता पड़ती रहती है, और इसी लिए लोगों के मन में स्वर्ण के प्रति लोभ बना हुआ है। इस अवस्था में अगर हम स्वर्ण पर नियन्त्रण लगायेंगे, तो स्वाभाविक रूप से समाज में चोरी और बेईमानी की भावना बढ़ेगी। हम चाहे जितने भी प्रयत्न करें, कुछ न कुछ स्वर्ण अपने पास रखने की प्रवृत्ति आम लोगों में बनी रहेगी, विशेष रूप से महिलाओं व धनी वर्ग में।

हमारे गांवों की स्थिति यह है कि अगर किसान अपने घर में नोट रखता है, तो उनके नष्ट होने का भय बना रहता है। ऐसी बहुत

सी घटनायें हुई हैं कि नोट पानी में मिल गये या दूध में बिलो दिये गये। लेकिन अगर किसान इन वक्त के नोटों से कुछ स्वर्ण खरीद कर अपने पास रखता है, तो वह आड़ वक्त उस का उपयोग कर सकता है। हमारे देश की अधिकांश जनता गांवों में रहती है और हर एक गांव में बैंक नहीं है। इस लिए स्वर्ण सम्बन्धी जितने भी नियन्त्रण लगाये जायेंगे, वे गांवों के लोगों के लिये बहुत कष्टदायक सिद्ध होंगे। इसी कारण हमारा ग्रामीण समाज स्वर्ण नियन्त्रण के विरुद्ध है।

पहले हर गांव में एक दो स्वर्णकारों के घर थे। वे लोग इस धंधे को करते थे और गांव के लोग उन पर भरोसा करते थे। इस प्रकार के नियन्त्रण से गांवों के लोग ऐसे व्यक्तियों के हाथों में फंस जायेंगे, जिन पर भरोसा नहीं किया जा सकता है और जो कभी भी उन को धोखा दे देंगे। इस लिये गांवों के लोगों की भावना इस बिल के विरुद्ध है

स्वर्ण कारका धंधा एक ऐसी कला है, जिस को जीवित रखा जाना चाहिये और जिस से हम विदेशी मुद्रा भी कमा सकते हैं। लेकिन सरकार को ओर से उस को जीवित रखने का प्रयत्न नहीं किया गया है। इस लिये मेरी अपील है कि स्वर्णकारों के संगठन ने अपने जयपुर अधिवेशन में जो मांगें प्रस्तुत की हैं, उन को बिना किसी हिचक के मान लेना चाहिये। इस से उन लोगों की जीविका भी चलती रहेगी और सरकार को इन नियन्त्रणों को सफल बनाने में उन का सहयोग भी प्राप्त हो सकता है। स्वर्णकार संघ को एक खास मांग यह है कि इस धंधे को एक कुटीर उद्योग माना जाना चाहिये और उस को उसी तरह स संरक्षण दिया जाना चाहिये। सरकार विदेशी मुद्रा कमाने के लिये अन्तर्राष्ट्रीय व्यापार में भी स्वर्णकारों की कला का अधिक उपयोग कर सकती है।

चूँकि अधिक समय नहीं है, इस लिये मैं स्वर्णकारों की माँगों के इस सारे विवरण में नहीं जाना चाहता। स्वर्णकार संघ के द्वारा जयपुर अधिवेशन में जो प्रस्ताव पास किये गये हैं, वे शासन की सेवा में भेजे जा चुके हैं। मेरा आग्रह है कि सरकार द्वारा उन्हें स्वीकार किया जाना चाहिये।

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI): I have been patiently and very carefully hearing all that has been said on the Gold (Control) Bill by hon. Members who had the opportunity to speak on it. I am afraid many more who are supporting the Bill had little opportunity to speak.

SHRI RANGA (Srikakulam): Ho!

SHRI MORARJI DESAI: It is always the vocal members who get the chance and not those who are not vocal. Therefore, it should not be assumed that the whole House is against the Gold Control Bill. There would be no greater fallacy than that.

SHRI SRINIBAS MISRA (Cuttack): Is it not an aspersion on the Members?

SHRI MORARJI DESAI: There is no aspersion on anybody.

SHRI SRINIBAS MISRA: Does it not mean that those who shout alone get their chance?... (Interruptions.)

MR. DEPUTY-SPEAKER: There are a number of Members who have not spoken. He is perfectly within his rights to draw an inference. He can very well presume that they support the Bill. There is nothing wrong in it.... (Interruptions.)

SHRIMATI TARKESHWARI SINHA: There is no voice for the persons who are not born. How can he presume the views of persons who have not spoken?

SHRI MORARJI DESAI: My hon. friend knows it very well. Still she wants to make arguable points because she is very clever in argument.

SHRIMATI TARKESHWARI SINHA: I am not clever but consistent like you.  
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SHRI MORARJI DESAI: I know that. But I did not interrupt her. She can interrupt me. I have no quarrel about it. Anybody can interrupt me; 17 enables me to give an effective reply. I should like to go into the history of this Bill because I am asked: why are you particular in bringing this Bill now; it should have gone out. When the original Bill was brought in 1963, I had given the history. But hon. Members who say that I do not change and that I am very rigid are far more rigid because I hear the same arguments from that time till now. Even though the Bill has changed, I find the same sort of arguments.

SHRI S. KANDAPPAN: The same diseases, so the same diagnosis.

SHRI MORARJI DESAI: If my hon. friends do not want to hear me, they can close their ears and minds. But let them not unnecessarily take the time of the House. That is my request to them. When I took charge of the Finance Ministry in 1958, many sections of this House and my colleagues and the Prime Minister were pressing me from that time onwards to bring gold control because it was harming the economy of the country. I was asked to devise some method. I did not do anything for four years because I could not find an effective way in this matter. After going through its various aspects for four years, I came to the conclusion that it was necessary and I brought in the legislation. Especially there was the Emergency and I was sure that in that emergency people would be responsive to such a measure much more than at other times because this a measure which goes against very old traditions and the love of people for gold is also ancient in this country more than in any other country. I thought that it was the best occasion to do this. Even when it was brought, it was not brought in the absolute form in which my colleagues wanted me to do. They wanted it to be made tighter. But I said that we must go step by step so that public opinion also goes with it. When our friends say that public

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opinion has not been cultivated it is these very friends who are cultivating opinion in a contrary direction and expect public opinion will be cultivated by me alone. I have been cultivating public opinion. Let me tell the House that wherever I have gone and had discussions with the people, the people have agreed with me that this should be done. I have addressed meetings and held discussions in open forums and a forum not of the ordinary villagers only but also of people who are highly educated and sophisticated in cities like Bombay. I found that they started with an opposition and at the end of the meeting they said, "You are right and you must do it and you must not bother about the opposition." Therefore, it is not that people are not prepared to understand this. If my hon. friends give up their own prejudices or their notions of popularity in this matter, I am quite sure that the people of this country will be very well educated and educated in a short time.

In any matters like this, it is necessary to have law even for public education. There have been instances of social reform which have begun only by laws and then they have come into vogue. Take the Sarda Act. When the Sarda Act was passed for years together it was not observed at all. It was in the breach, but today, it is effective, not completely perhaps; no law is completely effective at any time, and any law is not completely effective. If laws became completely effective, there would be no necessity of even Governments, because then the people will observe all of them. But that is not possible, and that is why it requires laws to be made and that is why this law was brought forward.

Now, it is said that I myself had said that a truncated law should not be brought in; that was my opposition to the truncation of it. I did not say that there should be no law. In the Working Committee also the Congress had made it very clear and it is not that anybody had given a promise that this law would not be made.

They only said that there will be changes or it will be taken into consideration. If my hon. friend withdrew her resolution, and others withdrew their resolutions, they also withdrew it not because it would have been passed but they thought it was better to leave it to the President. Otherwise they would not have withdrawn it.

SHRIMATI TARKESHWARI SINHA: I am sorry. What I had said, I must be allowed to clarify. When I went to the Congress President, Mr. Kamraj, he said that I have already observed the consensus of the House and due consideration will be given to the feelings of the House and we will be taking action on it. It is on that basis that I withdrew it.

MR. DEPUTY-SPEAKER: He said the same thing.

SHRI MORARJI DESAI: I have not said anything else. But if my hon. friend thinks that I am going against the mandate of the Congress, it is wrong to say that. That is what I am trying to point out. Whatever may have been said, this has been discussed after that in the Working Committee and there has been never any mandate not to bring it in. The proof of it lies in that fact. But I was not here in the Ministry, and this was passed again in 1966. In 1965 a law was enacted and the law was enacted after the Select Committee went into the matter, after having had two lakhs of representations, and all of them were considered. When one hon. friend said that the goldsmiths were not consulted, there can be no greater incorrect statement than that. What more statements can you have than two lakhs? And there is nothing new even today; they have all been considered; they were considered by the Select Committee. Deputations were heard and everything was done and in 1965 legislation was passed. After that also there was clamour in the House and therefore the Government made some further concessions, and in 1966 the new rules were made, because it was emergency, and therefore, there was no necessity of immediately having



any legislation. But when the emergency went out, it was necessary to have a legislation if these things are to be maintained. Therefore, it was decided to have legislation but we could not have this legislation in the last session. Therefore an ordinance was passed because one cannot allow such legislation to go out of action unless of course they were permanently to be given up. But it was nobody's case, in the Cabinet at any rate, that this should be given up, and there is no necessity of a law. It is nobody's case that it is not required to keep control over gold smuggling. It is nobody's case that gold should be encouraged more and more in this country to be possessed or to be purchased. It is nobody's case that gold should be allowed to be smuggled in from outside at the cost of our foreign exchange. I was very much surprised when such an able person like my hon. friend Shri Dandekar argued about foreign exchange having already gone and we are bringing valuable thing in. This is where I say that he wants to make the Bill absurd; therefore I would not say that he makes an argument also of that kind. Otherwise, it is nothing else than that. Foreign exchange, if it is kept outside by people here and therefore it is lost, it is done only because they can bring it through gold smuggling and other measures. Foreign exchange, when it is kept outside, cannot be brought in except by smuggling in this manner. The largest part of goods smuggled, 80 per cent of it, would be gold. If you look at the value of things smuggled you will come to that conclusion, because other things cannot be brought in to that extent as gold can be brought in. And, the amount of profit that is obtained in gold smuggling is far more than the profit in any other smuggling. Other goods are smuggled in because those things are scarce and they are required. But they are purchased only by a small section of the people. Gold also is not purchased by all the people. People talked about the masses. What percentage of people possess gold? It is

not more than 10 per cent at the most. I will say it is even less than that.

SHRI RANGA : No, no.

SHRI MORARJI DESAI : My hon. friend my say 'no', 'no', but I have gone to villages and I have enquired about it. Very few persons possess gold. Not more than 10 per cent of the people can afford to have any gold. If somebody has a little ear ring here which may be valued at Rs. 5 or Rs. 10 that is not possession of gold. Nothing like that is prohibited here. 14 ct. restriction was objected to. It has gone. I am sorry it has gone. But it has gone and I do not want to bring anything today again like that because if there is this opposition to this I certainly take note of that opposition and I would like to see that this opposition also wears out. Then one can certainly bring in stricter control. It is, therefore, necessary that this Act should remain on the statute-book so that it can be utilised gradually to see that gold smuggling is stopped and the lure for gold or attraction for gold is ceased.

My hon. friend could have been very helpful in educating the public in taking away the attraction of gold. If she had persisted in that education I am quite sure it would have been of great help. But instead of doing that she now wants that this Act should go. Of course, she will vote for it as a loyal Member of the party.

SHRIMATI TARKESHWARI SINHA : I do not wear. I myself am a living example of that.

SHRI MORARJI DESAI : I cannot say you to do not wear. That is not possible, and I do not think she will give up wearing also. Therefore, that is not the idea. After this gold control had been brought in, I saw during the next four months by the propaganda carried on that was there, by the people's opinion that was there and the emergency that was there, even at parties I did not see women putting on gold ornaments. They began to wear silver ornaments. It is not as if the goldsmith's profession is in danger. Goldsmith's profession need not deal only in gold

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ornaments. They can deal in silver ornaments also.

SHRI PILOO MODY (Godhra) : Bhilai steel for instance.

SHRI MORARJI DESAI : My hon. friend has a steel mind. Probably his brain is full of steel and that is why he remembers only steel and nothing else. That is what will happen.

15 hrs.

When it is said that gold prices are not affected, gold prices had gone down in the next four months. But, after the 14 carat restriction was removed, they again began to go up, because that encouraged several other things. Then, after that also, if you see, even though the value in terms of rupees went up by 57 per cent as a result of devaluation and the price of gold increased in foreign countries, there was no impact of increasing price of gold in this country as a result of these things. This is a fact. It is no use saying this had no effect. If this has no effect, I would certainly give it up. But I have no doubt that this Bill, even though it is a very weak Bill, is going to help the government and it does help the government in checking smuggling, detecting these things and also confiscating the gold which is smuggled. Therefore, if it is argued that this Gold Bill will not be useful I am afraid they are completely wrong. If they argue that it should be stronger, I am one with them. Let them help me to do so; I will immediately produce tomorrow a Bill which will be helpful in doing so and it will be a simpler Bill; it will not be a more difficult Bill. Therefore, that can be done. But I see that there is not that atmosphere for it today.

Then, my hon. friend, Shri Banerjee, made certain insinuations regarding the gold received for the National Defence Fund under the Gold Bond scheme. He had never asked for an account earlier. If he had asked for an account, I would have given it even earlier.

SHRI S. M. BANERJEE : The country has asked for it and he owes it to the country to give it.

AN HON. MEMBER : Does he represent the country ?

SHRI MORARJI DESAI : That time has not yet come. And I do not think that time will come. I can claim to represent the country much more than my hon. friend.

SHRI S. M. BANERJEE : I represent my constituency which has contributed a lot of gold to the National Defence Fund. What has happened to that gold ? Who has swallowed that ?

SHRI MORARJI DESAI : I am just giving full information. The total contribution to the National Defence Fund in the form of gold and gold ornaments was 24.74 lakhs grams. Of this, 22 lakhs grams have already been melted and taken over to government stock of refined gold. A sum of Rs. 1.1 crores, representing the value at the international rate of the refined gold taken over to Government stock was credited to the National Defence Fund.

SHRI S. M. BANERJEE : Private agencies also started collecting gold and they have swallowed it. I can mention two or three names.

SHRI MORARJI DESAI : If private agencies collected gold without the knowledge of government....

SHRI S. M. BANERJEE : They were wearing Gandhi caps. They have swallowed it.

SHRI MORARJI DESAI : I do not understand what the hon. Member says.

SHRI UMANATH (Pudukkottai) : Shri Banerjee says that though these people did not wear gold they were wearing Gandhi caps and they have swallowed the gold.

SHRI MORARJI DESAI : Those who swallow always think of swallowing others. Nothing else they will think of. What can I do for them ?

SHRI S. M. BANERJEE : I want to know whether any investigation would be conducted about those private

agencies which have collected gold which has not been handed over to the Reserve Bank.

SHRI MORARJI DESAI: I do not know whether my hon. friend has given his wife's bangles to a private person who did not give him an account. He must have obtained a receipt when he handed it over to that person.

15.04 hrs.

[SHRI R. D. BHANDARE in the Chair.]

SHRI S. M. BANERJEE: I am happy that the gold which has been given to government has been melted. I know what has happened to the bangles of my wife. I am asking about the bangles of other peoples wives.

SHRI MORARJI DESAI: My hon. friend has a very convenient mind and a very convenient argument. He is always ready to oppose anything and he is always ready to argue on anything. So, I do not think I should enter into an argument with him. When I give him an account, he is not prepared to hear it. Now he says outside this something happened for which the government is responsible. Therefore when he says this, it is not true that that is so.

The gold bonds also are there and Rs. 5.4 crores worth of that gold also has been sold to the Reserve Bank. Therefore it is all there and is all accounted for.

SHRI PILOO MODY: What happened to the balance?

SHRI MORARJI DESAI: Part of the balance has been sold in foreign countries because it brought in more money and part of it is still remaining with Government. Some of it was sold here and some of it has been retained because we did not want to sell it away as it would not bring that price at that time. But it is all there and the whole of it is accounted for.

Then, it is said that gold control will progressively erode the profession of goldsmiths, cause unemployment and extinguish the art and craft of the goldsmiths. Fantastic figures of

goldsmiths have been given here. Sometimes it goes to a crore of people and it also happens to go to crores.

SHRI TENNETI VISWANATHAM (Visakhapatnam): What is the reasonable figure?

SHRI MORARJI DESAI: I had given the figure even at that time from the census as 3½ lakhs.

