

Third Series, Vol. VI, No. 2

Tuesday, August 7, 1962
Sravana 16, 1884 (Saka)

LOK SABHA
DEBATES

1614

Third Series

Volume VI, 1962/1884 (Saka)

[August 6 to 18, 1962] Sravana 15 to 27, 1884 (Saka)



SECOND SESSION, 1962/1884 (Saka)

(Vol. VI contains Nos. 1 to 10)

**LO K SABHA SECRETARIAT
NEW DELHI**

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N.B.—The sign + marked above the name of a member on questions which were orally answered indicates that the question was actually asked on the floor of the House by that Member.

LOK SABHA DEBATES

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LOK SABHA

Tuesday, August 7, 1962/Sravana 16,
1884 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Master Plan for Delhi

+

Shri Hari Vishnu Kamath:
Shri Shree Narayan Das:
Shri Prakash Vir Shastri:
Shri Yashpal Singh:
Dr. L. M. Singhvi:
Shri D. C. Sharma:
Shri Ram Ratan Gupta:
Shri R. S. Pandey:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri B. K. Das:
Shri Subodh Hansda:

*49.

Will the Minister of Health be pleased to state:

- (a) whether the Master Plan for Delhi has been finalised;
- (b) if so, the broad outline thereof; and
- (c) how many years will be needed for its implementation?

The Minister of Health (Dr. Sushila Nayar): (a) Yes, Sir.

(b) A statement is laid on the Table. [See Appendix anexure I No. 11].

(c) The Master Plan for Delhi is for the development of Delhi upto the year 1981 and its implementation, which will be taken up in stages, will, therefore, extend upto that date.

1339 (Ai) L.S.D.—1.

Shri Hari Vishnu Kamath: Will the Master Plan be integrated or dovetailed with the five year plans of the country? If not, is there a plan or blue-print for a phased implementation of the Master Plan?

Dr. Sushila Nayar: As I have stated, it is a long-term plan, certain schemes will be implemented under each five year plan. Naturally they will be dovetailed, some into the Third Plan, some into the Fourth, some into the Fifth and so on.

Shri Hari Vishnu Kamath: Have the Master Planners devised or advised a machinery for implementation of the Plan and its organisational set-up also? Or is Government considering having a separate machinery on its own?

Dr. Sushila Nayar: At the moment, the Delhi Development Authority, which has prepared the Plan, has indicated certain land uses. So far as the actual implementation to the extent of building houses etc. is concerned, it will be done by different agencies, some by the Corporation, some by the Government of India for offices and residential houses, some by private agencies and so on.

Shri Hari Vishnu Kamath: Very unclear.

Shri Shree Narayan Das: The hon. Minister has stated that different aspects of this Master Plan will be executed by different agencies. I would like to know the agencies that have been named so far.

Dr. Sushila Nayar: There is no question of naming the agencies. All that I am saying is that the broad outline is prepared by this Authority. The Authority says, this is the area where industry will come, this is the

area where residential houses will be located, this is the area where business houses will be sited and so on. Having demarcated that, the construction etc. will be taken care of by the agency which gets the land.

श्री प्रकाशवीर शास्त्री : पीछे समाचार-पत्रों में कुछ ऐसे समाचार प्रकाशित हुए थे कि इस मास्टर प्लान में उत्तर प्रदेश और पंजाब के भी कुछ भाग आ गये हैं, और उस समय उन प्रदेशों की सरकारों ने अपने भाग देने के सम्बन्ध में कुछ असहमति व्यक्त की थी। क्या मैं यह जान सकता हूँ कि इस को अनितम रूप देने से पहले दोनों प्रदेशों की सरकारों की स्वीकृति ले ली है? यदि ले ली है तो उसकी रूपरेखा क्या है?

डा० सुशीला नायर : काइनल रूप तो इसको दे दिया गया है। ज्ञान स्वीकृत हो चुका है। जहां तक उत्तर प्रदेश और पंजाब के थोड़े से एरिया का सवाल है, वह मेट्रो-पोलिटन एरिया में शामिल होता है। उसके बारे में उन से पहले सलाह मंशविरा हो चुका था और उसके लिए एक हाई पावर बोर्ड भी बनाया जा चुका है। उस हाई पावर बोर्ड को स्टेट्यूटरी रूप देने का सुझाव है उसके बारे में होम मिनिस्ट्री उनसे बातचीत कर रही है। और प्रगत ऐसा करना होगा तो उसके लिए पर्सियामेंट के सामने कानून आयेगा, और वह कानून आने से पहले उनकी सहमति प्राप्त कर ली जायेगी।

Some Hon. Members rose—

Mr. Speaker: The whole Master Plan cannot be discussed during Question Hour. It will be difficult for me to allow so many questions.

Shri D. C. Sharma.

Shri D. C. Sharma: From the statement, I find that only 0.3 per cent of the area is reserved for agriculture and 8.0 per cent for public and semi-public facilities.

I want to understand on what basis these figures have been arrived at—agriculture almost zero and public and semi-public facilities 8 per cent.

Dr. Sushila Nayar: The idea is that Delhi is a metropolitan area, and the agricultural area is confined to the so-called green belt round Delhi, which has a certain depth. It is for this purpose that most of the area in Delhi is to be utilised for non-agricultural purposes. The facilities mentioned by the hon. Member, that is public facilities, naturally include parks, green areas and the like.

Mr. Speaker: Yesterday also we covered only 13 questions. I would request hon. Members to get along more quickly.

Locust Invasion

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| | |
|------|-------------------------|
| *50. | Shri Indrajit Gupta: |
| | Shri P. C. Borooah: |
| | Shri Sarjoo Pandey: |
| | Shri Inder J. Malhotra: |
| | Shri Mohan Swarup: |
| | Shri Shiv Charan Gupta: |
| | Shri Basumatari: |
| | Shri D. C. Sharma: |
| | Shri P. R. Patel: |
| | Shri D. J. Naik: |

Shri Chhotubhai Patel:

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

(a) whether locust invasions of Northern India are expected on an unprecedented scale this year;

(b) if so, what steps are being taken to save crops in the threatened areas; and

(c) whether any foreign assistance has been sought to supplement Government's own resources for this task?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes, Sir. Locust invasion has already commenced.

(b) A statement is laid on the Table [See Appendix I, annexure No. 12].

(c) No.

Shri Indrajit Gupta: From the statement certain information is available about the precautionary measures which were taken. There is nothing in it to show how the actual invasion, which has begun as the Minister said, has been tackled. I would like to know to what extent crops have been affected already, and to what extent these measures have been successful in saving them.

Dr. Ram Subhag Singh: Actually, the most effective measures that have been taken are taken by the farmers themselves, and we have also detailed some planes and some other instruments which are operating there in Punjab, U. P., Rajasthan and also in certain parts of Bihar and Madhya Pradesh.

Shri Indrajit Gupta: Is it not a fact that in the areas which have already been affected, almost 75 per cent. of the crop has been damaged?

Dr. Ram Subhag Singh: Actually, it is not a fact because most of the locusts are going from place to place. Unless and until they start laying eggs and the hoppers come up, not much damage can be done. It is a fact that some damage has been done.

Shri P. C. Borooh: What is the nature of the assistance, if any received from the FAO in this regard?

Dr. Ram Subhag Singh: A team of the FAO is likely to come some time this month, and with their help we will start operation in the areas bordering Pakistan.

श्री सरलू पाण्डेय : इस स्टेटमेंट में यह नहीं बताया गया है कि टिहुयों ने प्रदेश के बिन बिन भागों में किसानों की फसलों को कितना कितना नुकसान पहुँचाया है। क्या ऐसो कोई मूचना सरकार के पास है, और यदि है तो वहाँ पर किसानों को अरिलीक देने के लिए क्या कार्रवाई की गयी है?

डॉ. राम सुभग सिंह : जितनी मूचनाएँ आहिए सारी मूचनाएँ सरकार के पास हैं। और हर जगह जिला अधिस्टेटों को बतला

दिया गया है कि जिस चीज की जरूरत होगी हम भेजने को तैयार हैं, और बहुत सी चीजें भेजी भी गयी हैं, प्रादेशिक सरकारें भी अपनी ओर से इन्तजाम कर रही हैं। जैसा कि मैं ने पहले कहा, हर खेत में सरकारी यंत्रों का पहुँच पाना सम्भव नहीं है। इसलिए बहुत ज्यादा मुकाद होता है कि सान का अपना प्रयास। और जो चीज दबा वगैरह किसान चाहे हम देने को तैयार हैं।

Shri Hem Barua: May I know if it is a fact that a liaison with Pakistan for advance information of the winged menace is maintained; if so, whether Pakistan gave any information about this particular invasion?

Dr. Ram Subhag Singh: We are always keeping liaison with Pakistan. A meeting was scheduled to be held with Pakistan, Iran and Afghanistan early this year, but Iran and Afghanistan did not send their representatives. So, that meeting was held only with Pakistan. Again, a meeting was held with Pakistan representatives a month or two back, and we are going to meet again in the third week of August to review the entire situation. When locust swarms try to come towards India, they do occasionally intimate us, but, as you know, it is not possible for anybody to always send correct information.

श्री बागड़ी : क्या मंत्री महोदय यह बताने की कृपा करेंगे कि टिही दल के इस खतरे को मिटाने के लिए प्रातीय सरकारों के साथ मत्रियों के साथ कोई बातचीत की गयी है और कोई प्रोग्राम बनाया गया है, और यदि बनाया गया है तो क्या?

डॉ. राम सुभग सिंह : अमर में प्रश्नकर्ता महोदय के कृपि मंत्री, सामुदायिक मंत्री तथा और भी मंत्री और अफसरों से मैं ने हाल में बातें की और उनके प्रदेश का व्यापक भ्रमण भी किया और उन के प्रदेश पंजाब में तीन हवाई जहाज हम लोगों ने भेज दिये हैं। एक हवाई जहाज जालन्दर के नवदीक आदमपुर

अहुं से जालन्धर, गुरुदासपुर, लुधियाना, अमृतसर और भट्टिडा वर्गेरह स्थानों में दबा गिरायेगा। दूसरा यहां अम्बाला से अम्बाला के समीप जिलों में खास कर करनाल वर्गेरह और तीसरा यहां पालम से उत्तर प्रदेश के कुछ पश्चिमी जिलों में और पंजाब के इस हिस्से के जिलों में गुडगांव वर्गेरह में जो भोद्वा आदि की जरूरत होगी वह वहां पहुंचायेगा।

Shri Inder J. Malhotra: May I know whether any special financial assistance is being given to the State Governments to build up their equipment and to improve their locust fighting equipment?

Dr. Ram Subhag Singh: Yes; we have consulted the State Governments long ago; and, recently, we have sent a circular. We have called a meeting also on the 13th. And, anything that the States require in fighting this locust menace will be made available to them, if they are physically possible to be purchased here.

Shrimati Savitri Nigam: In the reply to one of the earlier supplementaries the hon. Minister stated that the success of the control of these insects depends on the cooperation and active interest of the farmers. I would like to know if the farmers are being given any training in this operation.

Dr. Ram Subhag Singh: Actually, I would like to be pardoned if I say that the farmers do not want to be trained. They can train others. If the hon. Member goes into the fields she will be happy to notice children of even 5 years beating the drums etc. And, they do that work more efficiently than any aged person.

Dr. M. S. Aney: I have read in the papers that in some parts of Punjab these locusts have settled down for a day or two. I want to know whether the Government of India have information of these particular places and what is the extent of the damage done where they have settled?

Dr. Ram Subhag Singh: That is a fact. I have seen some of these areas. The locusts have settled down in some parts of Ludhiana, Jullundur and Gurdaspur and, maybe, in Kaithal areas of Karnal district. As I said before, we have deputed our officers and sent as much of insecticides as are needed by the State Government. And, if any further demand is made by the State Government, we will be meeting that.

श्री राधेन्द्राल व्यास : मैं यह जानना चाहता हूँ कि जो विदेश से टिही दल आये हैं वह भारत की भूमि में कितनी ऐंटी लोक-स्टेपोस्ट्स पर सेटिल हुए हैं और कितनी पोस्ट्स पर ऐंग लेयिंग हुई है अर्थात् अंडे दिये हैं और कितनी पोस्ट्स से स्वार्म डेवलप होकर देश के दूसरे भागों में आये?

अध्यक्ष महोवय : इतने लम्बे सवाल का उन्ना लम्बा जवाब देने की जरूरत नहीं है।

डा० राम सुभग सिंह : जवाब तो मैं छोटे में दे दूँगा। प्रब तक केवल ७८ टिही दल यहां पर आये हैं और खेती वाले क्षेत्र में जितनी दूरी में उन्होंने अंडे दिये हैं उस का क्षेत्रफल १८४६ गांवों का है और दूसरी जगहों में जो हौपसं दूर है उस का क्षेत्रफल १६३ गांवों का है। इन सारी जगहों में दबा छिड़क रहे हैं।

श्री राधेन्द्राल व्यास : मैं ने पूछा था कि हमारे देश के जिन मुकामों पर टिहीयों ने अंडे दिये हैं वहां से कितने स्वार्म देश के दूसरे हिस्सों में गये?

डा० राम सुभग सिंह : योड़े जाते हैं।

Mr. Speaker: Order, order; the question that I have not allowed need not be answered.

डा० गोविन्द दास : अभी मंत्री जी ने यह कहा कि किसान लोग स्वयं अपने यहां पर इस बात का प्रयत्न कर रहे हैं कि टिही दल से उन को नुकसान न पहुँचे तो क्या उन को कोई वैज्ञानिक ढंग से यह बात समझाई जा रही है कि उन को क्या करना चाहिए और क्या

उन्होंने और तक सरकारों से कोई मदद मांगी है और क्या वह मदद उन को दी गई है?

डा० राम सुभग सिंह: असल में कोई भी बात वैज्ञानिक ढंग की शिक्षा देने की अगर टिड़ियों के आक्रमण से पहले प्रश्नकर्ता महोदय पूछे होते तब तो जरूर हम लोग इंतजाम कर दिये होते लेकिन आज जब खेतों पर टिड़ियों का आक्रमण हो गया और तब वैज्ञानिक शिक्षा की बात आती है तो पता नहीं कि जब तक वैज्ञानिक शिक्षा दी जाय उस वक्त तक उसका सारा खेत खराब हो जाय। इसलिए अभी तो किसान खेतों में रहेगा और जो चीज़ वह मंगायेंगे दवा वगैरह उन सारी दवाओं का यहां खात्य और कृषि मन्त्रालय की ओर से प्रबन्ध किया जायगा।

एक माननीय सदस्यः अध्यक्ष महोदय ..

अध्यक्ष महोदयः इस पर बहुत कुछ पूछा जा चुका है। मेरा ख्याल है कि अब तो यह चली जायेगी।

Call-Queueing Equipment for Trunk Booking

***51. Shri P. R. Chakraverti:** Will the Minister of Transport and Communications be pleased to state:

(a) whether Government propose to install Call-queueing Equipment for trunk booking;

(b) if so, when and where the initial process will start; and

(c) whether the introduction of this system will save the callers from the 'Engaged' signal?

The Deputy Minister of Transport and Communications (Shri Bhagavati)
(a) Yes.

(b) The Call-queueing Equipment for Trunk booking is proposed to be initially installed at the four Trunk Exchanges at Bombay, Calcutta, Delhi and Madras.

(c) The purpose served by the Call-queueing Equipment is not the

prevention of 'Engaged' signals. This equipment ensures that all signals received by operators are answered in the order in which the calls are originated by the subscribers.

Shri P. R. Chakraverti: What arrangements have been made by the Government for making available adequate supplies of improved machinery for such installations?

Shri Bhagavati: Government have already installed one such machinery at Madras in January 1962 and the other stations will also be equipped with this equipment in the coming few months.

Shri P. R. Chakraverti: Will the Government examine the possibility of introducing our own machines for this purpose and if so, what are the costs involved?

Shri Bhagavati: Yes. The costs involved for these four installations will be Rs. 81,000 and no foreign exchange is involved.

Shri A. P. Jain: Is there a programme for the manufacture of this equipment at Bangalore?

Shri Bhagavati: Yes.

Shri Heda: What safeguards are there in this equipment for the particular-person calls?

Shri Bhagavati: That depends upon the number of lines. When all the lines are used by the subscribers then it is bound to be that engaged signals are shown. So, instructions have been issued to provide adequate lines and I think that they will give proper quality of service.

Crop Insurance

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| *52. | Shri B. K. Das: |
| | Shri Subodh Hansda: |
| | Shri S. C. Samanta: |
| | Shri M. L. Dwivedi: |
| | Shri M. K. Kumaran: |
| | Shri D. C. Sharma: |

Shri Inder J. Malhotra:

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

(a) whether crop insurance has been introduced in any part of the

country even on an experimental basis;

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

(c) whether any State Government is participating in the scheme?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) No.

(b) Does not arise.

(c) The Punjab Government intend to implement a pilot scheme for crop insurance in that State. Details of the scheme are being worked out by them.

Shri B. K. Das: In view of the fact that insurance is a Central subject may I know whether any legislation is under consideration by the Central Government so that the Punjab Government may be able to implement the scheme?

Dr. Ram Subhag Singh: This is a question which has been in the minds of the Government for a long time and it has been found workable and useful also, but due to financial stringency experienced by the Central and State Governments, it has not yet been adopted even as a pilot scheme. If the hon. Members desire, the Food and Agriculture Ministry will request the Planning Commission to find out funds for it.

Shri B. K. Das: May I know whether the Punjab Government will be given financial help by the Central Government and if so to what extent?

Dr. Ram Subhag Singh: As I said in the original reply, this matter is being examined by the Punjab Government. They are examining it from all points of view and if need be the Central Government will also discuss the matter with them.

श्री म० ला० हिंदेवी : भारी मल्ती महोदय ने कहा है कि भार्यक कठिनाइयों के कारण यह योजना चालू नहीं की जा सकी। मैं यह

जानता चाहता हूँ कि क्या सरकार ने यह भी प्रयत्न किया है कि किन्हीं प्राइवेट कम्पनियों के द्वारा इन्सोरेस कम्पनियां चलाई जायें, जो कि फसलों का बीमा कर सकें और अगर इस दिशा में कोई प्रयत्न किया जा रहा है, तो वह क्या है।

दा० राम सुभग सिंह : इन्सोरेस के मानी ये हैं कि प्राइवेट प्रक्रोपों के कारण किसानों को फसल की जांकनी हो सकती है, उससे उनकी रक्खा की जाये। इस बक्त सरकार का उद्देश्य है समाजवादी ढंग के समाज की स्थापना उसमें प्राइवेट कम्पनियों का सवाल कम आता है। इन्सोरेस (बीमे) के क्षेत्र में जो प्राइवेट कम्पनियां थीं, उनको भी खत्म करके एक सरकारी बीमा कम्पनी बनाई गई। सरकार मांचेंगी कि किस तरह से वजिब ढंग में किसानों की सहायता की जा सकती है, वजाये इसके कि यह काम निजी कम्पनियों को सौंप दिया जाये।

Shrimati Yashoda Reddy: May I know from the hon. Minister whether the Government of Andhra Pradesh has sent any schemes for this crop insurance and also what is preventing the Central Government from introducing pilot schemes at least in places where there is regular famine?

The Minister of Food and Agriculture (Shri S. K. Patil): This question of crop insurance is not a very light matter, because, in the first place, apart from the money that has to be made available, regular statistics have to be submitted. Statistics is the very breath of insurance. We have not got any statistics worthwhile in this country to know the consequences. That is why we are trying to make a beginning. Punjab has started it, and it is a subject in which the Government of India is very vitally interested because in all the developmental schemes that we have got in respect of agriculture, a farmer can never be induced to put more money until he knows that his crop is safe. Not that we are not interested in this subject, but, as I said, we

are attempting in this direction and a beginning will be made in Punjab.

Shri Yallamanda Reddy: May I know whether the Government has made any assessment of the financial commitment in this regard and, if so, what is the amount?

Shri S. K. Patil: So far as this question is concerned, it is only to be started in Punjab. Half the administrative expenses will be shared by us. Actually, the insurance money is a matter which is a very difficult thing and no blind commitment could be accepted.

Shri Inder J. Malhotra: May I know what steps the Central Government have taken to collect the necessary statistics required for implementation of this scheme?

Shri S. K. Patil: Those statistics are being collected wherever the scheme is in progress. For instance, we have been asking Japan to send some experts to come here and help us in order to do that. There is a greater necessity for this in this country, in India, because, as I said, in any developmental scheme of agriculture, without crop insurance we cannot make much progress.

Some Hon. Members rose—

Mr. Speaker: I find several eminent persons standing up and trying to ask supplementaries. Nearly in every question, we find the names of eight, 15 or even 20 hon. Members who have tabled the question. So, it becomes difficult for me to go outside it. Though I would try to call every Member who has tabled the question, to put a supplementary,—it is open to the whole House to know the answers—if it is not possible for me to call all those that have given notice of the question, they will excuse me if I am not calling all of them.

Shri Tyagi: In cases where the number of Members is too large, the other Members cannot get the benefit of any supplementaries.

Mr. Speaker: I have not ruled that out, that I would not allow the opportunity to other Members. I would like to say that in England at least it is not considered good form to take out the questions of others and try to put supplementaries. We have not followed that practice. We make it open to all here, but a decision was taken earlier that we should try to cover more question. Here, every question is jointly tabled by ten or more Members sometimes.

Shri Bhagwat Jha Azad: It is in your discretion. You have been allowing supplementary questions on only two questions for fifteen minutes. It is our privilege to stand for chance and it is for you to disallow. That is all we want.

Shri D. C. Sharma: You can please tell us what good form is, here!

Mr. Speaker: There were so many locusts and therefore I had allowed several supplementaries! Next question.

Foodgrain Prices

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| *53. | Shri S. M. Banerjee: |
| | Shri Subodh Hansda: |
| | Shri S. C. Samanta: |
| | Shri B. K. Das: |
| | Shri M. L. Dwivedi: |
| Shri Surendranath Dwivedi: | Shri Sadhu Ram: |
| | Shrimati Renu Chakravarty: |
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Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that there is much difference in the wholesale prices and retail prices of foodgrains in the country;

(b) if so, the steps taken by Government to check any unjustifiable increase in the retail prices; and

(c) in particular the steps taken to arrest the rise in prices of foodgrains in U.P. and of rice in West Bengal and Orissa?

The Parliamentary Secretary to the Minister of Food and Agriculture

(Shri Shinde): (a) The difference between the wholesale and retail prices of foodgrains constitutes the cost of handling and transport of foodgrains from the wholesale centres to the retail distribution centres and also the margin of profit of the retailer. If these factors are taken into account, the difference in the wholesale and retail prices of foodgrains at present does not on the whole appear to be excessive.

(b) and (c). It is through judicious distribution of foodgrains from Government stocks at the prescribed retail prices that the Government try to influence the open market retail prices and prevent them from rising unduly high in various States including U.P., West Bengal and Orissa.

Shri S. M. Banerjee: The hon. Parliamentary Secretary stated that the difference is not excessive. I want to know what is the actual difference between the wholesale price and the retail price in the case of wheat and rice in U.P., West Bengal and Orissa?

Shri Shinde: There is not any material difference between the prices which were prevailing last year and those prevailing this year. There is a slight variation in the prices which prevail in West Bengal and Orissa in respect of rice. But in respect of other grains, the prices are practically the same as those which prevailed last year.

Shri S. M. Banerjee: At least I expected that there will be a statement. The Minister does not say what is the difference.

Mr. Speaker: He said it is almost the same.

Shri S. M. Banerjee: It is not quite correct. In that case, he should have provided statistics. I want to know what is the actual difference in the wholesale and retail prices of wheat in U.P.

The Deputy Minister in the Ministry of Food and Agriculture (Shri

A. M. Thomas): I shall give certain figures regarding U.P. in which my friend is very much interested. In regard to farm average quality wheat in Lucknow, in June, the wholesale price was Rs. 14.39 and the retail price was. Rs. 16. The difference was Rs. 1.61. In the previous month, the difference was Rs. 1.45. With regard to rice also, the difference comes to Rs. 1.50 to Rs. 2.

Shri Subodh Hansda: May I know whether Government have any machinery to check the rise in prices and if so, whether Government is aware that in West Bengal in the last three months, the price of rice has gone up very appreciably from Rs. 6 to Rs. 8 per maund?

Shri A. M. Thomas: The only way by which we can now control prices is by distribution of larger quantities through fair price shops. There are a large number of fair price shops in West Bengal and the average off-take that was estimated in July was 12,000 tons. We have made available a quantity of 15,000 tons.

Shri Surendranath Dwivedi: The rise in price may not materially affect the Government, but it does affect the people. There is a rise in price of rice in Orissa in the last few months. I want to know what steps have actually been taken to curb this rise in the price of rice.

Shri A. M. Thomas: With regard to Orissa, the State Government have got stocks which they have locally procured. We are also supplying from central stocks. Recently we have made available 3,000 tons to the Orissa Government to be moved on high priority basis from Calcutta, so that it will relieve the difficulties of Orissa to some extent.

Shrimati Renu Chakravarty: May I know whether Government has a regular method of checking on the retail prices in the villages in various seasons and find out what is the actual difference between the retail prices prevailing in the villages and in big cities at the time of harvest

and at later dates? Is there any regular machinery by which Government finds this out?

Shri A. M. Thomas: Yes. With regard to the prevailing wholesale prices, we get daily reports from the various State Governments. Besides, the Economic and Statistical Directorate has got in its possession various reports regarding retail price. It was from these reports that I mentioned the figures and the difference.

Shri Tyagi: Do Government propose taking any effective steps to guarantee that the prices of foodgrains in U.P. do not rise further on account of the proposal of the U.P. Government to raise the land revenue by at least 50 per cent or so? Will that element be allowed to go into the price of foodgrains or would Government think of some plan to check that?

Shri A. M. Thomas: Whether the increase in land revenue would have any perceptible impact on the price level is a larger question. But, as far as the present state of affairs is concerned, with regard to Uttar Pradesh, I may submit, the prices are prevailing at a reasonable level and there is no room for any anxiety on that account.

श्री म० ला० द्विवेदी : क्या मन्त्री महोदय को मालूम है कि उत्तर प्रदेश के कुछ पिछड़े हुए इलाकों जैसे बुदेबखण्ड के गांवों में बारह और तेरह रुपये मन के हिसाब से गेहूं बिक रहा है जबकि यहां बीस और बाईस रुपये मन बिक रहा है, यानी दामों से दूने का फर्क है? यदि हां तो मन्त्रालय क्या कर रहा है कि इन दामों में इतना फर्क न हो और अगले वर्ष से तो कम से कम ये ठीक हो जायें?

Shri A. M. Thomas: My information is that as far as . . .

Shri M. L. Dwivedi: I am giving you the correct information.

Shri A. M. Thomas: As far as the price of wheat is concerned, it is prevailing at a very reasonable level in all the centres in India.

श्री म० ला० द्विवेदी : वहां पर बारह रुपये मन बिक रहा है और यहां पर बाईस रुपये मन बिकता है, यह रीजनेबल कैसे हुआ?

The Minister of Food and Agriculture (Shri S. K. Patil): This House knows that the minimum price of wheat guaranteed by the Government of India is Rs. 13. If anybody is selling for Rs. 12, he has to thank himself.

Shri Priya Gupta: If somebody is selling above that price?

Mr. Speaker: Order, order. Without being identified hon. Members should not begin to put questions.

Shrimati Renu Chakravarty: May I know what the Government of India has done regarding the recommendations of the Asoka Mehta Committee about the stabilisation of prices of foodgrains? May I know whether the Government of India have considered that report and whether they are prepared to lay on the Table of the House a statement showing what recommendations they have accepted and those that they have not accepted?

Shri S. K. Patil: The most practical thing, Sir, is to have more food. We have food just now. Therefore, we need not go about with stabilisation of prices. We release more. We have got abundant stocks with us. There is no difficulty except perhaps sometimes, owing to the bottle-necks in railways and other things, a little time-lag is there. That is a different matter. Therefore, there is no need now.

Air Passages to U.K.

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| *54. | Shri P. K. Deo: |
| | Shri Narendra Singh Mahida: |
| | Shri Bishanchander Seth: |
| | Shri Remeshwar Tantia: |

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

(a) whether the U.K. Immigration Bill created a great rush in the booking of air passages for going to N.K.;

(b) whether it created black-market in air tickets to U.K. as air tickets worth Rs. 1800 were quoted at Rs. 2300 according to a report in the *Statesman*, dated the 23rd June, 1962; and

(c) if so, whether the matter has been enquired into?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) There was a great rush in the booking of air passages for going to U.K., throughout the month of June, 1962.

(b) and (c). Reports had appeared in the press of alleged black-market in the air tickets to U.K. No enquiries were made as all such enquiries are fruitless due to even the aggrieved party not coming forward with a complaint.

Shri P. K. Deo: May I know if it has been brought to the notice of the Government that Air India was a party to this racket?

Shri Mohiuddin: It is absolutely wrong.

Shri Indrajit Gupta: May I know whether Government's attention has been drawn to a statement issued by the Air Travel Agents' Association saying that they had represented to Government that the Reserve Bank should be asked not to give sanction in the case of passages which are booked through air lines not recognised by the IATA? The allegation made is that the Government is not at all sympathetic to this proposal. May I know what is the Government's reaction to this?

Shri Mohiuddin: I am not sure what representation the hon. Member is referring to. I do not remember to have seen any representation on that account.

Mr. Speaker: That is a different question.

Shri P. K. Deo: May I know the reasons why Air India has increased its number of flights from 5 to 7 every

week in spite of the sharp decline in the passenger traffic?

Mr. Speaker: That is quite a different question.

Modernisation of Bombay Port

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| *55. | Shri Subodh Hansda: |
| | Shri Basumatari: |
| | Shri S. C. Samanta: |
| | Shri S. B. Das: |
| | Shri M. K. Kumaran: |
| | Shri Raghunath Singh: |
| | Shri D. C. Sharma: |
| | Shri P. Kunhan: |
| | Shrimati Maimoona Sultan: |
| Shri R. Barua: | |

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

(a) whether it is a fact that there is a modernisation scheme of Bombay Port;

(b) whether it is a fact that World Bank team has surveyed the scheme twice;

(c) whether the World Bank team has asked Government to send an expert team to finalise the loan with World Bank; and

(d) if so, whether the team has gone and finalised the scheme?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a), (b), (c) and (d). A statement is laid on the Table. [See Appendix I, annexure No. 13].

Shri Subodh Hansda: May I know whether the World Bank Team which visited India came only to assess the foreign exchange requirements for the development of the port or it came to assess the entire requirements for the development of the Port?

Shri Raj Bahadur: The IDA assistance is limited to the foreign exchange component of the development schemes.

Shri S. C. Samanta: May I know whether the 18 million dollar credit

that will be available for this project can be spent for other schemes like the dredging of the harbour channel which have been mentioned in the statement?

Shri Raj Bahadur: We gave them a full list of our requirements in regard to this particular development schemes which also covers dredging of some part of the main harbour. The foreign exchange component will be Rs. 8.57 crores. The essentiality of the scheme was accepted and that is why this amount was arrived at.

श्री भागवत ज्ञा आजाद : बम्बई पोर्ट के नवीकरण के अनुमानित व्यय का कौनसा भाग अभी विश्व बैंक से मिलने की सम्भावना है?

श्री राज बहादुर : फारेन एक्सचेंज का जो खर्च है, वह मिलेगा।

श्री भागवत ज्ञा आजाद : कितना मिलेगा?

श्री राज बहादुर : स्टेटमेंट में लिखा हुआ है।

श्री रथुनाथ तिहः : तीसरे प्लान के अन्दर बम्बई पोर्ट की जो योजना हैर उभ के लिये आपको जो फारेन एक्सचेंज प्राप्त हुआ है, उससे क्या आपका काम पूरा हो जाएगा?

श्री राज बहादुर : तीसरे प्लान में जो खर्च होना है, उसमें से जितना फारेन एक्सचेंज आहिये, उसके अनुसार यह क्रृण मिलेगा।

Shri D. C. Sharma: May I know how long it will take to complete the modernisation of the plan?

Shri Raj Bahadur: This will have to be completed before the end of the Third Plan. As a matter of fact, the closing date itself of the loan is 31st December 1967. So, we have to finish it before that.

Shrimati Renu Chakravarty: It is stated in the memorandum that Rs. 8.57 crores have been granted to the Government of India for the dock development schemes and only one port project, namely, the Bombay Port Project has been discussed. Are

we to take it that this amount of money will be used for the modernisation of other ports in India also?

Shri Raj Bahadur: No. This particular loan has been for the Bombay port. For the ports of Calcutta and Madras similar arrangements have been made with the World Bank, not with the IDA.

Shri Hem Barua: We are told that the International Development Association is offering some financial assistance. What are the renovations that the Government propose to effect, so far as the Bombay port is concerned, from this particular assistance?

Shri Raj Bahadur: I could not follow what he meant by 'renovation'.

Shri Hem Barua: I said "renovation".

Shri Raj Bahadur: If the hon. Member wants to know the details of some of the schemes, the eastern side of the Alexandra dock will be extended by another 1.180 feet to provide for additional berths; then, a new ferry wharf will be completed to release space for a cargo ship; we shall also deepen the sea. The other schemes include dredging, electrification, modernisation of the equipment etc.

Delhi Water Supply

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| *56. | Shri Bishanchander Seth: |
| | Shri Rameshwar Tantia: |
| | Shri Surendra Pal Singh: |
| | Shri Bhagwat Jha Azad: |
| | Shri Bhakt Darshan: |
| | Shri P. C. Borooh: |

Will the Minister of Health be pleased to state:

(a) whether it is a fact that the problem of water shortage in Delhi was discussed with the Punjab Irrigation Minister;

(b) if so, what results have come out of the discussions;

(c) whether it is also a fact that the Punjab Minister has suggested that the shortage could be solved by constructing the proposed 760 feet high Dam on the Tons river;

(d) if so, when the proposed dam is likely to be constructed; and

(e) what are the other measures Government are taking to overcome the difficulties of water shortage to the Capital?

The Minister of Health (Dr. Sushila Nayar): (a) Yes, Sir.

(b) and (c). It was pointed out in the meeting that there was some doubt on the engineering side whether the river linking scheme could be successfully executed. But if that scheme was not feasible, a dam across the Yamuna or the Tons might have to be constructed which might involve an expenditure of over Rs. 10 crores according to the suggestion of the Punjab Government.

(d) This proposal requires detailed consideration.

(e) The Punjab Government have agreed to release 325 cusecs of water from the Western Yamuna Canal Feeder Project by the summer of 1964 if their original plans are not changed. The Uttar Pradesh Government have also been approached to give 200 cusecs of water from the Ram Ganga Scheme.

श्री विश्वनन्द सेठ : क्या आपके पास कोई इस बात के आंकड़े हैं कि किस किस एरिया में कितने समय पानी पहुंचता है और कितने समय पानी नहीं पहुंचता है? साउथ एवेन्यू में जहां मैं रहता हूँ वहां तो पहुंचता नहीं है।

डा० सुशीला नायर : दिल्ली में जैसे बिजली के अलग अलग टाइमिंज रखे दुए हैं, ऐसे पानी के तो नहीं रखे दुए हैं। पानी तो सभी जगह पहुंच रहा है। (Interruption:)

प्रध्यक्ष महोदय : आर्डर आर्डर। भगवाज तो पहुंच रही है।

डा० सुशीला नायर : इसमें इतना मैं अर्ज कर दूँ कि बहुत से जो पाइप बर्गरह हैं वे पुराने जमाने के लगे हैं। उनका डाइमीटर कम होने से पानी कई हिस्सों में कम पहुंचता है।

डा० रघुनाथ सिंह : साउथ एवेन्यू और नार्थ एवेन्यू में तो नये हैं।

Dr. Sushila Nayar: May I finish my reply? . . (Interruptions).

Mr. Speaker: Order, order. Now, we should hear her and listen to what she has to say.

डा० सुशीला नायर : रिजर्वर्यस में पानी मौजूद होने पर भी कई हिस्सों में पूरी मात्रा पानी की पहुंच नहीं पाती क्योंकि पाइप जो लगे हैं वे बहुत छोटे साइज के हैं। (Interruptions) कई जगहों पर बड़े पाइप लगे हैं, ज्यादा जगह अभी नहीं लगासके। गर्भी के मौसम में पानी थोड़े असें के लिये, जहां पर कमी है वहां पर भी बन्द किया जाता है।

एक माननीय सदस्य : रात को भी बन्द कर दिया जाता है।

Shri Rameshwar Tantia: Considering the fact that Delhi is the capital city, and many outsiders come here, may I know why Government made such inadequate arrangements for the water supply? May I also know by what time the supply will be all right?

Dr. Sushila Nayar: If I may say so, the water that is being filtered has been increased to 96 million gallons per day from Wazirabad, which is a considerable increase on the original supply. However, this supplies only 37 gallons per head to the population of Delhi, and we want to supply 50 gallons per person. To supply 50 gallons, we need 130 million gallons, and for that, we are negotiating with Punjab and U.P. to have more water released from the Yamuna.

Shri Bhagwat Jha Azad: May I know whether the Punjab Government, while putting forward the proposal for such dams, also assured that

they would be able to bear a certain percentage of the cost of construction of such dams on the Tons and other rivers?

Dr. Sushila Nayar: I have stated already that the suggestion about the dam on Tons etc. is a new suggestion, which has not been examined in detail in our irrigation Ministry. In fact, the Punjab authorities have not even sent up the detailed scheme as yet, which they are supposed to do. However, I might mention to the House that when the waters of the Indus basin and the Yamuna river were being distributed, somehow or the other, Delhi was forgotten, and all the water was allocated to Punjab, Kashmir, Rajasthan and U.P. Therefore, to get water supply for Delhi, we have now to go to one or the other of these Governments. However, there is a proposal for utilising the waters of the Ghaggar river and some of its tributaries waters which are still un-allocated, and we are exploring the possibilities of utilising those waters for the Delhi water supply.

थी भक्त दर्शनः क्या इस बात का अध्ययन किया गया है कि दिल्ली की इस सम्यक जितनी जनसंख्या है और जितनी तेजी से उसमें बढ़ोतारी हो रही है, उसके लिये कुल कितने पानी की आवश्यकता है और कितना पानी उपलब्ध है? और कितने वर्षों में सरकार उस की पूर्ति कर सकेगी?

डॉ. सुशीला नायरः जी हां, पूरा हिसाब लगाया गया है और उससे ऐसा मालूम पड़ता है कि अभी ५० गैलन प्रति व्यक्ति देने के लिये हमें १३० मिलियन गैलन की अभी जरूरत है, और आगे चल कर जैसे जैसे पापुलेशन बढ़ती जायेगी उस हिसाब से सन् १६७१ में १६० मिलियन गैलन और सन् १६८१ में २७५ मिलियन गैलन की हर रोज जरूरत होगी। इसके मुताबिक ही पानी के क्यूसैक्स भी बढ़ाने पड़ेंगे। सन् १६७१ में ५२५ क्यूसैक्स की जरूरत पड़ेगी।

Shri Tyagi: Why not try tube-wells?

अध्यक्ष महोदयः उनका सवाल यह था कि आप कब तक पूरा पानी दिल्ली वालों को दे सकेंगे।

डॉ. सुशीला नायरः मैंने अर्ज किया है कि अगर कोई प्लान बदलेगो नहीं तो सन् १६६४ की गर्मी में पंजाब ने ३२५ क्यूसैक्स देने का वादा किया है। वह अभी के लिये पूरा होगा।

Shri P. C. Borooah: May I know whether it is a fact that decision for the construction of a dam on the Tons has been finally taken and for that, outside assistance is also coming in?

Dr. Sushila Nayar: My hon. friend who belongs to that Ministry tells me that it has not only not been finalised, but even the detailed project has not been received by him.

Shri Tyagi: Has the possibility of getting water through a chain of tube-wells in Delhi been tried or examined?

Dr. Sushila Nayar: There was a proposal that a number of tube wells should be sunk in the Loni Block area and water brought to Delhi by an open channel. That was considered to be undesirable by experts from the economic as well as the hygienic points of view and that scheme was abandoned.

थी राठोशि पाण्डेयः माननीय मिनिस्टर साहबा ने बतलाया कि रिजर्वायर में पानी तो है लेकिन सकरी पाइप लाइन होने की बजाए से बैलासिटी आफ बाटर उतनी नहीं है कि पूरी सप्लाई हो सके। मैं जानना चाहता हूँ कि आखिर कितना बक्त लगेगा और वह नई पाइप लाइन कब तक ढाली जायेगी जिससे बैलासिटी भी बढ़े और सप्लाई भी बढ़े।

डॉ. सुशीला नायरः सारे के सारे पाइप्स बग्रह के ढालने की कोशिश तो हो रही है लेकिन मुझे यह स्वीकार करना होगा कि जी० आई० पाइप्स की ढिलीवरी जी० परिस्थिति कुछ सन्तोषजनक नहीं है। दो या

तीन कम्स ऐसी हैं हिन्दुस्तान में जो ऐसे पाइप्स बना रही हैं, लेकिन उनके प्लान्ट्स के लिये तीन चार साल तक के आड़सं बुकड हैं।

डा० लक्ष्मीमल्ल सिंधवी : जो प्रस्तावित बांध योजना है उसके विषय में विस्तृत स्पष्ट से परीक्षण कब तक समाप्त हो जायेगा और जो य० पी० और पंजाब से बात चीत चल रही है उसको कब तक खत्म किया जा सकेगा, इसके विषय में क्या कोई संकेत दिया जा सकता है?

डा० मुश्तोला नाथर : जल्दी से जल्दी खत्म करने की कोशिश हो रही नहै।

Some Hon. Members rose—

Mr. Speaker: Next question. We have had a regular discussion. Because I had many notices of motion, I have allowed it.

Shri Hari Vishnu Kamath: May I request, in view of its national interest and importance, question No. 87 on Railway accidents may kindly be taken out of turn.

Mr. Speaker: Normally I do not take out of turn questions. I proceed as they are put. But, if the House wants that Railway accidents—

Some Hon. Members: Yes.

Mr. Speaker: Then, we will take that.

Dr. K. L. Rao: May I know . . .

Mr. Speaker: We have passed on, Doctor, to the next question.

Shri Ram Ratan Gupta: I want to draw the attention of the House to the fact that there is one very important question No. 75. As the time is short, if you, Sir, can permit that question . . .

Mr. Speaker: Question No. 87 I have allowed with the consent of the House because there are several motions on that.

Railway Accidents

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 Shri Hari Vishnu Kamath:
 Shri Bhagwat Jha Azad:
 Shri Bhakt Darshan:
 Shri Bibhuti Mishra:
 Shri Subodh Hansda:
 Shri S. C. Samanta:
 Shri P. C. Borooah:
 Shri Sivamurthi Swamy:
 Shri C. K. Bhattacharyya:
 Shrimati Renu Chakravarthy:
 Shri K. Pattnayak:
 Shri Sonavane:
 Shri P. N. Kayal:
 Shri Siddiah:
 Maharajkumar Vijaya Ananda:
 Shri Ram Ratan Gupta:
 Shri A. K. Gopalan:
 Shri Imblichibava:
 Shri Shree Narayan Das:
 Shri Nambiar:
 Shri Ram Sewak Yadav:
 Dr. L. M. Singhvi:
 Shri D. C. Sharma:
 Shri A. N. Vidyalankar:
 Shri Umanath:

*87.

Will the Minister of Railways be pleased to state:

(a) the number of railway accidents that took place between 23rd June and 5th August, 1962, both dates inclusive;

(b) the circumstances under which each accident occurred; and

(c) the casualties involved in each, separately?

The Deputy Minister in the Ministry of Railways (Shri Shah Nawaz Khan): (a) The number of railway accidents that took place between 23rd June and 31st July (upto which information is available) both dates inclusive is 181.

(b) Out of 181 cases, 98 are still under investigation and in the remaining 83 cases, the causes were as under:—

Failure of Railway Staff 53

Failure of other than Railway staff 6

| | |
|---------------------------------|----|
| Failure of Mechanical Equipment | 18 |
| Failure of Track | 7 |
| Accidental | 7 |

(c) A detailed statement regarding accidents involving casualties is laid on the Table. [See Appendix I, annexure No. 14].

I might add that this figure of 181 includes all types of accidents even minor derailments in loco yards and sheds, trains running over cattle and all that.

Shri Hari Vishnu Kamath: In those cases where investigation has been completed and a report has been submitted to the Government, what action has been taken by the Government in each case against those responsible for the accident?

Shri Shahnawaz Khan: Action is taken to find out the causes of each accident and if it is due to the mistake or fault of any Railway employee, stringent action is taken against him.

Mr. Speaker: The information wanted is whether in cases in which the inquiry has been completed and the conclusions have been arrived at there is any case where action has been taken against the delinquent officer.

Shri Shahnawaz Khan: There is a large number of cases. Action is taken invariably on every accident.

Shrimati Renu Chakravarty: What will be the actual number of those cases in which action has been taken?

Mr. Speaker: Would it be possible for the hon. Minister to lay a statement afterwards on that particular question?

The Minister of Railways (Shri Swaran Singh): I will lay a statement in two days' time. I might add that this question relates to a recent period, that is, the period after the 23rd June and it takes some time before the inquiry is completed. In many of these cases which are listed in the statement even the inquiry has

not been completed. But I am collecting that information and I will be able to lay a statement on the Table of the House in about two days' time.

Shri Hari Vishnu Kamath: On a point of order, Sir. There is an apparent contradiction in the statement made by the hon. Deputy Minister and the statement made now by the hon. Minister himself. The hon. Deputy Minister, if I heard him aright, said that there are some cases in which it has been completed and the hon. Minister says that the inquiry has not been concluded. I do not understand this.

Mr. Speaker: There is no contradiction. He has said that in 98 cases the investigation is still pending. In others it must have been completed. But they might be only minor cases where derailment has taken place in the yard etc.

Shri Hari Vishnu Kamath: Who is responsible? Nobody?

Mr. Speaker: I do not say that. About that he has said that he will lay a statement in two days' time.

Shri Bhagwat Jha Azad: In such cases where it has been proved beyond doubt that such accidents were due to wilful negligence and gross inefficiency of the staff, what action has been taken by the Government by now?

Mr. Speaker: That has still not been found and a statement will be laid later on.

Shri Nambiar: From the statement placed on the Table we find that several accidents of the same type of collision, that is, one set of rolling stock waiting on one line and engines dashing against the stationary wagons on the same line, have taken place. Have Government taken steps to see that interlocking and signalling arrangements are properly improved to avoid such collisions?

Shri Shahnawaz Khan: The improvement of the signalling standards is a continuing process and is being done on a programmed basis.

श्री भक्त दर्शन : श्रीमान्, पिछले तीन महीनों के अन्दर इस देश में जो रेल दुर्घटनायें हुई हैं उनके कारण आम जनता में बड़ा आतंक और आशंका फैल गयी है। मैं जानना चाहता हूँ कि क्या रेलवे मंत्रालय ने उन विशेष कारणों का पता लगाने का प्रयत्न किया है जिनकी वजह से पहले के बनिस्वत ज्यादा दुर्घटनायें हो रही हैं?

श्री शहनवाज खां : जैसा मैंने पहले प्रश्न किया है, हर एक एक्सीडेंट के बाद एक बाकायदा इन्वारी होती है जो जो सिफारिशें उस एनकावारी रिपोर्ट में की जाती हैं उनको पूरा किया जाता है। अगर किसी रेलवे कमंचारी की गफनत से ये एक्सीडेंट होते हैं तो उसके बिलाक कड़ी कार्रवाई होती है।

Shrimati Renu Chakravarty: May I know if this statement which the hon. Minister is going to lay on the Table in two days' time will also include information as to how many are workers and how many are officers and whether the entire question of responsibility of that particular department is taken up even up to the officers level?

Shri Swaran Singh: I will try to collect that information and will place on the Table whatever information is available. I will indicate the types of officials against whom action has been taken. From that hon. Members can judge whether we have taken action only against what the hon. lady Member is suggesting, namely, the lower rungs of the staff or against the higher ones also.

श्री रामसेवक यादव : मैं माननीय मंत्री महोदय से जानना चाहूँगा कि अब तक की जो नवारी हुई हैं इन दुर्घटनाओं के सम्बन्ध में, उनमें कुछ बड़े प्रधिकारियों

को भी जिम्मेदार पाया गया है और क्या उनके बिलाक भी कार्रवाई हो रही है?

श्री स्वर्ण सिंह : यह बड़ा जनरल सबाल है। मैं बाकायदा हासिल किये वगैर इस बारे में कुछ नहीं कह सकता।

श्री प्रकाशवीर शास्त्री : कल डिप्टी मिनिस्टर साहब ने राज्य सभा में इसी प्रकार का एक वक्तव्य दिया था। उसमें बताया था कि पहले छ: महीनों में जो ट्रेन्स की दुर्घटनायें हुई और जी अब बाद के ६ महीनों में हुई हैं, उनमें कुछ कमी हुई है। मैं जानना चाहता हूँ कि पिछले ६ महीनों में जो एक्सीडेंट हुये उनमें मेजर एक्सीडेंट कितने थे श्रीर बाद के ६ महीनों में जो एक्सीडेंट हुये उनमें मेजर एक्सीडेंट कितने थे?

श्री शहनवाज खां : यह सबाल राज्य सभा में किया गया था।

आध्यक्ष महोदय : वह जानना चाहते हैं कि पहले ६ महीनों में मेजर एक्सीडेंट ज्यादा थे या बाद के ६ महीनों में मेजर एक्सीडेंट ज्यादा थे?

श्री शहनवाज खां : एरजेक्ट फिलर तो मुझे इस वक्त याद नहीं है, लेकिन जहां तक मुझे याद है सन् १९६१ के आखिरी ६ महीनों में जो एक्सीडेंट हुये, उनके बनिस्वत इस साल के ६ महीनों में एक्सीडेंट कुछ कम हुये हैं।

Shri Sivamurthi Swamy: May I know whether the inquiry into the recent Hubli accident has been completed? If so, what are the findings?

Shri Shahnawaz Khan: The inquiry has been completed. The finding of the Assistant Commissioner of Railways (Safety) is that it was due to sabotage.

श्री रघुनाथ सिंह : आपने कहा है कि इस साल के ६ महीनों में इससे पहले के ६ महीनों से एक्सीडेंट कम हुये हैं। मैं जानना

चाहता हूँ कि हताहतों की तादाद इस साल के ६ महीनों के एक्सीडेंट्स में ज्यादा थी या इससे पहले के ६ महीनों के एक्सीडेंटों में ।

श्री शाहनवाज खाँ : इस साल के ६ महीनों में जो एक्सीडेंट्स हुये हैं उनमें सन् १९६१ के आखिरी ६ महीनों के एक्सीडेंट के मुकाबिले में ज्यादा सौते हुई हैं ।

श्री त्यागी : मैं यह दरयापत करना चाहता था कि इन एक्सीडेंट्स के बाद गवर्नरमेंट ने या रेलवे मिनिस्ट्री ने अपनी कोई खास पालिसी बनायी है जिससे आइन्दा इनको रोकने का इन्तजाम किया जा सके, और अगर बनायी है तो क्या क्या प्रिकाशनरी स्टेप लिये गये हैं ?

श्री शाहनवाज खाँ : जैसा मैंने पहले कहा जो एक्सीडट होता है उसके बाद एन-क्वयरी की जाती है कि किन कारणों से वह एक्सीडेंट हुआ और जो उसकी यजूहत होती है उनको दूर करने की कोशिश की जाती है । जितने रेलवे के एक्सीडेंट हुये हैं उनमें से ६५ फीसदी केल्योर आफ एनीमेंट या फॉल्योर आफ इक्विपमेंट की वजह से हुये हैं जहाँ रेलवे कर्मचारियों की गफलत से एक्सीडेंट होते हैं वहाँ हम यह देखने की कोशिश करते हैं कि उनकी ट्रिनिंग में तो कोई कमी नहीं है । और एक रेलवे सेपटी आरगनाइजेशन है जो हर स्टेशन पर जा कर देखता है कि स्टेशन रूल्स ठीक हैं और इक्विपमेंट के बारे में फैसलियों में जहाँ वह बनता है जाकर देखता है कि ठीक मैटीरियल इस्तेमाल होता है या नहीं । जो भी भुमिका कोशिश है वह की जा रही है ।

श्री त्यागी : यह तो पहले से ही हो रहा है ।

श्री शाहनवाज खाँ : और जैसा कि हारस को पता है, श्री हृदय नाथ कुंजरू की अध्यक्षता में एक कमटी कायम की गयी

है । वह जो मिफारियों करेंगी उनको भी माना जायगा ।

Shri P. K. Deo: From the statement, we find that most of these major accidents are taking place in the eastern part of the country, either on the Eastern Railway or North-Eastern Railway or the South-Eastern Railway. May I know if any steps are being taken by Government to ensure that travelling in that part of the country becomes safer?

Mr. Speaker: And it will become worse in the other parts? Wherever accidents take place, precautions have to be taken, whether it is in the east, west, north or south.

Shri Hari Vishnu Kamath: Or centre.

Dr. L. M. Singhvi: What are the nature and details of the sabotage which caused the accident at Dumraon?

Some Hon. Members: Hubli.

Dr. L. C. Singhvi: Yes, Hubli.

Mr. Speaker: It is under investigation. Shri S. M. Banerjee.

An Hon. Member: No, Sir, it is completed.

Shri S. M. Banerjee: May I know whether apart from the railway authorities, some other expert opinion is being sought for ascertaining the reasons leading to these serious accidents?

Shri Swaran Singh: I do not know what other expert opinion would be there. Expert opinion must be of people who are concerned with the running of the railways, who know something of the railways. I do not think non-railway people can give expert opinion on a highly technical and complicated matter like this, where apart from theoretical considerations actual and living problems of transportation at a very high pitch are involved.

Shri Priya Gupta: On a point of order, Sir. If what the hon. Minister has said is right, how can the Railway Minister and the Deputy Minister come from non-technical people and not from railwaymen themselves?

Maharajkumar Vijaya Ananda: Will the Government consider sending a pilot before mail trains to avoid accidents or at least minimise them?

Shri Swaran Singh: I do not think it will be necessary to have this duplicate running of some pilot train, and we should concentrate on eliminating the causes by improving our operation and arousing safety-consciousness. It will, I think, be a great wastage if we were to run pilots to ensure safety.

श्री प्रिय गुप्ता : आनंद प्लाइंट आफ आंडर, सर। मैं यह पूछना चाहता हूँ कि क्या वह सच है कि जब भी एक्सीडेंट्स के बारे में मैकनिकल, सिग्नल, ट्रांसपोर्टेशन, लोको या इंजीनियरिंग के अफसरान इनकावायरी करते हैं तो आपस के एक दूसरे के दोष को ढक कर कोई दूसरा ही कारण दिखाने की कोशिश करते हैं और उस के हिसाब से अपनी फाइडिंग देते हैं ?

क्या यहबात भी सच नहीं है कि एड-मिनिस्ट्रेटिव भाफिसर द्वारा स्टेशन वर्किंग रूल्स के लिलाफ भी नीचे तबके के एम्प्लाईज को काम करने के लिय मजबूर करने की वजह से भी एक्सीडेंट्स होते हैं ? माल सप्लाई न होने की वजह से और अन्नरिपेयड लोको कार्चेज, पटरी और स्लीपर्स जो कि ड्यू फार रिपेयर्स एंड ओवरहॉलिंग हैं और जिनके स्तेमाल करने में एक्सीडेंट्स हो जाने का स्वतरा रहता है उनको क्यों ऐलाऊ किया जाता है ? लुद रेलवे मिनिस्टर साहब ने भी कहा है कि रेलवे के बहुत से स्लीपर्स और पटरियां खराब हैं और उनके कारण एक्सीडेंट्स हो सकते हैं तो मैं जानना चाहता हूँ कि इन लेसेज के लिये एडमिनिस्ट्रेटिव अफसरान के ऊपर क्या कार्यवाही की गई है ?

प्रध्यक्ष महोदय : इसका जवाब देने की अफूरत नहीं है। यह तो लेक्चर है।

श्री प्रिय गुप्ता : प्रध्यक्ष महोदय जी नहीं

12 hrs.

प्रध्यक्ष महोदय : आंडर, आंडर।

Contaminated Flour from U.S.A.

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| S.N.Q. No. 1. | Shri Mohan Swarup: Shri Hem Barua: Dr. L. M. Singhvi: Shri Yashpal Singh: Shri P. C. Borooh: Shri S. M. Banerjee: Shri A. N. Vidyalankar: |
|---------------|--|

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

(a) whether it is a fact that a consignment of flour was sent by philanthropic societies in the U.S.A. to their representatives in this country:

(b) if so, the quantities thereof and the names of the societies, which donated the flour;

(c) whether it is a fact the consignment of flour has been contaminated;

(d) whether any inquiry has been initiated to find out the source and place of contamination;

(e) whether it is a fact that over 600 people in two districts in West Bengal and another in Assam were recently struck by paralysis after eating chapatis made from imported flour;

(f) whether it is also a fact that 180 boys of Chotapu Khuri Mission School in Assam, who ate chapatis made in the school kitchen out of a consignment of all purpose flour donated by the people of U.S.A., suffered from partial paralysis of the limb; and

(g) if so, the details thereof and the action taken by the Government pertaining thereto?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): Sir, the answer comes to about four typed pages.

Shrimati Renu Chakravarty: He may read it. We have got so many questions.

Mr. Speaker: Has the statement been laid on the Table of the House?

Shri A. M. Thomas: With your permission, I can lay it on the Table of the House.

Shrimati Renu Chakravarty: Unless he reads it, how can we put questions?

Mr. Speaker: I cannot allow—and the Members would agree with me—the Minister to read a four-page statement. The Members would also like to know what it contains in order to be able to put questions. I would suggest then that the statement of four pages might be laid on the Table of the House, and tomorrow I will give opportunities to Members to put questions.

Shri A. M. Thomas: Sir, I lay the answer on the Table. [See Appendix I, annexure No. 15].

श्री बागड़ी : आन ए प्वाइंट आफ आर्डर सर

अध्यक्ष महोदय : इम वक्त प्वाइंट आफ आर्डर नहीं हो सकता ।

श्री बागड़ी : स्पीकर साहब, मेरी बात मुन लीजिये, मेरी अर्ज मुन लीजिये । अर्ज यह है कि मैंने खाद्य पदार्थों की मिलावट के बारे में कालिंग एंटेंशन नीटिस और शाट नोटिस क्वेश्चन दिया था जो कि यह दिल्ली में सोडा वाटर की बोतल में छिपकली और मक्खियां और डबल रोटी में जंग लगी मुई मिलती है उन के सम्बन्ध में था ।

यह इसलिये नामन्त्रूर कर दिये गये कि आज की लिस्ट आफ क्वेश्चंस में ७४ और ८८ नम्बर के सवाल इसी बारे में थे लेकिन

वह सवाल आये नहीं और क्वेश्चन टाइप खत्म हो गया । अब शाट नोटिस क्वेश्चन देने का मतलब ही यह होता है कि वह महत्वपूर्ण है और वह अवश्य सदन में आये । यह खाद्य पदार्थों में मिलावट का प्रश्न बहुत अहम और महत्वपूर्ण है और इस पर बहस करने के लिये दिन जल्द रख देना चाहिये । चूंकि यह देश की जनता के स्वास्थ्य से सम्बन्ध रखता है और यह बहुत अहम सवाल है इसलिये इसके ऊपर अलाहदा से दो, छंटे या तीन घंटे का समय बहस करने के बास्ते रखकर जाये ताकि सभी लोग इस पर अपने विचार प्रकट कर सकें और किसी न तीजे पर पहुंच जा सके ।

अध्यक्ष महोदय : जो मेम्बर इस पर अलाहदा से बहस चाहते हैं उनको इसके बास्ते नोटिस देने का अधिकार है । जब वह नोटिस देंगे तभी उस पर फैसला होगा । इस तरह महज जबानी कहने से कोई जबकत मुकर्रर नहीं किया जा सकता है और न ही बहस हो सकती है ।

दूसरा सवाल मेरे और माननीय सदस्य के दरमियान यह हमेशा तनाजा रहता है कि स्पीकर मेरे उनको इजाजत दूं तब वह बोले या जब वह खड़े हों जायें तो मैं बैठ जाऊं और मुझे उनको जल्द बोलने की इजाजत देनी चाहिये । इस बात का निर्णय पहले हो जाना चाहिये क्यों कि कोई प्रोसीज्योर तय करके ही काम हो सकता है वैसे हाउस में कोई काम नहीं हो सकता है । मैं तो यह समझता हूं और मेम्बर साहबको भी यह समझ लेने की ज़रूरत है कि जब स्पीकर मातृत्व बोलने की इजाजत दें तभी वह बोलना शुरू करें और ऐसा न करें कि मैं तो उन्हें बंद करता हूं और वह बोलना शुरू कर देते हैं आर मुझे बैठ जाना पड़ता है । मैं यह चीज़ किननी दफे बदाशित करूँ ? मैं माननीय सदस्य से यह बिन्दू करना चाहूँगा कि इस बात के लिये पहले फैसला होना चाहिये कि जिस मेम्बर साहब को स्पीकर इजाजत देंगे वही बोलेंगे

और जब तक उसे बोलने की इजाजत नहीं मिलती है तब तक उसे बोलना नहीं चाहिये । मेरा ख्याल है कि आज से आगे ऐसा ही होगा ।

श्री रामसेवक यादव : अध्यक्ष महोदय, मेरा इस बारे में निवेदन यह है कि जब माननीय सदस्य ने प्वाइंट आफ आर्डर उठाया और आप बैठ गये तो उन्होंने यही समझा कि आप शायद उनको बोलने की इजाजत दे रहे हैं और उम्मि उन्होंने अपनी बात कही ।

अध्यक्ष महोदय : उन्होंने जो समझा वह आपने हिसाब से उन्होंने ठीक ही समझा ।

श्री बागड़ी : स्पीकर साहब, चूंकि मेरे से यह बात सम्बन्ध रखती है इस लिये मैं इसे साफ कर दू़....

अध्यक्ष महोदय : वर्गेर मेरी इजाजत के आप नहीं कर सकते ।

WRITTEN ANSWERS TO QUESTIONS

D.V.C. Navigational Canal

Shri Daji:

Shri P. K. Deo:

Shri Narendra Singh Mahida:

Shri P. C. Borooh:

Shrimati Renu Chakravarty:

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

(a) whether it is a fact that the Damodar Valley Corporation has not yet repaired the canal damaged in 1958-59;

(b) if so, the reasons therefor; and

(c) whether it is also a fact that the non-repairs have left the canal un-navigable and coal supplies to Bengal are held up?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) No; Sir.

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

खाद्य उत्पादन

श्री म० ला० द्विवेदी :

श्री स० च० सामन्त :

श्री सुबोध चेत्तदा :

श्री विश्वनाथ राय :

श्री प्र० र० चक्रवर्ती :

श्री यशपाल सिंह :

श्रीमती रेणुका राय :

*५८.

श्री राम रत्न गुप्त :

डा० क० ल० राय :

श्री इन्द्रजीत लाल मल्होत्रा :

श्री हेम राज :

श्री दाजी :

श्री श्याम लाल सराफ़ :

श्री म० क० कुमारन :

श्रीमती ज्योत्सना चंदा :

श्री मुहम्मद ताहिर :

क्या खाद्य तथा धूषिं मंत्री यह बताने की कृपा करेंगे कि :

(क) इस वर्ष खाद्य उत्पादन मांग की तुलना में कितना कम है;

(ख) कितने अनाज यानी गेहूं आदि का विशेषतः १६६२-६३ में आयात किया जायेगा ;

(ग) क्या इस वर्ष भारत को अमरीका से उसकी कुल आवश्यकता का गेहूं प्राप्त नहीं हो रहा है और इसके कारण हैं ;

(घ) आस्ट्रेलिया सरकार से पाक लाख टन गेहूं खरीदने के, जिसके सम्बन्ध में जुलाई के प्रथम सप्ताह में समझौता हुआ था, क्या कारण हैं और भारत को इससे क्या लाभ होगा ; और

(ङ) अमरीकी गेहूं भर आस्ट्रेलिया के गेहूं के मूल्यों और किस्म में क्या अन्तर है और भारत में ये क्या क्या भाव पर बिकेंगे ?

(ख) खाद्य तथा कृषि मंत्रालय में उप मंत्री (श्री भ० म० यामस) : (क). १६६१-६२ के सभी खाद्यान्नों के उत्पादन के अंतिम अनुमान अभी तक प्राप्त नहीं हुये हैं। खाद्यान्नों की मांग का ठीक ठीक अनुमान लगाना भी कठिन है, क्यों कि यह मांग कई बातों पर निर्भर करती है जिनमें से अधिकांश का ठीक ठीक अनुमान भी नहीं लगाया जा सकता है। अनुमान है कि १६६२ में सरकारी भण्डार में से लगभग ३५ लाख मीट्रिक टन खाद्यान्न का वितरण किया जायेगा। मांग की अपेक्षा उत्पादन में लगभग इतनी ही कमी लमझी जा सकती है।

(ख) भविष्य में होने वाले आयात का कार्यक्रम बताना जन हित में नहीं होगा।

(ग) भारत सरकार को संयुक्त राज्य अमेरिका से अपेक्षित गेहूं की मात्रा प्राप्त हो रही है और इसमें कोई कठिनाई नहीं है।

(घ) संयुक्त राज्य अमेरिका सरकार के साथ जो मई, १६६० का पी०एल० ४८० करार हुआ था उसके अन्तर्भूत हो रहे आयात के अलावा भारत सरकार के लिये ४ लाख मीट्रिक टन गेहूं आयात करता जरूरी है। आस्ट्रेलिया से गेहूं की यह खरीदारी साधारण बाजारों की आवश्यकता के अनुसार हो रही है।

(ङ) आस्ट्रेलिया और संयुक्त राज्य अमेरिका से जिस भाव पर गेहूं का आयात किया जा रहा है, उसका बताना जन हित में नहीं होगा। आस्ट्रेलिया का गेहूं सफेद किस्म का है जो कि न्यनाधिक संयुक्त राज्य अमेरिका के पश्चिमी सफेद गेहूं से मिलता जुलता है। भारत में आस्ट्रेलिया और अमरीकी गेहूं का विक्री भाव बोरी का मूल्य सहित रु० ३०.५१ प्रति किलो है।

National Millers' Laboratory

*५९. { Shri Basumatari:
Shri Bishanchander Seth:
Shri Rameshwar Tantia:
Shri Bhagwat Jha Azad:
Shri Yallamanda Reddy:

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

(a) whether it is a fact that there is a proposal to set up a National Millers' Laboratory in Delhi to test the quality of wheat products;

(b) if so, to what extent it is likely to help in improving the quality of wheat;

(c) what will be the approximate cost of such a laboratory;

(d) whether it is not possible to create a competition among farmers for quantitative and qualitative increase of wheat per acre of land by announcing rewards by way of inducements; and

(e) if not, the reasons therefor?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) No, Sir.

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

(d) and (e). The State Governments are already awarding suitable prizes in crop competitions among individual farmers for promoting the spirit of healthy competitions among them to raise the yield per acre. Competitions are also held at District and State levels for community awards.

Wagons for movement of coal from Bengal-Bihar Area

*६०. { Shri Rameshwar Tantia:
Shri S. M. Banerjee:
Shri Bishanchander Seth:
Shri P. R. Chakraverti:
Shri P. C. Borooh:
Shri Bhagwat Jha Azad:
Shri Bhakt Darshan:
Shri Raghunath Singh:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the railways are proposing to provide additional 120 wagons a day in the Bengal-Bihar area to move the additional quantity of coal from the coal belts to consumers; and

(b) if so, when it is likely to be implemented?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan):
(a) Yes.

(b) As against the earlier target of 3846 wagons per day for loading of coal in Bengal Bihar Coal-fields to other consumers, the loading has been stepped up to 3725 wagons per day during the first two periods of July, 1962. It is expected that the increase of 120 wagons will be reached shortly.

Sone Barrage Project

*61. { Dr. P. N. Khan:
Shri Subodh Hansda;
Shri S. C. Samanta;
Shri M. L. Dwivedi:

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

(a) whether it is a fact that a two-man delegation went to Washington to negotiate a loan agreement with the World Bank and the International Development Association for the Sone Barrage Project in Bihar; and

(b) if so, the result of the negotiations?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) Yes, Sir.

(b) The loan agreement for fifteen million dollars was signed on the 29th of June, 1962.

कोसी परियोजना से बिजली

*62. श्री योगेन्द्र ज्ञा : क्या सिंचाई प्रोजेक्ट मंत्री : यह बनाने की कृपा करेंगे कि :

(क) कोसी योजना से बनने वाली बिजली कब से उपलब्ध होगी ;

(ख) क्या सरकार ने उस बिजली के पूर्ण उपयोग की समावना पर विचार किया है; और

(ग) यदि हां, तो क्या इस बिजली से द्वितीय उपयोग के विस्तार की कोई योजना बनाई गई है, यदि हां, तो योजना का व्योरा क्या है ?

सिंचाई और बिजली मंत्रालय वे राज्य मंत्री (श्री अमनेश्वर) : (क) कोसी परियोजना से १९६५-६६ के दौरान किसी समय बिजली मिलने की सम्भावना है।

(ख) जी, हां।

(ग) जी, नहीं।

P. & T. Selection Board

{ Shri S. C. Samanta;
Shri Subodh Hansda;
Shri B. K. Das;
Shri M. L. Dwivedi:

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

(a) whether any progress has been made to extend the function of the P. & T. Selection Board to all circles for recruitment of all categories of staff;

(b) if so, the nature of progress made; and

(c) whether any recruitment has been made till now in any circle?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) and (b). The matter is still under consideration and it will take some time to reach a final decision.

(c) A competitive examination for recruitment to the Clerical cadres was held all over India on the 1st July, 1962. So far as the other cadres like Telephone Operators, Tele-Typists etc., are concerned, recruitment according to the existing recruitment rules continues.

Hotel accommodation and seats in I.A.C. Planes for Foreign Tourists

*64. { Shri Surendra Pal Singh:
Shri P. R. Chakraverti:

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

(a) whether, as stated by a U.S. travel agent, as many as five hundred potential tourists to India never visit Delhi because they are either refused hotel accommodation or seats on I.A.C. planes; and

(b) if so, what steps Government propose to take to ensure seats on I.A.C. planes and hotel accommodation to all such tourists?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) The Government are not aware of any such statement made by a U.S. travel agent. It is, however, true that the I.A.C. and the hotel accommodation in Delhi have sometimes not been able to meet the demands of tourists, particularly of large groups.

(b) Proposals for augmenting the I.A.C. fleet of aircrafts are under the active consideration of Government. Meanwhile, to enable tourists to make advance reservations, the I.A.C. have set up a Central Reservation system.

All reasonable incentives by way of loans, income tax rebates and import permits are being given to encourage the construction of new hotels.

Dams on Ravi and Jamuna

Shri Shree Narayan Das:

*65. { Shri Rameshwaranand:
Shri Hem Raj:
Shri P. C. Borooh:

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

(a) whether the Government of Punjab have submitted a multipurpose scheme for building dams on the Ravi

and Jamuna rivers for the consideration of Central Government;

(b) if so, whether the same has been considered by the Centre; and

(c) if not, the stage of consideration?

The Minister of State in the Ministry of Irrigation and Power (Shri Alageean): (a) to (c). (i) A scheme for the construction of a dam on the river Ravi (Thein Dam) was submitted by the Punjab Government but before its examination could be carried out by Central Water and Power Commission the State Government have informed that the scheme was being modified and enlarged. Project report for the revised scheme is awaited.

(ii) No scheme for the construction of a dam on river Jamuna has been received from the Government of Punjab.

'Credit Card' Facilities on Telephone Calls

*66. { Shri Bhagwat Jha Asad:
Shri Bhakt Darshan:

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

(a) whether the proposal of 'credit card' facility on telephone Calls between India and U.K. has been postponed;

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) No; the facility has been introduced with effect from the 1st July, 1962.

(b) Does not arise.

Land Acquisition

*67. Shri Morarka: Will the Minister of Food and Agriculture be pleased to state:

(a) whether in view of the Supreme Court judgment, Government propose

to bring legislation to regularise the land acquisition proceedings;

(b) whether it would involve amendment of the Constitution; and

(c) by what time such legislation would be introduced?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) The President has already promulgated on Ordinance e.g., the Land Acquisition (Amendment) Ordinance, 1962 on the 20th July, 1962 to regularise the land acquisition proceedings.

(b) No, Sir.

(c) In the current session of Parliament.

Colorisation of Vanaspati

*68. { Shri D. C. Sharma:
Shri Prakash Vir Shastri:
Shri Sadhu Ram:
Shri Bagri:
Shri Mohan Swarup:

Will the Minister of Food and Agriculture be pleased to state the upto-date progress made so far in the matter of colorisation of Vanaspati?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): The Committee of Expert appointed in this connection is concentrating attention on two colours—alcoholic extract of turmeric and ratanjot root dye. Research on these colours particularly in regard to toxicity of ratanjot root dye is in progress.

डाक तथा तार कर्मचारियों के बच्चों को छात्रवृत्तियां

*६६. श्री भगवत दर्शन :
श्री भगवत शा आकाद :

क्या परिवहन तथा संचार मंत्री ३० मई, १९६२ क तारांकित प्रश्न संख्या ११६३

उत्तर के सम्बन्धमें यह बताने का कृपा करेंगे कि डाक-तार विभाग के कर्मचारियों के बच्चों को शिक्षा सम्बन्धी छात्रवृत्तियां देने की जिस योजना पर विचार किया जा रहा था उस के बारे में क्या निश्चय किया गया है और उस स्वीकृत योजना की मोटी रूप रेखा क्या है ?

परिवहन तथा संचार मंत्रालय में उत्तर मंत्री (श्री भगवती) : चालू वित्तीय वर्ष से तकनीकी शिक्षा तें लिये प्रतिवर्ष २०० नई छात्रवृत्तियां प्रदान करने का निश्चय किया गया है ।

ये छात्रवृत्तियां उन डाक-तार कर्मचारियों के बच्चों, आर्थित भाइयों और आर्थित बहिनों को दी जायेंगी, जिन का मूल बेतन प्रतिमास ४२५ रुपये से कम है । छात्रवृत्तियां विद्यायियों की योग्यता के आधार पर दी जायेंगी । कुछ छात्रवृत्तियां प्रतिवर्ष आरक्षित रहेंगी, जिन का ब्योरा इस प्रकार है —

चौथी श्रेणी के कर्मचारियों के बच्चों के लिये ५ प्रतिशत या १० छात्रवृत्तियां,

अनुमूलित जातियों के कर्मचारियों के बच्चों के लिये १२ प्रतिशत या २४ छात्रवृत्तियां, और

अनुमूलित आदिम जातियों के बच्चों के लिये ५ प्रतिशत या १० छात्रवृत्तियां ।

वशतें कि उपयुक्त उम्मीदवारों के न होने के कारण यदि आरक्षित कोटा की छात्रवृत्तियां शेष बची रहेंगी, तो उन शेष छात्रवृत्तियों को 'सामान्य' छात्रवृत्तियां समझा जायेगा ।

सामान्य रूप में एक छात्रवृत्ति १५ से ५० रुपये तक की होगी । जिन उम्मीदवारों को विशेष रूप से योग्य समझा जायेगा, उद की छात्रवृत्ति प्रतिमास ७० :० तक बढ़ाई जा सकती है । एक बार मंजूर की गई छात्रवृत्ति पाठ्यक्रम से पूरा होने तक दी जाती

रहेगी। उन्हें केवल तभी समाप्त किया जायेगा जब कि कोई विद्यार्थी किसी मध्यवर्ती परीक्षा में एक बार से अधिक अनुत्तीर्ण रहेगा अथवा सम्बन्धित डाक तार कमचारी ने इस्तीफा दे दिया हो। या उसे अनुशासनिक कार्यवाही के फलस्वरूप बर्खास्त कर दिया गया हो अथवा नौकरी से हटा दिया गया हो।

Foreign Exchange for Beas Dam at Pong

*70. { Shri Daljit Singh:
 \ Shri Raghunath Singh:

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

(a) whether Punjab Government have asked the Central Government to release foreign exchange for import of machinery for the construction of Pong Dam; and

(b) if so, the decision taken thereon?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) Yes, Sir.

(b) The matter is under consideration.

Orissa P. & T. Circle

*71. Shri Surendranath Dwivedy: Will the Minister of Transport and Communications be pleased to state:

(a) whether there has been any reorganisation of the Orissa Posts and Telegraphs Circle in recent months and whether any new areas which belong to the State of Orissa have been added to the circle;

(b) whether any representations have been received by the Ministry in regard to this reorganisation; and

(c) the action taken or proposed to be taken on the representations?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) It has been decided to transfer those areas in Orissa

at present under the control of the neighbouring P. & T. Circles, to the control of the Orissa P. & T. Circle. Reorganisation will be made simultaneously.

(b) Yes.

(c) Already answered in reply to item (a) above.

Foreign matter in Injection Bottles

{ Shri Kappen:
 \ Shri Nambiar:
 \ Shri Venkatasubbaiah:
 \ Shri Mohsin:
 \ Shri Hari Vishnu Kamath:
 \ Shri Hem Barua:
 \ Shri Mohan Swarup:
*72. { Shri P. K. Deo:
 \ Shri M. K. Kumaran:
 \ Shri Eswara Reddy:
 \ Shri Bagri:
 \ Shri P. R. Patel:
 \ Shri D. J. Naik:
 \ Shri Chhotubhai Patel:
 \ Shri Ravindra Verma:

Will the Minister of Health be pleased to state:

(a) whether Government have taken note of the fact that dust and other foreign matter is usually found in medicines supplied to hospitals for purposes of injection; and

(b) if so, what steps Government propose to take to remedy this defect?

The Minister of Health (Dr. Sushila Nayar): (a) It is not a fact that dust and other foreign matter is usually found in medicines supplied to hospitals for purposes of injection.

(b) Does not arise.

Effect of Travel Restriction on Air India Revenue

{ Shri Mohan Swarup:
*73. { Shri P. C. Borooah:
 \ Shri P. K. Deo:

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

(a) the effect on the Air India of the recent directive of the Reserve Bank of India not to book assages abroad by air or sea for persons resident of India unless they have been granted exchange for the journey;

(b) whether the revenue of the Air India has been affected; and

(c) if so, to what extent as compared with pre-restriction period?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohammad): (a) and (b). The Reserve Bank of India's latest restrictions on travel abroad have affected Air-India's passenger loads from India. It is too early, however, to assess the extent of loss that Air-India will suffer as a result of these restrictions.

(c) Air-India have reported that the uplift ex-Bombay showed a decline of approximately 15/20 per cent. during the first fortnight of July, 1962.

स्वास्थ्य अपमित्र

श्री कक्षवाय :

श्री बड़े :

श्री नवनिधार :

महाराजकुमार विजय आनंद :

श्री दी० च० शर्मा :

श्री यशपाल सिंह :

श्री राम रत्न गुप्त :

श्री रा० स० तिवारी :

श्रीमती रेणु चक्रवर्ती :

श्री अ० ना० विद्यालंकार :

श्री रामेश्वर टांटिया :

श्री मोहसिन :

श्री प्रकाशवीर शास्त्री :

श्री ईश्वर रेहुँदी :

श्री बागड़ी :

श्री पु० र० पटेल :

श्री दे० जी० नायक :

श्री छोटूभाई पटेल :

*४४.

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान देश में स्वाद्य अपमित्रण के बारे में समाचारपत्रों में प्रकाशित हाल के समाचारों की ओर दिलाया गया है कि दिल्ली में बीघर की बोतलों तथा सोडावाटर बोतलों में छिपकली पाई गई, बर्फ की सिल्ली में चूहा पाया गया और द्वारा रोटियों में बाल तथा सींगुर पाये गये;

(ख) यदि हां, तो उस का क्या ध्योग है; और

(ग) सरकार ने इस सम्बन्ध में क्या कार्यवाही की है।

स्वास्थ्य मंत्री (शा० मुकुला नाथर) :

(क) और (ख) और (ग). देश में हल्दी तथा अन्य मसालों में अपमित्रण और दिल्ली में सोडा वाटर की एक बोतल में छिपकली, बर्फ की एक सिल्ली में चूहा और बीघर की एक बोतल में सींगुर से सम्बन्धित कतिपय हाल ही की घटनाओं के बारे में छपी प्रेस रिपोर्टें सरकार ने देखी हैं।

दिल्ली में सीसा-योगिकों से अपमित्रण हल्दी का कोई नमूना नहीं पाया गया। किन्तु सीसे की अत्याधिक मात्रा में मिलावट की भई हल्दी के नमूने पश्चिम बंगल में प्रायः पाए गये हैं। स्वास्थ्य व्यवस्था के महानिदेशालय ने समय-समय पर समस्त प्रशासकीय मैट्डिकल अफसरों को अनुदेश दिये हैं, जिन में हल्दी को सीसे से रंगने की प्रणाली को रोकन के लिये आवश्यक कदम उठाने की आवश्यकता पर बत दिया गया है।

दिल्ली नगर निगम ने बतलाया है कि म्यूनिसिपल अधिकारियों ने तुरन्त बर्फ की फैक्टरियों तथा सोडा वाटर फैक्टरियों का का निरीक्षण किया गया तथा अस्वास्थ्यकर स्थिति में चलने वाली फैक्टरियों के लाइसेन्स रद कर दिय गये। खाद्य वस्तुओं के उत्पादक तथा विक्रीताओं की गतिविधियों पर निगम स्वास्थ्य कर्मचारियों द्वारा कड़ी निगरानी रखी जा रही है।

Sugar Cane Price

Shri Ram Ratan Gupta:

Shri B. B. Mishra:

Mr. Nar Vilaya

*75. Mr. A. A.:

Shri Prakash Vir Shastri:

Shri A. N. Vidyalankar:

Shri Umanath:

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

(a) whether U.P. and Bihar Governments have sent recommendations for maintaining the present sugar cane price; and

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

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

(b) It has been decided to maintain the existing minimum prices of Rs. 1.62 per maund of cane for the year 1962-63 but to link it with a recovery of 9.8 per cent.

Food Poisoning Cases at Sutophukuri, Assam

Shri Swell:

Shri Hem Barua:

Shri P. K. Deo:

Shri Basumatari:

Shri Mohammad Elias:

Shri Yashpal Singh:

*7

Will the Minister of Health be pleased to state:

(a) whether it is a fact that the students of a Catholic Hostel at Sutophukuri, Darang District, Assam were seized with paralysis soon after taking their food;

(b) if so, the number of students affected and whether they have recovered from their strokes; and

(c) whether Government have identified the cause of these strokes?

The Minister of Health (Dr. Sushila Nayar): (a), (b) and (c). Yes, Sir.

An Officer of the Directorate General of Health Services has been deputed to Assam for ascertaining the actual position and making a report in the matter. Requisite information will be laid on the Table of the Sabha on receipt of his report.

In the mean time orders were passed to freeze the consignment of Atta and Maida which was considered responsible for the tragedy.

Mishap to B.O.A.C. Jet Airliner at Madras Airport

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

(a) whether on the 23rd July, 1962 a B.O.A.C. Comet on a charter flight for Air India from Djakarta to Kuwait met with a mishap at Madras airport; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) and (b). On 22nd July, 1962, a B.O.A.C. Comet aircraft, on charter to Air India, while operating a scheduled service on the route Djakarta-Singapore-Madras-Bombay, overshot the runway at Madras Airport, during the landing run. Its main wheels sank slightly into the semi-hard ground beyond the runway.

रामगंगा परियोजना

***78. श्री भ्रष्टल सिंह:** क्या सिचाई प्रोजेक्ट विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि प्रथम व द्वितीय पंचवर्षीय योजनाओं में रामगंगा बांध से मधुरा-आगरा जिलों को, मिचाई के लिये पानी संभरण करने का आयोजन किया गया था।

(ख) यदि हां, तो इस काम के पूरा होने में लकावट आने का क्या कारण था;

(ग) तृतीय पंचवर्षीय योजना में रामगंग बांध से मध्युरा और आगरा जिलों को सिचाई के लिये पानी देने का क्या प्रयत्न किया जा रहा है; और

(घ) उपरोक्त कार्यों को पूरा करने में कितना समय लगेगा?

सिचाई तथा विद्युत मंत्रालय में राज्यमंत्री (श्री अलगोशन) : (क) जी, नहीं।

(ख) प्रश्न नहीं उठता।

(ग) तृतीय पंचवर्षीय योजना में इस परियोजना से सिचाई करने की कोई योजना नहीं है। १९६६-७० से ही सिचाई आरम्भ होने की संभावना है।

(घ) रामगंग परियोजना के १९६६-६८ में पूर्ण होने की संभावना है।

Road Board

79. { Shri P. R. Chakraverti:
Shri Bhagwat Jha Azad:
Shri Bhakt Darshan:

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

(a) whether Government propose to set up a Road Board to develop the roads in the country so as to eliminate the transport bottleneck;

(b) whether Government have drawn up any scheme in the matter and if so, when it is expected to materialise;

(c) whether it has been decided that the Central Government will pay the State Governments 50 per cent. of the cost of improving feeder and approach roads for coal traffic?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). A proposal made by the Indian Roads Congress for the constitution of a Road Board is being examined. A decision in the matter is, however,

likely to take some time as it raises certain issues of policy and involves several administrative and legal problems including consultation with various authorities.