SHRI TENNETI VISWANATHAM: Let us have them now. How many committed suicide?

SHRI MORARJI DESAI: I am just coming to it if you have some patience but I see that he has lost his patience.

Out of the goldsmiths who were three 2½ lakhs have already taken certificates of goldsmiths. Therefore today there are 2½ lakh goldsmiths with certificates. One lakh or a little more have taken loans from Government to go to other professions.

SHRI S. KANDAPPAN: How much?

SHRI MORARJI DESAI: Rs. 10 crores. It is not less than that. We had advanced Rs. 14 crores to the States out of which Rs. 10 crores have been given. If my hon. friend thinks that that should be borne by Government he is very much mistaken. This was given to the States because they wanted to give these loans. We advanced it to the States and the States advanced it to them. We cannot deal with the goldsmiths from the Centre; it is the States which deal with them. They have to recover it and pay the money back. That is all that they have to do. There is no other liability. If the States are careless in the matter, the Government of India will lose the money.

SHRI S. KANDAPPAN: They were displaced from their profession and loans were advanced to them. They have eaten away the whole loan. I do not think any government can recover it. It is because of your legislation that they have lost their jobs and it is the business and

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the moral responsibility of the Centre to see that you bear the burden.

**SHRI MORARJI DESAI:** It is wrong to say that they have gone out of the profession. It is my information from some of the goldsmiths themselves, who are completely honest and who know these things, that they have done more business after the 14-carat rule had gone and when old ornaments were changed they charged any amount of money to the people. They earned more and not less. There is not less of gold ornaments today than before because today there is no restriction on people possessing gold ornaments or buying them. There is absolutely no restriction except that above 350 tolas they have got to register themselves and give an account of what they possess. That is all that they have got to do. Below that very few people will be connected with that. Others will not have to give any account. They can possess it, sell it or get new ornaments made. There is no restriction on that. Therefore gold ornaments go on being made today. Therefore there is no question of these people going out of the profession.

**SHRI P. RAMAMURTI (Madurai):** When the Central Government takes away the property of somebody, you are prepared to pay compensation. As far as the goldsmiths are concerned, it is their entire property. They depend upon that. When you take away their profession as a result of the legislation of the Central Government, it is your responsibility to feed them.

15.09 hrs.

[MR. DEPUTY SPEAKER in the chair.]

**SHRI MORARJI DESAI:** It is a misleading statement.

**SHRI PILOO MODY:** Even when Congressmen are defeated they are compensated by Government.

**SHRI MORARJI DESAI:** One can make any clownish remark. This is a clownish remark, nothing else. I would not say anything else. My hon.

friend has become an expert in that line. I do not want to compete with him.

**SHRI NAMBIAR (Tiruchirappalli):** At least will he consider the question of writing off of the loans?

**SHRI MORARJI DESAI:** They will not be written off but they will be recovered properly. There is no question of writing off.

**SHRI NAMBIAR:** They are unable to pay; they are in distress. The hon. Minister should come to their rescue.

**SHRI MORARJI DESAI:** I have relaxed the rules. If they would like to come back I have said that they could come back to the profession; but they have wanted some time to repay, and they have said that they would go back now and from their earnings they will repay; I have said that it is all right, and so that facility is also given. They were asking for one year, but in the Joint Committee I allowed them to extend it even to two years. I have also said that the certificate will be lifelong and would not have to be renewed every year. We have also said that the son of a goldsmith who has worked for a year previously will also be able to take to that profession. Therefore, instead of goldsmiths dwindling in numbers, they are going to increase in numbers, even if we assume that one person per goldsmith is taking another licence as his son.

Therefore, it is all wrong to say that the goldsmiths are going to dwindle in number or that the art is going to disappear and that the goldsmiths will be in the streets. It is all a wrong story. I do not understand how this story is put forward. Of course, an argument can be made at any time about anything because it does not require facts and certainly one can go about it. But let anybody refute these facts and then I am prepared to be corrected.

**SHRI RANGA:** Whoever has said that he should be prepared to be corrected.

**SHRI MORARJI DESAI:** My hon. friend thinks that it is he only who is

correct and, therefore he must correct me and he should not allow me to correct him. But if he tells me that the facts are different, then I shall certainly be corrected.

**SHRI RANGA :** He is incorrigible.

**SHRI MORARJI DESAI :** I am happy that he thinks that I am incorrigible and there is no hope for me.

**SHRI RANGA :** We can only throw him out some day.

**SHRI MORARJI DESAI :** It has also been argued that this profession will go out because there will be no gold. All of us want that there should be no gold smuggling, and if gold smuggling certainly steps there will be no gold coming from outside. There is no gold produced here in this country or only very little is produced. Even then, the goldsmiths will not go out of action. For, there are about Rs. 3000 crores worth of gold ornaments in this country as it has been estimated generally by some people. I cannot vouchsafe for these figures, but it is the contention that there is this amount of gold ornaments and it is estimated that every year out of this, Rs. 150 to 200 crores worth of gold ornaments are changed, are changing hands and are re-made. Therefore, goldsmiths will always have their profession going on, and I do not think that that is going to stop. Apart from that, they also do business in silver, diamonds, pearls and other things. Even in some hilly areas, they prepare ornaments even of brass and other things. Therefore, it is not as if they will not have anything for their profession.

I have already replied to the question of the need of consulting the goldsmiths in relation to the provisions of the Bill. As I have explained they were heard in the Joint Committee before, and all their representations had been studied, and notice had been taken of their objections, and a lot of changes have then been made in the rules as they exist in order to see that the difficulties are removed.

Now, I come to the question of the suicides of goldsmiths which also

seemed to be exaggerated so much that it lost its importance to some extent. I would be sorry ever if one has to commit suicide. Therefore, let not hon. Members think that I have any callousness in this matter. But when they say that hundreds of people died of suicide, I would submit that these suicides took place, as they were reported, only between March and August, 1963, and afterwards there has been no report of any suicide whatsoever from the goldsmiths.

**श्री हुकम चन्द कछवाय ( उज्जैन ) :**

आपके मकान पर आकर हत्या करेंगे तभी मानेंगे आप ?

**श्री मोरारजी देसाई :** मेरे मकान पर आकर कोई हत्या करने वाला है नहीं। मुझे मालूम नहीं था कि सम्माननीय सदस्य किसी को हत्या भी करवा सकते हैं।

**श्री हुकम चन्द कछवाय :** मैं नहीं, आप करवा रहे हैं हत्या।

**श्री मोरारजी देसाई :** आवाज में हत्या हो जाते, तामरा ज़मी हो जाते।

Even the reports which were there indicated that only 17 suicides were reported during all those months. Out of those 17 cases, several were not due to this cause, but they were due to other reasons. There have been suicides in this country. It is not that there are no suicides. There are suicides every year, and these suicides are not due to these causes and some of them were due to other causes. There may have been less than half of it which may have been due to this. This to my mind is painful enough. But to say that there have been these suicides and this gold control has been responsible for that kind of thing, I am afraid, is only exaggerating a case and destroying it.

**SHRI B. SHANKARANAND (Chikodi) :** But now the smugglers may commit suicide.

**SHRI MORARJI DESAI :** Now, I want to give a little history of the other countries, because it is thought,

[Shri Morarji Desai]

as if we are having gold control only in this country. This is a poor country where we can little afford not to have control on gold; and yet gold control is there in many other countries. In most of the countries of the world neither free ownership of gold nor free trading anywhere within the country is allowed, and those countries are the USA, the UK, the USSR, South Africa, Nigeria, Malaysia, Viet Nam, Nicaragua, Libya, Guiana, Ethiopia, El Salvador, Cyprus, Czechoslovakia, Cuba, Ceylon, Brazil, Bulgaria, Albania, Australia and several others. Therefore, to say that this is something new is very wrong.

श्री हुकम चन्द कछवाय : बाकी देशों की अच्छी बातें भी हैं ?

श्री मोरारजी देसाई : उनके बेहतर बातें भी यहां हैं और गलत बातें भी यहां हैं। मैं नहीं कह सकता। There cannot be all that comparison between all countries. मगर इस बात में तो जरूर है।

श्री रणधीर सिंह : बाकी देशों में आपके जैसे नमूने नहीं हैं।

श्री हुकम चन्द कछवाय : आपके जैसे भी नमूने नहीं हैं वहां पर।

SHRI MORARJI DESAI : I may point out that following the economic depression of 1929, in the USA restrictions were imposed on the refining, use and possession of gold which are in several ways comparable to the restrictions imposed under our law. The acquisition, holding, melting, transport etc. of gold is regulated and is subject to the conditions imposed for this purpose. The punishment again for infringement, besides confiscation, fine and penalty, includes imprisonment not exceeding ten years. Therefore, it is something far harder than what we are doing here. Therefore, it has to be realised that this is not a new thing which has come as a brainwave from me. If that is realised, then I am sure that my hon.

friends will see that there is some for them also to be corrected.

Now, I would come to the point that this would lead to a lot of harassment because powers have been given to the administrator. Powers have to be given either to the administrator or to an officer. There was a provision for giving concurrent powers to Government. But in the Joint Committee my hon. friends thought that Government should not have those powers and those powers should remain only with the administrator; therefore, I agreed to that and the Central Government did not keep those concurrent powers. But the Central Government has powers to direct and control the administrator and the powers are not such as will lead to this kind of harassment except of those who might be indulging in smuggling. It will not cause harassment to the others. For, what is the position now? Anybody can buy gold and anybody can possess gold ornaments. In the matter of gold articles also, they can possess all those articles which they have at present, but they cannot buy new gold articles. That is there no doubt. What else has to be then? Why are they harassed and for what? Anybody who does wrong will say, he will be harassed. But I do not think there will be any harassment. If there is harassment, we will, certainly, take very strong action against any officer who is responsible for it. That is how we can save it.

Of course, my hon. friend said that the administration is not yet streamlined to an extent where one can say that harassment is not there. There, I cannot say that he is quite wrong. But there can be a gradual improvement which is going on and I must admit that I have heard from many people that in these matters, there is continuous improvement going on in the Finance Ministry. It is a matter of hope that there will be more improvement in this also. I would like to be pointed out cases instead of making vague allegations of harassment. I should like to be supplied

with cases of harassment so that I can deal with them. If I do not deal with them, certainly, I should be held up and punished in whatever way my friends want to do so. But it does not mean that one should go on arguing against the administration all the while and not help it in improving it. This is what I would request my hon. friends to do. If they do so, I am quite sure, they will find full response, even more than they can expect, in this matter of improving the administration because we are very keen that the administration should be improved to an extent where there is no complaint of harassment from anybody.

On account of all these reasons, I do not see any validity in the fears of my hon. friends that this is a Bill which will not be effective at all. I am quite sure that it will be effective in the sense that it helps me to check gold smuggling to some extent and it helps me also to have it on the statute book so that I can make it tighter in future as it may permit.

**MR. DEPUTY-SPEAKER:** There are two amendments to the motion for consideration. I will first put them to vote. First I put amendment No. 2 of

Shri Yashpal Singh to the vote of the House.

The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1968." (2).

*The motion was negatived.*

**MR. DEPUTY-SPEAKER:** Now, I put amendment No. 3 of Shri Kanwar Lal Gupta to vote.

The question is :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st March, 1969." (3).

*The motion was negatived.*

**MR. DEPUTY-SPEAKER:** The question is :

"That the Bill to provide, in the economic and financial interests of the community, for the control of the production, manufacture, supply, distribution, use and possession of, and business in, gold, ornaments and articles of gold and for matters connected therewith or incidental thereto, as reported by the Joint Committee, be taken into consideration."

*The Lok Sabha divided :*

#### Division No. 16]

Ahirwar, Shri Nathu Ram  
Azad, Shri Bhagwat Jha  
Babunath Singh, Shri  
Bajpai, Shri Shashibhushan  
Bajpai, Shri Vidya Dhar  
Barua, Shri Bedabrata  
Barua, Shri R.  
Basumatari, Shri  
Baswant, Shri  
Besra, Shri S. C.  
Bhandare, Shri R. D.  
Bhanu Prakash Singh, Shri  
Bhattacharyya, Shri C. K.  
Bohra, Shri Onkarlal  
Brahm Prakash, Shri  
\*Brij Bhushan Lal, Shri  
Chanda, Shri Anil K.  
Chandrika Prasad, Shri

#### AYES

[15.23 hrs.

Chaudhary, Shri Nitiraj Singh  
Chavan, Shri D. R.  
Das, Shri N. T.  
Dasappa, Shri Tulsidas  
Dass, Shri C.  
Deoghare, Shri N. R.  
Desai, Shri Morarji  
Deshmukh, Shri B. D.  
Deshmukh, Shri Shivajirao S.  
Dhuleshwar Meena, Shri  
Dixit, Shri G. C.  
Gajraj Singh Rao, Shri  
Ganesh, Shri K. R.  
Ganpat Sahai, Shri  
Gavit, Shri Tukaram  
Ghosh, Shri Bimalkanti  
Hari Krishna, Shri  
Heerji, Bhai, Shri

\*Wrongly voted for 'AYES'.

Himatsingka, Shri  
 Jadhav, Shri Tulshidas  
 Jadhav, Shri V. N.  
 Jaipal Singh, Shri  
 Kamble, Shri  
 Karan Singh, Dr.  
 Katham, Shri B. N.  
 Kavade, Shri B. R.  
 Khan, Shri H. Ajmal  
 Krishnan, Shri G. Y.  
 Kureel, Shri B. N.  
 Lakshmikanthamma, Shrimati  
 Laskar, Shri N. R.  
 Lutfal Haque, Shri  
 Mahadeva Prasad, Dr.  
 Mahajan, Shri Vikram Chand  
 Mahida, Shri Narendra Singh  
 Mahishi, Dr. Sarojini  
 Mandal, Dr. P.  
 Mandal, Shri Yamuna Prasad  
 Marandi, Shri  
 Master, Shri Bhola Nath  
 Masuriya Din, Shri  
 Mehta, Shri Asoka  
 Mehta, Shri P. M.  
 Mirza, Shri Bakar Ali  
 Mishra, Shri Bibhuti  
 Mohinder Kaur, Shrimati  
 Molahu Prasad, Shri  
 Mrityunjay Prasad, Shri  
 Mukerjee, Shrimati Sharda  
 Mulla, Shri A. N.  
 Murti, Shri M. S.  
 Naidu, Shri Chengalraya  
 Pahadia, Shri Jagannath  
 Palchoudhuri, Shrimati Ila  
 Pandey, Shri Vishwa Nath  
 Parmar, Shri Bhaljibhai  
 Partap Singh, Shri  
 Parthasarathy, Shri  
 Patel, Shri Manubhai  
 Patil, Shri Anantrao  
 Patil, Shri C. A.  
 Patil, Shri S. D.  
 Pramanik, Shri J. N.  
 Raj Deo Singh, Shri

Abraham, Shri K. M.  
 Adichan, Shri P. C.  
 Amat, Shri D.  
 Amin, Shri R. K.  
 Anbazhagan, Shri  
 Banerjee, Shri S. M.

Raju, Dr. D. S.  
 Ram, Shri T.  
 Ram Dhan, Shri  
 Ram Sewak, Shri  
 Ram Subhag Singh, Dr.  
 Rana, Shri M. B.  
 Randhir Singh, Shri  
 Rao, Shri K. Narayana  
 Rao, Shri J. Ramapathi  
 Rao, Shri Thirumala  
 Rao, Dr. V. K. R. V.  
 Reddy, Shri P. Antony  
 Roy, Shri Bishwanath  
 Sadhu Ram, Shri  
 Sankata Prasad, Dr.  
 Sapre, Shrimati Tara  
 Savitri Shyam, Shrimati  
 Sen, Shri Dwaipayana  
 Sethi, Shri P. C.  
 Shah, Shri Shantilal  
 Shambhu Nath, Shri  
 Shankaranand, Shri B.  
 Sharma, Shri Naval Kishore  
 Shashi Ranjan, Shri  
 Shastri, Shri Sheopujan  
 Sheo Narain, Shri  
 Shinde, Shri Annasahib  
 Siddayya, Shri  
 Siddheshwar Prasad, Shri  
 Singh, Shri D. N.  
 Sinha, Shri R. K.  
 Snatak, Shri Nar Deo  
 Solanki, Shri S. M.  
 Sonar, Dr. A. G.  
 Sonavane, Shri  
 Supakar, Shri Sradhakar  
 Suryanarayana, Shri K.  
 Tiwary, Shri D. N.  
 Tiwary, Shri K. N.  
 Tula Ram, Shri  
 Verma, Shri Balgovind  
 Virbhadra Singh, Shri  
 Yadav, Shri N. P.  
 Yadav, Shri Chandra Jeet

#### NOES

Basu, Shri Jyotirmoy  
 Berwa, Shri Onkar Lal  
 Bhagaban Das, Shri  
 Chakrapani, Shri C. K.  
 Chandra Shekhar Singh, Shri  
 Chauhan, Shri Bharat Singh



Dandeker, Shri N.  
Dange, Shri S. A.  
Deb, Shri D. N.  
Deo, Shri P. K.  
Deo, Shri R. R. Singh  
Desai, Shri Dinkar  
Devgun, Shri Hardayal  
Digvijai Nath, Shri Mahant  
Durairasu, Shri  
Esthose, Shri P. P.  
Fernandes, Shri George  
Gopalan, Shri P.  
Gowder, Shri Nanja  
Goyal, Shri Shri Chand  
Janardhanan, Shri C.  
Jha, Shri Bhogendra  
Jha, Shri Shiva Chandra  
Joshi, Shri S. M.  
Kachwai, Shri Hukam Chand  
Kalita, Shri Dhireswar  
Kandappen, Shri S.  
Khan, Shri Zulfiquar Ali  
Kothari, Shri S. S.  
Koushik, Shri K. M.  
Krishna, Shri S. M.  
Kuchelar, Shri G.  
Kunte, Shri Dattatraya  
Kushwah, Shri Y. S.  
Lobo Prabhu, Shri  
Madhok, Shri Bal Raj  
Madhukar, Shri K. M.  
Maiti, Shri S. N.  
Mangalathumadam, Shri  
Masani, Shri M. R.  
Mayavan, Shri  
Meena, Shri Meetha Lal  
Menon, Shri Viswanatha  
Misra, Shri Srinibas  
Mody, Shri Piloo

Mohammad Ismail, Shri  
Muthusami, Shri C.  
Naik, Shri R. V.  
Nair, Shri Vasudevan  
Nambiar, Shri  
Nayar, Shrimati Shakuntala  
Nihal Singh, Shri  
Pandey, Shri Sarjoo  
Patel, Shri J. H.  
Patil, Shri N. R.  
Ramamurti, Shri P.  
Ramani, Shri K.  
Ramji Ram, Shri  
Ranga, Shri  
Ranjit Singh, Shri  
Ray, Shri Rabi  
Reddy, Shri Eswara  
Saboo, Shri Shri Gopal  
Sait, Shri Ebrahim Sulaiman  
Samanta, Shri S. C.  
Satya Narain Singh, Shri  
Sen, Shri Deven  
Sen, Dr. Ranen  
Shah, Shri T. P.  
Sharda Nand, Shri  
Sharma, Shri Beni Shanker  
Sharma, Shri Yogendra  
Shastri, Shri Prakash Vir  
Shastri, Shri Ramavatar  
Shastri, Shri Raghuvir Singh  
Singh, Shri J. B.  
Suraj Bhan, Shri  
Tapuriah, Shri S. K.  
Umanath, Shri  
Viswambharan, Shri P.  
Viswanatham, Shri Tenneti  
Xavier, Shri S.  
Yadav, Shri Ram Sewak

MR. DEPUTY-SPEAKER : The result\* of the Division is : Ayes : 126; Noes : 89.

*The motion was adopted.*

#### Clause 2—(Definitions)

MR. DEPUTY-SPEAKER : Now we take up clause-by-clause consideration. There are amendments to

Clause 2 by Shri Suraj Bhan, Shri Hukam Chand Kachwai, Shri Kushwah and Shri Fernandes. Are they moving?

SHRI SURAJ BHAN (Ambala) : I beg to move :

Page 5,—

for lines 1 to 3, substitute—

‘(r) “primary gold” means gold including ingots, bars, blocks, slabs, billets, shots, plates and rods;’.(4).

\*The following Members also recorded their votes :

AYES : Sarvashri Kamalnayan Bajaj, Mudrika Sinha, T. M. Sheth, and B. P. Mandal.

NOES : Sarvashri Abdul Ghani Dar, Bhajohari Mahato, K. Lakkappa, Muhammad Ismail, Kamalanathan, Om Prakash Tyagi, Ram Gopal Shalwale and Brij Bhushan Lal.

श्री हुकम चन्द कछवाय : मैं यह प्रस्ताव करता हूँ :

अनुच्छेद 2 (प) का स्पष्टीकरण लुप्त किया जाए । (141)

अनुच्छेद 2 (फ) में ये शब्द निकाल दिये जाएं ।

“तराशा हुआ या आधा तराशा हुआ किसी भी रूप का सोना ”

तथा

“चादर, लच्छी तथा तारें” (142)

SHRI GEORGE FERNANDES (Bombay South) : I beg to move :

Page 5,—

for lines 1 to 3, substitute—

“(r) “primary gold” means gold including ingots, bars, blocks, slabs, billets, shots, pellets and rods;” (233)

MR. DEPUTY-SPEAKER : Have they any submission to make ? Otherwise, I will put them to the vote of the House.

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, खंड संख्या 2 पर अपने दोनों संशोधनों को सदन की स्वीकृति के लिये पेश करता हुआ मैं कहना चाहता हूँ कि एक तो अनुच्छेद 2 (प) का स्पष्टीकरण लुप्त किया जाय और दूसरे अनुच्छेद 2 (फ) में ये शब्द निकाल दिये जाएं :

“तराशा हुआ या आधा तराशा हुआ किसी भी रूप का सोना ”

तथा

“चादर, लच्छी तथा तारें” ।

यदि ऐसा नहीं किया जायेगा तो उस से स्वर्णकारों को काफी परेशानियां होंगी और उनके सामने अनेकों प्रकार की दिक्कतें पेश होंगी । इस लिये मेरा वित्त मंत्री महोदय से अनुरोध है कि मेरे द्वारा सुझाये गये संशोधनों के अनुरूप खंड संख्या 2 को संशोधित कर लिया जाये ।

यह ठीक है कि हमारे श्री मोरारजी भाई शासन चलाने में बड़े कठोर हैं और मैं उन की दृढ़ता का स्वागत करता हूँ लेकिन मैं उन से इतना अवश्य कहना चाहूंगा कि जैसे वह शासन चलाने में बड़े कठोर हैं और सोना भी बड़ा कठोर है लेकिन कभी कभी अधिक कठोर होना भी देश के लिये हानिकारक सिद्ध होता है और मैं उन से पुनः प्रार्थना करूंगा कि वह मेरे संशोधनों को स्वीकार कर लें ।

SHRI MORARJI DESAI : I do not accept it because it cannot, on the very face of it, be accepted.

SHRI S. M. BANERJEE : I would only request the Finance Minister to tell us what is his specific objection to accepting amendment No. 4 and why he insists on letting the clause as it stands in the Bill remain unamended. We had also argued this in the Joint Committee. I would like him to throw some more light on it.

SHRI MORARJI DESAI : I cannot accept it because it changes the whole concept of it.

MR. DEPUTY-SPEAKER : I shall put all the amendments together to vote.

श्री हुकम चन्द कछवाय : इन को अलग अलग लिया जाय ।

MR. DEPUTY-SPEAKER : If he wants any particular amendment to be selected for division, I will put it separately. Otherwise, why take the time of the House ?

श्री हुकम चन्द कछवाय : सब एक साथ लेने का क्या सवाल है । आप अलग अलग खण्डों को लीजिये । क्योंकि हम अलग अलग विचार कर के अपना मत देंगे । हम यहां पर सामूहिक रूप से विचार करने के लिये नहीं आये हैं ।

SHRI LOBO PRABHU (Udipi) : You must give us a chance to speak. If you do not do that, we shall challenge a division on every clause.

MR. DEPUTY-SPEAKER: I have given opportunity. I was actually inviting their comments. Let the lobbies be cleared—Lobbies have been cleared.

The question is:

'Page 5,—

for lines 1 to 3, substitute—

'(r) "primary gold" means gold including ingots, bars, blocks, slabs, billets, shots, plates and rods;' (4).

The motion was negatived.

MR. DEPUTY-SPEAKER: I shall put all the other amendments together to the vote of the House.

Amendments Nos. 141, 142, and 233 were put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 4—(Appointment and functions of Administrator and Gold Control Officers.)

SHRI N. DANDEKAR (Jamnagar): Sir, I have an amendment to clause 4. The number of my amendment is 200. I move:

Page 6, line 14,—

after "Act" insert—

"other than the powers under sub-section (6) of this section or under clause (a) of sub-section (1) of section 80 or under section 81" (200).

MR. DEPUTY-SPEAKER: There should be less noise in the House.

SHRI TENNETI VISWANATHAM (Visakhapatnam): On account of the Czechoslovak troubles, we are agitated. I think this must be postponed.

MR. DEPUTY-SPEAKER: It is coming at 5 O'clock.

श्री मधु लिमये: (मुंगेर): फिर इस पर बहस का मौका कब मिलेगा? यह तय हो चुका है कि इस पर बहस का मौका

मिलेगा। इसी आधार पर हम लोप अलग हुए थे।

MR. DEPUTY-SPEAKER: There is one hour after 5 O'clock.

SHRI N. DANDEKAR: My amendment is concerned with sub-clause (4) of clause 4. This sub-clause permits the Administrator to authorise such persons as he thinks fit to also exercise all or any of the powers exercisable by him under this Act. This is a remarkably wide clause. My amendment is designed to limit his power to delegate his powers in three respects. In the first place, the power to delegate itself must not be delegated. That is, sub-clause (6) should be taken out of the purview of it. Secondly, clause 80(1)(a) is concerned with the appellate powers of the Administrator. He ought not to delegate the powers of appeal to anybody else. Clause 81 is concerned with revisionary powers. The Administrator cannot obviously delegate his revisionary powers.

SHRI MORARJI DESAI: There will be no such delegation. The amendment restricts this clause but I shall certainly see there is no such delegation.

SHRI N. DANDEKAR: I really can not allow the Administrator to have power to delegate his appellate powers, revisionary powers and also the power to delegate. This is an extra-ordinary power. Sub-clause (4) says that the Administrator may authorise such person as he thinks fit to also exercise all or any of the powers exercisable by him under this Act and different persons may be authorised to exercise different powers. That is to say, any power under the Act which the Administrator may himself exercise, he can authorise somebody else, that somebody else being any person.

SHRI MORARJI DESAI: I accept the amendment.

SHRI K. NARAYANA RAO (Bobbili): I also want to make a submission.

MR. DEPUTY-SPEAKER: He has accepted the amendment.

SHRI K. NARAYANA RAO: I want certain views to go on record. Extensive powers are given to the Administrator. Under the Bill, he is going to be appointed by the Central Government. And the person to whom the powers are being given exercises coeval powers. And this power is being conferred on the administrator. In view of this thing, I submit that instead of giving this power of delegation to the administrator, to exercise such powers, this power should be reserved by the Central Government, and the Central Government should have the power to confer such powers to any other person. That seems to be more logical. Otherwise, it will be unusual.

SHRI NAMBIAR (Tiruchirappalli): Here, clause 4(1) reads as follows:

"The Central Government shall, by notification, appoint an Administrator for carrying out the purposes of this Act."

This particular administrator will have the final say on this matter and there is no provision for even an appeal to the Government. That is as it stands. And as Mr. Dandekar has said, the sub-clause says that the "Administrator may also perform all or any of the functions of, and exercise all or any of the powers conferred by this Act." and so on. That means he is going to delegate the powers to somebody else.

SHRI MORARJI DESAI: I have accepted his amendment.

SHRI NAMBIAR: What is it that he has accepted?

SHRI MORARJI DESAI: I have accepted Mr. Dandekar's amendment.

MR. DEPUTY-SPEAKER: He has accepted the amendment.

SHRI NAMBIAR: It is very difficult to believe that Mr. Morarji Desai accepts something! That is the difficulty.

SHRI MORARJI DESAI: Clear your own mind now.

MR. DEPUTY-SPEAKER: I shall put the amendment to the vote:

The question is:

Page 6, line 14,—

after "Act" insert

"other than the powers under sub-section (6) of this section or under clause (a) of sub-section (1) of section 80 or under section 81". (200).

*The motion was adopted.*

MR. DEPUTY-SPEAKER: The question is:

"That clause 4, as amended, stand part of the Bill."

*The motion was adopted.*

Clause 4, as amended, was added to the Bill.

Clause 5—(Power of Administrator to give directions and orders).

SHRI SRINIBAS MISRA (Cuttack): I move:

Page 6, omit lines 31 to 33 (60).

SHRI LOBO PRABHU: I move:

Page 7, omit lines 1 to 3. (126).

SHRI SRINIBAS MISRA: Mr. Deputy-Speaker, Sir, I shall be brief. I think these are simple matters regarding drafting and the meaning. Against the force of the majority, which is a sort of despotism, we can not fight but this question has a reason behind it, and I think you will see reason. I shall refer to clause 115 which says:

"The Central Government or the Administrator, to make any authorisation or exemption or to make any order or direction...."

That being so, why give another power to the Administrator here? This is redundant. Clause 5(1) gives power: "Administrator may, if he thinks fit, to make orders, not inconsistent with the provisions of this Act, for carrying out the provisions of this Act."

Then comes clause 115 which gives the same powers. The Administrator takes powers here also. It need not be repeated in so many clauses and the Administrator need not be given that power again. I think, therefore, that sub-clause (1) should be deleted.

**SHRI LOBO PRABHU :** One of my objections has already been voiced by Shri Srinibas Misra. You are giving unlimited powers to the Administrator, not simply giving him power at one place, but in this section and that section. I am particularly concerned with clause 5(2)(b) which says :

“...regulate by licences, permits or otherwise, the manufacture, distribution transport, acquisition, possession, transfer, disposal, use or consumption of gold.”

This clause consumes all the fundamental rights detailed under article 19 of the Constitution. The point was raised yesterday that if we go on transgressing the fundamental rights, it is for this House to take care and not for the court of law. As far as I have heard, the Deputy Prime Minister has not made this point. He had not met the point that this House should not put on the Statute-Book a law which is on the face of it unconstitutional. A provision like this which consumes all the fundamental rights is unconstitutional and his explanation or excuse that it is open to a party to go to the Supreme Court is particularly harsh and cruel in this case, because the parties concerned are small goldsmiths. I would, therefore, request him first not to give these powers to the Administrator. Secondly, he should not take this blanket permission and wipe out article 19 of the Constitution.

**SHRI MORARJI DESAI :** May I say, Sir, that 5(i) is not redundant, it is necessary and therefore I cannot accept the hon. Member's amendment.

As regards (b) my hon. friend says that it is against the fundamental rights. It is completely wrong. In my view and in the view of the Ministry of Law and Government lawyers it is perfectly within the Constitution. If he has another view, I cannot say his view may not be upheld by a court. That is why I say that it can only be decided by the court and not

by the House. I oppose his amendment.

**SHRI LOBO PRABHU :** Can you say how it is constitutional? Just saying that it is not unconstitutional is not consistent with the opposition in this House. Let us have your arguments, let us have your reasons.

**MR. DEPUTY-SPEAKER :** If the hon. Member had advanced arguments to make a *prima facie* case then alone I could have asked him to reply. Otherwise, this is a presumption on his side or his opinion. Yesterday I have ruled on this point and I do not want to repeat that ruling. I now put the amendments to clause 5 to the vote of the House.

*Amendment 60 and 126 were put and negatived.*

**MR. DEPUTY-SPEAKER :** The question is :

“That clause 5 stand part of the Bill.”