(c) Following the recommendations of the Working Group set up by the Planning Commission to consider various matters pertaining to the production and transport of coal, a Scheme for the improvement of road communications in the Bengal-Bihar region to facilitate the transport of coal from that area has been accepted by the Planning Commission. The Scheme provides, *inter alia*, for a Central subsidy equal to 50 per cent. of the cost of feeder and approach roads included in the Scheme.

Locust Invasions

Shri P. K. Deo:
Shri Narendra Singh Mahida:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri B. K. Das:
Shri M. L. Dwivedi:
Shri Shree Narayan Das:
Shri P. C. Borooah:
Shri Bhagwat Jha Azad:
*80. Dr. L. M. Singhvi:
Shri Raghunath Singh:
Shri D. N. Tiwary:
Shri Inder J. Malhotra:
Shri P. R. Patel:
Shri D. J. Naik:
Shri Chhotubhai Patel:

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

(a) whether there have been large scale locust invasions in the country lately;

(b) if so, which of the areas are affected and how much damage has been caused;

(c) what steps were taken to counteract this attack and with what results; and

(d) which other foreign countries participated in this anti-locust work?

The Minister of State in the Ministry of Food and Agriculture (Dr Ram Subhag Singh): (a) Yes, Sir.

(b) Rajasthan, Punjab, Union Territory of Delhi, Uttar Pradesh and Madhya Pradesh have been affected so far. The damage caused to crops is estimated to be Rs. 1,52,000 over an area of 10,000 acres in Uttar Pradesh. Information about other affected areas is awaited from the respective State Governments.

(c) A statement is laid on the Table. [See Appendix I, annexure No. 12].

(d) None.

परिवहन उपकरण

*८१. { श्री म० ला० द्विवेदी :
श्री स० चं० सामन्त :
श्री व० कु० दास :
श्री सुबोध हंसदा :
श्री रामेश्वर टांडिया :
श्री श्रीनारायण दास :

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

(क) क्या भारत सरकार ने राष्ट्रीय-कृत परिवहन सेवाओं की कठिनाइयों का अध्ययन करने के लिये कोई अध्ययन समिति नियुक्त की है और यदि हाँ, तो सदस्यों के नाम क्या हैं; और

(ख) क्या राज्य सरकारों ने केन्द्र से राष्ट्रीयकृत परिवहन सेवाओं को प्रोत्साहन देने की मांग की है; और यदि हाँ, तो किन राज्यों ने तथा किस प्रकार के प्रोत्साहन की मांग की गई है?

परिवहन तथा संचार मंत्रालय में नौवहन मंत्री (श्री राज बहादुर): (क) और (ख). अक्टूबर, १९६१ में आंध्र प्रदेश सरकार ने सुझाव दिया था कि आंध्र प्रदेश स्टेट ट्रांसपोर्ट कारपोरेशन (और दूसरे प्रदेशों के ऐसे कारपोरेशनों) को आय कर से छूट दे दी जाये। यह सुझाव परिवहन विकास परिषद् की अक्टूबर १९६१ की बैठक में रखा याया था। परिषद् ने सिफारिश की कि जिन सड़क परिवहन

सेवाओं का राष्ट्रीयकरण किया गया है उन की कठिनाइयों के अध्ययन के लिये एक सरकारी समिति बनाई जाये जो यह सुझाव देगी कि इन्हें कर मुक्ति के रूप में या अन्यथा प्रोत्साहन देने की आवश्यकता है। यह विषय विचाराधीन है।

Agricultural Production

*८२. { श्री बसुमतारी:
श्री भगवत् ज्ञा अज़ादः:
श्री भक्त दर्शनः:

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

(a) whether it is a fact that Central Government have under consideration the proposal that an inducement for increased production (quantitative as well as qualitative) should be provided to State Governments by linking the quantum of Central Grants to the States with performance in the field of agriculture;

(b) whether it is also a fact that there is a proposal to review agricultural production at a high level after every three months to eliminate bottlenecks and prevent shortfalls; and

(c) if so, when it is likely to be implemented?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) The Central grants to States for their agricultural programmes, each year, are governed, among other things, by the patterns of financial assistance prescribed for different schemes, the agreed outlays thereunder, and the progress of expenditure under the different sub-heads of development.

(b) and (c). The progress of major production programmes is already being reviewed at periodical intervals at different levels.

Transportation of Coal

*83. } Dr. P. N. Khan:
 Shri Subodh Hansda:
 Shri S. C. Samanta:
 Shri M. L. Dwivedi:

Will the Minister of Railways be pleased to state:

(a) what steps Government are taking to ease the transport of coal from coal fields to the consuming places;

(b) whether it is a fact that there is still shortage of wagons for this;

(c) if so, what steps Government are taking to manufacture these wagons; and

(d) how long will it take to remove the shortage?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) to (d). A statement is laid on the Table. [See Appendix I, annexure No. 16].

Cambay Power Project

*84. } Shri C. Samanta:
 Shri Subodh Hansda:
 Shri B. K. Das:
 Shri L. Dwivedi:

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

(a) whether any order has been placed for machineries required for the Cambay Power Project;

(b) whether the entire foreign exchange requirement will be met from the loan to be advanced by the Agency of International Development, U.S.A.;

(c) if so, what is the total amount required for this purpose; and

(d) what amount will be required to purchase the indigenous materials for the construction of the Power Project?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). Yes, Sir.

(c) \$ 33.6 million.

(d) Rs. 9 crores will be required to cover the cost of land, civil works, water supply and cooling system, miscellaneous equipment and includes the establishment charges. Exact amount required for purchase of indigenous materials is not known.

Colourisation of Vanaspati

*85. Will Shree Narayan Das: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 831 on the 17th May, 1962; and state:

(a) whether studies to find toxicity or ratanjot root dye for colouring vanaspati have since been completed; and

(b) if so, the result thereof?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) No, Sir.

(b) Does not arise.

Upper Sileru Project

*86. } Shri Surendranath Dwivedi:
 Shri Kolla Venkaiah:
 Shri P. Venkatasubbaiah:
 Dr. K. L. Rao:

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

(a) whether any fresh proposals have been forwarded by the Centre to Andhra Government in regard to Upper Sileru Project;

(b) whether concurrence of Government of Orissa has been obtained to the new proposals; and

(c) when the proposals are likely to be finalised?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) Yes, Sir.

(b) No, Sir.

(c) Chief Ministers of Andhra Pradesh and Orissa are scheduled to meet Member (Natural Resources), Planning Commission, in the second week of August, 1962 to discuss the matter. It is hoped that some settlement will be arrived at in this meeting.

Food Poisoning Cases in Assam and West Bengal

88. { Shri Raghunath Singh:
Shri Indrajit Gupta:
Shri Hem Barua:
Dr. L. M. Singhvi:
Shri Yashpal Singh:
Shri S. M. Banerjee:
Shri P. C. Borooah:
Shri A. N. Vidyalankar:
Shri Tridib Kumar Chaudhuri:

Will the Minister of Health be pleased to state whether a mystery disease of paralysis is spreading rapidly in Assam and West Bengal tolling heavy loss of life due to contaminated flour with triorthocresyl phosphate?

The Minister of Health (Dr. Sushila Nayar): 450 cases of a disease crippling the patients by paralytic action of lower limbs occurred in Malda and Dinajpur Districts of West Bengal from the first week of April upto the 19th June, 1962. No further cases of the disease have been reported since then from these areas.

180 cases of paralysis are also reported to have occurred in Chhoto-pukhuri in Darrang District in Assam in a Catholic Mission. Further investigations in the matter are in progress.

Mechanised Farms

89. { Shri P. R. Chakraverti:
Shri Indrajit Gupta:
Shri P. C. Borooah:
Shri Bhagwat Jha Asad:
Shri Bhakt Darshan:
Shri Hem Raj:

Dr. L. M. Singhvi:
Shri P. Kunhan:
Shri M. K. Kumaran
Shri Ram Ratan Gupta:
Shri Daji:

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

(a) whether Government have decided to set up mechanised farms on the model of Suratgarh Farm in Rajasthan;

(b) if so, whether they have selected the sites; and

(c) whether foreign co-operation will be made available for launching the scheme?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) Yes.

(b) One site (at Jetsar) near Suratgarh has already been selected. Some other sites are under the consideration of the Committee on Large-sized Mechanized Farms.

(c) There is no proposal yet for foreign cooperation for setting up the new farms

Withdrawal of Alarm Chains from Trains

90. { Shri P. K. Deo:
Shri Narendra Singh Mahida:
Shri Indrajit Gupta:
Shri Raghunath Singh:
Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of Railways be pleased to state:

(a) whether alarm chains have been withdrawn from some trains;

(b) if so, from which of the trains; and

(c) the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): (a) Yes, Sir.

(b) A statement is placed on the Table. [Placed in Library, See No. LT-282/62].

(c) In view of persistent misuse of the apparatus and resultant adverse effects, including serious dislocation to train services and inconvenience to passengers.

Fishery Operative Training Institute at Cochin

*91. *Shri Basumatari: Shri Rameshwar Tantia:*

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 189 on the 25th April, 1962 and state:

(a) whether the report from the Norwegian expert regarding Fishery Operative Training Institute at Cochin has since been received;

(b) if so, the details thereof;

(c) whether Government of Kerala have agreed to place the building at the disposal of the Central Government; and

(d) if not, the reasons therefor?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) Yes.

(b) A summary of the report is laid on the Table. [Placed in Library. See LT-283/62].

(c) Yes.

(d) Does not arise.

कोसी परियोजना के पश्चिमी तटबन्ध पर रेल भार्य

७७. श्री योगेन्द्र ज्ञा : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) कोसी परियोजना के पश्चिमी तटबन्ध पर रेल चलाने का कोई प्रस्ताव है;

(ख) यदि हां, तो रेलवे लाइन कहां से कहां तक बनेगी; और

(ग) इस काम में कब से हाथ लगगा ?

रेलवे मंत्रालय में उपमंत्री (श्री सौ. देवो रामस्वामी) : (क) जी नहीं ।

(ख) और (ग) सवाल नहीं उठता । पूर्वोत्तर रेलवे के सकरी स्टेशन के प्लेटफार्म पर शैड का निर्माण

७८. श्री योगेन्द्र ज्ञा : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे के सकरी स्टेशन पर प्रति दिन गाड़ी में चलने वालों तथा उतरन वालों की संख्या क्या है;

(ख) क्या उपरोक्त जंक्शन पर यात्रियों की असुविधा दूर करने के लिये प्लेटफार्म के ऊपर शैड बनाने का कोई प्रस्ताव है; और

(ग) यदि हां, तो कब तक उस की पूर्ति की संभावना है ?

रेलवे मंत्रालय में उपमंत्री (श्री शाह-नवाज ज्ञा) : (क) सकरी स्टेशन पर आने वाले और वहां से जाने वाले यात्रियों की दैनिक औसत क्रमशः १०१२ और १४५० है ।

(ख) और (ग). जी हां । एक सुझाव की जांच की जा रही है । लेकिन अभी यह बताना सम्भव नहीं है कि उस पर कब तक अमल होगा ।

Development of Ginger

७९. **Shri A. K. Gopalan:** Will the Minister of Food and Agriculture be pleased to state:

(a) the amount allocated during the Third Five Year Plan for development of Ginger cultivation in the States of Kerala, Assam and Himachal Pradesh;

(b) the amount allocated during the first two years of the Third Five Year Plan in these three States;

(c) how much has been spent, State-wise; and

(d) the production target set during the Third Five Year Plan?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) The amount allocated to States during Third Five Year Plan for the development of Ginger is as under:

| State | Amount allocated |
|---------------------|------------------|
| (Rs. in lakhs) | |
| 1. Kerala | 5.41 |
| 2. Assam | 1.00 |
| 3. Himachal Pradesh | 2.00 |

(b) During first two years of the Third Plan, the following amount was allocated for the development of Ginger in these States:

| State | Amount allocated |
|---------------------|------------------|
| (Rs. in lakhs) | |
| 1. Kerala | 3.62 |
| 2. Assam | 0.31 |
| 3. Himachal Pradesh | 0.82 |

(c) The following amount is reported to have been spent so far:

| State | Amount spent |
|---------------------|--------------|
| (Rs. in lakhs) | |
| 1. Kerala | 2.85 |
| 2. Assam | No. reported |
| 3. Himachal Pradesh | 0.92 |

(d) The following targets have been fixed by the State for the Third Five Year Plan period:

| State | Production (in tons) |
|---------------------|----------------------|
| 1. Kerala | 11,000 |
| 2. Assam | Not reported |
| 3. Himachal Pradesh | 9,800 |

Development of Cashew, Pepper and Ginger

80. Shri A. K. Gopalan: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have prepared any national development plan for Cashew, Pepper, Ginger, etc.; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). Yes. The development programmes drawn up for the Third Five Year Plan in respect of these crops are as indicated below:—

Cashew

A sum of Rs. 1.90 crores has been earmarked for the development of Casewhnut during the Third Plan in various States. Development schemes have already been taken up in the States of Madras, Kerala, Maharashtra, Mysore, Andhra Pradesh, Orissa, Assam, West Bengal, Madhya Pradesh, Andaman & Nicobar Islands and Tripura. A target of 8 lakh additional acres to be brought under the crop during the Third Plan period has been fixed.

Pepper

A sum of Rs. 35 lakhs has been earmarked for development of Pepper during the Third Plan period in the States of Kerala, Mysore, West Bengal and Assam. A target of 16,700 additional acres to be brought under the crop has been fixed.

Cardamom

Development of Cardamom has been taken up in the States of Kerala, Mysore and West Bengal and a sum of Rs. 15 lakhs has been earmarked for this purpose. It is proposed to bring 11,200 additional acres under the crop during the Third Plan period.

Ginger

Development of Ginger has been taken up during the Third Plan in the States of Kerala, Assam and Himachal Pradesh, and a provision of Rs. 8.41 lakhs has been made in the State Plans for the purpose. No target of area has been fixed for this crop.

Family Planning Clinics in Punjab

81. Shri D. C. Sharma: Will the Minister of Health be pleased to state:

(a) how many family planning clinics are functioning at present in the Punjab;

(b) how many of them are in the rural and how many in the urban areas;

(c) how many members of Family Planning Advisory Board are there in the Punjab; and

(d) what are their functions?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). 115 family planning clinics (83 rural and 32 urban) are functioning at present in the Punjab.

(c) The State Family Planning Advisory Board consists of 15 members including the Chairman.

(d) The functions of the State Family Planning Advisory Board are to advise the State Government to educate the public on matters of family planning, to extend facilities for training of personnel in family planning, to formulate schemes for the improvement of health of mothers and children and to bring about better conditions of family living.

Forest Research Station, Dehra Dun

82. Shri D. C. Sharma:
Shri Bhakt Darshan:

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

(a) the progress made so far in taking a decision with regard to the upgrading of the Forest Research Institute, Dehra Dun as a University; and

(b) if no decision has been taken, the reasons therefor?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). It has been decided that the University Grants Commission should be moved to declare the Forest Research Institute and Colleges as a University under Section 3 of the University Grants Commission Act for the purpose of awarding the B.Sc. (Hons.) degree in Forestry. The Ministry of Education and the University Grants Commission have been moved accordingly in July, 1962 and their decision is awaited.

Najafgarh Lake in Delhi

83. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state:

(a) the progress made so far in draining off water from the Najafgarh Lake in Delhi and from the villages affected by it; and

(b) the amount spent so far on this operation?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) Attention is invited to the reply given to part (a) of Unstarred Question No. 45 on 21-4-62. Work on phase II of the scheme which aims at the removal of 900 cusecs of flood water by regarding and resectioning of the Nullah upto Jamuna is still in progress. The pro-

gress made so far is approximately 28 per cent.

(b) Rs. 27.75 lakhs.

Second Bridge over Jamuna in Delhi

84. Shri D. C. Sharma: Will the Minister of Railways be pleased to state:

(a) the progress made so far in the construction of the second bridge over Jamuna in Delhi; and

(b) the amount spent so far on the same and when it is likely to be completed?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Work on the foundations of the bridge is in hand. Both the left and right guide bunds are nearing completion. The overall progress of work on the bridge is 15 per cent.

(b) The amount spent so far on construction of the bridge and its guide bunds is approximately Rs. 20 lakhs. The bridge is expected to be completed by March, 1964, provided the steel girders, are received in time.

Holidays for Medical Authorities

85. Shri Bishwanath Roy: Will the Minister of Health be pleased to state:

(a) whether the medical authorities under the Central Government do not have the facilities of holidays as other employees enjoy; and

(b) if not, whether any proposal is under consideration of Government for providing them with some other facility instead of the general holidays?

The Minister of Health (Dr. Sushila Nayar): (a) The medical personnel in the attached and subordinate offices of this Ministry are allowed all the Government of India Gazetted holidays and two restricted holidays in a year as other Central Government employees enjoy.

The medical personnel in the Central Government hospitals are allowed holidays as follows:—

(i) **Contributory Health Service Scheme:**

The Medical Officers employed under the C.H.S. Scheme enjoy the same facilities as regards holidays as other employees of the Government of India, except that on second Saturday of each month the C.H.S. dispensaries function for the morning session. They are, at present not allowed to avail of the two restricted holidays admissible to other Central Government employees. The question of the feasibility of affording this relief to the medical staff under the C.H.S. Scheme is, however, under consideration.

(ii) **Safdarjang Hospital, New Delhi**

Senior medical officers and Junior medical officers and Registrars are allowed two Sundays off in three weeks, as the third Sunday happens to be their admission day. The House Surgeons are usually allowed one day off in a week. Officers employed in Laboratory, X-Ray department etc. get all Sundays and Gazetted holidays, except on those days on which they are on call. The Out-patient Department Medical Staff of this hospital observe the same Gazetted Holidays as the C.H.S. staff and in addition they are also allowed the two restricted holidays in a year.

(III) **Willingdon Hospital, New Delhi**

The Out-patient Department Medical Staff of this hospital observe the same Gazetted Holidays as the C.H.S. Staff. The two restricted holidays in the year are allowed to all the Medical Officers of this hospital. The other Medical Staff attached to the Willingdon Hospital are allowed the Gazetted holidays subject to the exigencies of service, but this is being reviewed.

(b) Does not arise.

Mechanised Boats

86. Shri A. K. Gopalan: Will the Minister of Food and Agriculture be pleased to state:

(a) the target of construction of the mechanised boats during the Third Five Year Plan period;

(b) the number of mechanised boats completed during 1961-62; and

(c) the number of boats completed in each of the States of Kerala and Madras?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) About 4,000 boats are proposed to be mechanized during the Third Plan period.

(b) and (c). The necessary information is being collected and will be laid on the table of the Sabha as soon as it is collected.

बेर के फल में सुधार

८७. श्री तन सिंह : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बेर के फल में सुधार के सम्बन्ध में कोई अनुसन्धान कार्य किया जा रहा है;

(ख) देश में किन किन स्थानों प्रथम राज्यों में क्या कार्य किया जा रहा है;

(ग) इस पर कितना खर्च हुआ है; और

(घ) अनुसन्धान के क्या परिणाम रहे; और

(ङ) इन परिणामों को कार्यान्वित करने के सम्बन्ध में क्या योजना बनाई गई और उस पर कितना खर्च होने की सम्भावना है?

खाद्य और कृषि मंत्रालय में राज्य मंत्री (डा० राम सुभग सिंह) : (क) जो हां।

(ख) बेर के फल के सम्बन्ध में निम्न स्थानों पर अनुसन्धान कार्य किया जा रहा है:-

(१) राजस्थान (अजमेर)

(२) पंजाब (बहादुरगढ़)

(३) मध्य प्रदेश (गोविन्दगढ़ और सिलारी फार्म)

(४) गुजरात (जूनागढ़)

(ग) बेर फल के अनुसन्धान के सम्बन्ध में अब तक (लगभग) १,७६,००० रुपये खर्च हुए हैं।

(घ) अनुसन्धान योजनाओं पर कार्य जारी है और वास्तविक परिणाम अभी प्राप्त होने हैं। फिर भी, मध्य प्रदेश में अभी तक जो कार्य हुआ है, उसके अनुसार नामों, गोल और बादामी नामक तीन किस्में बहां के बेर उगाने वाले प्रदेशों के लिये उपयुक्त पाई गई है। इन किस्मों पर फल-मक्की के हमले की सम्भावना कम है ?

(ङ) मध्य प्रदेश में बागानी अनुभाग का विस्तार स्टाफ घटिया किस्म के बेरों पर बढ़िया किस्म के बेरों की कलमें बढ़ान के लिये इन परिणामों को काम में ला रहा है।

विभिन्न केन्द्रों में चल रहे कार्य के अन्तिम परिणाम अभी प्राप्त होने हैं और ज्यों ही यह कार्य हो जायेगा, उपयोगी परिणामों के प्रचार के लिये कदम उठाये जायेंगे।

राजस्थान में भेड़ पालन केन्द्र

८८. श्री तन सिंह : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंचवर्षीय योजना के अन्तर्गत कितने भेड़ पालन केन्द्र राजस्थान में स्थापित किये गये और उन की जिलेवार संख्या क्या है;

(ख) इन केन्द्रों की क्या मुज्य प्रवृत्तियां थीं और वे उन में कहां तक सफल हुए;

(ग) इन पर द्वितीय योजना के अवधि में क्या व्यय किया गया; और

(घ) तृतीय पंचवर्षीय योजना काल में ऐसे और कितने केन्द्र स्थापित किये जायेंगे ?

खाल और फृवि मन्त्रालय में राज्य मंत्री (आ० राम सुभग सिंह) : (क) द्वितीय पंच वर्षीय योजना की अवधि में राजस्थान में ७३ भेड़ और ऊन विस्तार केन्द्र खोले गये। उन का जिलेवार व्यौरा निम्नलिखित है :-

| जिले का नाम | विस्तार केन्द्रों की संख्या |
|-------------|--------------------------------|
| चित्तोड़गढ़ | २ |
| उदयपुर | ५ |
| डूंगरपुर | १ |
| भीलवाड़ा | २ |
| सिकर | ८ |
| टोक | ६ |
| नगौर | ८ |
| झुनझुनू | ८ |
| चूरू | ७ |
| जलोर | ७ |
| बरमेर | ४ |
| अरंभेर | ११ |
| सिरोही | ४ |
| <hr/> | |
| कुल | ७३ |
| <hr/> | |

(स) कार्य —

१. केन्द्र के १० मील के अर्ध-व्यास के अन्तर्गत भेड़ों के दलों का सर्वे करना और अधिक सुधार के लिये दलों की रजिस्टर करना यह कार्यवाही गांवों के एक ऐसे समूह में की जा रही है, जिस में ५००० भेड़ें हैं।

२. स्टाक एवं सुविधाओं को बढ़ाना—जैसे सामान्य बुद्धों कर रंगना, खुराक देना इत्यादि ।

३. उत्पादन शक्ति के बढ़ाने के उद्देश्य से सर्वीकृत नसल के प्रजनन भेड़ों की देखभाल और उन का वितरण करना ।

४. वितरण के लिये वैज्ञानिक कर्तन, श्रेणीकरण और ऊन तैयार करने में भेड़ पालकों को शिक्षा देना ।

५. मध्यरे हूए औजारों का प्रयोग—जैसे शीर्स हूप-पेयरिस नाइवस, (sheers hoop pairing knives) कैस्ट्रेटर्स (castrators) डोजिंग औजार (dozing equipment) इत्यादि ।

६. उत्तम भेड़ों के दलों की देखभाल करने के कार्य को प्रोत्साहन देने के लिये भेड़ पालकों के एसोसियेशन बनाना ।

७. रोगों के नियन्त्रण में सहायता देना और केन्द्र में भेड़ों के स्वामियों द्वारा पाले गये भेड़ों के दलों को प्राथमिक उपचार में सहायता देना ।

सकलता की प्राप्ति —

(१) भेड़ों के ६५० दल रजिस्टर किये गये और ऊन में गहन चुनाव किया गया ।

(२) ५३ भेड़ पालन सहकारी समितियों और २८ भेड़ पालन एसोसियेशनों को रजिस्टर किया गया ।

(३) अपनी भेड़े सुधारने के लिये ब्लाक मालिकों को लगभग ४२०० स्वीकृत नसल के मेड़े बांटे गये ।

(४) द्वितीय योजना की अवधि के अन्त में सेम्पल सर्वे से पता चला है कि जिन प्रदेशों में ये केन्द्र स्थापित हैं, उन के सामान्य बूल क्लिप (wool clip) से ५ प्रतिशत की बढ़ोतारी हुई है ।

(५) लगभग १,२५,००० भेड़ों को सुरक्षा दी गई और लगभग ५०,००० भेड़ों को बविधा किया गया ।

(ग) ८,०३,२०० रुपये ।

(घ) २४ नये विस्तार केन्द्र ।

Reserve Forest in Damchara

89. Shri Dasaratha Deb: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the demarcation of the Reserve Forest in Damchara area has been finally made; and

(b) if so, whether it was demarcated by placing boundary posts or digging boundary lines?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes.

(b) By fixing boundary posts, trenches were, however, dug at some crucial points on either side of the posts to indicate the direction of the boundary line.

Forest Cases in Courts of Tripura

90. Shri Dasaratha Deb: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 1708 on the 22nd May, 1962 and state:

(a) whether any attempt has been made to find out the number of persons among those involved in cases of eviction instituted by the Forest Authority in Tripura who have no other means of livelihood except jhum cultivation;

(b) if not, whether Government propose to collect the data of the persons of that category; and

(c) what steps Government propose to take to provide lands to persons belonging to that category?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes. The Tripura Administration have ascertained that no person, whose only means of livelihood is Jhum cultivation has been evicted by the Forest authorities in Tripura.

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

Land in Sonamura, Tripura

91. Shri Dasaratha Deb: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 838 on the 8th May, 1962 and state:

(a) whether any decision has since been arrived at on the objections raised by Agriculturists of Dhalaijala in Sonamura, Tripura, against Government's proposal to acquire their lands;

(b) if so, the decision taken;

(c) if the Government's decision is in favour of acquisition, what rate of compensation per kani would be paid to owners of land; and

(d) whether any alternative plots of land would be offered to the affected peasants with direct responsibility of Government?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) to (d). The information is being collected and a statement will be laid on the Table of the Sabha as soon as it is available

Food Habits of People

92. Shri Sham Lal Saraf: Will the Minister of Health be pleased to state:

(a) whether a survey of food habits of the people living in different States and regions has been made;

(b) whether Government are aware that mostly the food eaten is less nutritious and sufficiently lacking in value in calories; and

(c) whether steps will be taken to popularise foods, both cereal and non-cereal, that would be less expensive but comparatively more nutritious?

The Minister of Health (Dr. Sushil Nayar): (a) Surveys of food habits of the people living in different parts of the country have been conducted from time to time.

(b) The diets in general are lacking not so much in calories as in protec-

tive foods. The deficiencies are mostly due to lack of proteins, vitamins A, B complex, C, Calcium and Iron.

(c) Following steps have been taken to popularise low cost balanced diets and protective foods etc.:—

(1) A Nutrition Wing has been established in the Ministry of Food and Agriculture *inter-alia* with the object of working out the composition of low-cost balanced diets for different regions, based on locally available foodstuffs;

(2) Two pilot plants for the production of low-fat edible groundnut flour which is a rich source of protein, are being set up with UNICEF assistance and with the collaboration of the private industry at Bombay and Coimbatore. An eventual annual production of 3000 tons of edible groundnut flour is envisaged.

(3) Schemes for the production and utilization of other items of subsidiary foods, such as Tapioca Macaroni, Vegetable Milk, etc. are under consideration.

(4) Mobile Extension Units are being set up for undertaking the demonstration of low-cost balanced diets and recipes prepared from little-known foods; fostering a diversification of the dietary so as to increase its nutritional contents, etc.

(5) Expanded Nutrition Projects have been started in different States with the assistance of UNICEF and FAO with the objective of converting village communities to sound practices in relation to the production and consumption of protective foods and to encourage through a programme of nutrition education, self-help in this regard.

(6) Suitable material in the form of Brochures, Posters, Pamphlets, etc. has been issued for nutrition education and popularisation of low cost nutritious and balanced diets.

Aircraft used in Civil Aviation

93. **Shri Sham Lal Saraf:** Will the Minister of Transport and Communications be pleased to state:

(a) the type of aircrafts that are in use in civil aviation in the country, their cruising speed capacity to carry passengers and freight in each such type; and

(b) how these aircrafts compare with aircrafts in use for civil aviation in advanced countries of the world?

The Deputy Minister in the Ministry of Transport and Communication (Shri Mohiuddin): (a) and (b). A statement showing the passenger seating capacity, cruising speed etc. of aircraft operated by the nationalised Corporations and private operators in India as well as those used by foreign Airlines operating to and across India is laid on the Table. [See Appendix I, annexure No. 17]

It will be noted that the aircraft operated by Indian operators are also being used by other operators of countries advanced in aviation.

उप डाकघर, टीकमगढ़

६४. श्री मते : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बलदेवगढ़ (टीकमगढ़) में एक उप-डाकघर खोलने की अनुमति दो बर्ष पहले दी गई थी;

(ख) यदि हाँ, तो क्या यह सच है कि अब तक उप-डाकघर खोला नहीं गया है;

(ग) यदि हाँ, तो इसके क्या कारण हैं; और

(घ) इसके कब तक खोल जाने की आशा है ?

परिवहन तथा संचार मंत्रालय में राष्ट्रीय उपमंत्री (श्री भगवती) : (क) जी नहीं ।

(ख) प्रश्न ही नहीं उठता।

(ग) तथा (घ). बलदेवगढ़ के मौजूदा अतिरिक्त विभागीय शाखा डाकघर को काम के घंटे और आमदनी के आधार पर विभागीय उप-डाकघर में परिवर्तित करना न्यायोनित नहीं है। फिर भी आसपास के डाकघरों से काम के साथ-साथ कर्मचारियों को स्थानान्तरित करके प्रशासनिक आधार पर उसे विभागीय उप-डाकघर में परिवर्तित कर देने के प्रश्न पर तेजी से विचार किया जा रहा है।

Supply of Foodgrains to West Bengal

95. Shri Sarkar Murmu: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any foodgrains have been supplied to the Government of West Bengal during the current financial year;

(b) if so, the quantity supplied;

(c) whether the Government of West Bengal have asked the Centre for more foodgrains; and

(d) if so, whether Government propose to supply the required quantity of rice to West Bengal?

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

(b) During the period from 1st April to middle of July, 1962 about 33,000 tonnes of rice and 189,000 tonnes of wheat have been supplied to West Bengal from Central Stocks.

(c) and (d). Whatever quantity of foodgrains is actually needed for distribution in West Bengal is supplied by the Centre in consultation with the State Government.

Cash Crops

96. Shri M. K. Kumaran: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have considered the suggestion put forward

by some experts that production of cash crops should be encouraged in Kerala even at the risk of decreasing food production; and

(b) if so, whether the Central Government have arrived at any conclusion in giving advice to the State Government with regard to the pattern of future development of agriculture in Kerala?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b). During the course of discussions on the Kerala State Plan in December 1960, in which technical experts participated, the Kerala Government were advised to concentrate on promoting increased production of certain cash crops such as rubber, coconut, arecanut, cashewnut, spices etc. in preference to foodgrains.

Popularisation of Wheat and Wheat Products

97. Shri M. K. Kumaran: Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is any scheme to popularise wheat and wheat products among people in the rice-eating regions in the country; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) and (b). There is no specific scheme in operation at present. However, wheat is being made available freely in the rice-consuming States with a view to encouraging its consumption. In certain areas, part of the demand for rice is being met by the distribution of wheat. Efforts have also been made from time to time by various organisations and agencies to popularise wheat and wheat products by the demonstration of varied recipes and the Government have encouraged and assisted such efforts.

Telephone Line

98. Shri P. K. Deo: Will the Minister of Transport and Communications be pleased to state:

(a) why the telephone line between Bhawanipatna and Balangir is not properly audible;

(b) for how many days it was out of order during the years 1960-61 and 1961-62; and

(c) what amount was spent for the improvement of the line during these years?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) The transmission quality of the lines between Bhawani-Patna and Balangir is reported to be good.

(b) The circuit was interrupted on 29 days each in 1960-61 and 1961-62.

(c) During 1960-61, maintenance expenditure was Rs. 542 and during 1961-62, it was Rs. 692.

Building For G.P.O., Bhawanipatna

99. Shri P. K. Deo: Will the Minister of Transport and Communications be pleased to state:

(a) whether the construction of the General Post Office building at Bhawanipatna, District Kalahandi in Orissa has been taken up; and

(b) if not, the reasons therefor?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) No.

(b) The possession of the land was taken only in November, 1961. The preliminary drawings will be prepared soon after which the matter will be processed further.

Public Call Office at Bettath Puthiyangadi

100. Shri Koya: Will the Minister of Transport and Communications be pleased to state:

(a) whether Government have received any representation to open

a Public Call Office at Bettath Puthiyangadi in Kozhikode District; and

(b) if so, what action Government propose to take on the representation?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) No.

(b) Action is being taken to provide a Public Call Office.

Building for Head Post Office, Calicut

101. Shri Koya: Will the Minister of Transport and Communications be pleased to state:

(a) the progress made in the construction of the building for Head Post Office at Calicut; and

(b) when Government expect to complete the work?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) The construction work has just commenced. It is in the foundation stage.

(b) The work is likely to be completed in May, 1963.

National Highways

102. Shrimati Laxmi Bai: Will the Minister of Transport and Communications be pleased to state the year-wise expenditure incurred on the repairs and maintenance of the following National Highways during 1959-60, 1960-61 and 1961-62.

(i) Hyderabad to Bombay.

(ii) Hyderabad to Sholapur, and

(iii) Hyderabad to Madras and Bangalore?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (i), (ii) & (iii) The information is being collected from the State Governments concerned and will be laid on the Table of the Sabha.

Exploitation of Forests in Himachal Pradesh

103. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state:

(a) whether a plan for the exploitation of forests in Himachal Pradesh during the Third Five Year Plan period has been prepared;

(b) if so, the salient features thereof; and

(c) the total estimated expenditure involved and the estimated income from the scheme?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes.

(b) This scheme envisages extraction of timber from forests by mechanical means, conversion into sleepers and pulpwood, construction of logging roads and artificial regeneration of conifers.

(c) 60 lakhs has been provided for this scheme during Third Plan period. Its operation is expected to result in an additional revenue of Rs. 11 lakhs during the Third Plan period and Rs. 12.5 lakhs annually after 1965-66.

Farm Output in Punjab

104. Shri D. C. Sharma: Will the Minister of Food and Agriculture be pleased to state:

(a) whether any short-term loan has been given to the Government of Punjab during 1960-61 for increasing farm output; and

(b) if so, the nature and amount of the loan?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) Yes.

(b) Short term loan of Rs. 103.26 lakhs was sanctioned by the Central Government to the Government of Punjab during 1960-61 for the pur-

chase and distribution of fertilisers and seeds for increasing production of food crops. The loan is repayable within 18 months from the date of drawal and interest is charged at 3½ per cent per annum for the period of 18 months or for the actual period for which the loan is retained by the State Government.

Robberies on Railways

105. Shri D. C. Sharma: Will the Minister of Railways be pleased to state:

(a) the total number of robberies committed on each Railway during the year 1962 up-to-date and the loss thus sustained in each case; and

(b) the steps that are being taken to prevent such incidents?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): (a) and (b). Necessary information is being collected and will be laid on the Table of the House on receipt.

Night Work Allowance for Dock Workers

106. (i) Shri Indrajit Gupta:
(ii) Shri Mohammad Elias:
(iii) Shri Yallamanda Reddy:

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

(a) whether any agreement has been reached with the All India Port and Dock Workers' Federation regarding special allowances for night work;

(b) if so, the agreed basis of the night co-efficients; and

(c) if the answer to part (a) above be in the negative, what is preventing an agreement being reached?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c). The question of granting weightage to port employees for night work was fully discussed by Government

with the representatives of the two Federations, viz. the All India Port and Dock Workers' Federation and the Indian National Port and Dock Workers' Federation in June last. In the light of those discussions and the proposals put forward during those discussions for a settlement of the problem, Government have taken the following decisions on the subject:—

- (i) Weightage will be admissible for the period between 10 p.m. and 6 a.m. irrespective of whether the hours of work within the period fall in the second or third shift. The weightage shall be 10 minutes for every hour worked during that period.
- (ii) Where there is already a built-in-weightage in the shape of reduced working hours, no other weightage will be allowed.
- (iii) It shall be open to the Port Administration as an alternative to weightage to reduce the hours of work wherever possible, in the case of shifts which fall between or extend into the period between 10 p.m. to 6 a.m.
- (iv) The period of recess, including variable recess, shall not count for weightage.
- (v) If in the case of an employee any other special allowance is given for night work, he shall be given an option to retain that allowance or to receive the benefit of this weightage.
- (vi) The Marine crew on stand-by duty will be eligible for weightage. But marine crew who live on board a vessel will not be eligible for this benefit when they are not employed on watch-keeping duty and are merely on call duty.

(vii) Extra payment to an employee for weightage for night duty shall fall due when the total of the actual hours worked plus weightage exceeds the normal day shift hours.

(viii) The rate shall be the single rate, calculated at pay plus dearness allowance plus compensatory allowance divided by 240, per hour.

(ix) For the purpose of calculating weightage of 10 minutes per hour of duty performed, duty for less than half an hour shall be ignored and duty for half an hour and more but less than an hour, shall be reckoned as one full hour.

The Government have accordingly issued orders giving effect to these decisions from 1st July, 1962, so far as the Class III and Class IV employees of the Administrations of Cochin, Vishakhapatnam and Kandia Ports are concerned. The decisions have also been communicated to the Port Trusts of Bombay, Calcutta and Madras for implementation.

Dam on Damodar River near Bokaro

107. (i) Shri B. K. Das:
 (ii) Shri Subodh Hansda:
 (iii) Shri S. C. Samanta:
 (iv) Shri M. L. Dwivedi:

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

(a) whether the construction of a dam on the Damodar river near the Bokaro Thermal Power Station has been decided upon;

(b) if so, for what purposes; and

(c) whether the cost of the dam will be borne by the D.V.C.?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) A tentative decision has been taken for the construction of a dam at Tenughat.

(b) Mainly for meeting the water requirements of the Bokaro Steel Plant.

(c) Yes.

Retiring Rooms at Olavakkot Junction

108. Shri P. Kunhan: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 850 on the 8th May, 1962 and state when the construction of the two retiring rooms at Olavakkot Junction will start?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): The work is proposed to be included in the Works Programme for 1963-64 subject to its acceptance by the Railway Users' Amenities Committee and availability of funds.

Silent Valley Project in Kerala

109. Shri P. Kunhan: Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 554 on the 3rd May, 1962 and state:

(a) whether the preliminary investigations of the Silent Valley Project in Kerala have been completed; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). No information has been received from the Government of Kerala.

Extension of Noamundi-Banspani Railway Line

110. Shri Surendranath Dwivedy: Will the Minister of Railways be pleased to state:

(a) whether there is any proposal to extend Noamundi-Banspani Railway line to connect the same with Jaipur-Keonjhar Road and Rourkela; and

(b) whether any demand has been made by the Mines and Fuel Ministry for extending the existing siding capa-

city and loading plots at Banspani, S.E. Railway and whether the extension work is likely to be taken up this year?

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): (a) No such proposal is included in the Railways' programme of construction of new lines for the Third Five Year Plan.

(b) No specific demand has been received from the Ministry of Mines and Fuel, but in order to meet the increasing demand at the station, the Railway is providing additional loading sidings with loading plots and the work has been taken in hand.

Railway Lines Between Nergundi and Khurda Road Stations

111. Shri Surendranath Dwivedi: Will the Minister of Railways be pleased to state:

(a) whether any progress has been made in doubling the Railway lines between Nergundi and Khurda Road stations of the S.E. Railway;

(b) When the work is likely to be completed; and

(c) what is the total annual tonnage Railway handles in Chonduar siding and Charbatia station, both of incoming and outgoing traffic of all the industries situated in Chonduar?

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): (a) Yes.

(b) The work is expected to be ready by December 1964 subject to the supply of girders for the Mahanadi bridge in time.

(c) Total tonnage handled during 1961-62 is as under:—

| | Inward | Outward |
|-------------------|--------|---------|
| Chonduar Siding | 74,935 | 61,052 |
| Charbatia station | 2,454 | 1,615 |

Transportation of Coal by Railways

112. Shri Surendranath Dwivedi: Will the Minister of Railways be pleased to state:

(a) whether any fresh review has been made in so far as the transportation of coal by Railways is concerned in the current year; and

(b) what tonnage of coal was carried by the railways during 1961-62 and what is the target fixed for 1962-63 after reviewing the position?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) The transportation of coal by railways is constantly under review.

(b) The tonnage of coal carried by Railways in 1961-62 is not available yet. The target for loading of coal for the year 1962 has been fixed as under:

West Bengal & Bihar Coalfields:

Wagons Per day

| | |
|----------------------|------|
| (a) Steel | 1400 |
| (b) Dugda Washery | 300 |
| (c) Jamadoba Washery | 150 |
| (d) Other consumers | 3646 |

Outlying Coalfields:

| | |
|--------------------|-----|
| (a) Korea Rewa | 530 |
| (b) Pench & Chanda | 419 |
| (c) Singareni | 380 |
| (d) Talcher | 100 |

The target for other consumers from West Bengal and Bihar coalfields has been increased by 120 wagons per day from 1-7-1962.

Agricultural Production

113. { Shri H. P. Chatterjee:
Dr. Ranen Sen:
Shri Dinen Bhattacharya:
Shri Mohammad Tahir:

Will the Minister of Food and Agriculture be pleased to state the steps taken to verify the figures of

increased production claimed by the States under different agricultural schemes from year to year under the development plan?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): The State Governments first furnish estimates of inputs under the different production programmes on the basis of which, using the standard yardsticks, estimates of increased production are framed. Later, they furnish the estimates of agricultural production based on crop cutting experiments. To the extent the increased production is reflected in actual production, the latter serve as a check on the former.

Farakka Barrage

{ Shri S. M. Banerjee:
Dr. Ranen Sen:
114. Shri Dinen Bhattacharya:
Shri Karjee:

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

(a) the further progress that has been made with regard to construction of Farakka Barrage; and

(b) when this work is likely to be completed?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) Tenders have been received for the construction equipment and orders will be placed within the next few months. Special Railway siding for the Project is under construction by the Railway authorities and plans for transport of the enormous quantum of construction materials by rail ropeway, road and river transport are under discussion. Quarry sites have been finalised, after detailed investigations, and plant lay-out is under preparation. Detailed designs of the Locks, the construction of which is contemplated in the next working season, are well under way.