*The motion was adopted.*

*Clause 5 was added to the Bill.*

**Clause 6—**‘Power of Administration to call the returns as the receipt or sale of hypothecated gold.’

**MR. DEPUTY-SPEAKER :** We now move on to clause 6. There is one amendment. Is the hon. Member moving it?

**श्री हुकम चन्द कछवाय :** मैं प्रस्ताव करता हूँ कि :

‘अनुच्छेद 6 (1) तथा (2) हटाए जाएं’ (143)

यह अनुच्छेद हिसाब-किताब रखने के बारे में है। मैं चाहता हूँ कि इस में से (1) और (2) को निकाल दिया जाये क्योंकि इससे स्वर्णकारों का बहुत ज्यादा असुविधा होगी। जब अफसरों को ज्यादा अधिकार मिल जाते हैं तो वे नाना प्रकार से लोगों को तंग करते हैं, परेशान करते हैं। बहुत से उदाहरण हमारे सामने हैं जिन में जहाँ अफसरों को अधिकार ज्यादा दिये गए हैं

**[श्री हुकम चन्द कछवाय]**

तो उन्होंने अपने उन अधिकारों का दुरुपयोग किया है और नाना प्रकार से लोगों के लिये परेशानियाँ पैदा की हैं। यहां भी ऐसा ही होने की आशंका है। इसलिये मेरा कहना यह है कि ये तो जो गरीब लोग हैं ये अपना हिसाब किताब नहीं रख सकते हैं और इस प्रकार की व्यवस्था कर देने से उनको काफी दिक्कत होगी। उनमें से अधिकांश लोग मुनीम नहीं रख सकते हैं। आप अनुमान लगा सकते हैं कि जिस व्यक्ति की सौ या डेढ़ सौ या दो सौ रुपये मासिक आमदनी है वह कभी भी मुनीम रखने की स्थिति में नहीं हो सकता है। आप जानते ही हैं कि पन्द्रह बीस रुपये में कोई मुनीम नहीं मिलता है। डेढ़ दो सौ रुपये माहवार से कम में मुनीम नहीं मिलता है। न केवल वह मुनीम नहीं रख सकता है बल्कि वह स्वयं भी अनपढ़ होने की वजह से हिसाब किताब नहीं रख सकता है। इस वास्ते मेरी आप से प्रार्थना है कि आप इस में से (1) और (2) को निकाल दें।

**SHRI NAMBIAR:** Sir, this is a very sweeping clause. A reading of it makes it very clear. It reads like this:

"The Administrator may, if he is of opinion that it is necessary in the public interest so to do, require any person who lends or advances money on the hypothecation, pledge, mortgage or charge of any article or ornament to make to him, in such form and within such time....."

In the villages we know that poor peasants and other ordinary people who do not have any money may have some ornaments which they would like to pledge and get some money. That is considered to be a safety valve of these people so far as day-to-day needs are concerned. If they mortgage these ornaments to some person in the village and receive money and if the Gold Controller feels that that particular man who has received the ornaments should reveal all the facts of the receipt of the mortgaged property it becomes very cumbersome. You cannot go on extending and stre-

tching the Gold (Control) Order for searching the gold used by villagers for a temporary purpose. Not only the population in cities will be harassed but even the villagers will be harassed. Those who are disliked by the Gold Controller or his agents will be harassed and this clause can certainly create havoc in the villages. Such a sweeping clause should not be allowed to remain in the Act. There must be some restrictions on this. Therefore, the amendment which Shri Kachwai has very correctly suggested must be accepted. I strongly support it.

**SHRI MORARJI DESAI:** This is a restriction which will apply to a money lender and not to every person in the village. If that man wants to take hypothecation or mortgage for giving money this restriction will apply to him. He is not man who does not keep any account. I do not see what inconvenience will be there for him.

**श्री हुकम चन्द कछवाय :** आमने इस में कोई सीमा नहीं रखी है। अगर आपने बड़े व्यापारियों के लिये यह व्यवस्था की होती तो मुझे उस में कोई आपत्ति न होती। परन्तु आपने कहा है कि हर व्यक्ति को हिसाब किताब रखना पड़ेगा, छोटा हो या बड़ा हो, उसको हिसाब किताब रखना पड़ेगा। मैं चाहता हूँ कि आप सीमा बांध दें कि इस हस्ती का, व्यक्ति हिसाब किताब रखेगा।

**श्री मोरारजी देसाई :** स्मगलिंग में कोई सीमा नहीं होती है।

**SHRI P. RAMAMURTI:** The Deputy Prime Minister seems to be under the impression that everybody is a money-lender.

**SHRI MORARJI DESAI:** I have not said that.

**SHRI P. RAMAMURTI:** Please listen to me. You have not said that but that is the presumption. When a man takes some jewels on hypothecation and gives some money, he has to keep an account. My contention is that he cannot do that. Between ordinary people, peasants, one peasant and another peasant, such transactions

take place. I can very well understand your saying that all those money-lenders who are taking these gold ornaments on hypothecation must keep accounts. But to say that every individual, every peasant who accepts jewellery to advance cash to a colleague of his who is also a peasant, he must keep accounts that is not fair. Any peasant who is in need of money goes to another peasant, hypothecates his gold and gets money. If that person has to maintain accounts, it will amount to harassing him. That is the only difficulty.

श्री क० ना० तिवारी (बेतिया) :

उपाध्यक्ष महोदय, उप प्रधान मन्त्री को इस एमंडमेंट को एक्सेप्ट कर लेना चाहिये। हम देहात के रहने वाले हैं। जिस किसी छोटे आदमी के पास दस, पचास, सौ रुपये का सोना है और वह उसको किसी के पास रखता है, तो अगर आफिसर चाहेंगे, तो वे उसको हैरास कर सकेंगे। इसलिये जैसा कि श्री कछवाय ने कहा है, एक सीमा बांध दी जाये कि अगर अमुक मात्रा से ज्यादा गोल्ड होगा, तो यह क्लॉज लागू होगी, वर्ना नहीं।

श्री अब्दुल गनी डार (गुडगांव) :

डिपुटी स्पीकर साहब, इस वक्त लाखों की तादाद में किमान कर्ज की वजह से बुरी तरह से तबाह हो रहे हैं। कई शरीफ आदमी और बहनें जरूरत पड़ने पर मनीलेंडर के पास नहीं जाते हैं, बल्कि वे अपने किसी रिश्तेदार के पास जेवर रख कर रुपया लेते हैं। इस क्लॉज को मौजूदा शक्ल में पास करने से उन शरीफ आदमियों, देवियों और बहनों के लिये बड़ी मुश्किल पैदा हो जायेगी। मैं समझता हूँ कि जैसे उनकी तकलीफ को हम लोग महसूस करते हैं, वैसे ही श्री मोरारजी भाई भी महसूस करेंगे और इस एमंडमेंट को मन्जूर करेंगे।

[श्री عبدالغनी डार (गुडगांव) :

डिप्टी स्पीकर صاحب - اس وقت کی تعداد میں کسان قرض کی وجہ

L42LSS/68—

سے بری طرح تباہ ہو رہے ہیں - کئی شریف آدمی اور بہنیں ضرورت پڑنے پر مانی لینڈر کے پاس نہیں جاتے ہیں - بلکہ وہ اپنے کسی رشتہ دار کے پاس زیور رکھ کر روپیہ لیتے ہیں - اس کلاز کو موجودہ شکل میں پاس کرنے سے ان شریف آدمیوں - دیویوں اور بہنوں کے لئے بڑی مشکل پیدا ہو جائیگی - میں سمجھتا ہوں کہ جیسے ان کی تکلیف کو ہم لوگ محسوس کرتے ہیں - ویسے ہی شری مورارجی بھائی بھی محسوس کرینگے اور اس ایمنڈمنٹ کو منظور کرینگے -]

SHRI NAMBIAR: Sir, on a point of order. It is the fundamental right of every member to have freedom of speech in the House. It cannot be restricted or prevented by anybody, even by a Minister.

MR. DEPUTY-SPEAKER: There is no point of order. He may resume his seat.

SHRI MORARJI DESAI: What is it about?

MR. DEPUY-SPEAKER: The suggestion is that you were bringing pressure on some Congress members.

SHRI MORARJI DESAI: I am bringing no pressure on anybody. I am being pressed upon. I do not want to bring pressure on anybody and I do not accept anybody's pressure. Both things I will have to say. If there is anything which is reasonable in my view—it may be reasonable in their view, but it will have to be reasonable in my view—I will accept it immediately. That my hon. friends have already seen. But when I cannot accept it, I will not accept it. There is no use of pressurising me by saying "you do not hear; if you hear; you will accept it"; that sort of pressure would not work.

In this particular matter, no such orders have been issued so far

[Shri Morarji Desai]

and they will not be issued on a large scale or generally except when it is found that in a particular locality a person or some people are indulging in this kind of thing. Then only the orders will issue. And it is not a question of a poor peasant being involved. We are not going to punish or harass peasants. But if there is a peasant who does this as a business, he will certainly not be excluded.

**श्री भवुल गनी दार :** मैं अर्ज करना चाहता हूँ कि इस वक्त श्री मोरारजी भाई बड़े प्यार से कह रहे हैं, लेकिन जब यह कानून पास हो जायेगा, तो मामला उनके हाथ में नहीं रहेगा, बल्कि आफिसर के हाथ में चला जायेगा। श्री मोरारजी भाई ने श्री दांडेकर को यह एंशोरेंस दी है कि आफिसर को बहुत बड़े पैमाने पर पावर्च डेलीगेट नहीं की जायेगी, लेकिन मैं समझता हूँ कि इस प्राविजन से शायद मुश्किल पैदा होगी। श्री कछवाय ने सीमा बांधने की बात कही है। मैं चाहता हूँ कि श्री मोरारजी देसाई को चाहिए कि वह इस क्लोज को स्पष्ट करें, ताकि जब यह हथियार दूसरों के हाथ में जाये, तो सफेदपोस शरीफ आदमियों के लिये मुश्किल न पैदा हो, जिन की आमदनी कम है, चाहे वे क्लंक, बाबू, पेजेंट या लेबरर हों। अगर वह खुद कोई ऐसी एमेंडमेंट लायें, जिस से शरीफ आदमियों की इज्जत बच सके, तो हमें कोई एतराज नहीं है।

[श्री عبدالغनी डार : میں عرض کرنا]

چاہتا ہوں کہ اس وقت موزار جی بھائی بڑے پیار سے کہہ رہے ہیں - لیکن جب یہ قانون پاس ہو جائیگا - تو معاملہ ان کے ہاتھ میں نہیں رہیگا - بلکہ آفیسرز کے ہاتھ میں چلا جائیگا - شری موزار جی بھائی نے شری دانڈیکر کو یہ ایشورینس دی ہے کہ آفیسرز کو بہت بڑے پیمانے پر پاورز ڈیلیگیٹ نہیں کی جائیگی - لیکن میں سمجھتا ہوں کہ

اس پورا وزن سے شائد مشکل پیدا ہوگی - شری کچھوائے نے سیما باندھنے کی بات کہی ہے - میں چاہتا ہوں کہ شری موزار جی دیسائی کو چاہئے کہ وہ اس کلاز کو سپسٹ کریں - تاکہ جب یہ ہتھیار دوسروں کے ہاتھ میں جائے - تو سفید پوش شریف آدمیوں کے لئے مشکل پیدا نہ ہو - جن کی آمدنی کم ہے - چاہے وہ کلرک - بابو - پیزینٹ یا لیبرر ہوں - اگر وہ خود کوئی ایسی ایمینڈمنٹ لائیں - جس سے شریف آدمیوں کی عزت بچ سکے - تو ہمیں کوئی اعتراض نہیں ہے -

**श्री बेनी शंकर शर्मा (वांका) :** उपाध्यक्ष महोदय, जब बीमारी, बाढ़ या सूखे आदि के कारण लोगों को आवश्यकता पड़ती है, तो वे अपने गहने गिरवी रख कर रुपये उधार लेते हैं। जाहिर है कि गवर्नमेंट हर जंगह उन की मदद करने के लिये नहीं पहुंच सकती। इस वक्त अगर कोई अपने गहने गिरवी रखता है, तो वह उनकी रसीद लेता है। लेकिन इस क्लोज को वर्तमान रूप में पास कर मंत्री महोदय स्वार्थी एवं अनाचारी लोगों के हाथों में एक और हथियार दे देंगे। अपनी आवश्यकता के मुताबिक लोगों को रुपया तो उधार लेना ही पड़ेगा, लेकिन इस प्राविजन से बचने के लिये अनस्कूपुलस मनीलेंडर उनको उनके गहनों की रसीद नहीं देंगे, जिसकी वजह से उनके गहनों के ही जब्त होने का खतरा रहेगा। इसलिए मैं प्रार्थना करूंगा कि मंत्री महोदय शहरी इलाकों के लिये चाहे जो कुछ करें क्योंकि वहां के लोग पढ़े-लिखे हैं और समझ सकते हैं, लेकिन देहातों में, जहां लोग दस, बीस, पचास रुपया उधार लेते हैं, इस क्लोज को लागू न करें।

SHRI SONAVANE (Pandharpur) :  
On a careful reading of the



wording of clause 6, I think, it is very clear that the clause authorises the officer to "require any person who lends or advances money". The wording does not say, "who usually lends or who carries on a business of lending".

Similarly, sub-clause (2) of the same clause says :—

"sale of any gold, of any person who advances any money on the hypothecation, pledge, mortgage or charge" etc.

It does not say, "usually carries on business". That wording is not there specifically. Therefore if any officer takes into his head to ask any person who on one occasion or on two occasions has lent money or advanced it against gold, that officer will be justified. Because it is in the discharge of his office he will not even be hauled up in a court even after harassment. The promise was made by the hon. Minister that he would be dealt with strictly. That is correct but the strict dealing would come afterwards, after the harassment of the person who is involved has ended. Therefore I think that the hon. Finance Minister will consider and bring forward an amendment. If such words like "who carries on business or holds a licence to carry on business" are added, I think, things will be more clear.

**श्री शशि भूषण (खारगोन) :** उपाध्यक्ष महोदय, सब जानते हैं कि हमारे देहात का समाज बहुत बुरी तरह से मनीलेंडर्ज की गिरफ्त में है। मनीलेंडर्ज हमेशा सोने के बारे में धोखा करते हैं और जो लोग उनके घरों में सोना रखते हैं, उनको नुकसान उठाना पड़ता है। अगर इस क्लाइ को थोड़ी भी शिथिलता बरती जायेगी, अगर गिरवी रखे गये सोने का रिकार्ड किसी सरकारी अधिकारी के पास नहीं रहेगा, तो मनीलेंडर्ज को देहात के लोगों को और एक्सप्लायट करने का मौका मिलेगा और देहात के लोगों को नुकसान होगा। मैं चाहता हूँ कि मनीलेंडर्ज को खत्म किया जाये। लेकिन अगर यह नहीं हो सकता है, तो उनके यहां जो भी सोना देहात के आदिवासी लोग रखें,

उसका रिकार्ड पुलिस के यहां रखा जाये, ताकि मनीलेंडर्ज धोखा न दे सकें। (ब्यबधान) इसका नतीजा यह होगा कि मनीलेंडर्ज खत्म हो जायेंगे। (ब्यबधान) मैं जानता हूँ कि यह मनीलेंडर्ज की पार्टी है। यह समाजवादी व्यवस्था नहीं है। मैं श्री मोरारजी देसाई से दरह्वास्त करूंगा कि इस क्लाइ को इसी तरह पास किया जाये।

**SHRI SONAVANE :** I think, he has no knowledge of any village.

**श्री श्रीचन्द्र गोयल (चण्डीगढ़) :** उपाध्यक्ष महोदय, वित्त मंत्री जी से मैं नम्रत-पूर्वक यह निवेदन करना चाहूंगा कि मुझे इस प्रकार के अधिकारों के दुरुपयोग का कुछ अनुभव है। जहां तक इनकम टैक्स ऐक्ट का ताल्लुक है, जहां तक सेल्स टैक्स ऐक्ट का ताल्लुक है उसमें कुछ नियम बने हुये हैं कि एक व्यापारी को या एक डीलर को तीन महीने के अन्दर अपना रिटर्न दाखिल करना पड़ता है। इसी प्रकार से इनकम टैक्स के अन्दर एक साल के बाद रिटर्न दाखिल करना पड़ता है। परन्तु इस प्राविधान के द्वारा तो अधिकारी को पूरी छूट दी जा रही है कि जिस वक्त उसका जी चाहे, जो समय भी वह निर्धारित करे उस समय में हिसाब किताब उसके सामने आना चाहिये। इसमें कोई भी मर्यादा नहीं रखी गई कि वह जो रिटर्न है वह साल में एक बार देनी है, दो बार देनी है, चार बार देनी है, जब भी वह अधिकारी चाहे उसको इस बात के लिये विवश कर सकता है कि अगले दिन रिटर्न दाखिल करे या एक सप्ताह के अन्दर दाखिल करे। कोई मर्यादा इस के अन्दर नहीं रखी गई है। जहां तक जेवर रखने के हिसाब किताब का ताल्लुक है इसमें उसको छूट दी गई है कि वह चाहे जिस प्रकार से उसके हिसाब किताब की जांच पड़ताल करे। मैं समझता हूँ कि जब सेल्स टैक्स के अन्दर, इनकम टैक्स के अन्दर और दूसरे टैक्सों के अन्दर निश्चित अवधि तय किया है और पद्धति तय

### [श्री श्रीचन्द्र गोयल]

किया है तो इसके अन्दर यह सब कुछ उसी के ऊपर छोड़ना किसी तरह उचित नहीं है। मैं मन्त्रा पूर्वक निवेदन करूंगा वित्त मंत्री जी से कि वह कम से कम इस बात को अवश्य स्वीकार करें कि यहां पर जो छोटे तबके के लोग हैं, छोटे सोनार हैं, वह पड़े लिखे नहीं होते, हिसाब किताब रखने की योग्यता उन में नहीं होती, न ही वह किसी दूसरे व्यक्ति को कर्मचारी के रूप में रख सकते हैं, इसलिये कुछ न कुछ मर्यादा जैसे सेल्स टैक्स में है 30 हजार से ऊपर वालों को रिटर्न देनी पड़ती है, उसी तरह इसमें होना चाहिये। लेकिन इस में तो एक ही लाठी से सब को हांकना चाहते हैं। वह ठीक नहीं है। इसलिये मैं प्रार्थना करूंगा कि वह इसके अन्दर संशोधन को स्वीकार करें।

**श्री चन्द्रिका प्रसाद ( बलिया ) :**  
उपाध्यक्ष महोदय, मैं उत्तर प्रदेश के पूर्वी इलाके से आता हूं। वहां पर बेकारी की समस्या बहुत अधिक है। यह हमारे जो गरीब सोनार थे वह इस रोजगार से बहुत कुछ अपनी रोटी कमा लेते थे। लेकिन जब वह यह गोल्ड कंट्रोल का आर्डिनंस आया तो हम ने देखा कि हमारे छोटे-छोटे सोनार जो थे वह तो बेकार हो गए थे और बड़े-बड़े शर्माफ लोगों ने बहुत पैसा कमा लिया। जो इसका उद्देश्य था सोने के मोह को छुड़ाना और भाव कम करना, तो भाव भी बढ़ गया और गरीबों की रोजी भी मारी गई। वहां के गरीब लोग इन सोनारों के यहां अपने गहने बनवा कर काम चलाते थे और उससे उनको रोजी मिल जाती थी। हमारे यहां गहने का रिवाज बहुत ज्यादा है। हरिजन लोग भी छोटे मोटे गहने बनवा कर काम चलाते हैं लेकिन गोल्ड कंट्रोल आर्डिनंस जो आया उससे मैंने देखा कि मोटे और मोटे हो गए और गरीब और गरीब हो गए, खाने बगैर मरने लगे इसलिये यह बिल जो है, इसका

मैं स्वागत तो करता हूं लेकिन चैप्टर 12 जो है इसमें जो अधिकार दिए गए हैं अधिकारियों को .....