(b) The work is scheduled to be completed by 1969-70.

improvement of Quality of Sugarcane

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

(a) the steps that have been taken to improve the quality of sugarcane in U.P.;

(b) whether any incentive has been given to the cane-growers; and

(c) if so, in what form?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) The following steps are taken to improve the quality of Sugarcane:—

(i) Continuous research is in progress to select and release new promising varieties with better sucrose content for general cultivation;

(ii) A few promising varieties are always kept on the approved list to be available as a stand by in case the varieties under cultivation show signs of deterioration;

(iii) Development and Extension Schemes are in operation to bring to the doors of cultivators results of research; and

(iv) The deterioration of suitable varieties under field conditions is being controlled through proper cultural practices and control of insect pests.

(b) Yes, Sir.

(c) Under the Sugarcane Development Schemes, subsidies are given for the following items:—

(i) surface wells etc. under minor irrigation projects to the extent of 25 per cent;

(ii) phosphatic fertilizers to the extent of 25 per cent;

(iii) plant protection:

(a) 50% for pesticides, rechanical dusters, sprayers, etc.;

(b) 100% loan for power operated machines and plant protection equipment.

(iv) for completing the balance of the programme for establishing seed farms, assistance upto 50 nP per maund is allowed as under the 2nd Five Year Plan; and

(v) demonstrations of improved methods of cane cultivation are arranged in the cultivators' fields and credit facilities are provided to the cultivators for the purchase of fertilizers, etc.

Weather Chart

116. / Shri P. K. Deo:

Shri Narendra Singh Mahida:

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

(a) whether facsimile weather charts are sent from Delhi to foreign countries; and

(b) if so, to which countries?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) No.

(b) Does not arise.

Drainage in Delhi

117. / Shri P. K. Deo:

Shri Narendra Singh Mahida:

Will the Minister of Health be pleased to state:

(a) the steps that are being taken to provide better drainage facilities for flood water in Delhi;

(b) whether there is any proposal to cut the Ring Road by providing a culvert near Shakur Basti; and

(c) whether any steps are taken to check the overflow of water from the irrigation channels in the Punjab?

The Minister of Health (Dr. Sushila Nayak): (a) The following steps have been and are being taken by the Delhi Municipal Corporation to provide better facilities for the drainage of the flood waters in Delhi:—

- (1) Providing new storm water drains;
- (2) Maintenance of old storm water drains by periodically cleaning and repairing them before and after the monsoon and
- (3) Improving the interception of rain water.

(b) The proposal to provide a culvert on the Ring Road near Shakur Basti is being implemented. The culvert is under construction.

(c) Vigilance is constantly kept to check any overflow from irrigation channels in Delhi which are being maintained by the Panjab Government. As soon as any breach occurs, necessary action is taken to get it plugged by the Panjab Irrigation Authorities. The Panjab Authorities have already been requested to stop excessive flow in their irrigation channels during the rainy season this year. For checking the flow from diversion channel of drain No. 8 and drain No. 6 entering the Alipur Block of Delhi, the Panjab Government have agreed to construct a regulator on drain No. 6 near the point where diversion channel of drain No. 8 leaves the course of drain No. 6. The Panjab Government have also agreed to construct a regulator in Delhi over the link channel connecting the tail end of drain No. 8 with the Najafgarh Jheel.

Plant Protection Measures

118. Shri A. K. Gopalan: Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have received any request from the Krishna

District Cotton Growers Association to enhance the subsidy towards plant protection measures from Rs. 5 Rs. 10 per acre; and

(b) if so, what action has been taken by Government?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) No.

(b) The Government of India, have, however, on their own, agreed to the provision of subsidy upto 50 per cent of the cost of pesticides, dusters, sprayers, etc. under the Cotton Development Scheme in the States to be shared equally between the Central and the State Governments. Recently, it has been decided that the Government of India would provide their share of 25 per cent. subsidy, leaving it to the State Governments to provide any additional subsidy they liked.

Idukki Power Project

**119. { Shri A. K. Gopalan:
Shri Imbichibava:**

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 2467 on the 4th June, 1962 and state:

(a) whether the Central Water and Power Commission has completed preparation of the report on the Idukki Power Project; and

(b) whether any decision has been taken on Kuttiyadi Power Project?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) Yes.

(b) The project report on Kuttiyadi power project is still under examination of Central Water and Power Commission.

Signal and Tele-communication Casual Staff

120. { **Shri A. K. Gopalan:**
Shri P. Kunhan:

Will the Minister of Railways be pleased to state:—

(a) Whether it is a fact that the Signal and Tele-Communication Casual Staff working on the Electrification of the Howrah-Moghalsarai section, Khargpur-Rourkela section and Asansol-Durgapur section are entitled to temporary scales of pay (CPC) and other amenities given to temporary workers;

(b) if not, why they are not given these facilities;

(c) whether it is a fact that they are not granted weekly rest;

(d) whether it is a fact that they are made to work for 12/14 hours instead of 8 hours; and

(e) if so, the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan):
 (a) No.

(b) Casual labour on such projects are not eligible for such facilities.

(c) No.

(d) No.

(e) Does not arise.

Co-operative Societies

121. **Shri Bishanchander Seth:** Will the Minister of Community Development, Panchayati Raj and Co-operation be pleased to state:

(a) how many co-operative societies are at present functioning in the country;

(b) how many States are still there without co-operative societies; and

(c) what steps Government are taking to see that each and every State is provided with such societies?

The Deputy Minister of the Ministry of Community Development, Panchayati Raj and Co-operation (Shri Shyam Dhar Misra): (a) According to the

statistical statements of the Reserve Bank of India the number of cooperative societies of all types on 30th June, 1960 was 3,13,499. The provisional figure as on 30th June, 1961 is 3,28,225.

(b) None.

(c) Does not arise.

मध्य रेलवे के कारी पहाड़ी रेलवे स्टेशन को पुनः खोलना

122. { **श्री म० ला० द्विवेदी :**
श्री स० चं० सामन्त :
श्री ब० कु० दास :
श्री सुबोध हंसदा :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य रेलवे के जांसी-मानिकपुर संक्षेत्र में महौड़ा और कवरीइप्टेशनों के बीच जो कारी पहाड़ी नामक रेलवे स्टेशन था उसे पुनः खोलने के लिये क्या जनता की ओर से मांग की गई है;

(ख) विगत विश्व यूद्ध के समय इस स्टेशन के बन्द हो जाने के कारण इस क्षेत्र की जनता को रेल यात्रा की जो असुविधायें हो रही हैं उन पर क्या सरकार ने विचार किया है;

(ग) रेल यात्रा के लिये प्रवृत्ति बढ़ने के कारण कारी पहाड़ी स्टेशन के आर्थिक रूप से लाभ में चलने की सम्भावना पर क्या सरकार ने विचार किया है; और

(घ) यदि हां, तो इस स्टेशन को पुनः चालू करने के लिये सरकार कब तक निर्णय लेगी?

रेलवे मंत्रालय में उपमंत्री (श्री स० ब० रामस्थामी) : (क) जी हां।

(ख), (ग) और (घ). इस सुझाव की जांच की गयी थी, मूकिन पर्याप्त श्रौतिय के

अभाव में इसे स्वीकार नहीं किया गया, मुख्यतः इस कारण कि इस क्षेत्र में सड़क-परिवहन का पर्याप्त विकास हो गया है।

Railway Line between Varanasi and Gorakhpur

123. Shri Vishram Prasad: Will the Minister of Railways be pleased to state:

(a) whether Government have any proposal to connect the railway line between Varanasi and Gorakhpur via Azamgarh to reduce the distance between the two stations; and

(b) if so, when Government propose to give effect to this proposal?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):

(a) No.

(b) Does not arise.

Water Supply

124. Shri D. C. Sharma: Will the Minister of Health be pleased to state:

(a) whether a proposal to tackle the problem of urban and rural water supply on an emergency footing and to give relief to the people in the States which suffer from acute water scarcity is under consideration;

(b) if so, the details thereof; and

(c) the decision taken in this regard?

The Minister of Health (Dr. Sushila Nayar): (a) to (c). The problem of water supply in the country, particularly in rural areas, is engaging constant attention of the Government. The water supply schemes have been given high priority in the Third Five Year Plan and ways and means are being devised with a view to solving the problem as quickly as possible. The objective is to arrange safe drinking water supply in all rural areas within the Third Five Year Plan period, if possible.

Collapse of Railway Bridge in Muzaffarpur Distt.

125. Shri Priya Gupta: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a railway bridge between Dhang and Bairagnia in Muzaffarpur district collapsed under pressure of the surging flood waters of the river Bagmati on the 30th June, 1962; and

(b) if so, the extent of damage to life and property on that account?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):

(a) and (b). No sir. None of the Railway Bridges between Dhang and Bairagnia collapsed but due to heavy spill of Flood water of River Bagmati, the approach banks of one of the Bridges were breached. The approximate cost of repairs is Rs. 1,91,000/-.

Pensions to Railway Employees

126. Shri Priya Gupta: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that railwaymen were given option for pension scheme;

(b) if so, whether most of the railwaymen who retired after exercising this option have not yet been paid their pensions;

(c) whether forms to be filled in by widows of the persons who exercised option for pension during their lifetime have been made available; and

(d) if not, the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri Shah Nawaz Khan):

(a) Yes, Sir.

(b) No, Sir. Out of 14,560 pensionable railway employees who have retired to the end of May, 1962, pensions have been sanctioned in 13,645 cases. Out of the remaining 915 cases, 643 are less than six months old.

(c) Yes, Sir.

(d) Does not arise.

कोसी पश्चिमी नहर

127. श्री योगेन्द्र ज्ञा: क्या सिंचाई और विद्युत् मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कोसी पश्चिमी नहर से सिंचाई के लिये पानी अब निश्चित समय पर नहीं मिलने जा रहा है;

(ख) यदि हाँ, तो इसके क्या कारण हैं; और

(ग) सिंचाई के लिए पानी कब में प्राप्त होगा ?

सिंचाई और विद्युत् मंत्रालय में राज्य मंत्री (श्री अलगेश्वन) : (क) जी, नहीं :

(ख) प्रश्न नहीं उठता ।

(ग) चौथी पांचसाला योजना के आखिरी सालों में सिंचाई के लिए पानी प्राप्त होगा ।

Hybrid Maize Seed

128. **Shri Surendra Pal Singh:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 1266 on the 4th June, 1962 and state:

(a) whether the attention of Government has been drawn to the research work done by the Vivekanand Laboratory, Almora, U.P. on the production of hybrid maize seed; and

(b) if so, their main findings and recommendations to augment the production of this particular type of maize seed?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes.

(b) As a result of research undertaken, VL 54, a variety of hybrid maize has been evolved. It has given good yield results at Srinagar (Jammu & Kashmir), Almora (U.P.), Kangra (Punjab), Sikkim, Solan (Himachal Pradesh), Tarai Farm (U.P.) and Dholi (Bihar). This variety has been approved for cultivation in the Nor-

thern Himalayan Tract under the popular name "Himalaya" and the work of producing its hybrid seed has been initiated by the Indian Council of Agricultural Research with effect from the current Kharif season.

Additional Line Works for Coal Movement

129. { **Shri Shree Narayan Das:**
Shri M. K. Kumaran:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Planning Commission has authorised the Railways to undertake certain additional line works to provide adequate capacity to coal movement;

(b) if so, which line works are being considered in this connection; and

(c) the nature of decisions taken in this regard?

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): (a) Yes, Sir.

(b) Partial doubling of following sections is being considered for this purpose:

| | Mileage |
|---|---------|
| (1) Bina-Bhopal section | 48 |
| (2) Certain sections in the Coal-field areas. | 24 |
| (3) Waltair-Samalkot section | 50 |
| (4) Khurda Road-Vizianagram. | 70 |
| (5) Bhopal-Ujjain section. | 30 |
| (6) Phulera-Jaipur section. | 23 |

245 miles.

In addition, certain other line capacity works such as remodelling of yards, provision of crossing stations, additional loops, extension of loops terminal facilities etc. will have to be undertaken.

(c) It is proposed to undertake the provision of facilities mentioned in part (b) above.

Central P & T Advisory Council

130. Shri Shree Narayan Das: Will the Minister of Transport and Communications be pleased to state:

(a) the extent to which it has been possible to give effect to the recommendations and suggestions made by the Central P & T Advisory Council; and

(b) the important aspects of recommendations accepted so far?

The Deputy Minister of Transport and Communications (Shri Bhagvat): (a) and (b). A statement showing the particulars of final orders issued in respect of the recommendations of the Central P & T Advisory Council is laid on the Table of the House [See Appendix I, annexure No. 18]. Other recommendations are still under examination.

Agricultural Production in Gramdan Areas

131. Shri Shree Narayan Das: Will the Minister of Community Development, Panchayati Raj and Co-operation be pleased to state:

(a) whether any scheme has been put into operation to render financial help to develop agricultural production in gramdan areas through co-operative societies;

(b) if so, the important features of such a scheme; and

(c) the extent to which funds allotted for the purpose have been utilised?

The Deputy Minister in the Ministry of Community Development, Panchayati Raj and Cooperation (Shri Shyam Dhar Misra): (a) and (b). The question of providing financial assistance for agricultural production to cooperative societies in Gramdan Villages and Bhoodan areas is under consideration of this Ministry.

(c) Does not arise.

Vegetable Cultivation in Delhi

132. Shri P. C. Borooh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Indian Agriculture Research Institute and the Delhi Development Department jointly propose to run demonstration farms in August in Delhi in order to intensify vegetable cultivation;

(b) if so, details of the scheme; and

(c) what other measures are being taken to promote cultivation of vegetables in or around Delhi?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) No.

(b) Does not arise.

(c) Extension work is being done by the Indian Agricultural Research Institute, New Delhi in a block of 19 villages in Delhi State since 1950 and in the Kanjhawala Block of Delhi State, comprising 56 villages, during the last few years. Among other things, numerous demonstrations on vegetable growing have been carried out with much success. The new varieties of peas, bhindi, brinjal, chillies, cowpea and tomato produced by the Institute have become very popular with the farmers. The Delhi Administration are assisting in this matter by advancing loans to growers for irrigation purposes and also in the distribution of vegetable seeds under the technical guidance of the Institute. This will be further intensified.

Railway Accidents

133. Shri P. C. Borooh: Will the Minister of Railways be pleased to state what effective measures have been taken during the past three months to eliminate railway accidents?

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): Preventive measures taken to minimise the incidence of railway accidents are detailed in Chapter IV

of "A Review of Accidents on India Government Railways 1960-61". In addition to added emphasis having been laid on the strict adherence to measures mentioned therein, the following additional measures were also taken during the past three months:—

- (1) Railways have been asked to observe strictly the speed restriction of 25 m.p.h. already imposed on Metre Gauge wagons with less than 10' wheel base for safety reasons.
- (2) The carrying capacity types of non-standard and old wagons of S.E. and Central Railways which are more prone to failure of bearing springs, axle guards and hot boxes has been reduced by 3 tons. The Railways have also been asked to utilize these wagons on Departmental and slow trains to the extent possible.
- (3) (a) With a view to reduce incidence of hot boxes on trains instructions have been issued to the Railways that the axle-boxes of all goods stock should be repacked with cotton waste enclosed in hessian bags and placed across the journals and the change-over must be completed within 12 months.
- (b) In order to have a uniform system of manufacturing of axle box packing rolls, the Railways have been asked to send an officer and necessary staff to see the manufacturing procedure of rolls and repacking of axle boxes at New Delhi sick lines for about a week.
- (4) A special procurement cell in the Works Directorate has been set up to expedite procurement of Permanent Way

materials which will help to accelerate relaying of worn out track and also to strengthen the track.

- (5) The Railways have been advised that lever collars are useful aids to memory and that they may consider adopting them for use on Station Master's slide instruments according to their requirements.

Smallpox Eradication Programme

134. Shri P. C. Boroohah: Will the Minister of Health be pleased to state:

(a) how far the National Smallpox Eradication Programme has been implemented in different States/Union Territories; and

(b) what success has been achieved in it in the country particularly the North Eastern Part?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The information so far received in this connection from the States/Union Territories is contained in the statement laid on the Table of the House. [See Appendix I, annexure No. 19].

Postal Stock Depot, Shillong

135. Shri P. C. Boroohah: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that Government had decided to shift the postal stock Depot located in Shillong to Gauhati;

(b) whether the actual shifting has been delayed; and

(c) if so, the reasons therefor?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) The question regarding shifting of the Postal stock Depot, Shillong to Gauhati was under examination and final orders for its shifting to Gauhati with effect from

1st September, 1962, have now been issued.

(b) No.

(c) Does not arise.

Extension of Railway Line From Bongaigaon to Jogighopa

136. Shri P. C. Borooh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the people of Goalpara had presented a memorandum to him urging for the extension of the railway line from Bongaigaon to Jogighopa; and

(b) if so, the Govt's decision thereon?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan):

(a) Yes.

(b) As the proposed line is not included in Railway's programme for construction of new lines during the Third Five Year Plan, there is no possibility of the work being taken in the near future.

परिवार नियोजन

१३७. श्री रामेश्वरानन्द : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि जन-बृद्धि को रोकने के लिये परिवार नियोजन की अपेक्षा ब्रह्मचर्य का प्रचार क्यों न किया जाये ?

स्वास्थ्य मंत्री (डा० सुशीला नayar) : भारत सरकार ब्रह्मचर्य तथा उसके पालन कर्ताओं का आदर करती है। परिवार नियोजन किलिंग सन्तति नियमन के लिये, जो सीमित ब्रह्मचर्य है, मुराक्षित काल का समर्थन करते हैं। पूर्ण ब्रह्मचर्य सराहनीय तो है किन्तु हो सकता है कि इस देश में जन संख्या नियंत्रण के उपाय के रूप में यह सभी वयस्क स्त्री-पुरुषों के लिये व्यावहारिक न हो।

Male Nurses in Civil Hospitals

138. Shri P. Kunhan: Will the Minister of Health be pleased to state:

(a) whether Government are treating persons who passed the Army Third Grade Examination in Medicine as eligible for appointment as male nurses in the civil hospitals; and

(b) if not the reason therefor?

The Minister of Health (Dr. Sushila Nayar): (a) No.

(b) The Third Grade Examination Certificate of the Indian Army Medical Corps is not considered as equivalent to the certificate in General Nursing approved by the Indian Nursing Council as its standard of training is low.

National Institute of T.B., Bangalore

139. Shri Rameshwar Tantia: Will the Minister of Health be pleased to state:

(a) whether it is a fact that the National Institute of Tuberculosis, Bangalore, will receive an allocation of \$110,000 from UNICEF during 1962-63;

(b) if so, how the allocation is to be utilised;

(c) whether it is also a fact that certain such other centres are also to be started with UNICEF allocations; and

(d) if so, when and where?

The Minister of Health (Dr. Sushila Nayar): (a) No. The allocation is intended for 20 District T.B. Clinics.

(b) To supply INH (an anti-Tuberculosis drug) to the 20 District T.B. Clinics over a period of 2 years.

(c) The UNICEF is to supply X-Ray and Laboratory equipment for 40 District T.B. Clinics.

(d) A statement containing the requisite information in respect of the 20 District T.B. Clinics to which X-Ray and Laboratory equipment will be supplied by UNICEF during 1962-63 is given below.

STATEMENT

| Name pf the State | Name of the T.B. Clinic |
|-------------------|---|
| Uttar Pradesh | 1. Ghaziabad † 2. Jaunpur † 3. Meerut † 4. Sitapur † 5. Basti † |
| Punjab | 6. Rohtak † |
| Andhra Psadesh | 7. Anantapur † 8. Warangal 9. Visakhapatnam |
| Mysore | 10. Chitaldurg 11. Mangalore 12. Tumkur † |
| Andhra | 13. Vellore † |
| Kerala | 14. Cannanore † 15. Kottarakara † |
| Maharashtra | 16. Nasik † |
| Gujarat | 17. Ahmedabad 18. Rajkot † |
| Madhya Pradesh | 19. Shahdol † 20. Dhar † |

†Tentatively selected.

C.H.S. Scheme, Delhi

140. Shri Bishanchander Seth: Will the Minister of Health be pleased to state:

(a) whether a large number of Central Government employees are residing in Shahdara (Delhi) and Ghaziabad;

(b) whether it is a fact that these employees do not enjoy the benefits of Contributory Health Service Scheme; and;

(c) what steps Government propose to take to extend the C.H.S. Scheme to these areas?

The Minister of Health (Dr. Sushila Nayar): (a) About 2,300 Central

Government servants are stated to be residing in Shahdara and other trans-Yamuna colonies in Delhi. Information regarding the number of Central Government servants residing in Ghaziabad is not available.

(b) Yes.

(c) The question of extending the C.H.S. Scheme to Shahdara and other trans-Yamuna colonies in Delhi is under consideration. There is no proposal to extend the C.H.S. Scheme to Ghaziabad.

Malaria Eradication Programme

141. *Shri A. K. Gopalan:*
Shri Umanath:

Will the Minister of Health be pleased to state:

(a) whether the Malaria Eradication Programme of the Government of India is in operation in all the States in India;

(b) the number of people employed all over India and in each State in this programme;

(c) when the Malaria Eradication Programme is expected to come to an end;

(d) whether Government have any proposal to extend the programme; and

(e) whether Government have chalked out any proposal to absorb the persons who will be losing their jobs on completion of the programme?

The Minister of Health (Dr. Sushila Nayar): (a) Yes. The programme is in operation throughout the country.

(b) The required information is being collected from the States and will be laid on the Table of the Sabha as soon as it is available.

(c) Malaria is expected to be eradicated from the major parts of the country by the end of the Third Five Year Plan period, except in some areas along the international borders and

some pockets and foci in the problem areas.

(d) No. It is not necessary.

(e) This is primarily a matter for the State Governments. Their particular attention to this problem was drawn in May, 1959 and from the replies received so far, it is observed that most of the State Governments and Union Territories would be in a position to utilise the services of the staff rendered surplus when the National Malaria Eradication Programme is completed.

Bifurcation of R.M.S. Andhra

142. Shri Yallamanda Reddy: Will the Minister of Transport and Communications be pleased to state:

(a) whether there is any proposal for bifurcation of R.M.S. 'Y' Division in Andhra Circle (Posts and Telegraphs);

(b) if so, when; and

(c) whether it is a fact that the headquarters of the proposed new division is going to be located outside the State of Andhra Pradesh?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) to (c). There was a proposal to bifurcate the RMS 'Y' Division in Andhra Circle, but it has been decided not to do so.

Fruits and Vegetables

143. Shri Yallamanda Reddy: Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is any proposal to undertake marketing survey to assess the availability of fruits and vegetables grown in the country; and

(b) if so, when it will be completed?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) Yes. A scheme to survey the acreage and

production of fresh fruits and vegetables suitable for canning and processing in the country has been undertaken by the Directorate of Marketing and Inspection with effect from 1st April, 1962.

(b) The scheme has been sanctioned upto 31st March, 1963, and the report is expected to be completed by this date.

Scales of Pay of Railway Assistant Surgeons

144. Shri Yashpal Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that All India Railway Medical Association has urged to bring the grades of the Assistant Surgeons Gr. I on par with those of Central Health Services; and

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

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): (a) and (b). Representations were received from various sources viz. Railway Doctors, Indian Medical Association, All India Railway Assistant Surgeons Association, etc. urging that the scales of pay, prospects of promotion and status of Doctors should be improved so as to bring them on par with the staff of the Contributory Health Service Scheme. These representations were examined and the following decisions were taken:—

(1) The authorised scale of pay of Rs. 335-20-475-25-575-EB-25-650 allotted earlier provisionally to Assistant Surgeons should be treated as final.

(2) Private practice by Assistant Surgeons should be restricted to (i) families of the Railway employees drawing pay of Rs. 150 per month and over at their residence; (ii) passengers who take ill while on travel and (iii) outsiders who may be admitted as indoor patients

or for surgical treatment in Rail-way Hospitals.

(3) A restricted non-practising allowance on the following scale should be granted to Assistant Surgeons:—

(a) Specialists like Anaesthetists, Radiologists, Dentists, etc. who by the very nature of their profession are not likely to have any general practice:

(i) Rs. 75 per month for those drawing upto and inclusive of Rs. 500 per month.

(ii) Rs. 100 per month for those drawing pay above Rs. 500 per month.

(b) Other Assistant Surgeons.

(i) Rs. 125 per month for those drawing pay upto and inclusive of Rs. 500 per month.

(ii) Rs. 100 per month for those drawing pay above Rs. 500 per month.

(4) Assistant Surgeons after 5 years service shall hold the honorary gazetted rank and shall be entitled to the usual privileges granted to gazetted officers in matters such as passes, allotment of quarters etc.

(5) The cadre of Assistant Medical Officers should be reviewed to improve the promotion prospects of Assistant Surgeons.

सत्ता का विकेन्द्रीकरण

१४५. श्री तन सिंह : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार वडे नगरों में भी सत्ता के विकेन्द्रीकरण के प्रश्न पर विचार कर रही है; और

(ख) ग्रामीण क्षेत्रों की भांति नगरों में इस प्रकार के विकेन्द्रीकरण में क्या व्यावहारिक और सैद्धान्तिक वापाये हैं?

स्वास्थ्य मंत्री (डा० सुशीला नायर) :

(क) इस बारे में एक मुझाव रखा गया है जो परीक्षणाधीन है।

(ख) इस मुझाव के अन्तिम रूप में स्वीकृत किये जाने पर ही कठिनाइयों का परीक्षण एवं समाधान किया जायेगा।

Thefts of Copper Wire

146. श्री हेम राज: Will the Minister of Transport and Communications be pleased to state:

(a) the number of cases of thefts of copper wires in the different Postal and Telegraph Divisions of the country, Division-wise in 1962 upto the end of July;

(b) the estimated cost of the wires stolen;

(c) whether it is a fact that the theft cases are on the increase;

(d) if so, the reasons therefor; and

(e) the steps taken to check it?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) and (b). Information is being collected and will be placed on the Table of the Sabha.

(c) During 1961-62, there was an increase in some areas but reduction in others.

(d) This is an essentially a Law and Order problem. The thefts are brought to the notice of the respective State Governments.

(e) The following steps have been taken:

1. Close liaison by Circle authorities with State Police authorities to apprehend the culprits.

2. Increase of liability to punishment for the offence.

3. Replacement of copper wire by copper-weld wire in theft affected areas.

4. Replacement of overhead lines by underground cables on the main trunk routes.

Survey of Kangra Valley Railway for Realignment

147. Shri Hem Raj: Will the Minister of Railways be pleased to state:

(a) whether the survey of the Kangra Valley Railway for its realignment has been completed;

(b) if not, whether Government have received any representation to make its realignment through the populous portion of the hilly area;

(c) whether any representations have also been received for conversion of its Rail-Bridges into Road cum Rail Bridges;

(d) if so, the decision taken thereon;

(e) by whom the construction cost of this realigned Railway will be borne, whether by the Central Government or the State Government; and

(f) what will be its probable cost?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): (a) Not yet.

(b) and (c). Yes.

(d) The cost of the line by following an alignment through the more populous area is likely to be about Rs. 1.7 crores more. Hence it is likely that the Punjab Government who will have to bear the cost of the line will not favour this alignment. Regarding construction of rail-cum-road bridges, the experience is that on the narrow gauge generally these are not more economical than separate rail and road bridges. However, the matter will be further considered on receipt of the Project Report.

(e) The survey for the realignment of the line between Jawanwala Shahr and Guler Stations has been undertaken at the request and cost of the

Punjab Government, who will also pay for the realignment of the line.

(f) This will be known after the survey work is completed and the estimate is prepared.

Central Council of Indian Medicines

148. Shri Hem Raj: Will the Minister of Health be pleased to state:

(a) whether Government propose to set up a Central Council of Indian Medicines for its arround development and progress; and

(b) if not, the reasons therefor?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). A Central Council of Ayurvedic Research has been set up. Through it the Government is getting the advice of the best talent available for the promotion of Ayurveda.

Rural Electrification in Rajasthan

149. Shri Morarka: Will the Minister of Irrigation and Power be pleased to state:

(a) the towns and villages in Rajasthan that would be electrified during the Third Five Year Plan period;

(b) the progress that has been made so far; and

(c) the total amount allotted for the above and spent so far?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) 300 towns and villages are expected to be electrified in Rajasthan during the Third Five Year Plan

(b) 82 villages were electrified up to the middle of July, 1962.

(c) Of the total provision of Rs. 111 lakhs made for rural electrification in Rajasthan during the Third Five Year Plan, a sum of Rs. 11 lakhs was released to the State Government during 1961-62. Figures in respect of expenditure incurred by the State Government so far are not available.

Destruction of Crops in Tripura

150. Shri Dasapatha Deb: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Aus crops in Tripura were destroyed by pests this year;

(b) if so, the estimated amount of loss; and

(c) what steps are being taken to meet the contingency that has arisen due to this damage?

The Deputy Minister in the Ministry of Food (Shri A. M. Thomas):

(a) **Yes.**

(b) and (c). Necessary information is being collected and will be placed on the Table of the Sabha as soon as possible.

Ryots of Tripura

151. Shri Dasaratha Deb: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 1963 on the 25th May, 1962 and state:

(a) whether any arrangement has since been made by which the jotedars can cut trees standing in jotedars lands with the prior permission of Revenue/Forest Authorities in Tripura;

(b) if not, what steps Government propose to take to provide facility to the jotedars for cutting their trees without duty, till the particular provision of the Tripura Land Revenue and Land Reforms Act 1960, which provides right to jotedars for cutting trees, is enforced?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) The jotedars are being allowed to cut trees of unreserved species without payment of royalty. In the case of trees of reserved species, permission is given on realisation of royalty.

(b) The matter is still under examination.

Ring Road, Delhi

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

(a) the upto-date progress made in the construction of Ring Road in Delhi;

(b) the amount spent so far thereon?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) The work on the construction of the Ring Road around Delhi is complete except the following items which are in progress:—

(1) Approaches to the over bridges across the three railway lines viz., Delhi-Gurgaon, Delhi-Rohtak and Delhi-Karnal;

(2) Construction of bridge across the Najafgarh drain; and

(3) Strengthening the existing crust in certain sections.

(b) Rs. 120.55 lakhs upto the 30th June 1962, out of the total estimated cost of Rs. 168.2 lakhs.

Special Postage Stamps for W.H.O.

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

(a) whether Government propose to issue special postage stamps to further the W.H.O. drive against small-pox;

(b) if so, when; and

(c) what conditions are attached to take such an action?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) It is not proposed to bring out a special stamps but special cachets with appropriate

slogans will be provided to further the drive against small-pox.

(b) and (c) Do not arise.

Power supply to Delhi from Bhakra

154. Shri D. C. Sharma: Will the Minister of Irrigation and Power be pleased to state:

(a) the quantum of power Delhi will get from the Bhakra Project in Punjab during 1962-63;

(b) by what time it is expected to be available; and

(c) the progress made upto date at both the ends for the transmission of that power?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). 8,000 KW of power has already been received by the Delhi Electric Supply Undertaking in June, 1962. Additional 12,000 KW are expected to be received by September, 1962.

(c) The Delhi Electric Supply Undertaking have made practically all the arrangements necessary to receive the additional supply. The Punjab State Electricity Board are engaged on converting their transmission system from 132 KV to 220 KV for delivery of additional power. The work is expected to be completed by September, 1962.

Government Hospitals in the country

156. Shri Sham Lal Saraf: Will the Minister of Health be pleased to state:

(a) the total bed strength, attendant with necessary health service available for indoor patients in the Government Hospitals and Dispensaries in the country; and

(b) how far the object of providing a hospital bed for a minimum number of our population has been achieved?

The Minister of Health (Dr. Sushila Nayak): (a) The bed strength in Government Hospital and dispensaries is

reported to be 1,36,000, out of a total bed strength of 1,85,000.

(b) 0.40 per 1,000 in 1960, against 0.24 per 1,000 in 1946.

Civil Aerodromes for Jets and Viscounts

157. Shri Sham Lal Saraf: Will the Minister of Transport and Communications be pleased to state:

(a) how many civil aerodromes have runways fit for landing Viscounts and Jet planes;

(b) whether Radar facilities are provided in our country; and

(c) if so, the names of such places?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) 38. Of these, Bombay, Calcutta and Delhi airports have runways suitable for operations of bigger Jets like the Boeing 707 and at Madras airport the runway is being developed for such bigger jet aircraft operations.

(b) Yes, Sir.

Aerodrome Radars:

Bombay and Calcutta airports.

Storm Detecting Meteorological Radars

(1) Bombay (Santa Cruz).

(2) Calcutta (Dum Dum).

(3) New Delhi (Safdarjang).

(4) Madras.

(5) Nagpur.

(6) Gauhati.

(7) Agartala.

(8) Mohanbari (Installation in progress).

Loss to Railways in Bihar due to Floods

158. Shri Raghunath Singh: Will the Minister of Railways be pleased to state the extent of damage caused to railways last month on account of

floods in Bihar particularly by Bagmati and Kosi Rivers?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): It is presumed the Honourable Member is referring to damage during the month of June, 1962, which is approximately Rs. 2 lacs due to floods in river Bagmati.

Waterlogging in Punjab

159. Shri Raghunath Singh: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Punjab Government with collaboration of East German Government are taking anti-waterlogging steps; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). Professor Janert, an expert on drainage from East Germany, was consulted in 1959 by the Government of Punjab on the Waterlogging problem in that State. Professor Janert gave his views on certain technical issues e.g., surface drainage, shallow tubewells, lining of channels, planting of deeprooted trees etc. The Government of Punjab has taken up a few pilot schemes to test the efficacy of the measures before taking a decision in the matter.

Railway Bridges damaged due to Floods

161. Shri Raghunath Singh: Will the Minister of Railways be pleased to state how many railway bridges collapsed or were damaged during the floods or rains in India during the last two months.

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): Only one small hume pipe culvert on N.F. Railway between Rangiya and Rangapara collapsed during the floods.

Wagons for movement of Coal to Madras

162. Shri Umanath: Will the Minister of Railways be pleased to state:

(a) whether sufficient wagons have been allotted to carry the allotted coal to the State of Madras;

(b) the wagon requirement of the State to carry the fully allotted coal and the wagons allotted;

(c) if the number of wagons falls short of the requirement, the reasons and the steps contemplated to meet the wagon needs in full; and

(d) the extent to which carrying of coal is affected by insufficiency of wagons?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):

(a) and (b). Coal to State of Madras moves partly by rail-cum-sea and partly by all rail route. The wagons requirements vary from month to month. The position for July 1962 is given below:—

(i) Rail-cum-Sea Route:

| Allotment given by the Coal Controller | Loading | Remarks |
|--|---------|--|
| 962 (upto 25-7-62) | 947 | (i) 5 wagons returned empty by collieries. (ii) Diversion of 10 wagons to other by consumers Coal Controller. |

(ii) All Rail Route.

| Allotment given by the Coal Controller | Loading | Remarks |
|--|---------|------------------------------------|
| 2257 | 2245 | Short fall due to lack of indents. |

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

P. & T. Buildings in Orissa

163. Shri Surendranath Dwivedy: Will the Minister of Transport and Communications be pleased to state:

(a) the amount of rent paid by Orissa Posts and Telegraphs Circle

every year for using private houses for the purposes of the Department;

(b) the total number of post and telegraph offices of different categories in Orissa and the total number of staff employed in them;

(c) whether all the employees have been provided with houses and offices in departmental buildings; and

(d) if not, since when this problem has been receiving the attention of the authorities and in how many years the Department propose to construct its own houses for the staff as well as the offices and how many have been taken in hand in the current year?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) Rs. 2,11,687.00.

(b) 517 and 4,656 respectively.

(c) No. 143 employees have been provided with departmental quarters. 54 P. & T. offices are located in departmental buildings.

(d) The problem has been receiving attention since Independence but progress has been seriously hampered by shortage of funds. Sanction for construction of 119 units of staff quarters and construction and extension of 19 P. T. buildings has been accorded and the work will be taken up during this year.

Bridge on National Highway 47

164. Shri P. Kunhan: Will the Minister of Transport and Communications be pleased to state:

(a) the amount allocated for the bridge at Mile 6½ of Palaghat Cochin Frontier Road on National Highway No. 47;

(b) whether the work has already been taken up; and

(c) if so, when it is likely to be completed?

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

amount has yet been allocated for the bridge at Mile 6½ of Palaghat Cochin Frontier Road on National Highway No. 47, as the work is not included in the 3rd Plan, but steps are being taken to include the work in the current plan and to allocate necessary funds.

(b) No, Sir.

(c) Does not arise at present.

Heart Disease

***165. { Shri M. N. Swamy:
 } Shri M. K. Kumaran:**

Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Imperial Chemical Industries has invented a Drug which might help those who are prone to heart disease; and

(b) if so, whether any attempts have been made by Government to introduce the drug in the market for use in view of the alarming number of deaths?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The Government of India have no information. A report appeared in the Press that the Imperial Chemical Industries have found a drug which might help persons suffering from heart diseases. The drug has not undergone even the preliminary clinical trials and so the question of putting it in the market does not arise.

Renovation of Bateshwar Ghats at Agra

166. Shri S. N. Chaturvedi: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Central Water and Power Commission examined a proposal for the renovation and reconstruction of the Bateshwar Ghats in Agra District (U.P.) to be taken up in Third Five Year Plan; and

(b) if so, whether the scheme was approved, and whether there is any

possibility of its being taken up during this Plan period?

The Minister of State in the Ministry of Irrigation & Power (Shri Alagesan): (a) Yes.

(b) The Central Water and Power Commission had examined the scheme furnished by the Government of Uttar Pradesh and suggested that further investigations should be carried out before the scheme was finalised. The State Government have now reported that they have prepared a revised scheme as a result of the investigations carried out by them. The revised scheme has not yet been received by this Ministry from the State Government. The scheme is not included in the list of schemes for the Third Plan submitted by the State Government.

दिल्ली के अस्पतालों में पलंग

१६७. **श्री भक्त दर्शन :**
श्री रामेश्वर टांडिया :

क्या स्वास्थ्य मन्त्री ७ जून, १९६२ के नातारंकित प्रश्न संख्या १३४४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) इस समय दिल्ली के विभिन्न अस्पतालों में विभिन्न प्रकार के रोगों के लिये कितने पलंगों की व्यवस्था है; और

(ख) निकट भविष्य में दिल्ली के प्रत्येक अस्पताल में पलंगों की संख्या में कितनी कितनी वृद्धि करने का प्रयत्न किया जा रहा है?

स्वास्थ्य मंत्री (डा० मुशीला नायर)

(क) और (ख). दिल्ली के सरकारी अस्पतालों के बारे में अपेक्षित सूचना का एक विवरण संलग्न है। [देखिये परिचय १, अनुबन्ध संख्या २०]

दिल्ली परिवहन की बस दुर्घटना

१६८. **श्री भक्त दर्शन :** क्या परिवहन तथा संचार मंत्री ७ जून, १९६२ के अतारंकित

प्रश्न संख्या २७८५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि २२ मई, १९६२ की संध्या को नई दिल्ली में सफदरजंग के निकट दिल्ली परिवहन की बस दुर्घटना की जांच का परिणाम और इस सम्बन्ध में की गई कार्यालयी क्या है?

परिवहन तथा संचार मंत्रालय में नौवहन मंत्री (श्री राज बहादुर) : पुलिस अधिकारियों ने जांच पूरी कर ली है और २८ जुलाई, १९६२ को कोट में चालान पेश कर दिया गया था।

दुर्घटना में सम्बन्धित बस का ड्राइवर भारतीय दण्ड विधान की धाराओं २७१, ३३७, ३३८ के अन्तर्गत चार्जशीट कर दिया गया है।

साउथ एवेन्यू, नई दिल्ली में बन्दरों का उत्पात

१६९. **श्री भक्त दर्शन :** क्या स्वास्थ्य मन्त्री ३० मई १९६२ के अतारंकित प्रश्न संख्या २२६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि नई दिल्ली के साउथ एवेन्यू व पास-पड़ोस के इलाकों में बन्दरों का उत्पात मिटाने में इस बीच कहां तक सफलता मिली है?

स्वास्थ्य मंत्री (डा० मुशीला नायर) : बहुत खोजे के बाद भी नई दिल्ली नगर पालिका अभी तक अपेक्षित साज सामान वाले किसी निपुण बन्दर पकड़ने वाले की सेवायें प्राप्त नहीं कर सकी हैं।

Floods in Durgapur Channel

१७०. **Shri Subodh Hansda;**
Shri S. C. Samanta:

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

(a) whether it is a fact that the damage which was caused during 1959 flood in the Durgapur channel by collapsing of a lockgate has not yet been repaired by the Damodar Valley Corporation authorities;

(b) whether it is also a fact that West Bengal Government have

brought this fact to the notice of D.V.C. authorities;

(c) whether this is one of the factors, why West Bengal is unwilling to take over the charge; and

(d) the action taken or proposed to be taken in the matter?

The Minister of State in the Ministry of Irrigation & Power (Shri Alagesan): (a) The repairs have been completed.

(b) Yes.

(c) The Government of West Bengal have not advanced this as a reason for the delay in their taking over the canal system.

(d) The question of taking over of the canal system by the Government of West Bengal is under negotiations between the Government of West Bengal and the D.V.C.

Non-Issue of Railway Tickets to Passengers at Guntur for Tenali

171. Shri Jashvant Mehta: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that railway passengers at Guntur were not issued the usual tickets to Tenali on the 6th June, 1962;

(b) if so, what were the reasons for not issuing the tickets;

(c) the number of passengers who travelled without tickets; and

(d) the number of passengers who were charged extra penalty on arrival at Tenali?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) and (b). As the stock of printed tickets to Tenali was exhausted at Guntur Station, printed tickets were not issued.

(c) Ten, five of whom intimated the T.T.E. before entraining.

(d) Five.

Post Offices in Rural Areas

172. Shrimati Renuka Ray: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that there has been considerable delay in the construction of posts office buildings in rural areas, whereas funds allocated for the purpose have remained unspent; and

(b) if so, what steps are being taken to overcome the delay?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) Yes, to some extent.

(b) The Projects in rural areas generally cost less than Rs. one lakh. The financial powers of Heads of Circles have recently been raised to Rs. one lakh and they have been permitted to engage the services of State P.W.Ds. for the execution of such projects under certain conditions. A separate wing of the C.P.W.D. has been formed and the strength of architects has been augmented.

Inclusion of 'Courtallam' in the list of Stations

173. Shri M. K. Kumaran: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Railway Board have refused to accept the request of the Government of Madras to include Courtallam in the list of stations to which railway seasonal concessions would be available; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Yes, but this refers to correspondence of 1959. Very recently on 20-7-62 the Director of Information & Publicity, Government of Madras, has asked for reconsideration of the matter. No reply to this has been sent yet.

(b) Concessional return tickets are issued only to certain hill stations and such concessional return tickets are not issued to other stations serving places of tourist importance health resorts, etc. Further the present overcrowding position on trains precludes consideration of concessions to additional places.

P. & T. Offices in Assam

174. Shrimati Jyotsna Chanda: Will the Minister of Transport and Communications be pleased to state:

(a) how many post offices, telegraph offices and telephone exchanges have been opened in the First year of Third Plan period in the Assam Circle;

(b) why no Post and Telegraph Office has been opened in Duliajan, Assam where a new township of Oil India Limited has been established since 1959;

(c) whether Government propose to do so now; and

(d) if so, target date of opening the post office in Duliajan?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagvati): (a)

Post Offices.....137.

Telegraph Offices.....2.

Telephone exchanges3.

(b) to (d). A sub office was to be opened at Duliajan on 1-8-62. It could not be opened earlier due to non-availability of suitable accommodation. There has been no demand for provision of telegraph facilities but the matter is being examined.

Cauvery River Board

175. Shri Raghunath Singh: Will the Minister of Irrigation and Power be pleased to state whether Madras Government have suggested that the proposal of the Centre to establish Cauvery River Board is not necessary as the river's water is fully utilized?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): The Government of Madras have taken the view that no useful purpose will be served by the formation of a Cauvery River Board as the potentialities of the Cauvery Basin have almost been fully exploited in both the States and any difference of opinion between the two States can as well be settled by direct negotiations between them as provided for in the Madras-Mysore Agreement of 1924.

Molestation of Girl by Railway Protection Force

176. Shri Raghunath Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a Railway Police Officer at Dehradun detained a girl who belonged to Amritsar for a week and molested her; and

(b) the action taken in the matter?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): (a) and (b). The matter is still under police investigation.

Forest Development

177. Shri G. Mohanty: Will the Minister of Food and Agriculture be pleased to state:

(a) the amount allotted for Orissa State out of Rs. 8.31 lakhs provided during 1961-62 and Rs. 51 lakhs provided during 1962-63 for raising nurseries and undertaking preliminaries for setting up plantations as a programmed of Forest Development sponsored by the Central Government; and

(b) how many acres have been covered during these two years so far out of a total of a lakh of acres planned to be developed during the Third Five Year Plan period?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) During 1961-62 a sum of Rs. 50,000 was

"plantations of fast growing species". For 1962-63 an allotment of Rs. 4,20,700 has been administratively approved.

(b) During 1961-62, seventeen nurseries were raised. No plantations were undertaken. During 1962-63, the State Government propose to raise plantations over an area of 2,200 acres at an estimated cost of Rs. 30,6,700.

Freight realised from Goods booked at Bhadrak Station

178. Shri G. Mohanty: Will the Minister of Railways be pleased to state the amount of freight on goods realised at Bhadrak station (S.E. Rly.) in Orissa during the half-years between January—June, in 1960, 1961 and 1962?

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): The amount of freight on goods realised at Bhadrak station during the half years (January—June) in 1960, 1961 and 1962 is furnished below:—

| | Rs. |
|-----------------------|-----------|
| January to June 1960. | 9,92,069 |
| January to June 1961. | 9,07,773. |
| January to June 1962. | 8,97,812. |

Confirmation of Postmen

179. Shri G. Mohanty: Will the Minister of Transport and Communications be pleased to state:

(a) the number of postmen in Orissa appointed 20 years back, those appointed 15 years back and those appointed 10 years back and not confirmed yet; and

(b) the reasons for keeping them in temporary service for such a long time?

The Deputy Minister in the Ministry of Transport and Communications (Shri B. Bhagavati): (a) and (b). The information is being collected and will be laid on the table of the Sabha.

Rural Electrification

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

(a) the total value of equipment required for achieving the target of rural electrification fixed for the Third Plan period;

(b) how much of the equipment is to be imported and whether foreign exchange for the same has been made available;

(c) equipment of what value will be made available within the country and of what type;

(d) whether any part of the equipment to be imported has been already received; if so, the value of this imported equipment; and

(e) what are the main items of the equipment to be imported and the countries from where the same will be purchased or have been purchased?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) to (e): Information is being collected from the State Governments, including Union Territories and will be laid on the Table of the House as soon as possible.

New Disease in North Kanara

181. Shri Yashpal Singh: Will the Minister of Health be pleased to state:

(a) whether attention of Government has been drawn to reports appearing in the Press as also in the Sunday Statesman, New Delhi, dated the 8th July, 1962, to the effect that a dreadful disease, yet to be identified and so far regarded as a mystery disease but believed to be caused by manganese fume poisoning has spread widely in a part of North Kanara; and

(b) whether Government propose to conduct any field study for observing the causes and effects of this disease and for recommending its possible cures?

The Minister of Health (Dr. Sushila Nayar): (a) Yes.

(b) Chronic manganese poisoning is an industrial hazard, the pathogenesis of which is not fully known. No specific remedy for the disease, except withdrawal from exposures and suitable rehabilitation of the patient in new occupations, is yet known.

The Indian Council of Medical Research has appointed a Working Group to carry out research work on the various aspects of manganese poisoning.

Telegraph Line in Manipur

182. Shri Rishang Keishing: Will the Minister of Transport and Communications be pleased to state:

(a) the number of days in a year on which the telegraph line in Manipur remained out of order during the years 1960-62;

(b) the number of telegrams, ordinary as well as express, received in and despatched from Imphal Telegraph Office by wire and ordinary post during the aforesaid period; and

(c) action taken and being taken for the removal of difficulties of the public of Manipur in this connection?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) The number of interruptions on the Gauhati-Imphal Telegraph circuit during 1960-61 was as follows:—

| | |
|---------|-------|
| 1960-61 | 108 |
| 1961-62 | .. 99 |

(b) A statement is given below:

STATEMENT

During the year
1960-61 1961-62

Number of telegrams
both express and
ordinary sent :

| | | |
|--------------|--------|--------|
| (i) on wire | 32,817 | 35,510 |
| (ii) by post | 196 | 212 |

Number of telegrams
both express and
ordinary received :

| | | |
|--------------|--------|--------|
| (i) on wire | 26,365 | 26,083 |
| (ii) by post | 216 | 311 |

(c) The working hours of the Imphal-Shillong Wireless telegraph link have been increased from 3 hours to 14 hours daily since July 1961 and a wireless link to Calcutta has also been made available for 1 hour daily for disposal of telegraph traffic to Calcutta and beyond; in addition the wireless telegraph link to Gauhati is now worked for 2 hours daily.

Leimakhong Power Scheme in Manipur

183. Shri Rishang Keishing: Will the Minister of Irrigation and Power be pleased to state:

(a) the extent of damage caused to the Leimakhong Power Scheme by the recent flood;

(b) the estimated amount to be spent and time to be taken to reconstruct or repair the aforesaid power scheme;

(c) how does it affect the power supply scheme of Manipur; and

(d) whether an enquiry by competent authority will be held in order to locate the real cause of the heavy damage to the power scheme?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) The old power station, its weir, channel and staff quarters have been completely washed away. The weir for the new power station, which was about 50 p.c. complete, has also been destroyed together with power channel. The loss is estimated to be about Rs. 2 lakhs.

(b) Estimates for these have not so far been finalised.

(c) Supply of power to Imphal town as well as the neighbouring localities, namely, Mantri Pukri, Ching Moirang had to be suspended for a short period. This has since been restored by pressing the diesel

power plant available at Imphal into service, and by diverting some surplus power from the power stations at Thoubal and Moirang.

(d) The Director General Geological Survey of India has been requested by the Central Water and Power Commission to investigate the cause of the damage.

Model Farms with Japanese Aid

184. { Shri Rishang Keishing:
 \ Shri Dasaratha Deb:

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

(a) the number of Indian farmers to be trained and the duration of training in the model farms to be established with the help of the Japanese farmers; and

(b) how the selection of the trainees will be made?

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) and (b): The scheme for training of Indian farmers in the four model demonstration farms, being established in the States of Bihar, Gujarat, Orissa and West Bengal with the assistance of the Japanese Government, has yet to be finalized.

Death of I.A.C. Pilots

186. { Shri Raghunath Singh:
 \ Shri P. K. Deo:
 \ Shri Yashpal Singh:

Will the Minister of Transport and Communications be pleased to state whether it is a fact that I.A.C. plane pilot Capt. B. K. Arora died on the 16th July, 1962, while on a chartered Dakota flight from Kabul to Amritsar when a vulture crashed through the wind-screen of the plane near Lahore, and the details thereof?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): The facts are that

Indian Airlines Corporation Dakota aircraft VT-AUS, while returning from a charter flight from Kabul to Amritsar, on Sunday, the 15th July, 1962, suffered a bird hit approximately 50 miles from Lahore, from a vulture, who smashed the pilot's direct vision window glass and entered the cock-pit and caused grievous head injuries to Co-pilot B. K. Arora. Commander of the aircraft managed to land the aircraft safely at Lahore. The injured pilot was rushed to Mayo Hospital, but inspite of medical assistance rendered, he succumbed to his injuries.

2. The accident has been investigated by the Pakistan authorities. An officer of the Civil Aviation Department participated in the investigation as an observer. The final report of investigation is now awaited from the Pakistan Civil Aviation authorities.

Shortage of P & T Staff in Kerala

187. **Shri P. Kunhan:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that there is a shortage of staff in Kerala P & T Circle; and

(b) if so, what action is being taken by Government to remove this shortage?

The Deputy Minister in the Ministry of Transport and Communications (Shri B. Bhagavati): (a) Yes, Sir, there is some shortage.

(b) The following steps have been taken:

(i) Examination for direct recruitment of clerks|sorters has already been held on 1st July 1962.

(ii) Additional approved candidates from previous recruitment have been allotted to the Divisions concerned and the divisional officers concerned are taking action to finalise preliminary action required before appointment.

(iii) Some candidates are already undergoing the prescribed training before appointment.

Increase in Railway Passenger Fares

188. Shri Nambiar: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that 2nd and 3rd class passenger fares for short distance travel, particularly between three to ten miles, have been increased by more than 10 per cent contrary to the proposals made in his Budget speech; and

(b) the formula by which these increases are effected?

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): (a) and (b). The relevant portion of paragraph 8 (page 4) of the Railway Budget Speech in the Parliament on 19th April, 1962, regarding revision of passenger fares, reads as follows:—

"8. The bases of the proposed fares, class-wise, are shown in the Supplement to the Explanatory Memorandum on the Budget which is being circulated with the Budget papers. The percentage increase proposed in first class fares averages to about 15 per cent, while that for second and third class fares would be a little under 10 per cent."

The proposals made in the Railway Budget Speech were therefore to be considered in conjunction with what was clearly indicated in the Annexure to the Supplement to the Explanatory Memorandum on the Railway Budget circulated to the Parliament with the Budget papers in April, 1962. In the aforesaid Annexure, the following remarks were given:—

"The overall average increase on existing Second Class fares approximates to 8.65 per cent."

"The overall average increase on existing Third Class fares approximates to 9.85 per cent."

It was therefore made quite clear that the fares for second and third classes were to be revised in such a manner that the *overall average increase* worked out to a little less than

10 per cent. It was not stated that for no distance would the increase exceed 10 per cent. While in some cases, particularly for short distances, the increase is more than 10 per cent, there are also cases where there has been no increase at all or an increase of very much less than 10 per cent.

Seed Multiplication and Distribution Programme

189. Shri Inder J. Malhotra: Will the Minister of Food and Agriculture be pleased to state what steps have been taken by Government to bring seed multiplication and distribution programme on sound footing and on uniform basis in the country?

The Deputy Minister of Food (Shri A. M. Thomas): A statement giving the required information is laid on the Table of the House. [See Appendix I, annexure No. 21].

Central Water and Power Commission

190. Dr. K. L. Rao: Will the Minister of Irrigation and Power be pleased to state:

(a) how many posts of members of Central Water and Power Commission are still vacant and for how long;

(b) if the period is long, does the work suffer; and

(c) whether steps will be taken to fill the posts early?

The Minister of State in the Ministry of Irrigation & Power (Shri Alagesan): (a) In the Water Wing of the Commission two posts of Members are vacant. One vacancy occurred on the 17th December, 1961 and the other on the 10th July, 1962. In the Power Wing of the Commission, one post of Member is vacant since the 1st of April, 1961.

(b) The work is being looked after by the Chairman and other members in addition to their own duties, and work has not been allowed to suffer.

(c) Steps are being taken to fill the vacancies as early as possible.

फतेहावाद को रेलवे लाइन से मिलाना

१६१. श्री बागड़ी क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि तहसील फतेहावाद जिला हिसार (पंजाब) में सिवाये भट्टू गाव के कोई रेलवे स्टेशन नहीं है और फतेहावाद को रेलवे लाइन से मिलाने की इलाके के लोगों की बड़ी इच्छा है; और

(ख) क्या सरकार फतेहावाद कस्बे में रेलवे लाइन ले जाने के लिए विचार कर रही है और कब तक इस कस्बे को रेलवे से मिला देने की सम्भावना है?

रेलवे मंत्रालय में उपमंत्री (श्री सें. बै० रामस्वामी) (क) प्रश्न के पहले भाग का उत्तर 'हाँ' में और दूसरे भाग का 'ना' में है।

(ख) इस तरह का कोई प्रस्ताव विचाराधीन नहीं है।

डाकखानों में धन का हेरफेर

१६२. श्री बागड़ी क्या परिवहन तथा संचार मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या धन का कोई हेरफेर उत्तर प्रदेश के डाक व तार धरों में पिछले तीन साल में पाया गया है; और

(ख) यदि हाँ तो किस कदर रकम का और उन व्यक्तियों के खिलाफ़ जिन्होंने ऐसा किया क्या कार्यवाही अमल में लाई जा रही है?

परिवहन तथा संचार मंत्रालय में उप-मंत्री (श्री भगवती) (क) जी हाँ।

(ख) हानि और धोखाधड़ी के सभी मामलों में जितनी रकम का हेरफेर किया गया है उसका व्यौरा इस प्रकार है—

१६५८-५६ १,४६,३४७.६८ रुपये

१६५६-६० १,३६,४२७.१४ रुपये

१६६०-६१ ८२,२६२.८० रुपये

तेरह विभागीय कर्मचारियों और तेरह बाहरी व्यक्तियों पर अदालतों में मुकदमा चलाया गया। तेरह विभागीय कर्मचारियों को नौकरी से भी बर्खास्त कर दिया गया। लापरवाही से काम करने के लिये जिम्मेदार १६० विभागीय कर्मचारियों के विरुद्ध विभागीय कार्रवाई की गई और उनसे द १,६८४.६१ न० प० की रकम वसूल की गई। उन कर्मचारियों से और भी रकम वसूल होने की आशा है जिनके विरुद्ध कार्रवाई प्रारम्भ तो की जा चुकी है किन्तु अभी कोई अन्तिम फैसला नहीं हुआ है।

लेखा-परीक्षा के आंकड़े

१६५८-५६

१६५६-६०

१६६०-६१

| संख्या | रु० | संख्या | रु० | संख्या | रु० |
|-----------------|-----|-------------|-----|-------------|-----------|
| बचत वैक | १४ | ४८,१२२.८२ | ४० | ३६,६२६.६६ | १७ |
| नकदी पत्र | २ | १४,०००.०० | — | ३,४००.०० | — |
| मनीआर्डर | १७७ | ३१,७२२.३० | ११८ | ३४,०६०.४९ | ५७ |
| बीमाकृत वस्तुएं | ४१ | २२,७०३.२६ | ६० | ३२,३३२.२६ | ६८ |
| विविध | १०३ | २६,७६६.२७ | १०६ | ३०,००४.७८ | ११३ |
| कुल जोड़ | २३७ | १,४६,३४७.६८ | ३५७ | १,३६,४२७.१४ | २५५ |
| | | | | | ८२,२६२.८० |

चीनी का उत्पादन

१६३. श्री बागड़ी क्या साधा तथा कृषि मन्त्री यह बताने की कृपा करेंगे कि :

(क) इस साल कितनी चीनी की भारत वर्ष में पैदावार हुई;

(ख) क्या पिछले साल को अपेक्षा इस साल चीनी ज्यादा बनी है; और

(ग) यदि हां तो क्या सरकार का चीनी पर से कट्टोल उठाने का विचार है?

साधा तथा कृषि मंत्रालय में उपमंत्री (श्री अ० म० यामस) : (क) घूर (ख). इस वर्ष २२ जुलाई, १९६२ तक चीनी का उत्पादन २६.२ लाख टन हुआ जबकि गतवर्ष की इसी प्रवधि में २६.० लाख टन हुआ था। ३१-१०-१९६२ तक के कुल उत्पादन की गत वर्ष के उत्पादन से बढ़ने की सम्भावना नहीं है।

(ग) २८ सितम्बर १९६१ को चीनों के वितरणर मूल्य तथा वहन पर से नियन्त्रण उठा लिए गए थे।

टिकट कलक्टर और रेलवे मजिस्ट्रेट के बीच झगड़ा

१६४. श्री रा० स० तिवारी: क्या रेलवे मन्त्री टिकट कलक्टर और रेलवे मजिस्ट्रेट के बीच झगड़े के बारे में २५ नवम्बर, १९६१ के अतारांकित प्रश्न संस्या ५८४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि विभागीय जांच का क्या परिणाम हुआ?

रेलवे मंत्रालय में उपमंत्री (श्री शाह-नवाज़ ज्ञान) : रेल प्रशासन अभी इस मामले की जांच कर रहा है।

Irrigation By Tube-Well

195. Shri Kashi Ram Gupta: Will the Minister of Food and Agriculture be pleased to state:

(a) what per hour minimum water-discharge capacity (in gallons) of a

tube-well is regarded as economic for agricultural irrigation purposes;

(b) the average total cost of such a tube-well;

(c) what are the Running Expenses for such a tube-well and the power required for the same both to be based on an average working day of eight hours; and

(d) how much area is irrigated in an eight hours working day by tube-well of the capacity asked for in part (a) above?

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) The economics of tubewell irrigation is governed not only by its water discharge capacity but also by its depth which influences the cost of construction and running, by the source of power for running it, viz., whether it is hydro-electric power, steam generated electricity, diesel generated electricity or diesel engine, by the cropping pattern in the commanded area and by the irrigation rates which can reasonably be levied from the cultivators. These factors vary considerably from area to area and it is not possible, therefore, to determine the minimum water discharge capacity of an economic tube-well without reference to the area in which the tubewell is to be constructed. However, from the experience of States in which large areas are being irrigated by tubewells, it can be said that the minimum discharge varies between 25,000 gallons per hour in Gujarat and 33,000 gallons per hour in Bihar.

(b) The average cost varies from Rs. 65,000 to Rs. 90,000.

(c) The average running expenses vary from Rs. 12,700 for a diesel engine operated tubewell to Rs. 7,750 for tubewell run by hydro-electric power, for 5,000 hours and 4,000 hours respectively. The power requirement would be 27 H.P. for diesel engine in Gujarat and 15 H.P. for electric motor in Bihar. The tubewell will not be

economical if it is worked for only eight hours a day.

(d) The area irrigated varies from 200 acres to 400 acres.

Dam at Mainadhar on Barak River, Assam

198. Shri N. R. Laskar: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the necessary investigations regarding the proposed Earth Dam at Mainadhar on the Barak River, District Cachar, Assam has been completed;

(b) if so, the details thereof; and

(c) the probable date by which the construction work of the dam will be completed?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) The investigations for the Barak Dam are in progress.

(b) Does not arise.

(c) Feasibility of the construction of a dam will be known only on completion of the investigations.

Telegraph and Public Call Office Facilities at Rudrampur

197. Shri R. N. Reddi: Will the Minister of Transport and Communications be pleased to state:

(a) whether it has been decided to open a Public Call Office and provide telegraph facilities at Rudrampur, Kothagudium Taluk, Khammam District; and

(b) if so, when the same will be provided?

The Deputy Minister in the Ministry of Transport and Communications (Shri Bhagavati): (a) Yes.

(b) June 1963; or earlier if possible.

Railway Siding between Ramagundam and Godavari Khani

198. Shri R. N. Reddi: Will the Minister of Railways be pleased to state:

(a) the reasons for the delay in completing the Railway siding between Ramagundam and Godavari Khani;

(b) when it is likely to be completed; and

(c) when the same will be opened for traffic?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) There is no delay on Railway's part in completing the siding between Ramagundam and Godavari Khani. Progress of the work has been held up as some of the bridges which are being constructed by the Colliery have not been completed. As soon as the bridges and earth work are completed, the railway will lay the siding.

(b) and (c) The siding is expected to be completed by November, 1962, and opened for traffic in December, 1962.

Distance Restriction on Third Class Passengers on Trains

199. Shri R. N. Reddi: Will the Minister of Railways be pleased to state:

(a) whether there is any proposal to impose distance restriction for third class passengers on Howrah|Madras Mail and Hyderabad|Howrah Express trains; and

(b) if so, the nature of such restrictions?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):

(a) and (b). A statement giving the existing distance restrictions by Howrah| Madras Mail for third class passengers is given below. There is at present no proposal to impose any further restrictions by this train.

There is at present no proposal to impose distance restriction by Hyderabad-Howrah Express trains.

STATEMENT

The third class passengers are not allowed to travel by Howrah-Madras Mails:—

- (a) Between any two station on the Howrah-Khurda Road length (both inclusive).
- (ii) Between any station on the Howrah-Khurda Road length (both inclusive) and any station on the:—
 - (a) Cuttack-Talcher Branch.
 - (b) Khurda Road-Puri Branch, and
 - (c) Rupsa-Baripada Branch.
- (iii) or distances less than 160 kilometres between any two stations on the Khurda Road-Waltair length (both inclusive).

Bombay-Vijayawada Janata Express

200. Shri R. N. Reddi: Will the Minister of Railways be pleased to state:

(a) whether there is a proposal to introduce Bombay-Vijayawada Janata Express via Wadi and Hyderabad; and

(b) if so, when the same is likely to be introduced?

The Deputy Minister in the Ministry of Railways (Shri Shah Nawaz Khan):

(a) and (b) There is no proposal to introduce a Janata Express train between Bombay and Vijayawada via Wadi and Secunderabad in the near future.

Confirmation of Assistant Permanent Way Inspectors in Delhi Division

201. { Shri Buta Singh.
Shri Gulshan:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the confirmation of the Assistant Permanent Way Inspectors on the Northern Railway has not been made for the past many years in Delhi Division;

(b) if so, the reasons therefore; and

(c) when these confirmations are likely to be made?

The Deputy Minister in the Ministry of Railways (Shri Shah Nawaz Khan):

(a) to (c) No. The confirmations were actually made in June, 1959. They are again being made very shortly.

Damage to Railway Track during current Rainy Season

202. Shri D. N. Tiwary: Will the Minister of Railways be pleased to state:

(a) the damage done to Railway tracks during the current rainy season; and

(b) the loss of revenue due to the breaches in lines?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):

(a) The damage to Railway track (including bridges) so far, during the current rainy season after 1st June 1962) has been assessed roughly at Rs. 11,00 lakhs.

(b) It is not possible at this stage to assess the loss of revenue on goods and passenger traffic as a result of dislocation of train services, since in most cases, there is only a temporary decline in earnings which are partly made good subsequently after the traffic is restored.

Farm Planning

203. { Shri D. C. Sharma:
Shri P. C. Borooh:
Maharajkumar Vijaya
Ananda:
Shri Ram Rattan Gupta:

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

(a) whether it is proposed to start two farm planning projects to provide on a continuing basis effective guidance

to experts on farm planning in the States; and

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

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) Yes, Sir. Two pilot research projects in farm planning, one in the North and the other in the South, are proposed to be started for conducting research on methodological aspects of farm planning techniques suitable for use under Indian conditions. The experience of these two projects is expected to be useful for guidance in farm planning to the officers of the neighbouring States.

(b) For each project, a village with representative farming conditions, of the region, will be selected. In each village a group of ten farmers, with varying conditions in respect of resources, cropping pattern etc. will be selected and plans will be developed for these farmers. Two or three sets of alternative plans using different techniques will be developed for each farmer taking into consideration the managerial ability of the farmer, availability of resources, personal preferences and risk bearing capacity of the farmer. Farm Record Books will be maintained to collect data on the implemented plans and to assess the costs and returns of these. The experience of the project will help in providing guidance to neighbouring States on farm planning. Data collected under the project will provide useful material for farm planning training also.

Fire in 'Indian Shipper'

204. Dr. L. M. Singhvi: Will the Minister of Transport and Communications be pleased to state:

(a) the total damage to the Cargo on 'Indian Shipper' when it caught fire on the 6th May, 1962;

(b) the cause of the fire; and

(c) whether a statement would be laid on the Table?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to

(c) The vessel is expected to reach Calcutta by the end of this month. On its arrival, a preliminary inquiry will be held by the Mercantile Marine Department, Calcutta. It is on the completion of the inquiry alone that details regarding damage to cargo and the cause of the fire will become available.

Sethusamudra Scheme

205. Shri Umanath: Will the Minister of Transport and Communications be pleased to state:

(a) whether any preliminary report has been prepared by the Chief Engineer, Madras on Sethusamudra Scheme;

(b) whether the report has been submitted to Government; and

(c) if so, steps proposed to be taken in the matter?

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

(b) and (c) Do not arise.

हिंसार में टेलीफोन कनेक्शन

२०६. श्री बागड़ी : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) हिंसार शहर में कितने नये टेलीफोन कनेक्शन की दरखास्तें जेरे तजवीज हैं; और

(ख) ऐसी दरखास्तें कब से जेरे गौर हैं और इनको कनेक्शन देने में क्यों देरी की जा रही है?

परिवहन तथा संचार मंत्रालय में उप-मंत्री (भी भगवती) : (क) १०७। इन में से ३७ टेलीफोन कनेक्शन देने के लिये आदेश पत्र जारी किये जा चुके हैं और उन्हें शीघ्र ही लगा दिया जाएगा।

(ख) सबसे पुराने आवेदन-पत्र की तारीख ११ जुलाई, १६६१ है। मौजूदा एक्स-

चेंज का विस्तार होने के बाद और अधिक टेलीफोन कनेक्शन दिए जायेंगे।

हिसार का मुख्य डाकघर

२०७. श्री बागड़ी : क्या परिवहन तथा संचार मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि हिसार के मुख्य डाकघर की बिल्डिंग बहुत पुरानी है और मौजूदा स्टाफ के लिए नाकाफ़ी है;

(ख) यदि हां, तो क्या सरकार उसकी जगह नई बिल्डिंग बनाने का इरादा रखती है; और

(ग) यदि हां, तो कब तक ?

परिवहन तथा संचार मंत्रालय में उप-मंत्री (श्री भगवती) : (क) जी हां।

(ख) जी हां।

(ग) यह प्रस्ताव अभी प्रारम्भिक स्थिति में है। बवन-निर्माण का काम ओप-चारिकताएं पूरी होने जैसे कि प्रारम्भिक नक्शे, प्रारम्भिक प्रावक्तव्य आदि तैयार करने के बाद ही जिनमें कि कुछ समय लग जाएगा, हाथ में लिया जाएगा।

दिल्ली-फाजिल्का मार्ग

२०८. श्री बागड़ी : क्या परिवहन तथा संचार मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि दिल्ली-फाजिल्का राजपथ को चौड़ा और सीधा बनाने का काम रोक दिया गया है;

(ख) क्या सरकार को मालूम है कि उक्त मार्ग पर सिरसा और हिसार के बीच ट्रॉकों और बसों का काफ़ी यातायात है; और

(ग) यदि हां, तो क्या सरकार का इस मार्ग को चौड़ा और सीधा बनाने के कार्य को चालू रखने का विचार है ?

परिवहन तथा संचार मंत्रालय में नौवेहन मंत्री (श्री राज बहादुर) : (क), (ख) और (ग) अपेक्षित सूचना इकट्ठी की जा रही है और यथासमय सभा पटल पर प्रस्तुत की जायगी।

Filaria Eradication Programme

२०९. श्री D. C. Sharma: Will the Minister of Health be pleased to state:

(a) whether it is a fact that Filaria Eradication Programme had not made any progress;

(b) if so, the reasons therefor; and

(c) the steps taken or proposed to be taken in the matter?

The Minister of Health (Dr. Sushila Nayar): (a) There is no programme yet for eradication of filaria. There is a pilot National Programme for control of filariasis which is a public health problem in some States.

(b) Does not arise.

(c) A Committee was appointed by the Indian Council of Medical Research to evaluate the progress made by the National Filaria Control Programme and to suggest measures for controlling Filaria. A note summarising the findings of the Committee and the recommendations made by them is laid on the Table of the House. [See Appendix I, annexure No. 22].

Copies of the report have been forwarded to the State Governments for implementation.

In so far as the Government of India is concerned, the following decisions have been taken on the relevant recommendations of the Committee:—

(i) Three additional centres on the lines of the Filariasis Training Centre, Ernakulam (now shifted to Kozhikode) recommended by the Committee will be set up by the Government of India and all expenditure in that connec-

tion would be incurred by the Central Government during the Third Five Year Plan period. It is proposed to establish two centres, one each in Uttar Pradesh and Andhra Pradesh during the current financial year and the third centre (location not yet decided) during the next year.

(ii) The Central Government which will be incurred on the additional operational cost which will be incurred on the establishment of Special Bureaux, Research-cum-Training Units, Filariasis Clinics and the re-organised Units by the State Governments during the Third Five Year Plan period. This would mean that the State Governments would continue to meet the operational cost (salaries and allowances of staff and contingencies) to the extent of expenditure being incurred at present and would also meet 50 per cent of the additional cost involved in the setting up of the Special Bureaux, Research-cum-Training Centres, re-organised Units and Filariasis Clinics in accordance with the recommendations of the Committee. The Central Government would continue to supply free of charge material, equipment and larvicultural oil and also meet 50 per cent of the additional operational cost.

(iii) The pilot B. malavi project in Kerala State will be implemented and financed entirely by the Central Government.

Flooding of Poona-Bangalore Highway

210. **Shri Mohsin:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that river Malaprabha often obstructs the traffic

on National Highway (Poona-Bangalore Road) by flooding almost every year near Mugut-Khan Hubli in Belgaum District;

(b) whether Government are aware that public are greatly inconvenienced due to this blockade being repeated quite often in the rainy season; and

(c) if so, whether Government propose to raise the height of the bridge over the said river?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) The bridge across the river Malaprabha on the National Highway from Poona to Bangalore is a submersible bridge. In normal years the traffic is interrupted four times a year for about a day each time. However, in years of abnormal floods the maximum interruption to traffic was for about four days.

(b) and (c) In view of the inconvenience caused to the public by the submergence of the bridge during floods a high level bridge in place of the existing submersible one is to be provided but the same has been given low priority as there are a number of other crossings on National Highways where no bridge exists. The present position is that it has not been possible to provide 27 major bridges required on the National Highways during the Third Five-Year Plan due to paucity of funds. Efforts are being made to obtain more funds to provide for these missing bridges. The question of providing a high level bridge across the Malaprabha river will be re-considered in the light of funds available.

Casualty and Emergency Departments in Hospitals

211. **Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) the progress made so far in the proposal to set up a Board to study the working of hospital casualty departments in the big hospitals of the country's major towns and recom-

mend measures for streamlining the casualty and emergency departments as well as to introduce efficiency in these departments; and

(b) if so, the details thereof?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). A Committee to review the working of the existing Emergency and Casualty Departments in Hospitals in big cities has since been constituted, *vide* Government of India Resolution No. F.7-3/62-HI, dated the 6th June, 1962, published in Government of India Gazette, dated 23rd June, 1962.

The Committee consists of the following:—

| | |
|--|---------------------|
| (1) Dr. N. Jungalwala, Deputy Director-General of Health Services, New Delhi . . . | Chairman |
| (2) Shri A.S. Baghel, Deputy Secretary, Ministry of Health, New Delhi . . . | Member |
| (3) Brigadier P. T. Joseph, Consultant Surgeon, Directorate-General Armed Forces Medical Services, New Delhi . . . | Member |
| (4) Col. R.D. Ayyar, Consultant Surgeon and Medical Superintendent, Safdarjang Hospital, New Delhi. . . . | Member |
| (5) Dr. Jacob Chandy, Principal and Professor of Neuro-Surgery, Christian Medical College, Vellore . . . | Member |
| (6) Dr. M.J.H. Writer, Deputy Assistant Director General of Health Services, New Delhi | Member Secretary |

The Committee have powers to co-opt such other members as they consider necessary.

The terms of reference of the Committee are as follows:—

- (i) To evaluate the existing emergency and casualty service in hospitals in Delhi and other big cities;
- (ii) To formulate recommendations for their improvement for the consideration of the Government of India;

The Committee have already visited major institutions in Vellore, Madras, Bangalore and Delhi and will shortly be visiting other big cities like Calcutta, Bombay, Lucknow, etc. The Committee associate itself on such visits with the State Health Administration, Telephone and Police Officials, private individuals, medical specialists and local hospital authorities. The Committee have also circulated a questionnaire to all the State A.M.Os, Medical Colleges and Medical Associations. They have further invited suggestions, through press advertisement, from experts and Medical and Non-medical Associations, etc. on the subject.

Amendment to Food Adulteration Act, 1954

212. Shri Hem Raj: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 1459 on the 7th December, 1961 regarding Amendment to the Prevention of Food Adulteration Act, 1954 and state:

(a) whether the Central Committee have considered the report of the sub-committee on food standards and finalised their conclusions;

(b) if so, what advice they have tendered for the amendment of Prevention of Food Adulteration Act;

(c) whether it is a fact that several cases of food adulteration in Delhi have been reported in the newspapers recently; and

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

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The report of the sub-committee has not been considered by the Central Committee for Food Standards. However, the various suggestions for making amendments to the Prevention of Food Adulteration Act, 1954 have been considered

by an ad-hoc Sub-committee appointed by the Planning Commission. The Sub-committee have recommended *inter-alia* that the Act be amended to provide for—

- (i) representation on the Central Committee for Food Standards for the Indian Standards Institute, Municipal Corporations etc.;
- (ii) security deposit by the vendor alongwith the licence fee and forfeiture of the same on the infringement of the conditions of licence;
- (iii) more stringent punishment under section 16 of the Act to the offenders.
- (iv) a minimum fine of Rs. 500/- in the case of first offence; and
- (v) administration of the Act by the Central Government.

The recommendations are under consideration.

(c) Reports have appeared in newspapers recently in regard to the presence of a lizard in a bottle of aerated water, a rat in an ice slab, an insect in a bottle of milk and a cricket in a bottle of beer.

(d) The reports have been brought to the notice of the authorities concerned for taking suitable necessary measures for the prevention of recurrence of such incidents.

आगरा छावनी के निकट खंडिया रोड पर लैबल क्रासिंग

२१३. श्री अचल सिंह: क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आगरा छावनी स्टेशन के निकट खंडिया रोड पर लैबल क्रासिंग पर जनता को पर्याप्त यातायात अमुविधा का सामना करना पड़ता है ; और

(ख) यदि हां तो इस अमुविधा को दूर करने के लिए क्या कदम उठाये जा रहे हैं ?

रेलवे मंत्रालय में उपमंत्री (श्री शाहनवाज खां) : (क) जी नहीं । यह सम्पार सड़क यातायात के लिए आमतौर पर खुला रखा जाता है । केवल गाड़ियों के आने-जाने और शिटिंग के लिये इसे बन्द किया जाता है ।

(ख) सवाल नहीं उठता ।

जमुना नदी पर आगरा में पुल

२१४. श्री अचल सिंह: क्या परिवहन तथा संचार मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १६५४ में तत्कालीन परिवहन तथा संचार मन्त्री ने यह आश्वासन दिया था कि आगरा में बढ़ते हुए यातायात को ध्यान में रखते हुए जमुना नदी पर राजपथ पर पुल बनाया जायेगा ; और

(ख) इस पुल के निर्माण के सम्बन्ध में क्या कार्यवाही की जा रही है ?

परिवहन तथा संचार मंत्रालय में नौ-वहन मंत्री (श्री राज बहादुर) : (क) और (ख). जी हां । पुल के लिये जगह चुन ली गयी है । पुल को मिलाने वाली सड़कों के निर्माण के लिये भूमि लेने का काम पहले ही पूरा हो गया है । प्रस्तावित पुल को मिलाने वाली सड़कें राष्ट्रीय राजमार्ग की वाहरी सड़क का काम भी देंगी । पुल निर्माण कार्य तथा इससे सम्बन्धित प्रारम्भिक सर्वेक्षण और कुछ आंकड़े इकट्ठा करने का काम भी पूरा हो गया है । धन उपलब्ध न होने के कारण यह कार्य तीसरी अंचलपूर्ण आयोजना में शामिल नहीं किया जा सका । फिर भी इस परियोजना को चतुर्थ पंचवर्षीय आयोजना काल में शामिल किये जाने की आशा है ।

12.07 hrs.

PAPERS LAID ON THE TABLE

**NOTIFICATIONS UNDER THE INDIAN
TELEGRAPH ACT**

The Minister of Transport and Communications (Shri Jagjivan Ram): Sir, I beg to lay on the Table a copy each of the following Notifications under sub-section (5) of section 7 of the Indian Telegraph Act, 1885, making certain further amendments to the Indian Telegraph Rules, 1951:—

(i) S.O. No. 1621, dated the 26th May, 1962.

(ii) S.O. No. 2078, dated the 7th July, 1962.

(iii) G.S.R. No. 943, dated the 14th July, 1962.

[Placed in Library, see No. LT-263-/62].

STATEMENTS REGARDING THE POWER SUPPLY CRISIS IN DELHI, THE FLOOD SITUATION IN THE COUNTRY AND THE REPORT OF THE KRISHNA GODAVARI COMMISSION

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): Sir, I beg to lay on the Table—

(i) a Statement regarding the power supply crisis in Delhi; and with your permission, Sir, a statement regarding the power situation in Calcutta. [See Appendix I, annexures No. 23 and 24].

(ii) A Statement regarding the flood situation in the country. [Placed in Library, see No. LT-265/62].

(iii) a Statement regarding the Report of the Krishna Godavari Commission. [See Appendix I, annexure No. 25.]

Shri Hari Vishnu Kamath (Hoshangabad): I request that time be found for a discussion of the power supply crisis in Delhi.

Mr. Speaker: I can only decide when I get some notice.

Shri Hari Vishnu Kamath: That we will give.

Mr. Speaker: You give that notice and I will take a decision. Before that what can I say?

Shri S. M. Banerjee (Kanpur): It is better we consider that. We were so concerned about the power crisis that we gave notice of an adjournment motion. We expected that at least the hon. Minister would make a statement. Let us know the story; let us know what is happening. Every day we are facing this crisis.

Mr. Speaker: I would ask that this may be circulated to the Members so that they can study it....

Shri S. M. Banerjee: So that we may be allowed to put questions. Every day we are facing the situation. I do not know whether the hon. Minister....

Mr. Speaker: It will be circulated and then we can see.

NOTIFICATIONS UNDER THE MOTOR VEHICLES ACT AND REPORT AND CERTIFIED ACCOUNTS OF THE SHIPPING DEVELOPMENT FUND COMMITTEE AND AUDIT REPORT THEREON

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): Sir, I beg (i) to relay on the Table a copy each of the following Notifications under sub-section (3) of section 133 of the Motor Vehicles Act, 1939, making certain amendments to the Tripura Motor Vehicles Rules, 1954:—

(a) Notification No. F-VIII(6)-MV/61 published in Tripura Gazette dated the 25th November, 1961. [Placed in Library, see No. LT-189/62].

(b) Notification No. F. IV(2)-MV/61 published in Tripura Gazette dated the 26th May, 1962. [Placed in Library, see No. LT-212/62].

(ii) to lay on the Table a copy each of the following papers—

(a) Following Notifications under sub-section (3) of section 133 of the Motor Vehicles Act, 1939:—

(1) Notifications No. F. 12/130/56-61/PR(T) and No. F. 12/41/61-Transport published in Delhi Gazette dated the 12th April, 1962 and 24th May, 1962, respectively, making certain amendments to the Delhi Motor Vehicles Rules, 1940. [Placed in Library, see No. LT-267/62].

(2) Notification No. 66/62/F. 68-176/61-Pub. published in Andaman and Nicobar Gazette, dated the 5th April, 1962, making certain further amendments to the Andaman and Nicobar Islands Motor Vehicles Rules, 1939. [Placed in Library, see No. LT-268/62].

(b) Report and the Certified Accounts of the Shipping Development Fund Committee for the period ended the 31st March, 1961 together with the Audit Report thereon, under sub-section (6) of section 16 of the Merchant Shipping Act, 1958. [Placed in Library, see No. LT-269/62].

(c) Statement correcting the reply given on the 3rd May, 1962 to a Supplementary by Shri S. C. Samanta on Starred Question No. 385 regarding Second Shipyard at Cochin. [See Appendix I, annexure No. 26].

NOTIFICATIONS UNDER THE DELHI DEVELOPMENT ACT AND CERTIFIED ACCOUNTS OF THE DELHI DEVELOPMENT AUTHORITY

The Minister of Health (Dr. Sushila Nayar): Sir, I beg to lay on the Table a copy each of the following papers:—

(i) The Delhi Development Authority (Publication of Approval of Plan) Regulations, 1926, published in Notification No. S.O. 2165

dated the 14th July, 1962, under section 58 of the Delhi Development Act, 1957.

[Placed in Library, see No. LT-271/62].

(ii) Certified Accounts of the Delhi Development Authority for the year 1959-60 together with the Audit Report thereon, under sub-section (4) of section 25 of the Delhi Development Act, 1957.

[Placed in Library, see No. LT-272/62].

RESOLUTIONS ON THE RECOMMENDATIONS OF CENTRAL WAGE BOARDS AND ANNUAL REPORT OF THE COAL MINES RESCUE STATIONS COMMITTEE, DHANBAD

The Deputy Minister in the Ministry of Railways (Shri S. V. Rama-swamy): Sir, on behalf of the Minister of Labour, Shri Hathi, I beg to lay on the Table a copy each of the following papers:—

(i) Government Resolution No. WB-3/34/62, dated the 7th July, 1962, on the recommendations made by the Central Wage Board for tea plantations industry for the grant of interim wage increase in Assam and West Bengal. [Placed in Library, see No. LT-273/62]

(ii) Government Resolution No. WB-3/43/62, dated the 19th July, 1962 on the recommendations made by the Central Wage Board for tea plantations industry for the grant of interim wage increase in Tripura. [Placed in Library, See No. LT-274/62].

(iii) Annual Report of the Coal Mines Rescue Stations Committee, Dhanbad, for the year 1961-62. [Placed in Library, see No. LT-275//62].

ANNUAL REPORT AND BUDGET ESTIMATES OF THE DAMODAR VALLEY CORPORATION

The Minister of State in the Ministry of Irrigation and Power (Shri

Alagesan): Sir, I beg to lay on the Table a copy each of the following papers:—

(i) Annual Report of the Damodar Valley Corporation and Audit Report thereon for the year 1960-61, under sub-section (5) of section 45 of the Damodar Valley Corporation Act, 1948.