**MR. DEPUTY SPEAKER :** We are on clause 6 only. That is all.

**श्री चन्द्रिका प्रसाद :** ठीक है, तो वह जब आवेगा तो मैं बोलूंगा।

16 hrs.

**SHRI K. NARAYANA RAO :** Mr. Deputy-Speaker, Sir, let us look to the objective of this provision. It is not to regulate the lending operations of certain business people. That is not the objective. This appears to be a collateral measure to plug smuggling. As an indirect means to detect and check smuggling, this very onerous obligation has been imposed upon our people all over the country both in rural areas and urban areas. We have not fixed any norm for the lending operations. The only thing which they are expected to do is to maintain an account and to show that from what person what amount has been taken only to make the business of the Government very easy.

So, I think, the entire provision is totally unnecessary. What is more is that this also incorporates presumption. Supposing by any chance, by a mere forgetfulness, there is an entry omitted, if there is gold in his possession, it is presumed that he is in the possession of gold in contravention of the law. It does not end there. Once that presumption has been attracted, the entire provisions are there and it can be confiscated, and punishment inflicted. Not that he has done anything with reference to gold as such; not that he has done anything against the lending operations; it is only to see that he can be an instrument for the Government to see that smuggling or malpractices are not there. Is it necessary to inflict such a penalty on a person who makes the job of the Government easy? This is my submission which, I hope, the hon. Minister will ponder over.

श्री तुलसीदास जाधव (बारामती) : उपाध्यक्ष महोदय, पहली बात तो यह है कि जो हम को अमेडमेंट्स दिए गए हैं वह कन्सालिडेटेड फार्म में नहीं हैं, अलग-अलग फार्म में हैं। इससे बड़ी असुविधा होती है। .....(व्यवधान).... आप कृपा कर के सुन लीजिए।

दूसरी बात यह है कि क्लोज के बारे में जो यहां है सैकेंड लाइन में एनीपरसन ऐसा कहा है तो इसमें लाइसेंस परसन मनी लेंडर ऐसा शब्द होना चाहिये। नहीं तो कोई भी आदमी इसके अन्दर आ जायेगा। देहात में तो एक आदमी किसी के पास जा कर अपने जेवर रखता है और वह उसे दस बीस या सौ रुपये दे देता है तो उसका कोई एकाउंट नहीं रहता और ऐसा न होने से कोई भी आफिसर वहां चला जाय चेक करने के लिये तो कोई एकाउंट वहीं नहीं पायेगा। इसलिए यह जो मनीलेंडर हैं वह जो लाइसेंस हों ऐसे लोगों के बारे में यह क्लोज होना चाहिये। दूसरे, जहां किसी के भी पास कोई एकाउंट अपने जेवर का नहीं रहता तो इसमें यह कहा है :

"which is in excess of the quantity shown in such accounts, and which is not otherwise accounted for to the satisfaction of such officer.."

अब उसके सेटिस्फैक्शन का जहां तक सवाल है वह तो दूसरे ही तरीके से होगा जो यहां बताने की जरूरत नहीं है। तो उसको सेटिस्फैक्शन हो जाय तो यह चीज खत्म हो जाय, यह चीज नहीं होनी चाहिये। और जैसा कि मोरारजी भाई ने कहा कि रूल में, कहां-कहां इसका इम्प्लीमेंटेशन वह करें, इसके बारे में सोचने वाले हैं तो हम जो यह सुझाव दे रहे हैं उस समय इसको भी खयाल में रखें कि हैरेसमेंट किसी का न हो। यह न हो कि छोटे-मोटे जो इस तरह अपना जेवर रखते हैं और उसके ऊपर वह सौ पचास रुपये दे देते हैं उनको हैरेस किया जाय जिस तरह

कि शराब के मामले में या और दूसरे मामलों में होता है। ऐसा न हो जाय, इतना ही मेरा सजेशन है।

SHRI SHANTILAL SHAH (BOMBAY—NORTH-WEST) : The point about money-lending in rural areas has some validity. If the word 'any person' is changed to any other phrase, it will lead to many complications. The intention is to stop smuggling. Smuggling of gold takes place between Bombay and north of it upto Vapi. There are areas where it is easy for a smuggler to find an accomplice who will lend him money and then the accomplice will sell the gold. Therefore, the gold which is smuggled is brought into the market through the device of pledge. The remedy seems to be to frame rules whereby areas near the border where smuggling is rampant can be demarcated, and where these provisions could operate, so that areas like Sholapur need not suffer. Ratnagiri is a place where smuggling takes place—Mr. Jadhav knows about it. Therefore, the areas near the border ought to be earmarked. The word 'money-lender' should not be substituted because the money-lending certificate can be claimed by anybody. This clause should not be changed. Administrative instructions and rules should take care of this. My suggestion is that areas near the border ought to be demarcated. In other places, these need not operate.

श्री ओम प्रकाश त्यागी (मुरादाबाद) : उपाध्यक्ष महोदय, मैं मंत्री महोदय से प्रार्थना करना चाहता हूं कि "एनी परसन" शब्द से बहुत बड़ी भ्रांति फैलेगी, इससे लोगों को हैरेस किया जायेगा। आज कोई भी गरीब आदमी जरूरत पड़ने पर अपने पड़ोसी के पास जेवर रख कर अपना काम चला लेता है या किसी रिश्तेदार के पास रख कर काम चला लेता है—लेकिन "एनी परसन" शब्द के रखे जाने से उसमें दिक्कत आयेगी। इसलिये मेरा सुझाव है कि "एनी परसन" की जगह प्रोफेशनल मनीलेंडर रख दीजिये या लाइसेंस मनीलेंडर रख

[श्री ओम प्रकाश त्यागी]

दीजिये, जिस से कि जो उसका व्यापार करता है वही पकड़ में आये, हर आदमी इसकी पकड़ में न आये। इसमें ईमानदारी का कोई सवाल नहीं है, आपने जो कानून बनाया है वह देहात के लोगों की सहायता नहीं कर सकेगा, बल्कि गरीब लोगों की बरबादी का कारण बनेगा। इसलिये मेरा आप से अनुरोध है कि “एनी परसन” की जगह पर “लाइसेंस डीलर या मनीलेंडर” रख दीजिये।

श्री रणधीर सिंह : उपाध्यक्ष महोदय, मैंने इस क्लॉज को बार-बार पढ़ा है और मुझे अफसोस के साथ कहना पड़ता है कि मेरे दोस्तों ने जो बहस की है, मुझे उसमें कोई वचन नखर नहीं आता है कि यह किसान के खिलाफ है या देहात की जनता के खिलाफ है। अगर ऐसा क्लॉज इसमें न हो तो शहर के जो बड़े-ठेकेदार हैं, वे देहातों में चले जायेंगे और जितना स्मगलिंग बांडर पर नहीं होता, उस से ज्यादा स्मगलिंग गांवों में शुरू हो जायगा। जब किसान को अपनी पैदावार के लिये एकाउंट रखना पड़ता है तो यह आदमी क्यों नहीं रखे। आज किसान को अपने यहां हिसाब रखना पड़ता है कि गेहूं इतना पैदा हुआ, जौ इतना पैदा हुआ, चना इतना हुआ तो यह मनीलेंडर हिसाब को क्यों न रखे।

इसमें यह जो बेसिक आइडिया है कि गांव में जाकर कोई किसान को एक्सप्लायट न करे, वहां एक्स्प्लायटेशन के अड्डे न खुल जायें—वह ठीक है, उससे मैं एग्री करता हूं, लेकिन उस दिक्कत को रूलज की मदद से हल किया जा सकता है। रूलज में ऐसा प्रावीजन किया जाय कि गांव में अगर किसी गरीब आदमी को 100-200 रु० की जरूरत पड़ती है तो अपने पास पड़ोस के आदमी से उसके पास जेबरा रख कर रुपये ले ले—इस किस्म के जो बोनाफाइड लोग हैं, उनके लिये इसमें एक्स्पेंशन होनी चाहिये।

वे लोग अनपढ़ आदमी हैं, वक्त पर एक दूसरे का काम निकाल देते हैं—मगर इसके तेहत जो बड़े-बड़े मगरमच्छ हैं, वे शहरों से जाकर देहातों में अपना धन्धा शुरू कर दें, गरीबों को लूटना शुरू कर दें, उनका इलाज जरूर होना चाहिये और यह उनका सही इलाज है। लेकिन जो दूसरे लोग हैं जिन से किसान जरूरत पड़ने पर, ब्याह-शादी के मौके पर या बिजार्ई के मौके पर 100-200 या 500 रुपये ले लेता है, उनके लिये इसमें एक्स्पेंशन होना चाहिये। ऐसे लोग जो बोनाफाइड हैं, उनके लिये इसमें ऐसी रेमिडी होनी चाहिये ताकि वे अपना धन्धा चला सकें।

श्री स० मो० बनर्जी : उपाध्यक्ष महोदय, मैं समझता हूं कि हमारे चौधरी साहब ने शायद इसके सीरियस इम्पलीकेशनज को समझने की कोशिश नहीं की है। अगर उन्होंने समझ लिया है तो मैं समझता हूं कि उन्होंने समझ कर भी नासमझी का इजहार किया है।

मैं यही अर्ज करना चाहता हूं कि इसमें—

‘The Administrator may, if he is of opinion, that it is necessary in the public interest so to do, require any person...’

एम्फेसिस “एनी परसन” पर है। आप को मालूम है कि मैं खुद एक मध्यम वर्ग के खानदान में पैदा हुआ हूं और मुझे मालूम है कि मेरे बड़े भाई जब डाक्टरी पढ़ रहे थे, तो मेरी माताजी के तमाम जेबरात मेरे एक रिश्तेदार के यहां गिरवी रख दिये गये थे और उस पैसे से मेरे बड़े भाई पढ़े। अब मान लीजिये अगर मैं अपने किसी रिश्तेदार से कहता हूं कि आप ये जेबरात रख लीजिये और मुझे कर्जा दे दीजिये, तो वे भी इस मिसचिफ में आ जायेंगे। इस लिये मैं आपसे निवेदन करना चाहता हूं कि इसमें इस तरह का संशोधन कीजिये, जिससे ऐसे लोगों को एक्स्पेंशन मिल सके। “एनी परसन” की जगह मनीलेंडर रखने

का सुझाव दिया गया है, हम तो मनीलैडर के भी खिलाफ हैं, कोई आदमी अगर हैबिचुबली मनीलैडिंग करता है तो हम उसके इशारों पर क्यों चलें। इसलिये "किसी आदमी" शब्द को इसमें नहीं लेना चाहिये।

**SHRI MORARJI DESAI:** I can understand and appreciate the anxiety of the hon. Members to see that there is no harassment to any person as a result of any provision made here. This provision is here from 1-11-1956 till now. Yet no orders had been issued in this matter for any person. It is required in order that orders may be issued to persons if we find any person doing this kind of thing and is covering or helping smuggling; he must send reports of the articles, the persons from whom they were taken and when they were taken. I do not know what harassment is there. As I have said, it is not the intention nor would there be any order passed in respect of a neighbour or a friend doing this. Nobody is going to do such a thing.

**SHRI S. M. BANERJEE:** Your interpretation is correct. But unfortunately, the officers may interpret it differently. Why keep it vague?

**SHRI MORARJI DESAI:** How can it be done? It is again in public interest. We will have proper rules to see the circumstances under which this should be issued so that there will not be any harassment. Government have powers to give guidance and directions to the Administrator. As I have said, there will be sufficient safeguard in the rules. If a friend or neighbour lends, it is not done on hypothecation of articles or mortgage of things. All these requirements, documents and other things are in respect of other persons; he will have sufficient accounts. What he has to give is a return as to the receipt, delivery or sale of such article and as to the persons from whom they were received or to whom they were delivered or sold as the case may be. This is the only information to be given. What is the scope for

harassment even to these persons?.. (Interruptions.)

**श्री अम्बुलगनी द्वार :** क्या मोरारजी भाई इस बात को मान लेंगे कि कोआपरेटिव बैंकों को इजाजत दे दी जाय कि वे उनको रुपया दें दे.... (व्यवधान)....

[شری عبدالغنی ڈار - کیا موارر جی بھائی اس بات کو مان لینگے کہ کوآپریٹو بینک کو اجازت دے دی جائے کہ وہ انکو روپیہ دیدیں - ..... (ویودھان).....]

**MR. DEPUTY-SPEAKER:** We have spent more than half an hour on this. I shall put amendment No. 143 to the vote of the House.

**श्री हुषम चन्द कछवाय :** मैं मोरारजी भाई से कहूंगा कि कोई सीमा बांध दें। अगर यह क्लज इसी तरह से पास हो गई तो कल से ही आपके अफसर लोग दमन शुरू कर देंगे। देहातों में लोग कानून को नहीं जानते हैं। इसलिये आप कोई सीमा बांध दें कि कितनी मालियत तक के व्यक्ति से हिसाब लिया जायगा या कितनी मालियत के व्यक्ति को हिसाब रखना होगा—इसमें आपको क्या आपत्ति है?

**SHRI MORARJI DESAI:** As I have said, here will be definite rules and regulations which will be prescribed. There is no question of putting any limitation. It is only a question of asking people who are suspected of doing these things and it will be utilised for those purposes. It is not as if the Administrator is working somewhere else; he does not work anywhere else except in the Finance Ministry.

**श्री रवि राय (पुरी) :** इसमें आप छोटे सुनार को भी सम्पेक्ट कर सकते हैं।

**SHRI MORARJI DESAI:** The Administrator is working in my Ministry in Delhi. He is not living outside, anywhere, so that he is not within immediate control. That is not the case at all. Therefore, this is required only in places where some people are likely to do this. Therefore, it is said,

[Shri Morarji Desai]

"a person"; it is not even that the whole area will be included. It is not so.

श्री श्रीचन्द्र गोयल : रूल्स में इसका प्राविजन कर दिया जाय ।

MR. DEPUTY-SPEAKER : I shall now put the amendment to the vote.

Amendment No. 143 was put and negatived

श्री रवी राय : उपाध्यक्ष महोदय, मेरी एक विनती है। आप जानते हैं कि आज सुबह जैकोस्लोवाकिया के सम्बन्ध में यहां पर चर्चा हुई थी और यह तय हुआ था कि आज बहस होगी लेकिन अभी तक हम को यह नहीं मालूम हो सका है कि प्रधान मन्त्री महोदय किस समय अपना बयान देंगे। इसलिए आप प्रधान मन्त्री को आज्ञा दीजिए कि वे इस सदन के सामने आयें क्योंकि यह सबसे महत्वपूर्ण सवाल है ।

MR. DEPUTY-SPEAKER : Already, I have communicated. At about 5 O'Clock the Prime Minister is going to make a statement about it.