[Placed in Library, see No. LT-276/62].

(ii) Budget Estimates of the Damodar Valley Corporation for the year 1962-63 under sub-section (3) of section 44 of the Damodar Valley Corporation Act, 1948. [Placed in Library, See No. LT-277/62].

NOTIFICATION ISSUED UNDER
INDIAN RAILWAYS ACT, 1890

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): Sir, I beg to lay on the Table a copy of the Railway Accidents (Compensation) Amendment Rules, 1962 published in Notification No. S.O. 2004 dated the 30th June, 1962 together with a Corrigendum thereto, under sub-section (3) of section 82J of the Indian Railways Act, 1890. [Placed in Library, see No. LT-278/62].

NOTIFICATIONS ISSUED UNDER THE
ESSENTIAL COMMODITIES ACT, 1955
AND PREVENTION OF CRUELTY TO
ANIMALS ACT, 1960

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): Sir, I beg to lay on the Table—

(i) a copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(a) The Rice (Punjab) Price Control Order, 1962 published in Notification No. G.S.R. 876 dated the 30th June, 1962.

(b) The Rice (Madhya Pradesh) Price Control Order, 1962 published in Notification No. G.S.R. 877 dated the 30th June, 1962.

(c) The Rice and Paddy (Assam) Price Control Order, 1962 published in Notification No. G.S.R. 878 dated the 30th June, 1962. *

(d) The Rice (Uttar Pradesh) Price Control Order, 1962 published in Notification No. G.S.R. 879 dated the 30th June, 1962.

(e) Notification No. G.S.R. 962 dated the 18th July, 1962.

(f) The Uttar Pradesh Paddy and Rice (Restriction on Movement) Amendment Order, 1962 published in Notification No. G.S.R. 1023 dated the 24th July, 1962. [Placed in Library, see No. LT-279/62]

(ii) a copy of the Animal Welfare Board (Administration) Rules, 1962 published in Notification No. S.O. 2005 dated the 30th June, 1962, under sub-section (4) of section 38 of the Prevention of Cruelty to Animals Act, 1960. [Placed in Library, see No. LT-280/62].

NOTIFICATION ISSUED UNDER
INDIAN AIRCRAFT ACT, 1934

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): Sir, I beg to lay on the Table a copy of the Indian Aircraft (Amendment) Rules, 1962 published in Notification No. G.S.R. 772 dated the 9th June, 1962, under section 14A of the Indian Aircraft Act, 1934 together with an explanatory note. [Placed in the Library, see No. LT-281/62].

12.12 hrs.

12.13 hrs.

ELECTION TO COMMITTEE

INDIAN NURSING COUNCIL •

The Minister of Health (Dr. Sushila Nayar): Sir, I beg to move the following:

"That in pursuance of clause (o) of sub section (1) of section 3 of the Indian Nursing Council Act, 1947, the members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Indian Nursing Council."

Mr. Speaker: The question is:

"That in pursuance of clause (o) of sub section (1) of section 3 of the Indian Nursing Council Act, 1947, the members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Indian Nursing Council."

The motion was adopted.

12.12½ hrs.

BUSINESS ADVISORY COMMITTEE

THIRD REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to move the following:

"That this House agrees with the Third Report of the Business Advisory Committee presented to the House on the 6th August, 1962."

Mr. Speaker: The question is:

"That this House agrees with the Third Report of the Business Advisory Committee presented to the House on the 6th August, 1962."

The motion was adopted.

NATIONAL CO-OPERATIVE DEVELOPMENT CORPORATION BILL—
contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri S. K. Day on the 6th August, 1962, namely:—

"That the Bill to provide for the incorporation and regulation of a corporation for the purpose of development of agricultural produce and certain other commodities on cooperative principles and for matters connected therewith, as amended, be passed."

Shri Trivedi.

Shri U. M. Trivedi (Mandsaur): Before I proceed with this, I want to raise a point of order on this question and seek your clarification whether the procedure adopted in allowing clause by clause discussion of this Bill yesterday was in order or not. The point was raised yesterday and the hon. Deputy-Speaker who was in the Chair proceeded with the debate. I refer to rule 75.

Mr. Speaker: If the House has proceeded with it and the Deputy Speaker has allowed it, I am not a court of appeal.

Shri U. M. Trivedi: I am not appealing to you as a court of appeal; I want this clarification because this question will again come up.

Mr. Speaker: When it comes up again whoever is in the Chair will take a decision; I cannot take any abstract interpretation.

Shri U. M. Trivedi: It is patent on the face of it.

Mr. Speaker: The Deputy Speaker was in the Chair; he has allowed the discussion. The House has passed the clauses. There is nothing that can be raised now on this question and we cannot discuss whether that discuss-

[Mr. Speaker]

sion was *intra vires* or in conformity with the rules or not; that cannot be taken up now.

Shri Tyagi (Dehra Dun): I beg to submit that the question that arises is a question of procedure; whether you or the Deputy Speaker can go against the rules because a wrong ruling given may not go as a precedent for future. It is for that clarification that your ruling is needed. The House has agreed to the ruling because we have passed those clauses and so, as you say, we cannot take any objection to the procedure because it was regularised by the Deputy Speaker. But now the relevant question before the House is: whether you or the Deputy Speaker have the right to over rule the bylaws.

Mr. Speaker: We have no authority to over rule the law or other rules. But the difficulty is, whatever the Chair decides, that is the right interpretation at that moment. Therefore, if the Deputy-Speaker has taken a decision in those particular circumstances, on a particular case, for those circumstances and for that particular case that is the right decision and I cannot sit in judgment over that. If it is an abstract interpretation of any rule, that would be a different thing.

Shri Tyagi: Will you agree that it will not go down as a precedent for the future?

Mr. Speaker: Every case is to be decided on its merits when it comes.

Shri U. M. Trivedi: It is not a question of every case. It is a question of the rule itself. The rule is very clear, and if we want to change the rule we must change it. The application of the rule is such that it is going to occur just now, in one minute or in another half an hour. The point at issue is very simple.

Mr. Speaker: Order, order. I request the hon. Member just to ap-

preciate my difficulty. If it is likely to arise within half an hour, I will be here and he can raise it, and I can give a decision. That would be a different thing altogether but now, without anything being before us, I cannot take an abstract question of a rule or procedure and then give my advice or my judgment on it. Probably I might be called at that moment to give my own ruling. That is a different thing altogether. At this moment, when there is nothing before me, I cannot review or revise or just modify whatever has been done by the Deputy-Speaker. It would be only a fruitless discussion if we enter into it. I would request the hon. Member to proceed with his speech.

Shri U. M. Trivedi: Mr. Speaker, Sir, the second reading of this Bill was hurriedly gone through. The grouse of the House is that one could not come prepared to argue the whole matter on account of certain peculiarity of the procedure which was adopted in rushing through this Bill. The first and foremost thing in this Bill was that the financial memorandum on which I raised an objection was supplied to me a minute before the third reading started. It was impossible for anyone to go back on what has taken place. Once the rushing has been done and once the various stages had been completed, it was extremely difficult for me to offer a proper criticism on the various provisions of this Bill.

However, my objection to this Bill, as I have said, is this. Even at this stage, I do not think it will be improper for the Government to agree that the nomination of all the members under clause 3 should be reconsidered and reconsidered at the Governmental level. Nominating all the members and then having a close preserve for themselves and providing perhaps a remuneration by way of honoraria or by way of fees, or whatever we may

call it, to so many members, will be a sort of appointment to sinecure posts of persons who are favoured by the Government.

With these few words, I would request the Minister of Community Development to look into this matter even today and agree that this nomination must be left to the hands of this House and be made as suggested by me.

Shri Inder J. Malhotra (Jammu and Kashmir): Sir, yesterday also I stressed one point, that this law should be extended to the State of Jammu and Kashmir. I would again request the Minister to take whatever steps are necessary for the extension of this law to Jammu and Kashmir State.

I listened very attentively to the speech of Shri Trivedi yesterday and today also. I do not understand why he has got some apprehension that by passing this law and by the creation of this Corporation, something very undesirable is going to happen to the country. On the contrary, I think that basically it is a very simple change in the law. Previously the Board was taking care of all the things now mentioned as functions of this Corporation. There is a little technical change that instead of the Board, now the Corporation will be functioning. I think by the formation of such a Corporation, the co-operative movement would, in every sphere of its activities, definitely receive better encouragement, and incentive.

Regarding nominations of members, I do not totally agree with what Shri Trivedi has mentioned. But I would certainly say that the nominations of all the members should not be left to the discretion of Government, but some non-official agencies, especially representatives of cooperative societies and organisations, should also be allowed to serve in this Corporation.

Dr. L. M. Singhvi (Jodhpur): Sir, Speaking at the fag end of the debate, I have not much to say. But I do want to invite the attention of the Minister very emphatically to the fact that there are certain provisions which ought to be reconsidered even at this late stage, because these clauses are not consonance with the known principles of law and with the general trends of legislation in this country.

Mr. Speaker: How can the Minister reconsider at this stage when the House has passed all the clauses?

Dr. L. M. Singhvi: These clauses may really make this piece of legislation a very unwholesome one.

Mr. Speaker: He may give his opinion, but how can the Minister reconsider at this stage?

Dr. L. M. Singhvi: Not only the Minister, but the House also, because it so happens that in the parliamentary form of Government, if the Minister so chose, perhaps he would carry the party with him and then, of course, the House would be of that mind. If we look at clause 6, we find that the Central Government may remove from office any member only by giving him a reasonable opportunity of showing cause against the proposed removal. Neither the grounds on which a person may be removed are stated nor is it mentioned that a statement of the grounds would be furnished to him as to the cause of his removal. This is entirely repugnant to the entire scheme of legislation in this country. I think this is a matter which does deserve reconsideration in the hands of this House.

There is another matter to which I invite attention of this House and that is clause 21, which says:

The Central Government, if it is of opinion that the Corporation has failed to carry out its

[Dr. L. M. Singhvi]

functions under this Act or that for any other reason it is not necessary to continue the Corporation, may, by notification in the Official Gazette, dissolve the Corporation from such date as may be specified in the notification."

This provision also, I think, runs counter to the very principle of the existence of a corporation. The main justification for having a corporation is to provide it, to arm it with a certain measure of autonomy, and if the Central Government can abolish or dissolve this corporation at its sweet will and discretion without any prescribed procedure of law, then it would not be in accordance with the very purpose which has been stated by the Deputy Minister, while he opened the discussion in the House, and the Minister while he was replying to the debate.

The Minister of Community Development, Panchayati Raj and Co-operation (Shri S. K. Dey): Mr. Speaker, Sir, I would not like to burden this House with another speech today. Whatever I had to say on the various points raised yesterday on this Bill, I have attempted to cover as comprehensively as I could. A few points have been raised by the hon. Member Shri Trivedi, today, and I would, very briefly, like to answer those points.

He said that the paper which is supposed to be the financial memorandum attached to this Bill was submitted very late. I would only like to mention that actually there is no financial statement called for in this Bill for the simple reason that there is no special amount intended to be given to this Board. As I explained yesterday, every year this House sanctions a certain allotment to the Ministry for co-operative development. A portion of that allotment is routed through the Co-operative Development Board. It is not possible,

therefore, for the Ministry to anticipate what allotment this House is going to make from year to year and what portion actually will be spent through the Board. We can only give the past indications in the statement.

Shri U. M. Trivedi: Is it a charitable society?

Shri S. K. Dey: The only other thing on which an estimate perhaps would have been possible was the expenditure on establishment. This I mentioned at the very beginning, even before even the Bill was taken for first consideration, as you will find if you will kindly refer to the proceedings yesterday, and then we circulated a paper elucidating what we had to say to the House within about half-an-hour of the point at which this Bill was taken into consideration.

Shri Trivedi has mentioned that it is the intention of the Government to make this Board a close preserve of either the Government or the ruling party. There is no question of anything being a close preserve. I mentioned yesterday that it is an organisation that is being brought into being for close collaboration between non-official representatives of the co-operative movement and the representatives of the various ministries and agencies of Government which are closely involved in the development of co-operation in this country.

There is no question of any honorarium because no one who is a member in this draws any honorarium from the Board. The only expenditure that is incurred for the members is the expenditure for attending the meetings like travelling expenses, out-of-pocket expenses etc.

So far as nomination is concerned, I had already mentioned yesterday why we could not introduce into the working of this Board a system of election. It would immediately inject

group politics, party politics and other things. It is expected to be an agent of the Ministry for routing of certain expenditure and for promotion of the co-operative movement.

Shri U. M. Trivedi: Are you running a charitable society so that people will go and attend its meetings for mere out-of-pocket expenses? Is it a charitable institution?

Shri S. K. Dey: There are still people in this country—we are very happy—who are prepared to champion a worthy cause by taking out-of-pocket expenses.

Shri U. M. Trivedi: Call it a charitable society, and we all will go.

Shri S. K. Dey: All co-operatives are expected to be that. In this country, Sir, all office-bearers in co-operative institutions, even today, at least the bulk of them, work in an honorary capacity.

Shri U. M. Trivedi: And then they will cut each other's throat.

Shri S. K. Dey: Then, we shall examine the point made by Shri Gupta.

Shri Inder J. Malhotra: My name is Malhotra and not Gupta.

Shri S. K. Dey: I am sorry. We shall examine the question with reference to Jammu and Kashmir.

As for the clauses in the Bill being undesirable and unprogressive, as the hon. Member, Dr. Singhvi, mentioned yesterday and repeated today, I believe a lot of the so-called undesirable features of any, can be corrected by the rules of procedure which we shall be very careful in framing. So, I move:

"That the Bill, as amended, be passed"

Mr. Speaker: The question is:

"That the Bill, as amended, be passed"

The motion was adopted.

ASSAM RIFLES (AMENDMENT) BILL

Mr. Speaker: The House will now take up the consideration of the Assam Rifles (Amendment) Bill.

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): Sir. I beg to move:

"That the Bill further to amend the Assam Rifles Act, 1941, be taken into consideration."

This is a very simple Bill and I do not think I should take up the time of the House to go into the details. The first object is that the Assam Rifles Bill should apply to a larger area than Assam itself. In fact, even now the Assam Rifles are functioning round about Manipur and other parts which are not in Assam. Therefore, it is only fair that this should apply to that larger area. So, instead of specifying particular places where they should function and this should be applied, we have stated that the Act will apply to the whole of India. Naturally, the Assam Rifles are usually stationed in the north east.

The second amendment deals with certain protection, certain powers and functions in these areas. These are difficult areas. Here I am not referring to Nagaland, because it hardly applies to Nagaland. Because, in Nagaland other measures apply and the army is there. But in other areas which have not been declared for the purpose, the Assam Rifles cannot function adequately without these powers.

I find that there are some amendments to the Bill. I have considered them, but I cannot accept any of

[Shri Jawaharlal Nehru]

them because they take away the protection given to these people, take away their authority to some extent which it is necessary in those places.

As a matter of fact, the rules and procedure that apply are the Criminal Procedure Code. But we cannot rigidly apply the Criminal Procedure Code to those areas, because it will create difficulties. So, special provision is made in clause 3 of the Bill for departures from the regular procedure.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Assam Rifles Act, 1941, be taken into consideration."

Shrimati Renu Chakravarty: (Barackpore): Mr. Speaker, as far as the amendment goes in its efforts to give powers of police officer to the riflemen on duty in NEFA, Nagaland and other border areas, the amending Bill seems all right. But there are one or two points which I would like the hon. Prime Minister to clarify.

On the question of conferring magisterial powers on the Commandants and Assistant Commandants there seems to be a certain amount of fear in the minds of people in Nagaland and NEFA. They feel that it is much better that the riflemen who are actually going to carry out the police duty come under the civilians and the magisterial powers should be wielded by the civilian authorities. As a matter of fact, I am told that in Nagaland they have already applied for the setting up of a police force. I believe the Ministry has considered it and will probably be giving its consent to it. If this be so, it will mean that a certain section of those who will be carrying out Police work will be under the civil authority while another section, that is, the Riflemen under the Assam Rifles, will be under the authority of the military Commandants and the Assistant Commandants. There is, I believe, in these areas a sort of feeling between the military and the semi-military powers

which are the Assam Riflemen. As a matter of fact, there is a growing estrangement between the two. The men of the Assam Rifles are the people who bear the brunt in the border areas. They have to face all the difficulties of the situation there and they do not enjoy the same benefits which the military does. As it exists now, the giving of magisterial powers to the Commandants and the Assistant Commandants may lead to certain bad results. Therefore since we are developing to a large extent the civil authority under those who are loyally co-operating for bringing Nagaland back to peace and within the orbit of the Indian Union, it is better that we allow these people to function under the civil authority as far as possible. Therefore this question of conferring magisterial powers on the Commandants and the Assistant Commandants is a point which needs some clarification as to why it is being brought about.

Regarding the question of giving the powers of a Police officer to the Assam Rifles, this will apply not only to those who will be functioning in NEFA, Nagaland and other border areas but will also apply to all places, that is, wherever the Assam Rifles will be functioning whether it is Tripura, Manipur or any other part of India. Here again, there will be a proper civil authority functioning. There will also be the Police force there. So, again here you will be giving a semi-military organisation full powers of a Police officer. Whether that will be right or not will have to be looked into.

But, on the whole, I think that in the peculiar circumstances of the border areas of NEFA and Nagaland where there are no regular Police forces as yet, until such time as the regular Police force comes into existence this power of search and arrest may be given. This is what I would like to point out, that is, as soon

as there is a regular Police force established there whether the Assam Rifles should continue to have the powers of a Police officer and whether magisterial powers should be conferred on the Commandants and the Assistant Commandants or whether they should remain with the magistracy, that is, with the civil courts that exist in NEFA, Nagaland and these areas, must be considered carefully.

Mr. Speaker: I think I should call the hon. Minister now.

Shri U. M. Trivedi: (Mandsaur): No. Sir.

Mr. Speaker: When no hon. Member stands up what should I do?

Shri U. M. Trivedi: I had sent a chit saying that I would wish to speak on this.

Mr. Speaker: Someone should rise in his seat so that I can call him.

Shri U. M. Trivedi: I am sorry.

Sir, the position to be considered about the Assam Rifles (Amendment) Bill is whether we should have a consolidated law for controlling the various armed forces of India appointed by the Government of India. The Central Government has got authority under the Assam Rifles Act to control the appointment to the Assam Rifles and virtually that flows from the provision contained in the Seventh Schedule, List I, entry 2. This creates a good deal of difficulty in the administration of law. Article 33 of the Constitution of India prevents the application of fundamental rights where the question of the armed forces is concerned. On the one hand, we have this civil police force whose personnel is not discharging the duties of the military, or the Navy or the Air Force, yet, it is governed by the term Armed Forces of India. This question of these Armed Forces of India came to the forefront during this election for the first time. During this election, a move was made to

secure votes for the ruling party from the so-called Armed Forces, namely the Central Reserve police forces and the Assam Rifles. The personnel number somewhere about 30,000. All these 30,000 votes were votes for the ruling party. Because, the Commandant concerned and the Assistant Commandant concerned saw to it that the postal ballot paper was filled up in his presence. No rifleman, no sepoy, no soldier would dare to displease the Commandant.

The particular question that comes before me is the provision of article 136 of the Constitution by which any order made under any law which governs the Armed forces is not appealable even in the Supreme Court of India. It creates a sort of conflict. I know, notwithstanding such provisions, somehow, some advocates do succeed in side-tracking these provisions because the Assistant Commandant and the Commandant are designated as Second class and First class magistrates which is being now done here in this case. Therefore, it is meet and proper that the Government should recast the provisions whereby this Police force has been created. This police force must not be classified as the Armed Forces of India. It is this classification which must change when this amendment is being brought. The object of the amendment is, to my mind, not a desirable one. Assistant Commandants are not trained in the administration of law. The Commandants are neither so trained. The net result is this. Here is a soldier alleged to have done any harm to another soldier. The clause says:

"Notwithstanding anything contained in the Code of Criminal Procedure, 1898, the Central Government may invest any Commandant or Assistant Commandant with the powers of a Magistrate of any class for the purpose of inquiring into or trying any offence committed by a rifleman

[Shri U. M. Trivedi]

and punishable under this Act or any offence committed by a rifleman against the person or property of another rifleman or of any person acting with or assisting the Assam Rifles."

My whole objection patently is against this provision. I know of several cases because I live at a place where the Central Reserve Police has its headquarters. This difficulty always arises. One rifleman or one soldier is not liked by the Assistant Commandant. A fake case is made out. He makes a complaint that this man has stolen my cow, has stolen my goat, has taken watch, anything. This trial comes before the Assistant Commandant because this loss has been done to another rifleman. I hope, Sir, that you are following my line of argument. The phrase here is 'any offence committed by a rifleman against the person or property of another rifleman...'. Now, any type or any kind of offence that could be committed could be committed by one rifleman against another; then, the Commandant or the Assistant Commandant will sit in judgment. His judgment will be the judgment of a biased person. He decides what should be done, and he sends the rifleman to jail. Obstructions are created, and sometimes very successful obstructions are there that this sentence which is awarded by the Commandant or the Assistant Commandant, although it may be that of a person functioning as the magistrate under the law prevailing in the Armed Forces, is not challengeable even in the Supreme Court, what to talk of the ordinary courts or the sessions courts.

The drafting of this Bill is not so very bad as that of the Bill which we had yesterday. But the operation of the law which is proposed in the present Bill will require deep consideration, with this object in view namely that biased officers, or officers who would be naturally biased, should

not sit in judgment between man and man. In the Army Act, there is a very nice provision that even the slightest bias in a court-martial will disqualify the man who sits as the court-martial, or will disqualify even the judge-advocate. But here, the disqualification will not apply. Therefore, I submit that this may be taken note of by the hon. Law Minister who now seems to be in charge of this Bill, in place of the Prime Minister, and I hope that he will do his best to correct it.

Shri Hem Barua (Gauhati): The Assam Rifles are a para-military organisation, and I would pay a compliment to the boys constituting this organisation, who have done commendable service, particularly in the NEFA and other trouble-spots of the far-eastern regions of India. Whenever there is an abnormal situation anywhere, whether it be in the NEFA or in Nagaland, the services of the Assam Rifles are requisitioned, and they have laid down a very fine record of service for so long. That is why I want to congratulate the boys that constitute this organisation, particularly.

Now, this gives scope to our tribal young men to get into the defence services, in a sense. They get the training ground in the Assam Rifles. During the last World War, under the British regime, the tribal people of the hills of Assam played a decisive part all over the world. They were in the defence services, all over the world, and they were encouraged to be there. But, then, the Assam Rifles, somehow or the other, played the part of an organisation that gave the basic training. That is why I want to congratulate, at the outset, the boys who constitute this service.

The present Bill is a very simple one, but I have my grave doubts about investing the Commandant and the Assistant Commandant with these powers. The Assam Rifles functioned in the hill areas, in the NEFA or

in Nagaland, where there were troubles, and where there was no administration such as we have here in the rest of the country. Under those abnormal conditions, certain abnormal laws or abnormal measures had to be adopted, and that was why possibly these measures were adopted. Thus, the Commandant was all in all, or the Assistant Commandant was all in all, I want them to have the powers, so far as the discipline in the services is concerned. But when it comes to a suit of a criminal or civil nature, I do not think that the power should vest with the Commandant or Assistant Commandant.

There is another thing. In the hill areas, particularly in Nagaland, I know there are our jawans, army people, functioning. What about these people? When the civil authorities functioned there—they even now function to a great extent—when the Nagaland or Naga Hills was a part of the State of Assam, I know of army officers telling me about certain benefits the Assam police operating in the Naga hills enjoyed but which the boys belonging to the defence services were denied. For instance, the police officers or policemen working under the auspices or authority of the civil authorities when Nagaland was a part of Assam, enjoyed certain hill allowances for working there. But then the boys who have been working there to quell the hostile activities were denied this privilege. Naturally enough, I came across army men telling me that they were denied these benefits and they should get them. I would say there is some sort of mental agitation among them on this score.

If we have two organisations engaged in a similar type of work but enjoying different privileges, naturally enough there would be some sort of mental agitation. I do not think there was any physical agitation, but there was a mental agitation. If, and

it is bound to be, police forces are going to be constituted for this area, for instance, in NEFA, where we are going to have a police force if not today, tomorrow, and in Nagaland as soon as it comes into being—and I welcome the coming into existence of Nagaland as early as possible—when they would have their own police force, and then the benefits or advantages that the police forces enjoy are denied to the Assam Rifles men, naturally enough there might be some sort of mental agitation.

I say that this power vested in the Commandant or Assistant Commandant to try cases would impose a sort of diarchy even in the areas where the Assam Rifles men, particularly, are operating, for instance, in Nagaland. There is a clause by which Government seek to extend the ambit of the Assam Rifles and make these rules applicable to the whole of India. But what about the rest of India? In the rest of India, there is a well-ingrained civil authority. When this power is given to the Commandant or Assistant Commandant to try cases concerning the Assam Riflesmen it might so happen that this power might at times come into conflict with the civil power, and there might be some difficulty. So far as the hill areas are concerned, there might not be any difficulty for the present—but even there I visualise difficulty. But in the rest of India where civil authorities function, there would be a sort of diarchy operating. Therefore, Let the civil rules—because the Assam Rifles is only a semi-military organisation—operate in their case also so that we might bring them on a par with the rest of the citizens of India, in NEFA or Nagaland, wherever they might be.

In conclusion, I would once again pay my compliments to the young men constituting the Assam Rifles who have done a commendable job in the hilly areas of our north-eastern region.

Shri A. C. Guha (Barasat): Mr. Speaker, Sir, I think there will be general support for this Bill, particularly in view of the disturbed conditions prevailing on the Assam border and in some places even within Assam. The Assam Rifles force occupies a peculiar position. It is neither a police force nor an army; it is somewhat in between the two. So there seems to be some anomaly as regards its functions and privileges. In some cases—I think in most cases—the members of this force act as soldiers of an army battalion. But sometimes they have to do some police work also. The recent escape of two batches of Naga hostiles from the Assam border to East Pakistan has, I think, brought in a certain amount of criticism on the Assam Rifles as also on the soldiers operating there. Considering the conditions in the Assam border, the existence of the Naga hostiles and also the hostile attitude of Pakistan, it is necessary that the Assam Rifles should be strengthened and given adequate powers to render the service expected of them.

At the same time, it should be remembered that the Assam Rifles Act was passed in 1941, during the second world war. Any enactment passed then relating to the Assam border which was a very much active border during those days must have been passed on the consideration of the war conditions prevailing there. So I think the Act operating so long requires some reconsideration at the hands of Government. It should be considered whether the powers and privileges under the Act should be modelled on normal conditions or the Assam Rifles Act which was passed under war conditions in 1941 should continue as it is.

The House will remember that in 1941 there was a great danger of invasion from the eastern side of India—I should not say that there was great danger, because I think many of us were then welcoming an invasion from that side. Anyhow, in the background of those conditions,

this Act was passed. Now, though there are no war conditions there similar to those during the second world war, conditions on the Assam border are very much disturbed. Armed incursions from Pakistan on that border are frequent now. That is why I think certain modifications should be made and new powers given to the Assam Rifles so that they may operate properly.

In the Statement of Objects and Reasons, it has been mentioned that as the riflemen have to operate outside Assam and as they do not enjoy the powers of ordinary policemen, this Bill is intended to give them certain special powers. It says:

"The riflemen are posted for duty in the NEFA, Nagaland and other border areas where there are no regular police forces. During the discharge of their duties, it is necessary for them to make searches, arrests etc. To enable them to make searches, arrests etc., it is proposed to confer on them the powers of a police officer".

Nagaland is going to be converted into a separate State by an enactment of this House including a Constitution amendment. But as far NEFA is concerned, it continues to form a part of Assam, at least notionally. I do not know whether there would be any legal difficulty for the riflemen to operate in NEFA as policemen. Anyhow, I think today or tomorrow NEFA will have to be separated from Assam. That is the presumption or assumption of this Bill. So, I support the provision to give extended powers to the riflemen, and also the powers to be given to the Commandant and Assistant Commandant for the trial of any offending rifleman in the course of his duty. That is a very essential thing if this body is expected to work as a disciplined military force.

13.00 hrs.

Before concluding, I would like to draw the attention of the Government

as also of the Minister in charge to section 12 of the existing Act, which reads:

"The Central Government may, as regards the Assam Rifles, make such orders and rules consistent with this Act."

But these rules are not placed on the Table of the House. It is the convention now that the rules made under every Act are laid on the Table of the House. Though there is no amendment to that effect, I hope the Government will adhere to the convention in this case also, and that you, Mr. Speaker, as the custodian of the privileges of the House, will see to it that this provision of subordinate legislation is brought under the control of this House, so that the rules framed under section 12 may be laid on the Table of the House.

With these few words, I support this Bill.

Shri Tyagi (Dehra Dun): I am completely in support of the proposal this Bill contains. I do not think there is any valid objection to the practicability in working of these clauses.

My hon. friends who are not aware of the army discipline might perhaps feel that some additional powers given to the Assam Rifles might be misused. That might be a doubt in the minds of many, but factually speaking the army is strong not only because of its training, but primarily because of its self-sufficiency as far as discipline is concerned. If cases of indiscipline that occur in the army were to go to outside courts, and if soldiers were given the privilege like ordinary citizens to approach civil and criminal courts in every case, the discipline will be gone altogether, these cannot be any discipline in the army. Therefore, armies are kept absolutely self-sufficient as far as their internal discipline is concerned. It is for this reason that the army is strong. Human psychology is such that they are better

disciplined and a better-knit group, speaking psychologically, if they are self-sufficient from all points of view. So, in the army, the authorities provide them with food, with clothes, every little need of a soldier is met by the army itself.

Shrimati Renu Chakravarty: The Assam Rifles' conditions are different from those of the army. They do not get all the benefits of the army.

Shri Tyagi: That is what I am coming to.

Therefore, actually speaking, the army is strong because there is no outside influence or outside interference in its discipline. It is for this purpose that the Minister has rightly thought of giving power to the Army Commanders to enquire into cases of indiscipline within the force.

This is a police force, no doubt. It goes out into an area which has mostly a difficult terrain, and particularly now when Paikstan is hurling all sorts of threats both from the east and the west, it is very appropriate that this Assam Rifles must be strengthened from the point of view of their rights, privileges and authority. In that terrain it is not possible for a soldier to get a warrant of arrest from a magistrate. A magistrate is not easily available. On the spur of a moment, culprit might escape into the wild terrain. If you have to surround his house and search, how can you wait for a magistrate to give you a warrant? Therefore looking to the type of duties they are expected to perform—they are practically soldiers for all purposes—they must be garbed with all police powers, and therefore these powers are rightly given.

My hon friend perhaps objected to the idea of magisterial powers being given to Commandants and Assistant Commandants to try any offences committed by the subordinate soldiers. After all, we have to care for the liberties and the privileges of the

[Shri Tyagi]

citizens also. We cannot allow a policeman to go amok and do anything unlawful to the citizens, because the primary care of this House is to protect the rights of all citizens, and it is for this purpose that authority is given to Commandants and Assistant Commandants to try those soldiers, so that the soldiers might know that if they commit any excess on the citizens they will be tried immediately and punished. That must be always before them. It is a sanction with the officers to proceed in the affair in a legal manner so that the soldiers may not act against the law. For this purpose, the magisterial powers must also be with the senior officers, so that the soldiers might not go amok. There may be cases of shooting going on by rebels, or outsiders, Pakistanis, for instance, infiltrating, and action may have to be taken. So, there must be some curbs. They should not be given the fullest liberty to go any way they choose, or start shooting any man. It is very essential that when the soldiers are given greater liberties, there must be greater curbs also in the use of those rights. I think the proposals contained in this Bill are very well-balanced, and I think it will add to the efficiency of the Assam Rifles.

I have some experience of the Assam Rifles. I know they have got a very bright history of service rendered in the past. They are really a very disciplined force. For all practical purposes they are in army, and their discipline is as good as the discipline of the army, but because they have to perform these duties and functions of the nature of the police, these police powers must be given to them, so that they may be more effective, and in the interests of the security of the border areas of the country, these powers must be given. I support this Bill.

Dr. M. S. Aney (Nagpur): May I ask a question of Shri Tyagi. Shri Trivedi has stated that so far as the misconduct of the soldier against any outsider is concerned, he has no ob-

jection to the appointment of the Commandant as a magistrate. His main objection is that in a dispute between one soldier and another soldier, the advantage which he gets under military law of an appeal against the court martial is not provided for here, it is denied here. He wants that point to be cleared.

Shri Tyagi: That is already there. in the Assam Rifles Act there is a provision for appeals. If a junior official gives a punishment, it is not final; the soldier can go to the senior officer. Discipline can be maintained only if these disciplinary proceedings are vested in the Assam Rifles themselves. If they were to go outside authorities they will become as bad as the civil administration is becoming. Everybody has got a right to appeal here and there.

Shri D. C. Sharma (Gurdaspur): Mr. Speaker, Sir, no child of India can claim ignorance of the splendid role that the Assam Rifles have played in the security of this country, especially the defence of our border. I feel that no Member of Parliament can say that the record of those persons who constitute the Assam Rifles has been of such a nature as not to make every Indian feel grateful to them. I, therefore, approach this Bill with feelings of pride and thankfulness; and I think that is the prevailing climate in this House also when they are dealing with this Bill.

Now, what are these Assam Rifles? There are some persons who say that they are like the Army; there are other persons who say that they are like the Police. I feel that the Assam Rifles are the bulwark of our safety on the border and they partake of the characteristics of both these units of defence in our country.

Shri Hari Vishnu Kamath (Hoshangabad): Para-military.

Shri D. C. Sharma: They are the Army plus and the Police plus. It

speaks very highly and creditably of the work they have done so far that we are extending their powers beyond the borders of Assam. If their record had not been very good, I think, we would not have come forward with this Bill. Their services are now in demand not only in Assam but also everywhere; and, therefore, we are trying to give them those powers which they will need in the discharge of their duties.

What are the powers that we give them? We are trying to see that they do not suffer from any legal disabilities when they go to work outside Assam. For the purpose of the administration of the Assam Rifles we have 3 categories of persons, the Commandant, the Assistant Commandant and the Rifles. It is a regular hierarchy here as there are in other services, in the Army or in the Police. I feel that due weight is given to these cadres so far as privileges are concerned. The Commandant is going to have those powers which are worthy of him and the Assistant Commandant is going to have the powers which he requires. At the same time, the riflemen are also going to get some powers so that they can deal with those problems which arise in the course of the discharge of their duties.

The fact of the matter is this. These persons have to work in those areas where normal conditions do not prevail. Somebody has been talking about dyarchy, dyarchy between the Assam Rifles and the Police. I think that dyarchy is to be found more in the imagination of the hon. Member than elsewhere. These people work in those areas where work is very difficult and when normal policemen and normal security persons cannot work. Therefore, the question of dyarchy will not arise in the case of these men. Therefore, I believe to give them some powers and privileges is not to give them powers and privileges at the expense of the police or any other person. It is just to arm them with those powers by means of

which the effective discharge of their duties becomes possible. There is no dyarchy involved in this and they are not going to be opposed to the police or opposed to any other body. So this is not treading upon the toes of any other force in this country.

It is necessary that they should be able to discharge their duties to the persons amongst whom they are placed. They have to do their onerous duties. Therefore, they have the ordinary powers of arrest and certain other things. It is not only that. They have not only to preserve order where they are but they have also to observe discipline among themselves. It is therefore said in the Statement of Objects and Reasons—

"To facilitate the inquiry and trial of offences committed by riflemen, it is also proposed to confer magisterial powers on the Commandants and Ass'tant Commandants."

There are some persons who have taken objection to this. They have said that whenever such duties are performed, there is an element of bias involved in it. I feel that the question of bias can be imported into any human relationship. There is no human relationship known in this world which cannot be accused of bias. Husbands have been accused of bias. Wives have been accused of bias; sometimes fathers have been accused of bias in favour of some children. So, bias is a weakness which is inherent in human nature. And, I do not think anybody in this world can claim that he is free from bias of one kind or other. But I must say that when we look at the records of the courts martial and the records of the judicial decisions of the Army people and also the Assam Rifles, we come to the conclusion that they have been as free from bias as it is humanly possible. Whereas the ~~normal~~ human being suffers from so many different kinds of bias, these persons are there only suffering from one pull and that

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is the pull of keeping the security of their country and the pull of doing out justice to those persons who are risking their lives, who are undertaking very difficult jobs under their command. Their loyalty to the staff, their loyalty to the country are such things that will minimise the element of bias to the most infinitesimal point. Therefore, I think, the importation of bias into this relationship is something which is not wholesome.

But, I would like to make one suggestion. These persons are doing their duty under very difficulty and trying circumstances. All honour to them. When we are saddling them with difficult duties, we must also look to the aspect of their privileges. I do not say that they do not have enough privileges. They have some privileges. But I feel that corresponding privileges should be given to them, corresponding with the increase in their duties. I hope the hon. Minister in charge of the Bill will look into that aspect and will see to it that the Assam Rifles do not suffer in this respect in comparison with any other similar body of men who are doing similar work.

As Shri Guha pointed out the rules which are going to be framed under this Act will be laid on the Table of the House as is the normal practice so that if some of us want to raise any discussion on that we should be in a position to do so. With these words, I welcome this Bill and I send my regards to all those persons who are trying to guard our borders and are doing a difficult job splendidly well in the best traditions of our army and of our country.

श्री यशपाल सिंह (कैराना) : अध्यक्ष महोदय, जो यह बिल हमारे सामने आया है उस की स्पिरिट में मुझे कोई एतराज नहीं है। लेकिन मैं यह समझता हूँ कि जब हम जुड़ी-शिश्री और एग्जिक्यूटिव हर जगह अलग करने जा रहे हैं तो कोई कारण नहीं है कि

आसाम राइफल्स के मामले में हम एकसेप्शन करें। दूसरे यह भी है कि नागालैंड की जनता, जिस के रिप्रेजेन्टेटिव्ज यहां पार्लियामेंट में बैठे हुए हैं और जो बकायदा भारत का अंग है, उस के अन्दर एक पुलिस आफिसर को जुड़ीशिश्री के अस्थारात दे देना कुछ भला मालूम नहीं होता।

मैं यह चाहता हूँ कि हिन्दुस्तान की रक्षा हो और देश के हर एक मनुष्य के अन्दर यह भावना पैदा हो कि उस के अधिकार सुरक्षित हैं। नागालैंड में जो लाखों की तादाद में हमारे लोग हैं उन्हें यह मौका मिलना चाहिये कि वे यह सोचें कि इत्साफ उन्हें मिलेगा और अधिकार उन के उन को मिलेंगे। ऐसी हालत में यह समझ में नहीं आता कि हम क्यों एक पुलिस के आफिसर या आर्मी के आफिसर को यह अधिकार दे दें कि वह जब भी और जहां जा चाहे गोलियां चला सके। इसलिये मेरी दर्शकात्मक यह है कि वहां की जनता का सहयोग पाने के लिये और नागालैंड का विश्वास सुरक्षित रखने के लिये हम वहां की जुड़ीशिश्री और एग्जिक्यूटिव को अलग अलग रखें। नागालैंड में इस बबत हमारे विश्वासपात्र लोगों की, वफादार लोगों की, तादाद ज्यादा है। उन के प्रेम और विश्वास को सुरक्षित रखने के लिये भी यह जरूरी है कि हम वहां पर जुड़ीशिश्री और एग्जिक्यूटिव को अलग अलग रखें।

इस मामले में मेरी दर्शकात्मक है कि जहां तक आसाम की और नागालैंड की हिफाजत का ताल्लुक है, उस सवाल में हम सब लोग एक हैं, लेकिन जो जनता हमारी है उस में हमें विश्वास पैदा करना पड़ेगा। साथ ही यह भी है कि जब हमें एक बहुत बड़े शत्रु के खिलाफ लड़ना है तो छोटे छोटे मसायल को गुडविल से, प्रेम से, सद्भावना से हम को तय करना पड़ेगा। इसलिये आवश्यक है कि वहां के हर एक मनुष्य में यह स्पिरिट पैदा

की जाये कि जो राष्ट्र विरोधी तत्व हों उन को वहां के लोग खत्म कर सकें। लेकिन इन्साफ करने के अधिकार को कभी भी फौज या पुलिस के आदमी को नहीं दिया जा सकता। दोनों के अलग अलग दिल दिमाग हैं, उन की अलग अलग ट्रेनिंग हैं, दोनों के अलग अलग संस्कार हैं। इसलिये इस आदरणीय सदन से मेरी दर्शावात्मक यह है कि पुलिस को या फौज को जुड़ीशिप्ररी के अख्त्यार न दिये जायें।

जहां तक इस विधेयक की स्पिरिट का ताल्लुक है, मैं सहमत हूँ और मुझ से पहले जो माननीय सदस्यों ने कहा है, उस से भी मैं मुत्तफिक हूँ, लेकिन एक मैजिस्ट्रेट के अख्त्यार मैजिस्ट्रेट के पास रहने चाहिये और पुलिस के अख्त्यार पुलिस के पास रहने चाहिये।

Shri J. N. Hazarika (Dibrugarh): Sir, I fully support this Bill because by this Bill we are going to extend the services of the Assam Rifles not only in the border areas in Assam but in many other places. I think this Bill is already delayed. This Act was passed in 1941 in order to see that the eastern borders are carefully secured. Now we have got troubles not only in that border but also in the northern border and, therefore, the extension of its services is very much needed.

Secondly, Assam Rifles is a police force as well as a military force. It is military in the sense that it is working for the security of that area and it is police because it goes to the aid of the civil authorities for keeping the normal law and order. That is why there is no justice in denying them this kind of power given to the police officer. So, this provision is most welcome so that the commandant or the assistant commandant could settle disputes specified in the Bill. There will be more discipline and more strength in the Assam Rifles. Therefore, I support the provision granting this power as envisaged in the Bill. I support the Bill and request the House to pass it.

The Minister of Law (Shri A. K. Sen): Mr. Speaker, before I say anything else, may I express the gratitude of the Government for the almost universal appreciation of this House for the splendid work done by the Assam Rifles and in the most trying circumstances. I have no doubt that when this deep appreciation is conveyed to the members of the Assam Rifles they will appreciate the same in the spirit in which it has been expressed here. We wish them well and I have no doubt that this House will assist them in the best possible way whether by altering the existing Act in a suitable manner or otherwise so that the difficult work they have to handle not only in Assam but in the periphery is done faithfully and to a successful conclusion.