SHRI NATH PAI (Rajapur) : May I ask you this? It was very clearly understood between us and the Speaker in the morning that the House will be given an opportunity today itself to express what it feels. It was a categorical understanding between the leaders of the Opposition and the Speaker. Now, we met the Prime Minister, as it was suggested by a veteran leader of the ruling party, for consultation. It is nearly three hours. Certainly, calling a spade a spade does not take that much time. After all, if they are trying to postpone or avoid a debate we are not going to acquiesce in it. We are going to sit all night. We do not want to have a post-mortem or put an obituary notice on Czechoslovakia's freedom. We want to convey India's feelings on it today and we want to have the right of debate today.

SHRI MORARJI DESAI : Nobody objects. It will come up at 5 O'Clock.

MR. DEPUTY-SPEAKER : Yes; I said it will come up at 5 O'Clock.

MR. DEPUTY-SPEAKER : Now, I shall put clause 6 to the vote of the House. The question is :

"That clause 6 stand part of Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7 was added to the Bill.

Clause 8— (Restriction regarding acquisition, possession and disposal of gold).

SHRI SRINIBAS MISHRA : I beg to move :

Page 8, line 15,—

after "control of" insert—

"except by way of succession intestate or testamentary" (61).

Page 8, line 17,—

after "receive" insert—

"except by way of succession intestate or testamentary" (62).

SHRI VISHWA NATH PANDEY (Salempur) : I beg to move :

Page 9, line 9, line 8,—

for "five" substitute "ten" (75).

Page 9, line 11,—

for "fifty" substitute "hundred" (76).

SHRI N. DANDEKAR : I beg to move :

Page 8, line 11,—

after "ornament" insert "or article". (86)

Page 8, line 13,—

after "shall not" insert "except by succession, intestate or testamentary". (87)

Page 8, line 20,—

after "ornament" insert "or article". (88)

Pages 8 and 9,—

omit lines 24 to 41 and 1 to 5 respectively. (89)

Page 9, lines 8 to 11,—

omit "if, together with the gold coins received by way of gift or exchange, the total holding of gold coins of the donee or transferee, as

the case may be, does not exceed 'fifty grammes'. (90).

Page 9, line 5,—

for "authorised by" substitute "intimated to". (201)

SHRI LOBO PRABHU: I beg to move:

Page 7,—

omit line 31. (127)

SHRI TENNETI VISWANATHAM: I beg to move:—

Pages 7, 8 and 9,—

omit lines 30 to 33, 1 to 41 and 1 to 5 respectively. (234)

Page 9, line 17,—

after "article" insert "or ornament". (235)

SHRI TULSHIDAS JADHAV (Bara-mati): I request you to kindly mention the serial number of the amendments in every case, so that we can know what is the amendment.

MR. DEPUTY-SPEAKER: Perhaps you were not attentive. Every time I am reading out the serial number.

SHRI TULSHIDAS JADHAV: Every time, the serial number of the amendments may kindly be read. You were mentioning only the Members' names sometimes.

MR. DEPUTY-SPEAKER: I am reading out the serial number also.

SHRI SRINIBAS MISRA: In the scheme of this Bill, there are three types of things, rather, three types of gold although gold will include everything which has got not less than nine carats. But in clause 8, everybody is prohibited from owing primary gold. Under sub-clause (2), regarding permission, everybody can own ornaments if they are not to be entered in the declaration. Sub-clause (2)(b) says: "A person shall not acquire or agree to acquire the ownership, possession, custody or control of, or buy, accept or otherwise receive, or agree to buy, accept, buy or otherwise receive, or sell, deliver..." etc., "any ornament which is required to be included in a declaration" and so on. Selling is an

act of the person but reception or receiving and possessing may not be the act of a person who sells. Supposing somebody received gold by way of succession, by way of a gift, if by succession somebody receives it, it is involuntary. He is not responsible for it. But still he is prohibited from receiving it. (Interruption)

Then, sub-clause (4), refers to articles. An article is a different thing which is not an ornament. Primary gold, article, and ornament are three different things. In the scheme of the Bill, regarding an "article", there is this provision which says, "...except by succession, intestate or testamentary."

SHRI RANDHIR SINGH: Article means gold article.

SHRI SRINIBAS MISRA: No; he has not read it. Article is defined as something which is not ornament made of gold. Ornaments are those things which people wear according to the custom of the State and locality in which they are. Primary gold is primary gold. Therefore, regarding articles which are not used by ladies or gentlemen, whatever they are, they can receive them by way of succession intestate or testamentary. Why do you take away this privilege in the case of ornaments. People get less articles than ornaments. Ordinarily ladies get by inheritance articles from their parents. That is why I have suggested that in this clause after "acquire or agree to acquire the ownership, possession, custody or control of" we may add "except by way of succession intestate or testamentary" which the Minister has himself added so far as sub-clause (3) is concerned. I am suggesting that these words may be added to sub-clause (2)(b)(i) and (ii). I do not suggest that to (2)(b)(iii) because that is an act of the person. I may not agree to give it to anybody. If I give it to anybody and I have not put it in the declaration I may be hauled up and punished. So far as acceptance which may be involuntary without any intention on my part—I may accept it by inheritance—I suggest that these words may be added. My

[Shri Srinibas Misra]

suggestion is a very genuine one and I hope the Minister will accept it.

**श्री बिहबनाच पाण्डेय :** उपाध्यक्ष महोदय, मेरा संशोधन बड़ा सरल है, मैं मन्त्री महोदय से अनुरोध करूंगा कि वे इसे स्वीकार करें। क्लॉज 8 के सबक्लॉज (5) में यह है :

"a person may accept or transfer, by way of gift or exchange, gold coins, not exceeding five in number, if together with the gold coins received by way of gift or exchange, the total holding of gold coins of the donee or transferee, as the case may be, does not exceed fifty grammes."

सबक्लॉज (5) में जो दिया गया है वह बहुत कम मालूम होता है जो गोल्ड क्वाइन्स दिये गये हैं, ट्रान्सफर, गिफ्ट, एक्सचेंज में जो एक आदमी लेगा और एक आदमी देगा, वह मेरा संशोधन यह है कि पांच क्वाइन्स को जगह पर 10 कर दिया जाय और टोटल 50 ग्राम की जगह 100 ग्राम कर दिया जाए।

**SHRI N. DANDEKAR :** Sir, I would like to deal with my amendments in groups. The first one I want to take is amendment No. 87 which is concerned with precisely the point my hon. friend Shri Srinibas Mishra made here, that whereas one can acquire an article by succession intestate or testamentary apparently one cannot acquire ornaments by succession intestate or testamentary. I am sure that is an omission. Because of its being there in relation to articles and its not being there in relation to ornaments I am quite certain that it is an omission. Whether the omission is rectified by the way suggested by my hon. friend or as suggested by me in my amendment No. 87 I would leave it to the Minister to decide, but that is a point which to my mind seems to be very clear.

The second group of amendments I want to take up together are numbers 86 and 88 on the one hand and number 89 on the other. Under the scheme of this clause, under sub-clause (2), sub-clause (3) and sub-clause (4) a clear

distinction is attempted as to the manner in which ornaments may be acquired, transferred, sold or disposed of as compared to the manner in which articles may be acquired or sold etc. There was considerable discussion on precisely the same amendment when I suggested it in the Joint Committee; but I nevertheless feel that there is a point here that I would like the Deputy Prime Minister to consider again very seriously because here we are not concerned with professional people like refiners or dealers or goldsmiths or anybody of that kind. These sub-clause are specifically concerned with ordinary persons. Just now, for instance, my hon. friend over there did not realise that there was a clear distinction made here between an article and an ornament, because he took the ordinary meaning of the word "ornament" which is an article made of gold. But, in point of fact, under the Gold Control Bill there is a very clear distinction between "primary gold", which everybody understands, and an "article" made of gold, which most of the people do not understand, as distinct from an "ornament" made of gold. That distinction is carried forward, even in relation to an ordinary person, by the way in which articles made of gold may be transferred or acquired under sub-clause (3) and (4), as compared with the manner in which ornaments may be acquired or disposed of.

Now my submission is that these provisions, separate specific provisions relating to articles which are contained in sub-clauses (3) and (4) be deleted and that articles be made subject to exactly the same kind of procedure as ornaments by accepting my amendments which say: on page 8, in line 11 after "ornament" insert "or article" and again in line 20 after "ornament" insert "or article". The consequence will be that sub-clause (2) will stand as it is,—subject to the change which my hon. friend and I have suggested about succession,—but it will take in its ambit both articles and ornaments, which makes it intelligible to ordinary persons; and I include in that class my friend over



there, because I do not think many of them will appreciate the distinction between "an article" and "an ornament".

Next I want to take my amendment No. 201, which is an alternative suggestion. I know the Deputy Prime Minister was very strong in declining to accept these changes which I am now suggesting. I am, nevertheless, suggesting them for his consideration. But if, for any reason, he still feels he cannot have the same procedure for articles as for ornaments, then he will at least accept my amendment No. 201, which is concerned with the sale, delivery, transfer or disposal of an article under part (ii) of the second proviso which reads :

"where such article is not required to be included in a declaration, unless the sale, delivery, transfer or disposal thereof has been authorised by the Administrators."

16.32 hrs.

[SRI R. D. BHANDARE in the chair.] I am suggesting that for an ordinary person to have to part with an article only after obtaining an authorisation from the Administrator, would not be the kind of thing one is expected to know and my suggestion, therefore, is that he should merely intimate the fact to the Administrator. There was a similar suggestion I made in another connection which the Deputy Prime Minister was good enough to accept in Joint Committee, in connection with pledging and so on. I would suggest and I would earnestly request him to accept my amendments, which would bring about "article treatment" to exactly the same procedure as "ornaments treatment". But if he finds it difficult to do so, then I would say that instead of the words "authorised by the Administrator" the words "intimated to the Administrator" might be accepted.

Then I come to a very important amendment relating to sub-clause (5). Sub-clause (5) is an exception to the rigidity of the procedure for the transfer of articles. It is concerned with the transfer of coins. It says :

"Notwithstanding anything contained in sub-sections (3) and (4), a person may accept or transfer, by way of gift or exchange, gold coins, not exceeding five in number"

Up to that, it is a concession and I have no quarrel with it. Indeed, I am delighted to agree with a proposition of that kind. But the difficulty comes later. It goes on :

"...if, together with the gold coins received by way of gift or exchange, the total holding of gold coins of the donee or transferee, as the case may be, does not exceed fifty grammes."

The deletion of these words was also discussed by the Joint Committee and at that time I accepted, somehow, the explanation that here the obligation was only on the acceptor of the sovereigns, in which case, I was asked, what objection could I have? I am sorry, at that time I did not read the clause carefully and I took back my amendment which I had then given notice of. Now I find the obligation is both on the acceptor and on the transferor. A person may transfer by way of gift or exchange gold coins up to a certain number provided the person receiving the gold coin does not, as a result of this transfer, have, together with the gold coins that he might already have, more than 50 grammes.

I suggest that this is putting an impossible burden upon the giver at weddings and other functions and ceremonies and so on. If I went to a friend's house when his daughter was getting married and thought that it would be a good idea if I gave a sovereign that I had to the son-in-law of my friend, am I supposed to ask him, "Look, Chum! will you tell me how many sovereigns or grammes you have already got before I give you one more?" It would create a commotion in the house where my friend's daughter was getting married. I would have insulted the son-in-law, the bridegroom.

MR. CHAIRMAN : It is a question of the point of time.

**SHRI N. DANDEKER :** Precisely, Am I to have the burden of finding out whether the donee has already got more than 50 grammes? That is the question. If I was the recipient, I would have no difficulty. In so far as the recipient is concerned, there is no difficulty in imposing an obligation on him not to receive gifts of gold coins if, together with what he has got already, the total exceeds 50 grammes. But it may lead possibly to more domestic disputes if I were to ask the son-in-law or the bridegroom of a friend of mine, "I would like to give you a sovereign but, chum, tell me how much you have got already." Therefore I suggest the latter part of this sub-clause, namely, "if, together with the gold coins received" etc., be dropped.

**SHRI LOBO PRABHU :** This particular clause is not against goldsmiths but is against 528 million people of this country.

**SHRI VASUDEVAN NAIR :** (Peer-made) : 528 million ?

**SHRI LOBO PRABHU :** 528 million, unless you have a more recent figure.

This imposes on these people various liabilities arising from their ownership, acquisition and sale. I need not repeat in this House the ordinary legal dictum that ignorance of the law is no excuse. If all these people, in respect of all these different kinds of transactions, are ignorant of this law which runs to 117 clauses.... (*Interruption*). I would like the hon. Minister to consider whether the common man should be compelled to know this Act in all its intricacies and to understand the distinction between ornaments, primary gold and articles. I would, therefore, suggest that the whole of this clause and at least those portions which do not relate to primary gold should be eliminated.

The Deputy Prime Minister may realise that though a law like this is enforced only in part, the power it gives to the officials is very considerable. In 1966 when the statistics were given, of the prosecutions under this Act, it was found that in the whole of

this country only 97 persons had been convicted during the course of three years. You have an elaborate law and a very large staff and they exercised this power only in respect of 97 persons! The relevant question is : Have they exercised this law in respect of a very much larger number of persons in their own interest for corruption or for extortion? It is not proper to put on the statute book a law which is not simple, which is capable of being misunderstood and which is a ground for corruption. I would, therefore, say that whatever reasons there may be for gold control, these reasons are not good enough for placing the people at the mercy of these officials.

**SHRI P. RAMAMURTI :** I would like to point out to the Deputy Prime Minister clause 8, sub-clause 2(b) :—

"A person—

shall not,—

acquire or agree to acquire the ownership, possession, custody or control of, or

buy, accept or otherwise receive, or agree to buy, accept, buy or otherwise receive, or

sell, deliver" etc.,

"any ornament which is required to be included in a declaration unless such ornament has been included in a declaration" etc.

I can very well understand his asking the seller of an ornament who knows whether that particular ornament has got to be included in a declaration or not that he should see to it that it is included in the declaration. But how is the buyer to know whether a particular ornament that is being offered for sale is an ornament which has got to be included and whether it has been included? After all, a small person has got a ring and he just comes and sells it to somebody. How is the man who buys that ring to know whether this ring is a particular ornament which has got to be included and whether it has been included? How is he to find that out? Is he to go to the Controller and find out whether it has been included in the declaration? How are all these things to be

[Shri Srinibas Mishra]  
done? Therefore, the responsibility that an ornament has been included in the declaration must be cast on the seller. No responsibility should be cast on the buyer who does not know anything about it. I should think that the Deputy Prime Minister should try to amend this clause and leave out the provision relating to the buyer because the responsibility is on the seller. Let him punish the seller if he does not do that. Why should he punish the buyer who does not know anything about it.

**SHRI TENNETI VISWANATHAM :**  
Sir, this is one of the clauses which most of us consider as a very obnoxious one. Sub-clause (1) of clause 8 prevents any person from having in his possession gold which is now called primary gold and it prevents a man from buying, accepting or, otherwise, receiving or agreeing to buy or accept or acquire or possess or dispose of gold. Now, as I said yesterday, in the garb of controlling gold in the hands of artisans and dealers, this Bill goes to the extent of saying that nobody in India shall possess gold. That is the first objection.

This is far beyond the purview of this Bill. The purpose of this Bill is to see that gold is not smuggled, that smuggling is reduced and to see that those who make ornaments, that is, goldsmiths and others are not utilised for smuggling gold. But this goes beyond that purpose. It says that no person can have primary gold or acquire primary gold. That is a very objectional part. At the same time, in sub-clause (6) there is a very peculiar exception that the Administrator may exempt any person or class of persons. I can understand class of persons because you can have a classification and say, although others cannot hold gold, this particular class of persons will hold gold. Put here sub-clause (6) authorises the Administrator to exempt any individual person. That is to say, there is no classification. It depends upon the whim and fancy of the Administrator that he may have at the moment. Therefore, this clause is objectionable from all points of view.

**MR. CHAIRMAN :** It is to lessen the rigours.

**SHRI TENNETI VISWANATHAM :**  
It is not to lessen the rigours that the Administrator has been given the power to allow any person, without any classification or classified persons, to have gold. I can understand the Administrator giving a guide-line and saying that these classes of persons shall hold gold although the original clause is against it. He should not have the power to exempt a particular person. That simply kills the entire Bill. Here, the Administrator can allow whomsoever he likes to have gold and, otherwise, he can prevent him. That is another objection.

Then, this clause makes a distinction between primary gold and ornaments which are required to be included and ornaments which are not required to be included in the declaration and other articles not to be held, except by succession, intestate or testamentary. But in India, there is a law like the Joint Hindu Family law. There is devolution of property. There need not be succession, intestate or testamentary. It comes merely by devolution. This clause has, therefore, got several inner contradictions and certain lacunae. The fundamental objection is that this prevents the ordinary man from possessing gold which is not the object of this Bill.

It is also not clear to any layman as to which article is to be included in the declaration and which is not to be included in the declaration. Clause 16 prescribes only the form and the procedure. But, actually, to the ordinary layman in this country, where a distinction is made between primary gold and ornaments which are to be included and ornaments which are not to be included and other articles, which are the subject matter of succession, intestate or testamentary, I submit that Clause 16 is too complicated. Clause 16, as you may see, runs to 44 pages of this book. Look at the enormous difficulties for an ordinary man. If the law is to be there with many sections

[Shri Tenneti Viswanatham]

which impose punishments also, it must be simple, it must be very brief, and it must be clear even to an ordinary layman. You cannot expect every goldsmith or a small buyer who purchases small gold articles to know whether it is to be included in the declaration or not. The hon. Minister might say that this thing has been in force for the past three years and, therefore, people are accustomed to it. I may tell him from my own experience that the experience of the people has been most miserable; people have not known exactly what to include, what forms are to be filled in and what forms are not to be filled in; particularly the smaller goldsmiths and the small people who purchase gold on festive occasions or some other occasions if the son-in-law comes or the daughter goes, do not know, and there is the fear of an officer visiting their house at any odd time and asking for these or other particulars. This has been the experience. In three years the people have not grown wiser. I may say that on account of these rules having been in force for three years, people have not grown wiser; on the other hand, there is more confusion in these three years. As a matter of fact, people had been expecting that once the Defence of India rules go, the Gold Control Order would also go, but, on the other hand, it has come because the Finance Minister thinks that this is the only way to save the economy of this country. Even assuming that it is a way of saving the economy of this country, what I submit is that the law must be made very clear, it must be made applicable only to the dealers and not to the ordinary citizens, and even then, the distinction between ornaments which are to be included and those which are not to be included, the distinction between articles and primary gold, should be made more clear, and the ordinary people should not be visited with these various kinds of punishments.

With so many punishments in it, the clause is very bad and that is the reason why I say that this clause is

really not necessary. The real Act begins only with clause 11 or 12. Clauses 8, 9 and 10 really do not serve the purpose of this Bill; they do not in any way further the purposes of this Bill but only cause troubles. That is why, I submit that these clauses may be deleted altogether.

**SHRI MORARJI DESAI:** This clause was very much discussed in the Select Committee and after a very careful consideration, I could not accept the suggestion. Even today after hearing all that has been said, I am not able to accept the suggestion. The scheme is that nobody should possess primary gold and if that clause is there where the Administrator has been given powers to allow under special circumstances any case or class of cases to have it, it is only because primary gold is required sometimes for industrial purposes and sometimes for medicinal purposes. For such people it is necessary for the Administrator to give permission so that it is properly utilised and under that cover it is not misused. It is, therefore, that clause is necessary. It is not as if it is redundant or without any purpose or that it is sought to make any discrimination between any people. Fresh articles cannot be acquired by anybody. But that is not the restriction for ornaments. The same treatment cannot be given to ornaments. Succession has been allowed in the case of articles because they cannot otherwise be acquired. If they are in family, they can remain there. We do not want that at every succession they should be sold away. Therefore, they are kept there. In the case of ornaments, there is no restriction on exchange, sale or otherwise. Therefore, it is not necessary to apply this.

**SHRI N. DANDEKER:** As (2) stands, it would be unlawful to acquire an ornament by succession.

**SHRI MORARJI DESAI:** It has only to be declared. Where the ornaments are not to be declared, there is no bar. Where they are to be declared, if they go by succession, they will only be declared.

**SHRI N. DANDEKAR :** A persons may not have a quantity that is declarable or may have a quantity that is declarable. Just as an article can be obtained by succession, why is there are no similar provisions that an ornament can be obtained by succession? Why should this difficulty be there in this case? If an article about which the clause is so careful and in regard to which the possibility of acquisition through somebody dying is provided for, either testamentary or, intestate, I do not know why such a thing is not provided for in the case of ornaments.

**SHRI K. NARAYANA RAO :** The difficulty is this. A person has got certain ornaments. He has not declared them. Can they pass on to the children? If not, what is going to happen to those ornaments? Is the State going to confiscate them simply because somebody's father has not declared them?

**SHRI MORARJI DESAI :** It will be confiscated, if not declared. That is why this provision is there. There are ornaments which have to be declared, and if they are not, I cannot legalise it by succession. That is, really speaking, the main purpose of this. My hon. friend has just hit the nail on the head.

**SHRI K. NARAYANA RAO :** Why should the sin of the father be visited on the children? Why should the children's interest suffer on this account? Why not rectify that position?

**SHRI MORARJI DESAI :** By succession a child cannot be allowed to condone the fault of the father and inherit it for nothing. They would have been confiscated if that had not been done. Why did he during his lifetime not declare them? If they were not declared, I do not know why the child should be allowed to inherit it.

Then here the same thing is said. If an ornament which has to be declared is not declared and then it is allowed to be sold, what happens? It would be wrong to do that. It will lead to a chain of transactions which will

defeat the very purpose of this legislation. It is therefore that I cannot accept the amendments which have been moved.

**MR. CHAIRMAN :** With your permission, I will put all the amendments together to vote.

*Amendments Nos. 61, 62, 75, 76, 86 to 90, 201, 127, 234 and 235 were put and negatived.*

**MR. CHAIRMAN :** The question is :

"That clause 8 stand part of the Bill".

*The motion was adopted.*

*Clause 8 was added to the Bill.*

*Clause 9 was added to the Bill.*

**Clause 10—***(Loans not to be obtained on hypothecation of primary gold or undeclared gold).*

**SHRI SRINIBAS MISRA :** I beg to move :

Page 10,—omit lines 1 to 4. (63).

**SHRI LOBO PRABHU :** I beg to move :

Page 9,—omit line 32. (128)

**SHRI SRINIBAS MISRA :** Clause 10 is a prohibitory clause : "No person shall obtain...unless such article or ornament has been so included". I have no quarrel with this. But there is a proviso. Perhaps the Deputy Prime Minister and Finance Minister wants to have everything within his CLAWS. It says that in the case of an article which is not required to be included in the declaration no transfer of delivery thereof shall be made unless such transfer or delivery has been intimated in writing to the Administrator.

16.56 hrs.

[MR. DEPUTY-SPEAKER in the chair.]

Everybody knows that twenty per cent of our people are literate; the rest are not. Anybody who pledges or hypothecates his ornaments must give in writing to the Administrator. Why should he do it? Will the hon. Minister help the illiterate people with a clerk. It says everybody—a farmer, or even a beggar anybody who sells his little nugget to anybody or hypothecates or pledges it must give in

[Shri Srinibas Misra]

writing to the Administrator—not to any officer. Clause 16 excludes certain articles from the declaration. If it is excluded why do you want to take it in writing.

SHRI P. VENKATASUBBIAH (Nandyal): We are not able to hear anything.

MR. DEPUTY-SPEAKER: There is a loud whispering noise. Whatever happens outside we must carry on our business. You continue.

SHRI SRINIBAS MISRA: I must be heard. Or, I shall continue tomorrow. The article may be a small nugget or a little piece of gold which is not an ornament. We should not deprive poor and illiterate persons who possess small bits of gold from going and getting some money by pledging them. I have therefore suggested that lines 1 to 4 should be omitted.

SHRI LOBO PRABHU: Sir, knowing that the Deputy Prime Minister was not prepared to accept the distinction—the culpability of the giver as distinct from the culpability of the taker of the loan, I say that he has no reason to put a burden on a person who may be incapable of knowing whether an article has been declared or not. Whatever opinion the Deputy Prime Minister may have for the intelligence of our people, he should understand that. (Interruption).—There is lot of noise, Sir. I would request the hon. Finance Minister to consider the clause in this light, and to exempt those who are not capable of knowing whether an ornament or an article has been declared or not. (Interruption).

MR. DEPUTY-SPEAKER: May I request hon. Members to be calm? We are carrying on our routine business.

SHRI LOBO PRABHU: My next objection is that the Finance Minister is not aware of the simple facts of life. He is not aware that 80 per cent of the credit in the villages is not from the co-operative banks or the scheduled banks but it is from the common money-lender and that the common

money-lender in most instances has to insist on the deposit of gold. Now, is it the intention of this Bill not only to cripple the goldsmiths but to cripple the whole economy by prescribing these very onerous conditions?

17 hours.

[MR. DEPUTY-SPEAKER in the Chair.]

I would like the Deputy Prime Minister to realise that this country depends on the credit furnished by money-lenders and this credit cannot be abridged in the way it is posed in this particular clause.

SHRI NAMBIAR: Sir, I want to speak on this clause. This is a very, very bad provision. It reads like this:

“No person shall obtain from any other person any loan or advance on the hypothecation, pledge, mortgage or charge of any primary gold, or any article or ornament which is required to be included in a declaration unless such article or ornament has been so included.”

Who knows whether this particular ornament which is being pledged is included in the declaration or not? This is an absurd provision. There is no meaning in it whatsoever. How is it possible for anybody to know that this particular ornament is included in the declaration or not? How can you say that you should not accept as pledge an ornament which is not included? Whether it has to be declared or not is not known. Therefore, this provision is vague in the sense that it is a senseless provision. The Deputy Prime Minister who is piloting this Bill must have sufficient knowledge to remove this senseless provision. Therefore, my humble submission to him is that he should accept the amendment or at least delete this clause 10 which is absolutely senseless.

श्री तुलशीदास जाधव : अध्यक्ष महोदय, क्लॉज 10 के प्रोवाइजो में यह व्यवस्था की गई है कि जो आर्टिकल या गोल्ड आर्नामेंट्स डिक्लेरेशन में दर्ज नहीं होंगे, उनकी बिक्री या ट्रांसफर एडमिनिस्ट्रेटर

से पूछ करही की जा सकेगी। इसके मानी ये हैं कि हर एक आदमी को अपने आर्नामैंट्स बेचने या ट्रांसफर करने के लिये एडमिनिस्ट्रेटर के पास जाना होगा। मैं समझता हूँ कि हर बात के लिये एडमिनिस्ट्रेटर के पास जाना एक प्रकार से गुलाम बनाने जैसी बात है। जो आर्टिकल डिक्लेरेशन में हैं, उन को तो एकाउन्ट रखा जायेगा, लेकिन जो आर्नामैंट्स या आर्टिकल डिक्लेरेशन में शामिल नहीं हैं, उन के लिये यह बन्धन नहीं चाहिये। यह ठीक नहीं है कि उन की बिक्री या ट्रांसफर बगैरह के लिये एडमिनिस्ट्रेटर के पास जा कर पूछना पड़े। इस लिये इस प्रोवाइजो से मेरा विरोध है।

**SHRI TENNETI VISWANATHAM :** Sir, provision will bring very innocent people into the clutches of the law, because it is a penal clause, and there is no machinery provided whereby this man can know whether the article has been declared or should be declared or not. These are two fundamental objections, and I feel that the Finance Minister will be careful to see these points. That is to say, he should not bring innocent people within the clutches of this measure. There is no machinery by which these people can know the declaration; it is not a public document. These people cannot go to the Administrator and ask at that moment, and that man also does not publish that the following articles are already declared and therefore one can purchase or one can take this and so on. There is no machinery and there is no obligation upon the other man to so declare. In those circumstances the other person is liable to be harassed. Therefore, the clause has got to be modified or altogether dropped. This is my humble submission.

**SHRI K. NARAYANA RAO :** Sir, according to clause 10 an obligation is imposed on the person who wants to take a loan on the basis of golden ornaments or articles. So it has nothing to do with the lender as such. Let us be clear on that issue.

If a person fails to make a declaration he will be hauled up and penalised. My difficulty is, under clause 16 there are certain exemptions made. Then it becomes very difficult to find out which ornaments will come within the purview of exemptions and which do not. According to clause 16 a family can hold 4000 grammes. To have a weight of 4000 grammes several ornaments will be there. In a case like that how can one know that a gold ornament hypothecated or sold is an exempted article or not. I feel there is a certain amount of difficulty in operating this provision.

**SHRI MORARJI DESAI :** May I say, Sir, that the scheme is that primary gold should not be possessed by anybody. Therefore, how can any person obtain from another person a loan on the hypothecation, pledge or mortgage of primary gold? He cannot do it. That is why this is provided here. It was asked, how does a person who takes it know whether it is to be included or not. He should ask the person from whom he takes it. He should verify.

**SHRI TENNETI VISWANATHAM :** The Act does not impose any obligation.

**SHRI MORARJI DESAI :** This imposes. My hon. friends know the law very well. If there is a stolen property and if it is taken by somebody unless he proves it to the satisfaction of the law that he did not know at all and there was no reason for him to know that it was stolen property he will be liable for it. This is very necessary. The proviso was amended in the Joint Committee. Previously the provision was that it should be with the previous permission of the Administrator. Now it is said that he should have intimated only in writing to the Administrator. So there is no harm caused and I oppose the amendments.

**MR. SPEAKER :** I shall put amendment No. 128 by Shri Lobo Prabhu to the vote of the House.

Amendment No. 128 was put and negatived.

**MR. SPEAKER:** I will now put amendment No. 63 of Shri Srinibas Misra to the vote of the House.

*Amendment No. 63 was put and negatived.*

**MR. SPEAKER:** The question is:

"That clause 10 stand part of the Bill."

*The motion was adopted.*

*Clause 10 was added to the Bill.*

**MR. SPEAKER:** We will now take up clause 11.

**AN HON. MEMBER:** The Prime Minister has come.

**THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI):** I am sorry, I was under the impression that this would be taken up at 5.15 p.m. So, I shall be grateful if it is taken up at 5.15. But if you insist, I can make the statement now:

**SHRI HEM BARUA (Mangaldai):** We were thinking that after the meeting there would be a discussion here today at 4 p.m. Therefore, we have been waiting since then.

**MR. SPEAKER:** I do not know anything. I knew that the leaders of all the parties were meeting. I was not aware of what has happened. To this minute I do not know what has happened, what discussion they had between themselves. I am in the dark. But if the Prime Minister wants another five minutes, we should give it. In the meanwhile, we will continue with the Gold Control Bill.

**Clause 11—** *Prohibition regarding making, manufacturing, etc. of primary gold, articles, ornaments, etc)*

**SHRI LOBO PRABHU:** I beg to move:

Page 10,—

Omit lines 8 to 16. (129).

When I raised a constitutional objection to clause (4) and I demanded that the Deputy Prime Minister should explain the position without merely

saying that he is not prepared to accept it, the Deputy Speaker said, or asked me, to lay down specifically the grounds on which the particular provision was unconstitutional. That is a task which demands a different atmosphere from this, a task which requires also more time than the five minutes you have allotted to me just now. But I would say this. Clause 11 seeks to control completely what the goldsmiths and others engaged in the profession do. It is completely against article 19(g). I have to read that article even at this time, because unless the Deputy Prime Minister and the House know what the Constitution says and what this provision means, I do not think any of us shall be discharging our duties properly. Article 19(1)(g) says:

"All citizens shall have the right—  
....(g) to practise any profession, or to carry on any occupation, trade or business."

This is subject to the exception contained in clause (6) which says:

"Nothing in sub-clause (g) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any imp-law, imposing, in the interests of the general public, reasonable restrictions on the exercise of the right conferred by the said sub-clause....."

Now, two important conditions are prescribed. Firstly, it should be in the interest of the general public and, secondly, the conditions should be reasonable. One has to go through the whole Act to understand, to search and find out, how this particular Act is in the interests of the general public. Three reasons have been given for the Act—it would check smuggling, it would check the lure of gold and it would increase the financial resources of the government. All the three reasons have been completely refuted by experience.

It was found that in the first three years of the operation of the Act the price of gold rose and correspondingly the smuggling increased. That pur-



pose has not been served even if that was in the public interest.

The second purpose, that the lure of gold would be reduced, has also been falsified by the fact that people are willing now to play nearly 70 per cent more for gold than they did in 1963.

MR. SPEAKER: You speak on the amendment.

SHRI LOBO PRABHU: I was asked by your predecessor to give the grounds.... (Interruption).