May I say that most of the rather sceptical remarks of certain hon. Members have, I think, been made as a result of lack of understanding of the purpose and scope of the alterations suggested in the Bill. The second clause is absolutely necessary. There has been no criticism against that clause because the Assam Rifles are today operating in Nagaland and in NEFA and tomorrow possibly in other areas and, therefore, it is absolutely essential that the Act must apply to the whole country instead of being confined to Assam only. Alteration of section 10 has been necessitated simply because of the fact that today the operations are not conducted by the commandant or the assistant commandant in person everywhere. In the olden days there were hardly any operations undertaken which were not conducted under the direct supervision either of the commandant or of the assistant commandant. But today the ordinary members have spread in most places and they operate without the commandant or assistant commandant being present in person. So, they have to carry out many orders on their own responsibility and according to the strict law of torts which obtains in this country as in other countries they would be liable, possibly, to claims and mere citation

[Shri A. K. Sen]

of a lawful order would not be enough. That would have been enough if the assistant commandant or the commandant was present. Under the Act as it stands at present that protection to the ordinary rifleman who has to perform onerous duties was absent. It is, therefore, most necessary that the immunity that is granted to the commandant and the assistant commandant should in all fairness be extended to the ordinary infantryman who is called the rifleman under the Act, who performs most of the important duties today. I have no doubt that when that is appreciated no objection could be raised to it.

What is it that we intend to extend to him? First of all, there are the privileges which are granted under section 125 of the Indian Evidence Act and also the other provisions like sections 42 and 43 of the Police Act which were extended to the commandant and the assistant commandant. Section 125 of the Evidence Act prevents the extraction of any evidence from a rifleman or a policeman with regard to the source of information. This is most important. When they have to operate on secret information in disturbed areas, it is of the utmost importance that the sources of information should not be disclosed. That is why under section 125 of the Evidence Act, it was not competent for a magistrate or a police officer to compel to disclose his source of information and that immunity is extended to the ordinary rifleman because he has to act on that information received from many friendly sources in disturbed areas like Nagaland where he has to operate. Then, in any suit or proceeding, the commandant could receive complete immunity by citation of the lawful order, but the riflemen could not. Now, that power is extended to the riflemen under sub-section (2) of section 10 of the original Act.

Then we provide the necessary corollary that such plea may be proved by the production of the warrant

or order. Just merely by producing a warrant or order he shows the lawful authority and gets immunity which was originally extended to the commandant and the sub-commandant only.

Then, under sub-section (4) we extend the immunity of sections 42 and 43 of the Police Act which was extended only to the commandant and the sub-commandant. This puts a limit of time within which proceedings shall be brought. This is in line with the Public Authorities Protection Act obtaining in England so that a public officer performing difficult duties may not be under the threat of prosecution or subject to a civil proceeding hanging over his head for years; and before evidence can be obliterated or evidence will disappear, a reasonable limit of time is set for the launching of any proceeding against all such officers. We have the Public Authorities Protection Act; we have the Judicial Officers' Protection Act and various other Acts which provide us with a particular time-limit within which proceedings are brought. This was originally available to the commandant and the sub-commandant only. We now extend it to the others.

The whole thing has been necessitated by reason of the fact that today the operations are so widespread that it is impossible for the commandant and the sub-commandant to be present in person everywhere, and the ordinary rifleman is to take over the duty of the commandant in many areas. It is the altered nature of the duties which has necessitated the extension of the original immunities available only to the commandant and the sub-commandant to the ordinary infantrymen.

With regard to section 10A, all that we have provided is that the commandant and the assistant commandant who have the power to enter upon an adjudication will be invested with powers of a first-class magistrate.

In trying offences against the Act itself by members of the forces, let us not confuse it with offences which are committed outside the forces. That would be open—the civil and criminal acts—to the ordinary courts. This is in answer to the hon. Member, Shrimati Renu Chakravartty who raised a little apprehension with regard to that. With regard to the offences committed under the other provisions, the ordinary courts shall function. These adjudications are in relation to the offences under sections 6 and 7 of the Act itself, where the members of the forces are made liable for breaches of discipline, disobedience of the lawful orders and other acts of commission and omission which are made punishable for the purpose of preserving discipline of the forces. When an ordinary infantryman refuses to obey lawful orders the punishment is up to transportation for life. With regard to these offences the forum for adjudication is, like the martial law tribunal, the commandant and the sub-commandant of the force itself. It is therefore, that we have given him the power of the first-class magistrate.

Some of the amendments are designed to convert them into a court and make them liable to the proceedings under the Criminal Procedure Code. That would be impossible to work out because like all martial law courts, they have to follow all the necessary essentials of a regular court and yet they must be governed by the Criminal Procedure Code, and that will make them subject to the incidence of the provisions of the Criminal Procedure Code, such as revision and various other fetters that will make it impossible for such tribunals to function.

These are my submissions and I commend the motion for consideration of the Bill to the acceptance of the House.

Mr. Speaker: The question is:

"That the Bill further to amend the Assam Rifles Act, 1941, be taken into consideration."

The motion was adopted.

Mr. Speaker: Now, the House will take up clause-by-clause consideration of the Bill.

Dr. L. M. Singhvi (Jodhpur): Sir, I am aware that it is possible under the rules of procedure for the Speaker, either when there is no amendment or when the Speaker may deem fit, to allow the clause-by-clause discussion on the same day on which the motion for consideration is made. But I submit, and this I submit particularly because yesterday a similar point of order was raised in this House.

Rule 75, the language of which is clear, is intended to debar any clause-by-clause discussion of the Bill on the same day on which a motion for consideration under rule 74 is made. Now, it is true that in case when an amendment is not made or when the Speaker may so desire or may consider it proper under rule 88, in his discretion, may allow a clause-by-clause discussion on the same day, but since the normal rule of procedure under rule 75 is that a clause-by-clause discussion will not take place on the same day, the Speaker must say that notwithstanding the normal rule of procedure under rule 75 he allows a clause-by-clause discussion on the same day.

I submit that rule 75 actually covers the normal rule of procedure and rule 88 is an exception or adaptation of it. Since the exception has been put into operation, the Speaker may say that notwithstanding the ordinary rules of procedure he allows a clause-by-clause discussion under rule 88.

Shri Tyagi: In that case the Speaker has got the right to allow it.

Mr. Speaker: In the first place, the hon. Member must realise that at least the Speaker has the power to take up clause-by-clause consideration, and because I have called up the next stage, and took up clause-by-

[Mr. Speaker]

clause consideration, there cannot be any objection to that.

Secondly, I do not agree with the hon. Member that rule 75 debars discussion on clauses on the day on which general discussion is held. He has put that interpretation on the wording of rule 75. He will kindly look into it, and to the stage where we are. The heading indicates what we have to do. It says, "Discussion of principle of Bill". The emphasis is not on the day on which any motion referred to is taken up for consideration. But the emphasis is, and the objective is, on the day when it is taken up for consideration or on any other day to which it might be postponed and consideration might be had, on the nature of the discussion; that is, what discussion shall it be. It would be only on the general principles of the Bill and the details of the Bill shall not be discussed during that stage. This is the objective of this rule 75. Of course, because the words "on the day" are written, it might be interpreted that it is intended that on that very particular day, further progress of clause-by-clause consideration might not take place. But if we just see the whole arrangement of the rules, we will come to this conclusion that here we are only on the discussion. After rule 75, we come to "Persons by whom motions may be made" and then "Notice of amendments". Finally, it is under rule 86 that we come to the stage of mode of moving amendments. It says:

"When a motion that a Bill be taken into consideration has been carried, any member may, when called upon by the Speaker, move an amendment to the Bill...."

After that, clause 88 provides that,

"Notwithstanding anything contained in these rules, the Speaker may, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the House clause-by-clause."

Therefore, the interpretation which the hon. Member put on rule 75 is not the correct one that when the general discussion is over, we cannot discuss it clause-by-clause on the same day. That was not the intention of that rule. If there is any misapprehension on account of the words "on the day", that is amply laid at rest by rule 88, which gives the power to the Speaker to take up the Bill clause-by-clause. So, when I take up clause-by-clause, there ought not to be any question about that.

Shri Tyagi: In that case, yesterday's ruling by the Deputy-Speaker was also quite in order, there was nothing objectionable.

Mr. Speaker: There is no objection to that.

Dr. L. M. Singhvi: I wish to submit that the very reason which you mentioned that the words "on the day" are not to be emphasised because of what is contained in rule 88 and rule 90, may be adduced in favour of my point, because if this was the normal procedure, no exception need be incorporated. From the fact that an exception has been provided, it is very clear what the normal procedure is. After all, the expression is "on the day". A day will mean a day and it will not mean the period of discussion on the same day.

Mr. Speaker: What it means to me I have said and I have given the decision. Now, we take the Bill clause-by-clause.

Mr. 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— (Substitution of new section for section 10)

Mr. Speaker: Shri Bade has given notice of some amendments, but he

is not present. Is Shri P. R. Patel moving his amendments?

Shri P. R. Patel (Patan): Yes, Sir. I am moving amendments Nos. 5 and 6. I beg to move:

- (i) Page 1, line 16, after "authority" insert "or in discharge of duty" (5)
- (ii) Page 1, line 20, after "the act" insert "or evidence" (6)

Mr. Speaker: Does he want to say anything?

Shri P. R. Patel: I do not want to say anything. But I would say one thing....

Mr. Speaker: Would that one thing not be included in anything?

Shri P. R. Patel: The idea in amending section 10 of the main Act is to give protection to the riflemen. To remove any suspicion, I want to add the words "or in discharge of duty", to give more protection to the rifleman. That is the only idea behind it and I hope the Minister will accept it.

Shri Hari Vishnu Kamath: Sir, I submit that there is a curious inconsistency between the provisions of sub-clause (2) and sub-clause (3) of the proposed new section 10. A close look at both these sub-clauses will substantiate the point I am about to make. Sub-clause (2) provides that,

"(2) In any suit or proceeding against a Commandant, Assistant Commandant or rifleman for any act done by him in pursuance of a warrant or order of a competent authority,—

mark the words "competent authority"—

"it shall be lawful for him to plead that such act was done by him under the authority of such warrant or order."

Sub-clause (3)—the last portion, the tail-piece of this sub-clause reads like

this. I would rather read the whole sub-clause:

"Any such plea may be proved by the production of the warrant or order directing the act, and if it is so proved, the Commandant, Assistant Commandant or rifleman, as the case may be, shall thereupon be discharged from liability in respect of the act so done by him, notwithstanding any defect in the jurisdiction of the authority which issued such warrant or order."

Mark these words again: "Notwithstanding any defect in the jurisdiction of the authority". Sub-clause (2) makes it clear that it should be a competent authority. The word 'competent' is very well defined in law. Competent means not only competent in terms of powers, but also competent in terms of jurisdiction. Unless the authority has powers vested in it with regard to jurisdiction as well as power, it is not a competent authority.

Sub-clause (3) says that the person has got to produce a warrant or order to prove to the court or the investigating authority that whatever act was done by him was done in pursuance of a warrant or order issued by a competent authority. But sub-clause (3) goes further and says "notwithstanding any defect in jurisdiction", which means it is not a competent authority.

Mr. Speaker: It would be declared under the rules that such and such authority would be competent authority and would exercise jurisdiction within such and such areas. Supposing a competent authority having jurisdiction in a particular area, by mistake, issues a warrant for an area which is not within his jurisdiction....

Shri Hari Vishnu Kamath: How can he be competent for that area?

Mr. Speaker: It was a competent authority to issue warrant for a particular area.

Shri Hari Vishnu Kamath: 'Competent' means competent in all respects. How can it be partly competent and partly incompetent?

Mr. Speaker: A magistrate has jurisdiction within a territorial limit. He can make a mistake by issuing a warrant outside it. That would be a mistake. He has no authority to do it. He has no jurisdiction to do it.

Shri P. R. Patel: Then it would be an illegal warrant.

Mr. Speaker: Maybe, but the person who exercises functions under that warrant must be absolved of the responsibility. The question is to safeguard and provide protection to the rifleman. Suppose the competent authority makes a mistake. The rifleman is to be protected, because he bona fide obeys the order of the Commandant or whoever issues it. That rifleman must be protected, whatever action you might take against the man who was not competent to issue the order. So far as the rifleman is concerned, he has not done any fault. If he has obeyed the orders under the bona fide belief that the man superior to him has authority to issue that order, he should not be punished, whatever other proceeding may be taken against the man who has made that mistake.

Shri Tyagi: My friend seems to have misunderstood it. The authority is not in any way relaxed in sub-clause (3). It says, "notwithstanding any defect in the jurisdiction". Suppose the authority issues a warrant and he is to arrest somebody. But that man absconds to some area which is not within the jurisdiction of that authority. He has to run and arrest that person in the other area. Therefore, the warrant was duly issued by a proper authority, but the jurisdiction regarding the area in which it has to operate may change.

Mr. Speaker: That would be a different thing altogether. If the warrant

only authorises the rifleman to arrest a man in one particular area and the man has gone to the other area, then the rifleman cannot proceed further, because it would then mean that he goes beyond the powers given to him by the warrant.

Shri Tyagi: What I was submitting is this. Suppose a warrant was issued, say, in a Pargana and the man concerned absconded beyond that Pargana or jumped a few yards on the other side. So long as the warrant was issued by a proper authority, the change of jurisdiction has been given.

Mr. Speaker: If the warrant says that he must be arrested and apprehended within that Pargana, the rifleman would not go outside it. If he goes, then he goes beyond the powers given to him by the warrant. But if the warrant says that such and such a man is to be arrested wherever found, then the warrant is issued beyond the jurisdiction or competence of that authority. In that case, certainly, the rifleman should not be punished. He should not be punished if there is a defect in the warrant. Simply because he has obeyed the orders issued by the competent authority and the authority was not competent to issue such a warrant, he should not be punished.

Shri Hari Vishnu Kamath: Mr. Speaker, Sir, you will be pleased to see, and the House will also appreciate, that this clause (3) is wide in its application. It does not apply to riflemen only. It applies to Commandants, Assistant Commandants and others, who are fairly superior officers, who may commit acts in pursuance of a warrant or order issued by some other higher authority. I do not know under whom a Commandant will be functioning.

Mr. Speaker: Whoever might be acting to execute that warrant will be safeguarded. He will be protected. If the competent authority is somebody else, then the executing autho-

rity will be safeguarded and protected in case there is some defect in the warrant so far as the jurisdiction is concerned.

Shri Hari Vishnu Kamath: Doubt still lingers in my mind, Sir, whether we can, in that case, still retain the words "competent authority" in sub-clause (2).

Mr. Speaker: Let us hear the Law Minister and see whether he can remove the doubt of the hon. Member.

Shri A. K. Sen: Mr. Speaker, Sir, what you have said is perfectly right. This is a well known provision, of giving immunity to officers and men who have to act under orders of superior authorities and who cannot question the jurisdiction of such superior authorities each time there is a warrant or an order. Apart from the question of warrant or order, let us take the question of a requisition. It authorises the requisitioning of property not being household effects or implements of trade or agriculture. Let us say that a magistrate issuing the order of jurisdiction directs a Commandant or a rifleman to take possession of certain goods which happen to be household goods or implements of agriculture. They cannot say that the magistrate has no jurisdiction to order the requisition of articles of agriculture or articles of trade. Yet he does so. Can the riflemen question him? A rifleman has to carry it out. When he is hauled up in a judicial proceeding for damages, he shows the warrant or order. Then there is a complete discharge so far as he is concerned. This is in order to restrict the English Law of Torts which applies in this country, where the citation of superior authority is no defence. That is why there is the Judicial Authorities Protection Act. Shri Kamath has been a judicial officer himself. He knows that he has immunity under the Judicial Authorities Protection Act which, even if he passed an order without

jurisdiction, gave him immunity provided he acted *bona fide*.

Shri Hari Vishnu Kamath: That is not on all fours with this.

Shri A. K. Sen: This is on all fours, because the magistrate would be guilty if he acts without jurisdiction according to Torts but for that immunity.

Even now the Judicial Authorities Protection Act remains as a good piece of law, otherwise no judicial officer can function if he is made liable as in Torts for every act where he oversteps his jurisdiction. That is the point, Sir, and, if I may say so with all respect, you explained it, and I do not know why Shri Kamath who while acting as a magistrate himself having enjoyed the immunity throughout should have any doubts now.

Shri Hari Vishnu Kamath: That is old history. I did not do any such act.

Shri A. K. Sen: Even if he did he would not have been made liable.

Shri Priya Gupta (Katihar): That is why Shri Kamath left the post.

Shri A. K. Sen: This simple provision of immunity is necessary.

Regarding Shri Patel's amendments, if you look at page 1, line 20, you will find that it is completely out of place if we add the word "evidence". When the production of the warrant or order gives the immunity, where does evidence come in? There is no evidence here. The order itself is the evidence.

His next amendment on page 1, line 16, is also, you will find, out of place. The whole of this section is meant to cover cases of vicarious liability where the officer or the rifleman concerned acts on the order or warrant of a superior. There is no question of any discharge of duty here.

Shri Lahri Singh (Rohtak): The words "in good faith" should be put in here.

Shri A. K. Sen: I am very sorry, Sir, the hon. Member has not tabled any amendment. Good faith is written into such things, as you know it yourself. Any act done in bad faith takes out the provision for immunity and the officer pleading immunity cannot avail himself of the immunity if it is proved that he acted in bad faith. Bad faith removes all immunity, that is the central principle of law, and that need not be cited here.

Shri Lahri Singh: The defect may arise somewhere. The words "good faith" must be added here. It should read: "notwithstanding any defect in the jurisdiction of the authority which issued such warrant or order in good faith". Otherwise it will become very difficult to control such things. You cannot give such an unlimited authority. If you do not add these words, knowing fully well that he has not got the authority a person may do it.

Mr. Speaker: We are here protecting the men who execute the warrant and not those who issue it.

Shri Lahri Singh: When a man goes to execute the warrant he may get into some conflict and he may be murdered there. What will be the position then. That is why I say that the words "good faith" must be added here.

Shri Tyagi: How can a rifleman know that the warrant has been issued in good faith or in bad faith?

Shri Lahri Singh: The authority which issues the warrant must do it in good faith.

Mr. Speaker: We are not concerned here with the competent authority, whether its powers are *bona fide* or *mala fide*. We are only concerned with those people who are to carry out the warrants.

Dr. M. S. Aney: The riflemen must act in good faith. Because he acts in good faith he enjoys the immunity. If he does not act in good faith he can have no immunity at all.

Shri Hari Vishnu Kamath: May I, Sir, request you again to remove another little doubt which is in my mind with regard to....

Shri Tyagi: He is so full of doubts that it is difficult to remove them.

Shri Hari Vishnu Kamath: It is good that all doubts are removed before an Act is passed, because as the Gita says : "सत्यात्मा विनश्यति" whoever has got any doubt, unless that is removed....

Mr. Speaker: But Gita presumes that the one who removes his doubts shall have faith in it.

Shri Hari Vishnu Kamath: All of us have got faith in the Gita.

Now, with regard to the proposed amendments to clause 10 of the parent Act—the last two sub-clauses of this clause 3 of the Bill—clauses 10A(1) and (2)—, the first sub-clause seeks to confer powers on the Central Government to invest any Commandant, Assistant Commandant or rifleman with any of the powers or duties conferred or imposed on a police officer or any class or grade by any law for the time being in force. The next one proceeds to confer powers on the Central Government by investing any Commandant or Assistant Commandant—no riflemen here; that is proper—with the powers of a Magistrate of any class for the purpose of inquiring into or trying any offence committed by a rifleman.

14 hrs.

Now, with regard to the second one, I would like to ask, before I proceed to the first, whether Government proposes to invest any of these Commandants or Assistant Commandants with, say, the powers of first class magistrates, because they

are not well-versed in magisterial matters and they are not experienced magistrates. It is wrong to invest a raw Commandant with the powers of a first class magistrate. I hope the Minister will realise and appreciate that the powers of a first class magistrate should not be conferred on a raw person who has not had the experience of a third class or second class magistrate. I wonder whether the Minister can give an assurance on behalf of the Prime Minister, who is in charge of the Bill....

Shri Tyagi: What about honorary magistrates?

Shri Hari Vishnu Kamath: They begin as third class, become second class and then first class magistrates. They do not straightway become first class magistrates.

Mr. Speaker: He might come to his main point.

Shri Hari Vishnu Kamath: I would like to know if he can—perhaps he can; I do not know; I suppose he is fully in charge now—give an assurance here that there is no such intention of conferring powers far in excess of that for the time being enjoyed by the particular person, either Commandant or Assistant Commandant. It will be wholly unfair to confer very high magisterial powers on a person who has no experience of any magisterial work at all.

Coming to the other point, I hope it is far from the intention of the Government to confer both police powers and magisterial powers on the same person, though within the ambit of these provisions the Government can do whatever it likes. The same Commandant or Assistant Commandant can be chosen, if he is a favourite of the Government, if he is in the good books of the Government, and invested with both police powers and magisterial powers. It does not debar the Government from conferring both powers on a parti-

cular person. I would request for a guarantee from the Government here—not merely an assurance but a guarantee—that the same person will not be invested with both police and magisterial powers, because under sub-clause (1) he can be invested with police powers . . .

Mr. Speaker: What are these powers being conferred for? For what objective? They are not to try civilians or do something of that nature. This is for the internal discipline between riflemen, as is done in the army or anywhere else. They must have those powers because they will have to deal with their subordinates and they have to maintain discipline. This is only for that purpose. Why should the hon. Member fear that they will not be able to rightly exercise their powers, so far as their subordinates are concerned? They are quite competent to exercise those powers.

Shri Hari Vishnu Kamath: I am very grateful to you for the light you have thrown on this matter.

Mr. Speaker: If it is light at all.

Shri Hari Vishnu Kamath: But the difficulty is—it will not be a major difficulty—so far as the army is concerned, there is a set law and salutary conventions and practices developed governing these matters. But here we are legislating in a manner which has created and produced certain obscurities, and those obscurities should be removed. Now, the Assam Rifles may function as you have stated earlier, anywhere in the whole of India, even in Bengal.

Mr. Speaker: I have not been able to throw any light. So, I would ask the Law Minister to do it.

Shri Hari Vishnu Kamath: Let him throw it, if he can.

Shri A. K. Sen: I do not know if I can discharge this heavy responsibility of dispelling the doubts which

[Shri A. K. Sen]

appear to be springing from a recital of the Gita. I think it will require Lord Krishna himself to dispel such doubts.

Shri Hari Vishnu Kamath: Gita removes doubts. You have not read the Gita.

Shri A. K. Sen: With great respect to Shri Kamath, I may say that I have read it a thousand times.

Shri Hari Vishnu Kamath: Then why do you say that doubts emanate from the Gita? Gita dispels doubts; does not create doubts.

Shri A. K. Sen: I know.

Mr. Speaker: I ought to confess that there must not be any dispute about whether one has read it so thoroughly.

Shri Hari Vishnu Kamath: Sir, on a point of order.

Mr. Speaker: Why should there be a quarrel on that?

Shri Hari Vishnu Kamath: The Minister says that it has arisen on account of reading of the Gita. It is wholly wrong. He is not right. Gita does not create doubts at all.

Mr. Speaker: Order, order.

Shri A. K. Sen: I was going to say that the doubts of the Gita were dispelled by Lord Krishna. None of us can arrogate to ourselves that high position. Therefore, let us confine ourselves to doubts more mundane.

Mr. Speaker: But Shri Kamath does not assume that he is Arjun.

Shri Hari Vishnu Kamath: I may like to be Arjun, but first, who will be Sri Krishna here? I would like to know that.

Shri A. K. Sen: What is in his mind God alone knows. We can only

know his mind from what he says. But he has been expressing nothing but doubts on a matter which, in my humble submission, admits of no doubt, as you have rightly pointed out.

Shri Hari Vishnu Kamath: You are a Minister and, therefore, you have no doubts.

Shri A. K. Sen: Sir, as you have stated, these powers have been conferred only for the purpose of adjudicating the breaches of discipline and such other matters enjoined by the Act for the purpose of preserving the discipline of the force and to ensure that this force acts as an efficient semi-military force. That is all. And for this purpose I am afraid, we shall be absolutely wrong if we think that others will be better suited to judge than these officers themselves under whom they act and they have to act. Therefore, in my submission, the Act rightly gives powers to these officers to determine the offences and to give the necessary punishment. Take the Martial Law Courts. How are these officers, who are not trained lawyers or trained magistrates, as Shri Kamath was once, called upon to adjudicate upon offences which would even justify the award of death penalty, which are done very often? And these officers discharge their duties admirably. If on any points of law they need guidance, the Judge-Advocate-General is called upon to assist them. So also here I have no doubt that no assurance is needed to be given, either on behalf of the Prime Minister or myself, or the Government, because the public and this House, I have no doubt, have greater confidence in the Government than Shri Kamath that they would not call upon such officers as would not be capable of discharging these responsibilities.

Shri Hari Vishnu Kamath: Let us hope so.

Shri A. K. Sen: After all, these are our own people, our own infantrymen, our own officers. We have as much concern for them as anybody else.

With these words, I request that these amendments may not be presented.

Shri P. R. Patel: I would like to withdraw my amendments.

Mr. Speaker: Has the hon. Member the leave of the House to withdraw his amendments?

Some hon. Members: Yes.

The amendments Nos. 5 and 6 were, by leave, withdrawn.

Mr. Speaker: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

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

Shri A. K. Sen: On behalf of the Prime Minister I beg to move:

"That the Bill be passed."

Mr. Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

—
14.09 hrs.

EXTRADITION BILL

Mr. Speaker: The House will now take up consideration of the Extradition Bill.

The Minister of Law (Shri A. K. Sen): On behalf of the Prime Minister, I beg to move:

"That the Bill to consolidate and amend the law relating to the extradition of fugitive criminals be taken into consideration."

14.09½ hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

It will be remembered that this Bill was introduced and referred to a Select Committee in the last Parliament.

The Joint Committee submitted its report and the Bill underwent revision as a result of the suggestions made in the Joint Committee. The suggestions made were not of a very basic character excepting with regard to the deletion of the offences which were specified separately for Commonwealth countries. The Joint Committee thought that the same offences should hold good with regard to the Commonwealth countries as with regard to the rest of the world so that, it will be remembered, the old odious crime of treason which was specified as applicable to extradition for Commonwealth countries might be omitted altogether from the list of extradition offences.

The Law Commission which went into the subject felt that the extradition law of this country needed immediate revision. We had been so long governed by two separate Acts of the British Parliament with regard to this matter. The first was the Extradition Act passed by the Parliament in England and the second was the Fugitive Offenders Act which was also passed by the Parliament in England. With regard to the Fugitive Offenders Act it was held by the Supreme Court in 1955 that that Act no longer applied after India became independent because it only applied to British possessions and India was not a British possession.

With regard to the Extradition Act, this was practically impossible of application because it only applied to such countries as were specified by Orders in Council by the British Crown and we would certainly not be governed any more by Orders in Council passed by the British Crown. It was, therefore, thought imperative that the law of extradition should be consolidated and a new law should

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be passed to be applicable to this country.

The scheme of this Act follows the well-known principles of international law which enjoin that as a part of our obligations in the comity of nations we should help each other in extraditing such criminals as ought to be extradited subject to some safeguards for the purpose of determining whether the criminal is actually a criminal or not or whether he is sought to be taken away only on political grounds or not. For this purpose safeguards have been provided enjoining upon adjudication before an extradition order is made.

The Act takes recourse to two separate procedures, one for the Commonwealth, that is chapter III, and the other for non-Commonwealth countries; but the offences are the same. The only difference between the Commonwealth countries and the non-Commonwealth countries is that in regard to the Commonwealth countries the Central Government has to endorse the warrant issued by a Commonwealth country as is recognised for this purpose as coming within the purview of the Act. It has to be notified by the Central Government as to which particular Commonwealth country comes within the purview of Chapter III. After it is so brought within the purview of Chapter III, its warrant would operate on being endorsed by the Central Government and would then be executed by a magistrate after such enquiry as is enjoined in Chapter III itself.

In regard to the non-Commonwealth countries there has to be prior adjudication and prior determination of a *prima facie* case and thereupon a warrant is to be issued by the magistrate concerned.

The subject is more or less of a non-controversial nature. We have provided in the Bill sufficient safeguards for the purpose of seeing that no one is extradited for offences which are of

a political nature. That safeguard, it will be noticed, will be found in clause 31 which says:

"A fugitive criminal shall not be surrendered or returned to a foreign State or commonwealth country—

(a) if the offence in respect of which his surrender is sought is of a political character or if he proves to the satisfaction of the magistrate or court before whom he may be produced or of the Central Government that the requisition or warrant for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character;"

May I suggest a verbal alteration which is of a grammatical nature, namely, for "with a view to try or punish him" it should be "with a view to trying or punishing him"? Those letters have gone out; otherwise, it will be grammatically wrong. May that be treated as corrected without a formal amendment?

It further says:

"(b) if prosecution for the offence in respect of which his surrender is sought is according to the law of that State or country barred by time;"

so that a man may not be taken away to face proceedings which have already become barred.

Then, it provides:

"(c) unless provision is made by the law of the foreign State or commonwealth country or in the extradition treaty with the foreign State or extradition arrangement with the commonwealth country, that the fugitive criminal shall not, until he has been restored or has had an opportunity of return-

ing to India, be detained or tried in that State or country for any offence committed prior to his surrender or return, other than the extradition offence proved by the facts on which his surrender or return is based;"

That means that extradition cannot be sought on one ground or one offence and the criminal, once being sent away, being tried for some other offence. That is impossible. Unless the magistrate is satisfied that that country has got such a law, a fugitive criminal will not be surrendered.

Then, it says:

"(d) if he has been accused of some offence in India, not being the offence for which his surrender or return is sought, or is undergoing sentence under any conviction in India until after he has been discharged, whether by acquittal or on expiration of his sentence or otherwise;

(e) until after the expiration of fifteen days from the date of his being committed to prison by the magistrate."

Fifteen days are given so that he can move the higher courts against the order.

These are the main provisions of the Bill and I submit once again that it is of a non-controversial nature. The two Acts which cover the field having become obsolete after our independence it is now absolutely necessary that we frame our own law on the subject. The matter originally went through a Joint Committee and their suggestions have been incorporated for the better, if I may say so with respect. Therefore I submit that this motion may be accepted.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to consolidate and

amend the law relating to the extradition of fugitive criminals, be taken into consideration."

Shri H. N. Mukerjee (Calcutta Central): Mr. Deputy-Speaker, Sir, I wish I could offer unqualified support to the Bill which has been placed before the House by my hon. friend, the Law Minister, but, I am afraid, I cannot do so. As a matter of fact, yesterday, perhaps a little too late in the afternoon, I had sent in notice of an amendment asking for the circulation of this Bill for the elicitation of public opinion by the 15th October, 1962. If you permit me, I would like to move that amendment, that is, the motion for circulation.

Mr. Deputy-Speaker: It was given at 4 O'Clock yesterday?

Shri H. N. Mukerjee: Perhaps it was sent to the office a little late; I do not quite know. But, in any case, since . . .

Shri A. K. Sen: He may move it. I have no objection to it. But may I be supplied with a copy of it because I do not have one?

Mr. Deputy-Speaker: He may move it.

Shri H. N. Mukerjee: Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by October 15, 1962."

I do not wish to be considered to be dilatory. I am asking for this elicitation of public opinion which in this kind of case will surely be expert opinion because I do feel that it is very important that while we have our own Extradition Act it should be as good as we ought to make it. This reminds me that I do not know for what reason the Government has proceeded in regard to this matter with something like precipitate haste. On the last occasion, sometime in August

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1961 the last Parliament was asked to discuss the Extradition Bill. It so happened that Government wanted to have it passed at once. It was on account of many Members in this House belonging to different parties insisting that this matter should be given a closer consideration that the Government had to agree to reference of the matter to a Select Committee. I know the Select Committee did a very good job of work. All the same, this House has not had the opportunity of having the report of the Select Committee before it and the last Parliament was dissolved before we could discuss the report of the Select Committee. Now, by an unfortunate coincidence, perhaps, the Extradition Bill is put before the House on the first day of the session. It is very difficult for so many of us to make up our mind about a measure of this description. I could tell you, I personally wanted to suggest that this matter be referred to a Select Committee again. But, I did not have the time to talk to Members belonging to different parties and groups in this House and I could not produce the names of people who agreed to be on the Select Committee. I feel, therefore, that the Bill, as presented before us, is by no means as simple, clear and non-controversial as the Law Minister has described it to be, and exactly on those points which had agitated the House in the last Parliament satisfaction has not been fully given. That is why I suggest that more consideration is given to this very important measure.

The Law Commission had considered different Acts and the Law Commission had made an observation that it was necessary to have our Extradition Act finalised. The Law Commission had expressed a desire if not in very unambiguous terms that it should be consulted in the matter. To the Fifth Report of the Law Commission, there was a special note appended by

one of its Members Dr. N. C. Sen Gupta, who had made a special point of it. He had discussed the Extradition law of the country and pointed out certain obligations which he said ought to be clarified by any legislation we are going to have on the subject. The Law Minister said a little earlier that the Law Commission had expressed its desire for the finalisation of the Extradition law. But, he did not tell us whether the Law Commission's views in regard to this matter have been ascertained. As far as I know, the Law Commission has not been asked to give a report on this matter. I feel that this is not the right way of proceeding in regard to this kind of legislation. I say this because—if I may be permitted to do so, I shall quote from the Minute written by Dr. N. C. Sen Gupta, a Member of the Law Commission in the Fifth report of the Law Commission,—pages 89 and 90—Dr. N. C. Sen Gupta said:

"But, with regard to other foreign countries, India had the advantage of Extradition treaties by the British Government with those countries. The question whether these treaties continue or not is not at all free from ambiguity. Questions arise whether India is a party to such treaties within the meaning of paragraph 4 where the treaties were concluded not with India specifically but with Britain on behalf of the entire British Empire. Secondly, if the treaty exists, whether the advantage of it or the obligations under it have passed to India or to Pakistan also remains obscure."

I would not have referred to this unless I had seen on page 2, in sub-clause (d) of clause 2 of the Extradition Bill a proposition made by the Government that—

"‘‘extradition treaty’’ means a treaty or agreement made by India with a foreign State relating to the extradition of fugitive cri-

minals, and includes any treaty or agreement relating to the extradition of fugitive criminals made before the 15th day of August, 1947, which extends to, and is binding on, India;".

It happens to be a fact that before our Independence, the British Government got us to be a signatory of certain international documents where matters in relation to extradition had also been introduced. For instance, in Oppenheim's International Law, Sixth Edition, edited by Lauterpacht, on page 649, there is reference to a Convention signed at Geneva on 16th November, 1937, in accordance with which twenty three States undertook to treat as criminal offences acts of terrorism including conspiracy and participation in such acts, and in some cases to grant extradition for such offences. Apart from India, no Member of the British Commonwealth of Nations signed this Convention. But, India was made to sign this Convention when she was a part of the British Empire because, particularly, in those days—this was in 1937—the British wanted to clamp down upon what they called political terrorism. They wanted to declare political terrorism, however you describe it, as an extraditable offence, and India was made a signatory to this. I do not quite know what our position is in regard to this kind of international agreements into which we have entered particularly when it says in clause 2, by definition that extradition treaty here includes any agreement relating to the extradition of fugitive criminals made before the 15th day of August, 1947. I emphasise this because, as everybody knows, it is extremely important that we make our stand in regard to non-extraditability of political offenders the basic plank of our Extradition law. The Law Minister was at pains to point out that in this Bill before us, provision has been made to that effect. But, as a matter of fact, what we discover is that even in comparison with the Bill that was placed before the last Parliament,

the emphasis on the question of political offences not being extraditable is rather low as far as this particular Bill is concerned. In the first Bill, old Members of the House, some of them will perhaps remember that as early as clause 4 there was prominent mention of the fact that political offences would not be extraditable. I do not know if Members noticed that when the Law Minister wanted to refer to the provision where political offences are being declared non-extraditable, he had to fumble for a while and then had to look up clause 31 among the miscellaneous provisions where this particular safeguard has been incorporated. I do not mean to say that clause 31 is any the less potent than clause 4 or clause 3. What I mean is that having had the kind of experience that we have had, it is important that in our Bill in regard to extradition, we put the right kind of stress on the immunity which we give to political offences. After all, there is the very famous case of Savarkar. The heroic Savarkar jumped into the sea from the British P & O boat near Marseilles. The French police, acting definitely in connivance with British authorities, broke all canons of international law, captured Savarkar and handed him over to the British authorities. After that, the matter was agitated and ultimately the International Court at the Hague gave the decision that it was wrong of the French police to have handed over Savarkar because he was a political offender, to the British. But, the French police did so. The thing had already been done: that was what the Hague Court said, and therefore, the wrong could not be rectified. That was what Savarkar's case ultimately came to and this wrong was perpetrated on us. So many of us had to go for shelter to such places as Pondicherry, or Chandernagore or elsewhere in order that we may have some immunity from the arm of British authority. I need not go into the details. I need not mention Aurobindo or Subramania Bharati and so many other people. This fact of political

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offences being non-extraditable is not only a principle accepted in international law, it is a principle which, to us, is so dear because we have already had experience in regard to political offenders having been made to suffer so much as Savarkar was made to suffer.

Therefore I feel that in regard to political offences we should take a more clear, a more strident and a more unequivocal stand. Therefore, whenever there is a kind of ambiguity which I feel when I find references in *Lauterpacht* to this convention which India signed in 1937, I feel rather disturbed about it and I want our Government to come forward with very serious clarifications.

I notice also that in regard to the Commonwealth, the Select Committee was very insistent in the last Parliament that the differentiation between the Commonwealth countries and the rest of the world should not be there at all. And ultimately what happened was that treason, which was included as an item which was extraditable and which was put in the Commonwealth list, was omitted, and then ultimately the two lists, that is the Commonwealth list of extraditable crimes and the non-Commonwealth list of extraditable crimes, were done away with and one single list had been brought into the picture. That is an advance, there is no doubt about it, and I welcome it. In so far as Government accepted the advice of the Select Committee I welcome it.

But Government does not go far, as far as they should, normally, legitimately.

The Law Minister was at pains to explain how in regard to a Commonwealth country what is necessary is that there should be a warrant issued by the proper authority and all that we at this end are able to do is to certify that the warrant is properly

signed and executed. In regard to non-Commonwealth countries which may ask for somebody to be extradited, they have to issue a warrant, they have to communicate it to us through their Embassies or other instrumentality, and then our magistrates would look into the matter, and only if a *prima facie* case can be made out against that particular person who is sought to be extradited, then alone can we act in that matter. But in the case of the Commonwealth what happens is, a Commonwealth magistrate, let us say in U.K. or Pakistan or whatever it may be—the Commonwealth is an expanding family and therefore perhaps to that extent we welcome it, I do not know—anyhow, from a Commonwealth country a magistrate sends out a warrant for the extradition of Mr. X. And we do not go into the merits or demerits of the matter at all. We do not even examine the *prima facie* case. We merely countersign the warrant, and the fellow is clamped in jail. Why should this happen?

I was a little astonished, but it was a pleasant surprise to find that even such a paper as *The Statesman*, which is not particularly anti-Commonwealth, wrote in its Calcutta Edition of the 26th of June, 1962, that this discrimination should not be there at all. It referred, in particular, to this—I am quoting from its editorial article on the 26th of June, 1962. It says:

"Whereas, for instance, a foreign State must make out a *prima facie* case (complete proof is in the nature of things too much to demand) before securing return of an alleged offender, a Commonwealth country scheduled (all existing ones are scheduled, and new ones are expected to be scheduled by notification) need merely have its domestic warrant for his arrest endorsed in India; and this is done simply by verifying that it is a genuine document."

And it goes on to say:

"Is there really a valid case against putting Commonwealth and foreign States on equal terms, and demanding at least a *prima facie* case from both?"

Surely, why can't we treat the Commonwealth countries and the non-Commonwealth countries in a matter like extradition on the same level?

What happens actually? Let us say the Government of Pakistan wants to get hold of somebody. It sends a warrant and we cannot even go into the *prima facie* nature of the accusation against the man concerned, and we have to certify that the warrant is all right, if it is all right, and the man has to go. The Law Minister says the man will not go if the offence is of a political nature and so on and so forth. But the onus is on the man to prove in that case, and he is far away from his country even to fight his case in that manner, and our magistrates are not having a look at the *prima facie* nature of the case at all. This is a matter which is of very great importance.

I do not see why this Chapter III should remain at all. The only *raison d'être*, the reason, for the existence of Chapter III in this Bill is that there is a different provision, a different way of dealing with Commonwealth countries' demands for extradition and the demands of other countries for extradition. I would suggest that Chapter III should go altogether, that all references to discriminatory treatment as between Commonwealth countries and non-Commonwealth countries should go out altogether and that is very necessary because of the peculiar circumstances in which we find ourselves. And these days, as I was saying, these political offences can be put so expansively and all that, and you never know what is what. And therefore the more safeguards we have the better for everybody.

Then again, Government under this Bill proposes to take powers to extend the Schedule of extraditable offences

with the qualification that they must be punishable, if committed in India, under the Indian Penal Code or any other law. Now, what is the point of this I do not quite know. At page 15, in the Second Schedule—this schedule relates to extradition offences in relation to foreign States other than treaty States or in relation to Commonwealth countries—item 18 refers to any offence which if committed in India would be punishable under any other section of the Indian Penal Code or any other law. This kind of an omnibus provision is absolutely unnecessary. Why can't we make our extradition law something clear, crisp and nobly worded so that it can be a declaration to the rest of the world as to how we look upon the whole matter of extradition. Extradition is not a legal duty imposed upon us: extradition is only something done because in the international community you cannot allow with impunity criminals to go about from one country to another. That is why extradition is there in the picture. Why can't we make that point very plain?

As a matter of fact, as far as Commonwealth countries are concerned, what is the kind of treatment that we get? When somebody like, for instance, Bhupat—my friend Mr. Kamath knows him very well not only because of the euphonious nature of the two names, but he belongs to Madhya Pradesh..

Shri Hari Vishnu Kamath (Hoshangabad): No to Rajasthan.

Shri H. N. Mukerjee: I am sorry, to Rajasthan.

Shri Harish Chandra Mathur (Jalore): He is not from Rajasthan.

Shri H. N. Mukerjee: Now, Bhupat goes to Pakistan. He never got back, we never got him back. I do not know, if Government comes forward and says "We do not happen to have an extradition treaty with Pakistan" it is a very queer situation. Pakistan is a Commonwealth Country, scheduled

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or listed here. We have not got an extradition treaty with them and we cannot get things done. If our criminals, the wrongest kind of criminals run away to Pakistan, we cannot get them back. Yet we say, "All right, therefore we give Pakistan all these facilities." Now, what is all this? Where do we go from here?