The third ground, that the financial resources of the Government and foreign exchange will be helped, is something so fantastic that it has been proved by my colleague that in spite of the financial position improving, in spite of the foreign exchange increasing, smuggling has increased and to that extent both those purposes have not been served.

Now I must ask the Finance Minister what is the interest of the public which has been served. This is a challenge to him. Has the interest of the public been served by making loans more secretive? Has the interest of the public been served by increasing the rate of interest? Has the interest of the public been served by these officials being able to exploit the ignorance and the helplessness of the people? Has the interest of the public been served by suicides which have been taking place? If it is not so, this exception does not arise.

The next provision is about the reasonable restriction.

SHRI BAL RAJ MADHOK (South Delhi): Sir, it is a quarter past five o'clock.

SHRI LOBO PRABHU: I am only filling up the gap.

MR. SPEAKER: You may now sit down. You have done it successfully.

17.15 hrs.

#### STATEMENT RE: SITUATION IN CZECHOSLOVAKIA

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF PLANNING AND MINISTER OF EXTERNAL AFFAIRS (SHRIMATI INDIRA GANDHI): Mr. Speaker, Sir, it is with a heavy heart and with a profound sense of concern that I have to report to this House certain events which are currently taking place in Czechoslovakia.

We have always been deeply committed to the cause of freedom everywhere. We have stood for certain principles as guiding and informing our attitude to international events. The principle of non-interference by one country in the internal affairs of another constitutes the very basis of peaceful co-existence. We have always believed that international relations should be governed by respect for the sovereignty and independence of nations, big or small. We have always stood for the right of every country to develop its personality according to its own traditions, aptitudes and genius. India has always raised her voice whenever these principles have been violated.

SHRI J. B. KRIPALANI (Guna): Except in Hungary.

SHRIMATI INDIRA GANDHI: Sir, the House is aware of the reports which have come through the world Press and radio as to the nature of the developments which have taken place in Czechoslovakia. We have also made enquiries from the diplomatic missions of the countries concerned as well as others, and continue to be in close touch with them. The armed forces of the Soviet Union and four of its Warsaw Pact allies began crossing the Czechoslovak borders at about 03.30 hours IST. (Some Hon. Members: Shame, shame). They are now reported to be in Prague and other towns of Czechoslovakia.

In the early hours of this morning, the Soviet Government, through their

[Shrimati Indira Gandhi]

Chargé d' Affaires in New Delhi, informed us that the Governments of the Soviet Union and four of its Allied countries of the Warsaw Pact had decided to send their armed forces into Czechoslovakia. Hon'ble Members have presumably seen the statement which has since been put out by the Soviet news agency, Tass, stating the view point of the Soviet Government.

**SHRI SURENDRANATH DWIVEDY** (Kendrapara): Did they inform you anything about Kosygin's resignation?

**MR. SPEAKER:** No questions please.

**SHRIMATI INDIRA GANDHI:** Although it was only after our own independence that we were able to establish diplomatic relations with the Republic of Czechoslovakia, we have a long history of friendship towards Czechoslovakia and its valiant people. I recall, as I am sure many of my colleagues on both sides of the House will remember, the tragic and fateful events of 1938 and 1939. Even then our sympathies were with the people of Czechoslovakia in their travail and my father gave poignant expression to them. I am sure that the House will join me in conveying to the people of Czechoslovakia the profound concern at the turn which events have taken so soon after what appeared to be a peaceful resolution of problems and differences between Czechoslovakia and its allies.

Our relations with the Soviet Union, Poland, Hungary and Bulgaria are close, and many-sided. We value these friendships and wish to preserve and extend them. However, we cannot but give expression to our anguish at the events in Czechoslovakia. This House will no doubt wish to convey to them our view that they should carefully consider all aspects of the situation which has arisen as a result of the action by their armed forces and its possible consequences.

We are deeply aware of the fears which have gripped Europe, and the conflicts which have raged there leading to two world wars. These fears

still haunt the minds of the European people.

I am sure I reflect the opinion of the House when I express the hope that the forces which have entered Czechoslovakia will be withdrawn at the earliest possible moment and the Czech people will be able to determine their future according to their own wishes and interests, and that whatever mutual problems there may be between Czechoslovakia and its allies, will be settled peacefully. The right of nations to live peacefully and without outside interference should not be denied in the name of religion or ideology.

**SOME HON. MEMBERS:** rose—

**SHRI SURENDRANATH DWIVEDY:** I only wanted to ask whether she has any latest information about the resignation of Mr. Kosygin? (*Interruptions*).

**MR. SPEAKER:** Order, order. Just now, the teleprinter message was there that Mr. Kosygin and the Deputy Prime Minister have resigned. I do not know if the Prime Minister can give information about it.

**SHRIMATI INDIRA GANDHI:** There is no authoritative news. The P.T.I. has also mentioned something about the resignation of the Soviet Defence Minister.

**SHRI RANGA (Srikakulam):** Sir, it stands to the credit of those two gentlemen, the Prime Minister and the Deputy Prime Minister of the Soviet Union to have protested against this in stronger terms, in more eloquent terms, in more effective terms, than what our Prime Minister has done. (*Interruptions*) They have the moral courage to resign from their positions. Here is our Prime Minister who does not have the guts to deplore, to condemn, what is happening in Czechoslovakia. (*Interruptions*). I want to request you, on behalf of all our friends here, to give us an opportunity of having a full-fledged debate on this particular question and to express what we feel about this Government and its failure. (*Interruptions*).

श्री रवि राय (पुरी) : अभी तत्काल बहस होनी चाहिये ।

श्री हुकम चन्द कछवाय (उज्जैन) : हम रात को 12 बजे तक बैठेंगे, अभी पूरी चर्चा होनी चाहिये ।

MR. SPEAKER: Will you kindly hear me? I did say in the morning that we must have a discussion. There are no two opinions about it. I thought the leaders of the parties who met the Prime Minister this morning would have agreed to some method of approach to this matter. But I do not know anything about it. Till this minute, nobody has informed me about it. I said in the morning that discussion will be allowed. Just now, as I was coming, there was the teleprinter news—how far it is true I do not know—that the Russian Prime Minister has resigned and the Defence Minister has also resigned. I do not know how far it is true. After all, at times, the information comes and later on it is contradicted. (*Interruptions*). Order, order. I have not yet finished. It is a serious matter. If upheaval is going on in Russia itself, it is a serious matter. I thought, instead of discussing here and now, if we get some more more information, whether it is true.... (*Interruptions*.)

SHRI M. L. SONDHY (New Delhi) : People have been massacred.

MR. SPEAKER: I am still on my legs. I am not sitting. Please hear me. I thought, tomorrow any time that is convenient, we could fix up...

SHRI SURENDRANATH DWIVEDI: Yes, if it is immediately after the Question Hour.

MR. SPEAKER: May I now request the Leader of the House on behalf of all of us to tell us when it is convenient tomorrow, whether immediately after the Question Hour would be convenient.....

SHRI BAL RAJ MADHOK (South Delhi): When we met the Prime Minister this afternoon, we expected that she would make a gesture which

would show the unity of the nationalist and democratic forces in this country and we would be able to express.... (*Interruptions*).

MR. SPEAKER: This is going into the merits; this can be said tomorrow.

SHRI BAL RAJ MADHOK: We are very much disappointed by her statement. I wish she had behaved as the Prime Minister of a democratic country.... (*Interruptions*.)

MR. SPEAKER: No, no. That is going into the merits. Mr. Nath Pai.

SHRI NATH PAI (Rajapur): I think, we owe you an apology because you were kept in the dark about what will be happening here. May I submit that it was at your initiative that we agreed to meet the Prime Minister with a single objective in view that the Resolution to be moved in the House or the statement to be made by her would reflect the deep anguish, the sense of shock and an unequivocal condemnation of the act of naked aggression. We met her not to get tit-bits of information which are available to us from the All India Radio; we wanted to make a serious effort to evolve a national consensus on this view. We knew that there could not be unanimity because there are elements which think that Czechoslovakia has been liberated and not.... (*Interruptions*).

श्री भोगेंद्र झा (जयनगर) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है—मुझे एतराज नहीं है आप बहस अभी शुरू कराइये या बाद में शुरू कराइये....

MR. SPEAKER: Order, order. Mr. Nath Pai may also please sit down. Order, order. I am on my legs. May I appeal to all of you to sit down before we begin? If at all any party wants to say anything, I would certainly like to hear that; I could call Mr. Dange or Mr. Mukerjee; I do not mind. They may also explain their view. But all of you should not get up and shout like this. This is not the way. I wanted to find out from the Prime Minister who is also the

[Mr. Speaker]

Leader of the House as to when it will be convenient to have a discussion and all that.... (*Interruptions*). I am on my legs. I am not prepared to hear anybody now. Whatever you want to say you can say, I would allow you time to say that later on. This has to be regulated properly. Now I want to know when we shall discuss this. About fixing up the time, the Leader of the House will have to say....

SHRI SURENDRANATH DWIVEDI: Immediately after the Question Hour tomorrow.

MR. SPEAKER: I would like to hear the Leader also.

SHRI NATH PAI: You told me you would hear me. Then I was interrupted.

MR. SPEAKER: He has said what he wanted to say.

SHRI NATH PAI: This is putting a premium on interruption. I have not concluded.

MR. SPEAKER: You are going into the merits.

SHRI TRIDIB KUMAR CHAUDHURI (Berhampore): We were all there. We never authorised Shri Nath Pai to report on our discussion (*Interruptions*). We are not going to be shouted down like this. Let us not lose our sense of proportion.

SHRI M. L. SONDHI: We will discuss Czechoslovakia. Nobody can prevent it (*Interruptions*).

MR. SPEAKER: Let Shri Nath Pai not go into the merits. The leader of his Party has suggested that the discussion should be after question hour tomorrow.

SHRI NATH PAI: You will recall that this morning when we called on you, it was agreed between you and the Leaders of the Opposition that you will give this House an opportunity to express itself on this tragedy that has befallen Czechoslovakia. When we met the Prime Minister, it was with a view to explore the possibility

of seeing whether an agreed Resolution could be moved. I want to make this submission, since you want me to limit myself to this limited point....

MR. SPEAKER: What happened between the Leaders and the Prime Minister need not be stated here.

SHRI NATH PAI: We cannot accept this procedure which is contrary to what we agreed. Since her view does not represent what we believe to be the nation's view, we want a debate today, here and now. (*Interruptions*).

MR. SPEAKER: May I request all hon. Members who are standing to sit down. What Shri Dwivedy, the leader of the PSP had suggested is different from what Shri Nath Pai has now suggested. I wanted to hear the Prime Minister first as to the time that would be convenient for a discussion.

SHRIMATI INDIRA GANDHI: We leave it to you to fix a convenient time. We do not want to prevent a discussion. I would only say that it is because we were aware of the deep concern felt by hon. Members opposite, and also by hon. members amongst our own party, that I wanted to make a statement today. Otherwise, you will have noticed that nobody in authority has come out with a statement, yet with the exception of the Australian Prime Minister. Everywhere people are still considering the matter, gathering information..... (*Interruptions*).

श्री मधु लिमये (मुंगेर): आपके पिताजी ने भी पूछा था क्या ?

MR. SPEAKER: I have not called Shri Madhu Limaye. He cannot get up and make some remark like this.

SHRI HEM BARUA: When Egypt was invaded, was the Prime Minister then awaiting the reaction of any other nation? (*Interruptions*).

\* SHRI NATH PAI: The Italian Communist Party, the biggest communist party in Europe, has come out with a statement.

**SHRI SURENDRANATH DWIVEDY:** It is deplorable that the Prime Minister should have to wait for the reactions of others before making her statement here. (*Interruptions*).

**श्री मधु लिमये :** अध्यक्ष महोदय, क्या जब ब्रेजनेव की चिट्ठी आयेगी तभी ये बोलेंगी ?

**SHRI PILOO MODY (Godhra):** The Prime Minister's remark is deplorable that she cannot make a statement before other parties and other countries have decided what to say. Let their statements follow ours.

**MR. SPEAKER:** I have not allowed Shri Piloo Mody or Shri Limaye or anyone else, except the Prime Minister, to speak. I wanted that the House should hear the Prime Minister first before others make their comment.

**SHRI RANGA:** What about the time for the discussion ?

**MR. SPEAKER:** We will fix it up. She has said that I can fix it up.

**SHRIMATI INDIRA GANDHI:** I was only saying that when a serious situation like this arises, Government should have full time to discuss it amongst themselves and to try to get authentic information from different sources. That was why I was referring to other countries. Our information is that they are still in the process of gathering information, of meeting in various councils like in the Cabinet or, for example, in the Security Committee. This is the news which we have from different countries.

As for discussion here, it is for you to fix any time you consider convenient. We do not want to come in the way.

**श्री रवि राय :** अभी बहस होनी चाहिये ।

**SHRIMATI INDIRA GANDHI:** It is up to you, Sir.

**MR. SPEAKER:** Tomorrow, we shall discuss this. The time is to be fixed. It is left to me by the Leader

of the House. I appeal to the leaders of other parties also to leave it to me. I shall fix the time tomorrow at an early hour.

**श्री रवि राय :** उनकी राय से हम लोग सहमत नहीं हैं ।

**MR. SPEAKER:** All of us were anxious. I am sure that Mr. Dange and others would agree with me. We shall have to discuss it in a fair way, and not throw insults at each other. It is not fair. Everyone has a right to have his own opinion and not simply to begin abusing each other. That will not lead us anywhere.

**श्री एस० एम० जोशी :** अध्यक्ष महोदय, हमारे ऊपर अन्याय हो रहा है । इनकी राय लोगों के सामने जा रही है और हमारी राय नहीं जा रही है जबकि इनकी राय से हम सहमत नहीं हैं ।

**MR. SPEAKER:** When I am on my legs, every hon. Member should sit. We shall have to keep a little calm when there is excitement. If we ourselves get excited, how is the problem going to be solved by us ?

**श्री रवि राय :** स्वतन्त्रता की हत्या हुई है ।

**MR. SPEAKER:** You can say whatever you want to say, tomorrow.

**SHRI SURENDRANATH DWIVEDY:** I should like to know from you whether this discussion will be on a substantive motion moved by Members who had given notice or the statement of the Prime Minister ? You say that you will fix the time tomorrow at the earliest opportunity. I think notices have come to you; whichever notice you had received early, I think you must allow that motion to be moved.

**श्री प्रकाशवीर शास्त्री (हापुड़) :** श्रीमन, मैं आप से यह निवेदन करना चाहता हूँ कि चर्चा आज हो या कल, इसमें कोई आपत्ति नहीं है । इसमें भी कोई आपत्ति नहीं है कि सरकार पूरे निर्णय के साथ संसद के सामने आये ।

[श्री प्रकाशवीर शास्त्री]

मेरा कहना केवल मात्र यह है कि प्रधान मंत्री ने जो वक्तव्य दिया है, जोकि इस संसद और इस देश का प्रतिनिधि वक्तव्य होकर विश्व के अन्दर जायेगा, उसके अन्दर एक दुर्बलता रह गई है जिसको मैं चाहता हूँ इस वक्तव्य में जोड़ लिया जाए। यह तो प्रधान मंत्री भी स्वीकार करती हैं कि वारसा पैक्ट के चार राष्ट्रों ने मिल कर एक दुर्बल राष्ट्र पर आक्रमण किया है इसलिये अन्त में यह अवश्य जोड़ लिया जाए कि यह सभा उसकी भर्त्सना करती है।

MR. SPEAKER : You are going into the merits. This is not the time.... (Interruptions.) The habit has grown with some Members that when I am on my legs, they get up and shout, it must be given up. It is not as though I am going to fix the time, here and now. Dr. Ram Subhag Singh and the Leaders of the groups here will sit in my room the moment the House adjourns and discuss it. I appeal to the Leaders of Parties to come to the

Chamber; we shall sit there and then see if we can discuss it usefully.

SHRI M. L. SONDHI : Is there anything wrong in discussing it today ?

MR. SPEAKER : No, no. Everytime you are doing this, when I am on my legs; you are shouting like this and you are making me helpless and do something which I am not at all wanting to do to you. Let us adjourn and sit there. In the room we can do anything, but not here. The whole world watches us and is laughing at this. The Prime Minister cannot come; she had to go and make a statement in the Rajya Sabha. Dr. Ram Subhag Singh or somebody else will come. I appeal to the Leaders of Groups also to come to my room. Shall we take up the other business, now or shall we adjourn ? (Interruptions.) I adjourn the House to meet at 11 A.M. tomorrow.

17.40 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 22, 1968/Sarvana 31, 1890 (Saka).