Then there is the infamous case of Mr. Phizo. I do not know, Mr. Phizo might look upon himself as a political rebel and that sort of thing. But here is Phizo who is, from all accounts, guilty of all sorts of practices which cannot even remotely come under the definition of political offences, perhaps. If that is a debatable matter, that is a different proposition. But here is a man like Phizo who goes to a country like the United Kingdom, with which our relations are of the most cordial nature and most continuous nature, a non-stop sort of relationship, and yet we cannot do anything about it. He goes to Pakistan, he goes to the United States of America, and God knows to what other country, to carry on propaganda against our country. We get no advantage at all, and yet with all the generosity in the world we are offering, only to these Commonwealth countries, certain particular facilities. I do not understand it at all. That is why I feel that this matter of extradition is a lot more serious than the Law Minister poses it to be. It requires a great deal more application; it requires more thought; and it requires more of an attempt to familiarise ourselves with the extradition laws of different countries. For instance, I am not very deep student of this kind of thing, but I looked up certain books and I discovered that countries like France and Germany have a law that they do not extradite their own nationals. If their own nationals have committed a crime abroad, they punish those particular nationals of theirs in their own country according to their own law; they do not extradite them. I do not say that let us accept it. Britain and the

USA do extradite their criminals and send them abroad for trial. It may be that this is a better procedure. I am not laying down the law in regard to this matter. But, have we gone into this matter carefully enough? Do we follow the British pattern just because we have inherited the British pattern? Or do we, when we have got this opportunity of putting this extradition law on a permanent statutory basis, have the obligation of looking up what the law is in different countries in regard to this matter? But we do not do so.

Then, again, in regard to political offenders, why can we not take up an attitude which would be something like a declaration to the rest of the world? We have not had a revolution of the sort of the French Revolution, and so we cannot have a declaration of the rights of man; but something like that we can have incorporated here. In so many Constitutions, it is there. I find or instance in this book by Lauterpacht, the Sixth Edition of Oppenheim, that:

"In article 12 of the Constitution of the Russian Socialist Federal Soviet Republic (May 11, 1925), the right of asylum is given".

Here, it is put in French, and it reads as follows:

"*tous les étrangers persécutés pour leur activité politique ou leurs convictions religieuses.*"

which means:

"all foreigners persecuted for their political activity or their religious convictions."

Can we not put something like that on our statute-book? It is something like a gesture, something like a moral proclamation which should come fittingly from a country like ours, which always takes a 'Holier-than-thou, attitude' in so many international matters; Why can we not do that? Why can we not, when we formulate our

law, start on a clean slate, right in a different way rather than merely follow the drafting procedures of the time of Sir X, Y or Z or, God knows what other British celebrity in the past?

I feel, therefore, that there are so many matters which require to be looked into very carefully. If a Select Committee could be agreed to by Government, names could be collected a great deal more easily than by a very humble individual like myself. Having had no other alternative, I suggested that the matter be circulated for the purpose of eliciting public opinion. On the last occasion, perhaps, if I may say so in all humility, I had to interrupt the Law Minister, and it was largely because of the obstruction that I produced that the matter was referred to the Joint Committee in hot haste, but nothing came out of it, because the Joint Committee's report fizzled out, when the last Parliament was dissolved, and we are more or less hanging in mid-air, and we have been presented with this document, and we are being told by Government that "This is a simple law, a non-controversial law, we have corrected the discrepancies in regard to discrimination in favour of the Commonwealth, and, therefore, the House should accept it.". I do not think that the matter is so simple. It is a very complicated matter. It is a very serious matter. The Law Commission itself had expressed a desire to be consulted in regard to this matter. At least, let us consult the different lawyers in this country, politically-minded people in this country, public-spirited citizens of our country, and let us, after a while—the heavens would not fall if we delay the passage of this particular Bill by two months—pass this legislation, after we have considered the matter with the seriousness that it deserves.

Shri Hem Barua (Gauhati): I have gone through this Bill very carefully. At the same time I have listened to the speech delivered by Shri H. N. Mukerjee very carefully. He has dealt with the subject in a very lau-

dable way, and pointed out the lacunae that are there in this piece of legislation. I feel that this legislation depends on a reciprocal basis. Unless the other countries respond to our pious intentions, this piece of legislation would be only a scrap of paper; there is no doubt about it.

Shri H. N. Mukerjee has mentioned about the case of that noted criminal Bhupat who escaped to Pakistan. In spite of the fact that Pakistan is in the same Commonwealth as we are, he could not be extradited or brought back, because there was no treaty of that sort with that country. There are other instances of such a failure of this piece of legislation. That is what I would say.

Some time ago, we discussed the report on the Aligarh University, and it is a shame to say that some people in the administration were connected with the misuse of the university funds, and quite a few of them who were connected with the misuse of the university funds simply escaped into Pakistan. Those fugitive criminals are there even now, and they could not be brought back only because of the fact that we do not have any treaty with Pakistan or that Pakistan does not want to respond to our request. In spite of the fact that in the list of the Commonwealth countries, Pakistan is put in, Pakistan has not responded. Therefore, I say that the success or implementation of this piece of legislation depends entirely on good-will and mutual understanding. Wherever there is no mutual understanding or there is absence of mutual understanding, it is bound to be a scrap of paper and nothing else. Therefore, I say that as regards the provisions of this Bill, some of them are objectionable, and some of them are unlaudable, but the spirit behind it is laudable, but that spirit cannot be implemented unless and until there is some sort of reciprocity coming from the countries round about us.

[Shri Hem Barua]

The definition of the term 'extradition treaty' in clause 2(3) strikes me as a most wonderful thing. It reads thus:

"'extradition treaty' means a treaty or agreement made by India with a foreign State relating to the extradition of fugitive criminals, and includes any treaty or agreement relating to the extradition of fugitive criminals made before the 15th day of August, 1947, which extends to, and is binding on, India;".

Shri H. N. Mukerjee has drawn the attention of Government to the comment made by Dr. N. C. Sen Gupta, affixed to the Fifth Report of the Law Commission where he positively says that it is doubtful and it is ambiguous. I would also say that this clause which has been incorporated in the Bill suffers from ambiguity. Now, what about those laws or those treaties or agreements that Britain entered into with different countries when we were not free? This piece of legislation seeks to make these treaties and agreements binding on India, and on the basis of those treaties and agreements, we want to see the implementation of this piece of legislation. But here is a jurist who has pointed out that there is an ambiguity in these treaties and agreements, ambiguity in the sense whether the rights or obligations accruing out of these treaties or agreements pass on to India or to Pakistan. That is the trouble, and yet this clause is being incorporated, and it is on the strength of this that extradition is going to be secured or an attempt is being made to give it a legal sanction. I just want to quote Dr. N. C. Sen Gupta. He says:

"But with regard to other foreign countries, India had the advantage of Extradition treaties by the British Government with those countries. The question whether these treaties continue or not is not at all free from ambiguity. Questions arise whether India is a

party to such treaties within the meaning of paragraph 4 where the treaties were concluded not with India specifically but with Britain on behalf of the entire British Empire. Secondly, if the treaty exists, whether the advantage of it or the obligations under it have passed to India or to Pakistan also remains obscure."

Therefore, the anomaly of this situation can be realised very clearly, and I would like Government to examine this particular aspect of the matter whether these treaties and obligations entered into by British India are obligatory on us or not, and how far they are valid or not. I would like them to examine the validity of these treaties and agreements and then alone have a clause like this incorporated in this Bill; or else, it would be absolutely meaningless. I have already stated that this piece of legislation can succeed only in an atmosphere of goodwill and mutual understanding, and that mutual understanding must be an international understanding.

Now, there are special provisions made with respect to Commonwealth countries. We have friendly relations with Britain, no doubt. We have still friendly relations with Britain possibly because of the lesson that Gandhiji taught us. Gandhiji wanted us to oppose the British system of administration in this country, not the individual Britisher. That lesson has gone deep into the psychology of our people. It is possibly because of that that we have friendly relations with Britain which once ruled us. Or it may be that we have emerged out of a colonial system and when a country emerges out of a colonial system, a country that is nascent in its development, a country like India cannot cut herself away from Britain. That may be the reason.

Shri H. N. Mukerjee has made a passing reference to Mr. Phizo. Here is a man who is responsible for all the

trouble in Nagaland. Here is a man who is accused of genocide, a man who is wanted on charges of murder, a man who made the Nagaland run red with blood. This man has escaped to Britain with a false passport, an El Salvador passport. The British Government came to know about it. But what happened? Britain gave him ample scope and opportunity to boost up the false claim of an 'independent' Nagaland. He went about launching a campaign of slander and calumny against this country under the nose of the British authority. There were people who encouraged him positively to indulge in all sorts of campaigns against India. This might be on the popular level. But I would cite one instance of the official attitude. The hot haste in which Britain granted him British citizenship must be an eye-opener to us. We did not ask for the extradition of Phizo—there is no doubt about it. On the other hand, it is also a fact that had we asked for this extradition, possibly we would not have succeeded. We did not ask for his extradition or repatriation to this country for obvious reasons. There are reasons for that. But on the other hand, if we had asked for that, in spite of our friendly relations with Britain, in spite of the fact that we are in the same Commonwealth, in spite of the fact that we are bound by the same ties, possibly Britain would not have responded. I base this idea on the facts before me, the fact of Britain encouraging Phizo to carry on a campaign of slander against this country and the fact of Britain granting Phizo in hot haste British citizenship.

Clause 31(a) of the Bill puts some restrictions on surrender of fugitive criminals. It says:

"A fugitive criminal shall not be surrendered or returned to a foreign State or Commonwealth country if the offence in respect of which his surrender is sought is of a political character....".

I am not opposed to this provision. It is a welcome provision. But the fact remains that it is very difficult to distinguish between treason and political offence. The line of demarcation between the two is very difficult to draw. That is the trouble. Therefore, I would have liked a clearer definition of political offences and treasonable offences. As Shri H. N. Mukerjee has quoted, in the Geneva Convention of November 1937, there was an attempt made to define a political offence. It was a Convention which was signed by 23 States which had undertaken to treat as criminal offences acts of terrorism including conspiracy, incitement to participation in such acts, and in some cases to grant extradition for such offences. India was a signatory to this Convention. Under these circumstances, the difficulty arises as to how to define them, how to describe them, how to discover the real idea lying behind this definition. In the context of things today, any honest political difference can be interpreted as treasonable.

I remember Bertrand Russell once asked, 'Who is a rebel?'. Any man who tries to question the existing status quo in life in the social or political structure or any man who tries to throw splinters on the painted veil of life is dubbed as a rebel and his action is described as rebellion'. If rebellion can be described in so cheap a term, as it is very often done, anything can be brought within the ambit of 'political offence' and the arm of the law would be there to create all sorts of trouble in the country.

Then again, under clause 31(b):

"A fugitive criminal shall not be surrendered or returned to a foreign State or Commonwealth country if prosecution for the offence in respect of which his surrender is sought is according to the law of that State or country barred by time".

I do not understand this. How could a criminal action be barred by

[Shri Hem Barua]

time? I do not know of any legislation existing in any country where action against criminal offence is barred by time. I can understand this about civil suits, litigation and all that. But this is not a case of litigation. How could action against criminal acts be barred by time? This was criticised during the discussion we had last time also. In the Statement of Objects and Reasons, the Prime Minister says that most of the suggestions made during that discussion are incorporated in this piece of legislation, but the trouble is that most of the helpful suggestions made are not incorporated in this and the Bill remains where it was. If it were a case of litigation, it could have been barred by time. There are countries which have laws like that, but I do not think any country has a law which imposes a limitation of time on action against criminal offences.

There is a chapter dedicated to Commonwealth countries. So far as the law is concerned, why should there be a distinction between Commonwealth and non-Commonwealth countries? How do offences of a criminal nature change in the climate of Commonwealth or non-Commonwealth countries? Offences are offences; criminal offences are criminal offences. They wear the same appearance, but here provisions are made according to which there is a difference between criminal offences related to Commonwealth countries and the same offences related to non-Commonwealth countries. By that the Government has succeeded in doing only one thing, making the Bill heavy and bulky, nothing more than that. If a criminal is dangerous for a Commonwealth country, he is equally dangerous for a non-Commonwealth country also, but that is not the position here. There is a difference sought to be made, a sort of discriminatory treatment for a Commonwealth country. As Shri H. N. Mukerjee has said, a warrant can be issued, the only question is whether the signature is valid

or not. And then a man can be clapped down, he will lose his liberty. There is no probe, there can be no probe into his conduct or offence, whatever that might be. That is the trouble.

15 hrs.

The Second Schedule gives a list of crimes that might come within the ambit of this law. There are some very insignificant items coming in for extradition. For instance, item No. 6 is theft, extortion, robbery and dacoity. I can understand dacoity because we want the dacoit Bhupat to be brought back to our country, but not theft. There might be a theft amounting to a few *naye* paise, and if this is liberally interpreted, that might also be an offence. Item No. 4 is kidnapping, abduction, slavery and forced labour. I can understand slavery, forced labour and abduction, but kidnapping of a particular sort is a natural thing, at least in the urge of man and in society, whatever it might be.

Shri Hari Vishnu Kamath: You understand it, but do not appreciate it, do you?

Shri Hem Barua: I do not appreciate it, I do not welcome it, but I understand it is natural in society, but that should not be made chargeable.

Shri Kashi Ram Gupta (Alwar): But kidnapping is an offence.

Shri Hem Barua: I said of a certain sort.

Shri Kashi Ram Gupta: What is the certain sort?

Shri Hem Barua: Possibly you also understand, a certain sort you know. Whatever that might be, it is a long and comprehensive list, but towards the bottom we find Item No. 18 which says:

"Any offence which if committed in India would be punishable

under any other section of the Indian Penal Code or any other law, and which may, from time to time, be specified by the Central Government by notification in the Official Gazette either generally for all foreign States or for all commonwealth countries or specially for one or more such States or countries."

I am not ready to give this blanket authority to the Government, because the list made is already comprehensive. If the Government gets this power, it might be misused. Since the list is comprehensive, I do not think the necessity of an extra clause or provision like this in the Bill exists.

There are ambiguities and lacunae in most of the provisions, at least in some of the provisions, and this Bill, there is no doubt about it, was drafted in haste, and the suggestions that were made during the discussions last time were not taken serious note of though the Statement of Objects and Reasons states otherwise. Because this is a very serious matter which concerns the liberty of man, and is going to bring about a revolution in international relationships, I would say that this Bill needs consideration. It must not be hustled. It is just on the legislative anvil. I join Shri Mukerjee in suggesting to the Government that if it is possible, and I take it that it should be possible, to circulate this Bill for public opinion because it concerns the liberty of the human being, the liberty of the man in the street.

Shrimati Renuka Ray (Malda):
Liberty to kidnap also?

Shri Hem Barua: I did not say like that. I did not say that liberty to kidnap should be provided, but then I would say that since it concerns the liberty of man, it needs deeper understanding, it needs deeper realisation, it needs deeper consideration, and I request the Government to give deeper consideration to the provisions

of the Bill before debating it in this House.

Thank you very much.

Shri D. C. Sharma (Gurdaspur): I have listened very attentively to the two speeches that have been made on this Bill before me.

I think Shri H. N. Mukerjee is a perfectionist, and I believe perfection is a quality you cannot have in any kind of legislation which is devised by human beings, far less in a piece of legislation which affects our relations with other countries. I believe one of the fundamental points in legislation is this, that we learn as time passes, and that our legislation also improves in the light of the experience that we gain from our own country and from other countries. Therefore, I believe that this cry for perfectionism, which has been equated with the desire for delay is not a very desirable thing.

It has been said that it should be referred to another Select Committee. After all, a Select Committee will consist of the Members of this House, as the first Select Committee did. I believe that those Members have pooled their brains as far as this thing is concerned, and we have got the best out of them. I do not believe much will be gained by circulating the Bill for public opinion. I think very few persons understand what the Extradition Bill is, and very few persons will be interested in it even if they understand it. So, what has been done has been done in the interests of our international relations, in the interests of our relations with the Commonwealth countries, and in the interests of our relations with those countries with which we have some treaties.

One thing has been forgotten by the persons who preceded me, and it is this, that the essence of this Bill is reciprocity. We give only what we receive, and we receive only what

[Shri D. C. Sharma]

we give. I do not think there is any favoured nation treatment given to any countries of the Commonwealth or any foreign country or those countries which are called Treaty States here. I do not think any such thing has been done. After all, our relations with all the three types of States are going to be governed by the basis of mutuality. They will get the treatment which they give us. We will deal with their offenders as they deal with our offenders. Therefore, I think that this reciprocity which is the fundamental basis of this Bill has been overlooked by the persons who have talked of favoured nations.

Shri Hari Vishnu Kamath: But reciprocity is not the basis of our foreign policy.

Shri D. C. Sharma The difficulty with you is this. When you are speaking, half of your words get lost in your beard. So, I do not understand what you are talking about.

Shri Hari Vishnu Kamath: You understand reciprocity to which I referred.

Shri D. C. Sharma: I was submitting very respectfully that the essence of this Bill was the sense of give and take, and I think it is a very healthy thing. But there is one question which I want to ask, and it is this. I refer to Clause 2(d).

It reads:—

"'extradition treaty' means a treaty or agreement made by India with a foreign State relating to the extradition of fugitive criminals, and includes any treaty or agreement relating to the extradition of fugitive criminals made before the 15th day of August, 1947, which extends to, and is binding on, India.

Here, I have a list of countries which we have had extradition treaties before 15th August, 1947. It is surprising to know that number is very very large. We have had treaties with Albania, Argentina, Austria

Belgium, Bolivia, Chile, Colombia, Cuba, Czechoslovakia, Denmark, Ecuador, Finland, France, Germany, Greece, Guatemala, Hathi, Hungary, Iceland, Iraq, Italy, Liberia, Luxembourg, Mexico, Monaco, Netherlands, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Roumania, Salvador, San Marino, Spain, Switzerland, Thailand, U.S.A., Uruguay, Yugoslavia.

Shri Hari Vishnu Kamath: Very long list indeed!

Shri D. C. Sharma: We have our treaty obligations with so many countries. I feel that in some of those countries the pattern of Government has changed very much. I do not stand in judgment over the pattern of their governments. I do not say that the pattern of government is good, bad or indifferent. But, in some of those countries the governments which were holding the field then are quite different from the governments which are holding the field now. I think their values have changed. I believe some of their laws have undergone modification. I believe their politics are different from what they used to be. I believe that some of them have revised their Penal Codes. All that has been done.

Now, I want to ask if it is in the interests of our country to keep up treaty obligations, so far as extradition is concerned, with these countries. And, if we are doing so, may I know if the Law Ministry has studied the new constitutions that have come into force in those countries, the new laws that have been promulgated in those countries and the new set-up that some of those countries have now. I believe that the Law Ministry is leading us into this very big thing in a way, if I may use that expression, blindfoldedly.

Now, what is happening in some of those countries? In Czechoslovakia, now, I think the definition of crime is quite different from what it used to be when we entered into treaty ob-

ligations with them. Similarly, in other countries, the definition has undergone a change. In Cuba, for instance, I heard that what is political action now was not political action before the 15th of August, 1947. In the same manner, in Spain, what is political action today was not there before 15th August, 1947. Thailand has also undergone some kind of revolution. All these countries are there. We had treaty relations with Portugal also. Portugal has changed very much; and I think we do not have anything to do with Portugal.

I want to ask the Law Minister very respectfully if he is going to amend this legislation, to modify it or if he is going to stick to it as somebody will stick to some hoary tradition of his family or to some ancient tradition of his land. I feel that more thought should have been given to this list than it has been given. I feel that it is due from the Law Minister that he should study the extradition laws of those countries and place a statement on the Table of the House to show how far they can be honoured.

Dr. M. S. Aney (Nagpur): When?

Shri D. C. Sharma: As soon as he can.

Dr. M. S. Aney: After passing this Bill or before passing it?

Shri D. C. Sharma: As soon as he can. I do not think it can be done before the Bill is passed. But he should place this statement at least afterwards, showing in what way the extradition laws of those countries, the laws which they have passed recently, are going to affect our country.

Unlike Prof Mukerjee and some other friends of mine, I believe in the Commonwealth relationship which my country has. I believe in that relationship even though the Commonwealth is a very expanding family. I think there should be no family planning as far as this Commonwealth is

concerned. I want the number of Commonwealth countries to increase; I want that we should have our relations with them. So far as these Commonwealth countries go, I do not think we have any treaties with any of them. Even if we have any treaty with anyone, I feel that we have not been served well by any of these countries.

Take, for instance, the case of Pakistan. I do not think Pakistan can point out to any fugitive criminal, according to the laws and constitution of that country, who has found shelter in this country. I do not think there has been any instance of that kind. Similarly, I do not think there has been any fugitive criminal, in this sense of the word, from the United Kingdom whom we have given shelter in this country. But, so many persons who have committed crimes in my country find shelter in Pakistan. Of course, the classic case was given by my friend, Shri Mukerjee; it was the case of Bhupat. Bhupat has, somehow, come in the limelight in the newspapers. But, there are so many other persons who have committed crimes here and gone across the borders. We cannot lay our hands upon them. Again, the case of Phizo was referred to by Shri Mukerjee. I also feel very sore about it. I am not talking about his political activities; I am talking about his non-political activities. Certain charges of murder and something like that are pending against him. He found asylum in the United Kingdom; not only that; he also became a citizen of U.K. Now, he is free to go wherever he likes. He can go to Pakistan and create trouble for us; he can go to U.S.A. and create trouble for us; and he can go to the United Nations and do some propaganda against us. So, I feel that whereas the countries mentioned in that list have extradition relations with us, which are almost obsolete, the countries with which we should have relations and which should serve us on a basis of reciprocity are not coming

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forward. I hope that when this Extradition Bill is passed and when we have mutual treaties, something will happen. I feel that Indian public opinion is very sore that some persons who can create trouble—I am using the word in the widest sense—in our country could have found asylum in some of those Commonwealth countries. Not only that, but that they should have become citizens of those countries.

I will now refer to the Second Schedule now. Inspite of the objections taken by the hon. speaker who preceded me, it is very comprehensive and drawn up with a great deal of care. I am very happy to find that some of the anti-social crimes which are defacing the world today and which are a sad blot on humanity have been listed in it and I hope this list would be a deterrent to those who commit crimes against humanity. A gentleman who preceded me said that we could understand decoit being included but not theft. He does not perhaps know what thefts also form part of anti-social crimes and if one theft does not have much effect, so many thefts can have a cumulative effect which affects the morale of any country. That is why it has been included. Again, objection was taken to kidnapping. We are aware that there are gangs of kidnappers here and they mutilate children and maim them and now and then we read about them in newspapers. All these anti-social crimes have been clubbed together in this list. Then there are some crimes which are very daring in their nature assault on a vessel. All these things have been included and this list has been made as foolproof as possible. One of the problems facing the world is immoral traffic in women and girls. There is another problem—slave labour. So many international conventions have been held on this subject. It is good that we are having this Schedule in order to put on the black list all these crimes.

Some persons have taken objection to clause 31, especially 31(a). I feel that all the sub-clauses of clause 31 are humanitarian in nature, if I may use that word. They are a guarantee against the wrong application of the Extradition Act and an insurance against harassment of citizens from some other countries who may find asylum here. I am happy at the safeguards provided to these persons who may be declared as criminal offenders of some country. For instance, you cannot take a person to task if the offence is barred by time.

15.24 hrs.

[SHRI MULCHAND DUBE in the Chair]

You cannot hold a person responsible for an offence committed prior to surrender. It says here that he shall not be detained:

“....or tried in that State or country for any offence committed prior to his surrender or return, other than the extradition offence proved by the facts on which his surrender or return is based.”

Thus, we can say, that this a Bill which safeguards the liberties of citizens and clauses 31 and its sub-clauses are very happy pointers in that direction. Our country has a very splendid record in its dealings with these persons who have been thought to be guilty of some political offence or something of a political character. I am proud of that record. This thing has been enshrined in clause 31(a) of this Bill. No one will be handed over to any other country if his crime is of a political character. Some persons asked the question: what is the political character? We all know what things are of a political character and it is good that it has been left vague like this. If it has been defined more particularly, there would have been trouble for those persons who sometimes are up against certain forces in their own

country and who seek asylum in some other country.

I do not say that there is no room for improvement or that it does not contain imperfections. I hope that it will be improved as our experience of its working grows and as our knowledge of conditions prevailing here improves. With these words, I commend this Bill and I hope that it will receive the approval of the House.

Shri Gauri Shankar (Fatehpur): Sir, I stand to support the amendment moved by Shri Mukerjee. This is a very important Bill under the present circumstances. A long list of certain countries has been mentioned. Our treaties with those countries on the 15th of August 1947 were there and our relationship with them were friendly at that time. Now, circumstances have changed with time; some countries are antagonistic at present and unless the list is revised it would not be safe and proper to undertake this legislation and so it becomes very necessary that before it is legislated it is circulated for eliciting public opinion. It is again a very delicate thing because it affects our international relationship with other countries. We have to be very cautious and take only such steps so that we improve our position and we do not allow such criminals to take refuge in other countries so that no action can be taken against them. There are instances when our nationals, criminals, have migrated to other countries and have been given refuge there and were treated as nationals of those countries. As Shri D. C. Sharma said, there is a limit to reciprocal dealings. We cannot agree to reciprocal terms with countries which are not friendly to us.

Then I find that there are so many anti-social crimes which have not been included in this Bill, and actually they are the most important items. As has been pointed out just

now, there have been cases of kidnapping of girls. I find that there have been mass conversions also by foreign missionaries and nothing has been suggested as to whether they have been intentional or w^lful or there has been coercion. There should be some measures taken to safeguard such activities also. I find there is no mention of it in the Bill.

Again, as has been pointed out rightly, the provisions of clause 31 are there, but if they are allowed to stand as they are and are allowed to be passed like that, we are going to meet with harm later on. Under these circumstances, in order to have a congenial atmosphere and in order to ensure full reciprocity, we have to see that this Bill undergoes drastic changes, and for that purpose, eliciting of public opinion is very essential.

If we undertake this legislation in haste, then it would be no remedy. As has been just remarked, there was a Joint Committee and there was a report made, but with the change of circumstances, with the change of relationship with other countries, it is still very important to have an idea about the changed circumstances and then to legislate according to the changed circumstances to ensure reciprocity only with those countries which are on friendly terms with us. Otherwise, it would be futile. We may do full justice to the criminals of other countries who are no antagonistic terms with us, but those countries would not do the same thing for us. So, we have to give due consideration to these aspects.

Without going into details of the provisions of this Bill, I would submit that I stand to support the motion that this Bill be circulated for eliciting public opinion before it is brought in for legislation.

Shri K. C. Sharma (Sardhana): Chairman, Sir, I welcome this Bill because it is of utmost necessity that a Bill like this should be brought before Parliament and passed. I do not

[Sri K. C. Sharma]

understand much of the difficulties put forth by Shri H. N. Mukerjee and his hon. friends. The simple fact is this: does any society, any country, anywhere in the world, like or does not like peace and tranquillity among its own people in its own land. If it likes, then it stands to reason that if a criminal or a murderer runs away to Pakistan by just crossing two miles on the border, that man should be brought to book. If we do not have treaty, for instance, with Pakistan on this matter, there would be neither peace and tranquillity in India nor in Pakistan.

As to the matter about political consequences—what the consequences would be—it is nothing, for the simple reason that a criminal is a criminal, who does something which is an offence under the law of the land, an offence against his own people. Such a man deserves no sympathy whatsoever. The only difference between the law of the land operating within the jurisdiction of a country and the extradition provisions is that we come to certain agreements with certain other countries that those criminals should be brought back to us and be properly punished. If the criminals on the other side run into our country, we will send them back. Here, it is a question of simple natural justice. This comes through an evolution.

I now put a straight question. You want that your country should develop and have certain amenities which may be good. You want certain engineering skills should be learnt from other countries which are friendly to us. But does it stand to reason that you will have no peace and tranquillity in your own land when you have the help of the United Kingdom administration or the United States administration but will have their engineering skill? Though you want to have the wherewithal and add butter to your bread tomorrow by getting money or expert advice from them, you will not just like your wife and

children to sleep in peace and tranquillity in your own homes with just the help of the United Kingdom administration or the United States administration. Is the butter on the bread more important than peace and tranquillity? The conditions being such that it is impossible in the present conditions of the world that countries should not have treaties among themselves to feel and be ensured of peace and tranquillity and to do justice to the criminals and punish the criminals, wherever they are, for the acts which they have done against society. As to what is the necessity for this measure has been gone through and enshrine in three different Acts. Some of them are not those which have been passed after India became independent and could not be well applicable to India, and therefore the need has arisen of a new legislation, as it is, is good enough to proceed with.

As to what will happen tomorrow—that this difficulty or that difficulty will arise and so on—need not trouble us much. I beg to state that the law is what is called a fundamental, dynamic continuum. It continues on the principle of natural justice; yet it changes and it is dynamic. On the fundamental aspects of human life, it will have its salutary effects and will serve humanity as it has been serving humanity since man was called civilised and had some idea of settling peacefully the disputes that arose in the community. So, there need be no trouble about it. What will happen tomorrow or what will be this definition and that definition are things which the law will take care of, because it is a continuum. It is a fundamental and dynamic thing. It changes also as the needs and conditions of society change.

With these words I support this Bill and I think it need not be circulated for eliciting public opinion for the simple reason that it is in continuity with the law that is now in exist-

ence. So, the Bill need not be circulated. The Bill as it is, in good and it should be accepted.

Dr. M. S. Aney: Mr. Chairman, the motion before the House is for consideration of the consolidated measure in respect of extradition. The matter contained in the Bill is not a new one. It is more or less a consolidation of the law that was existing previously, certain aspects of it which they thought proper have been adopted.

Some hon. friends have suggested that the Bill should have been circulated for public opinion. I would not be sorry if it is sent for circulation and more opinion is elicited thereon. Nor would I be sorry even if the Bill is referred to a Select Committee. But the point is that the Bill even as it deserves to be considered by us seriously for this reason. The necessity for a proper consolidated Extradition Bill is better felt now, and the Bill is more urgently needed now than it was when this country was not an independent country at all. After 1947, the conditions have completely changed. Moreover, because of the development of the means of communication, the conditions of communication have also changed enormously. We have been brought into closer contact with almost the whole world. Not only that. Accessibility to places of the longest distance in the world has become more possible. Therefore, offenders of other countries have easy access to come here and offenders of our country have easy access to go to other countries. Under these circumstances, it is necessary for us to see whether the old law does not require to be changed by us or not. Both on account of the change in our own status after the independence of our country and on account of the changes in the environment in which we have to work and administer our own country and keep up our relations with other countries, the necessity for changing the extradition laws and consolidating them and

putting them on a proper basis would be understood by any reasonable man.

The fact is that extradition law is in a way part of international law. Those who want to have international existence and relations cannot do without having an extradition law. It is, in fact, a sign of the civilised status of a nation which has got its own extradition law to deal with other people and other nations. In view of these things, the Bill that is brought here in our opinion deserves to be considered by us. I believe we can leave it to the good sense of the authorities to think over the matter and judge it in the light of their experience. There is nothing so very revolutionary or striking in this law as to make us feel that if this Bill is passed today, we are trying to introduce any dangerous principle.

Regarding the distinction between Commonwealth nations and other nations, although I want our country to remain a part of the Commonwealth I do not like that distinction to be here. After all, our co-existence as a Commonwealth nation has not done so much good to us as we thought it would lead to. On the other hand, it has become a source of inconvenience to us in several ways. We can remain in the Commonwealth, but we have to find our own way to carry on in this world. So, for the present, when we recognise our existence as a Commonwealth nation, there is no harm in admitting that fact in this law also. But the sooner the occasion comes to do away with that thing and to make our law such that we may deal with all other countries in the same spirit of equality, friendship and cordiality as with this particular set of Commonwealth nations, the better it will be. In doing that, it is only recognising a fact which exists today, though it may not be very pleasant, because our recent experience of the Commonwealth has shown that those whom we thought to be our best friends and with whom our association, we thought, would lead to profit, are

[Dr. M. S. Aney]

thinking of doing something to advance their countries in their own way and we find that it is causing damage to us in the economic sphere also.

The story which has been told by our friend, the hon. Finance Minister, yesterday in his statement is not a very encouraging one. However, the world is like that and it is in this world that we have to live. So, if we put in the word "Commonwealth" here, we recognise the condition under which we are working at present. Anyhow. I know, the real success of extradition law does not lie in making this law, but in making the extradition treaties with other nations. There, we have to deal with other nations on the principle of reciprocity. Therefore, when we actually deal with other nations, we are sure that our Law Ministry and the External Affairs Ministry would take all the care to see that we give to other nations only that which we are able to get from them. If that principle is kept in mind there is no harm in our passing this Bill and allowing the Government to carry on extradition measures on the basis of this law. For this reason, I give my support to this Bill that has come up here for the consideration of the House.

श्री यमुना प्रसाद मंडल (जयनगर) : सभापति महोदय, सदन के महान नेता ने जो बिल यहां पेश किया है, सचमुच में यह बड़ी दूरदर्शिता का दौतक है। दूरदर्शिता तथा विश्वविष्वत्व की भावना का यह तकाजा था कि इस तरह के किसी बिल को यहां साया जाता और उस को पास करवाया जाता। बहुत ही उपर्युक्त समय पर इस बिल को इस सदन में उपस्थित किया गया है।

मैं आप को बतलाना चाहता हूं कि हमारा निकटस्थ मित्र-देश नेपाल है। उस की सीमा हमारे देश से सटे हुए हैं, उस देश की

सीमायें, हमारे देश से मिलती हैं। देखने में आता है कि वहां के लोग दिन दहाड़ सून खराबे करते हैं और इधर आ कर छिप जाते हैं। कोई कानून ऐसा नहीं है कि जल्दी ही आप ऐसे अपराधकार्मियों को उम देश को सौप सकें। हमारे सम्बन्ध नेपाल से बहुत अच्छे हैं। हमारी भृत्यपूर्ण नदी-धाटी योजनायें वहां उस देश में चल रही हैं। लेकिन जब इस तरह की बातें होती हैं तो उस का असर जरूर पड़ता है। ऐसा भी मुना जाता है कि एकाथ अपराधकार्मी इधर से भी अपराध करके उधर चला जाता है और उस तरह के अपराध कर के वापिस आ जाता है। इस बास्ते यह बहुत जरूरी था कि इस तरह के बिल को सदन के सामने पेश किया जाता और पास किया जाता।

हमारे देश के महान नेता ने जो यह बिल पेश किया है, इसे सारे देश की हार्दिक सहमति मिलनी चाहिये। इस बिल को लाने की आवश्यकता इसलिये और भी महसूस की गई कि मुग्रीम कोट ने अपने एक फैसले में कहा था :—

Further the Supreme Court in its judgement in the State of Madras vs. C. G. Menon (reported in 1955 Supreme Court Reporter 280) has held that after India became a Republic, the Fugitive Offenders Act, 1881, has ceased to apply to India.

ये बातें इस आवैजनिक्स एंड रीजंज में लिखी हुई हैं। यह एक स्पेसिफिक केस है। इस को देखते हुए भी यह जरूरी हो जाता है कि इस बिल को पास किया जाय और सारे देश का इस बिल को हार्दिक समर्थन प्राप्त हो।

मैं एक ऐसे इलाके से आता हूं जहां पर नेपाल और भारत की सीमायें एक दूसरे को छूती हैं और एक देश के लिये दूसरे देश के अपराधकार्मियों को जोकि दफा ३०३ (खून) और दफा ३६५ में वर्णित अपराध भी करते

हैं, सौंपना बहुत मुश्किल हो जाता है। इस वास्ते हमारे देश के महान नेता ने जो बिल पेश किया है, उसे हमें एक मत से पास कर देना चाहिये।

इस यह भी कहा जाता है कि इस बिल को सिलैक्ट कमेटी को रेफर किया जाय और उक्त समिति को रिपोर्ट देने के लिये कहा जाय। लेकिन हमारे महान नेता ने तो आवजेकेट्स एण्ड रीजन्स में पहले ही लिख दिया है :—

"The Bill was referred to a Joint Committee and the Committee presented the report on the 30th November, 1961. The Bill, as reported by the Joint Committee, could not be taken up for consideration in Parliament for want of time and it lapsed on the dissolution of the Lok Sabha."

इसलिये यह अब जरूरी नहीं है कि इस को किसी सिलैक्ट कमेटी के पास भेजा जाय।

यह में जो धारा ३१ रखी गई है, वह बड़ी सुन्दर है। अगर कोई देशभक्त अपने देश में कोई राजनीतिक काम करता है या अपने देश की स्वतंत्रता के लिये लड़ता है और वह यहां आ कर शरण लेता है तो उस को सरेंडर नहीं किया जाय। धारा ३१ में कहा गया है :—

31. A fugitive criminal shall not be surrendered or returned to a foreign State or commonwealth country—

(a) if the offence in respect of which his or her surrender is sought is of a political character or if he proves to the satisfaction of the magistrate or court before whom he may be produced or of the Central Government that the requisition or warrant for his or her surrender has, in fact, been made with a view to try or punish him or her for an offence of a political character."

इस की बहुत सी वारायें समीक्षीन हैं, समय के अनुसार हैं। जिस तरह से विश्व के देशों में

स्वतंत्रता की लड़ाई चल रही है, उस स्वतंत्रता के अभियान में अगर देशभक्त लोग किसी दूसरे देश में जा कर शरण लेते हैं तो वह एक जायज काम होता है।

इन सब बातों को देखते हुए इस महान् सदन को अब बिना इस पर कोई ज्यादा वक्त लिये इस बिल का पूरा समर्थन करना चाहिये और इसीलिये मैं भी इस बिल का तहे दिल से समर्थन करता हूँ।

Shrimati Renuka Ray: Mr. Chairman Sir, it was while listening to the debate on this Bill that I felt compelled to say a few words. Shri Mukerjee and some other subsequent speakers raised a certain objection. I think Shri D. C. Sharma also read a list of the names of the countries with which we have extradition treaties. Their objection to this Bill being passed or the Act being brought into force now is that these treaties with the countries with which we have these extradition treaties in the past were entered into before 1947. That, I think, was the main contention of some of the hon. Members who spoke. Sir, I am not a lawyer, but from a reading of this Bill it seems to me quite obvious that this does empower the Central Government to make "such modifications, exceptions, conditions and qualifications as may be deemed expedient for implementing the treaty with that State"—that means a treaty State or any other State according to clause 3(3)2. This is also explained later on in the explanation given in the Bill. Under these circumstances, I do not think the point raised by some of the hon. Members does provide a sufficient excuse to keep this legislation pending. In view of the fact that unless we have some Act immediately to give legal sanction to the agreement as the old Act no longer operates, those fugitive criminals who should be extradited from India cannot be sent back to the countries concerned, and vice versa it is absolutely essential that this Bill should be passed without any delay. Since the

[Shrimati Renuka Ray]

point made by hon. Members has actually been met, as I mentioned earlier, I do not see any reason for this objection being raised. Prof Sharma said that there are some countries like Cuba and Czechoslovakia with whom we have extradition agreements but where such agreements may have to be changed in view of the fact that changes have taken place in the constitutional structure in those countries. Shri Mukerjee was probably thinking of some other countries where changes have taken place. But, whatever be the nature of such countries, even if we pass this Act, it is possible, in the notification that will be made for the Government to make such changes, modifications, qualifications and exceptions as it thinks fit because it is a reciprocal thing. The Extradition Act is not an Act which India only has passed agreeing to send fugitive criminals from other countries. A similar gesture is made for India by the other countries. It is a mutual agreement.

That brings me, Sir, to the question of commonwealth countries. Why is there this discrimination between commonwealth countries and others? I presume the distinction is there because the commonwealth countries give similar facilities to India. That also is a matter of mutual agreement. I do see the point raised that in view of certain recent happenings in the United Kingdom in particular, it may not be always necessary for us to stick to agreements in other matters of importance to us. We find that the mother country of the commonwealth itself does not feel that it is necessary to stick to agreements in the past. But as the Bill stands today, I think, we can pass it quite safely, because we find that in clause 12(1), it is said:

"This Chapter shall apply to any such commonwealth country to which, by reason of an extradition arrangement entered into with that country, it may seem expedient to the Central Government to apply the same."

That means that if the Central Government does not wish to apply it to any commonwealth country it need not do so. Therefore, I think the point made both by Shri Mukerjee and Shri Hem Barua on this score has been met.

As for Shri Hem Barua's point that theft and kidnapping are lesser offences, I am afraid, Sir, hon. Members of this House and the country outside will agree that it is not so and the fact that Schedule II includes theft and kidnapping is correct.

Sir, I did not get up to make a long speech. I think the difficulty raised does not really obtain because the Government retains the power to make the necessary changes even in the treaties which they have entered into before 1947 by notification.

Lastly, I think it is very necessary, if we are thinking in terms of one world, that criminals of one country when they go to another country do not escape on that account, and an Extradition Act should be operating in all the countries. I am sure that so far as we are concerned it will be applied in such a way as will fit in with the changed conditions in those countries with which we may have had agreements before 1947.

With these words, Sir, I support this Bill.

Shri Lahri Singh (Rohtak): Sir, there is no doubt that the Extradition Bill should be passed. There is no dispute on this point. But the most important point is that a distinction has been made between fugitive criminals of a commonwealth country and those of other countries. Clause 11 particularly refers to that point. It says:

"Nothing contained in this Chapter shall apply to fugitive criminals of a commonwealth country to which Chapter III applies."

In the first place, Sir, there should not be any distinction because if such a distinction is made the most important point that will come in is the one that is of a political nature.

There is also one ambiguity. Clause 7 of Chapter II says:

"(2) Without prejudice to the generality of the foregoing provisions, the magistrate shall, in particular, take such evidence as may be produced in support of the requisition of the foreign State or commonwealth country...."

On the one hand, we say in clause 11 that the Bill only applies to countries other than commonwealth countries and, on the other, in clause 7 the magistrate is empowered to take evidence even in the case of a foreign State or a commonwealth country. It further says:

"....and on behalf of the fugitive criminal, including any evidence to show that the offence of which the fugitive criminal is accused or has been convicted is an offence of political character or is not an extradition offence."

Therefore, here it has been particularly mentioned that even in the case of fugitive criminals of commonwealth countries the magistrate can go into the matter and take a decision. Clause 11 says that it cannot be done. It will create some difficulty because afterwards it will be pleaded that the magistrate cannot do it under clause 11 whereas in clause 7 it has been clearly provided that the accused can lead evidence. Therefore, I request that this distinction made in clause 11 should go. When clause 7 is there, there is no need for this Clause 11. Clause 7 applies to fugitive criminals of commonwealth countries as well as other countries.

Secondly, under clause 31, if the offence in respect of which his surrender is sought is of a political character or if he proves to the satisfaction of the magistrate or court before

whom he may be produced or of the Central Government that the requisition or warrant for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character, a fugitive criminal shall not be surrendered or returned to a foreign State or commonwealth country. So, a fugitive criminal of a commonwealth country can, according to clause 31, take up this plea but he cannot lead evidence. So, a distinction has been made between clause 7 and clause 17. In one case he can lead evidence. But, according to clause 11, he cannot lead evidence; he cannot take advantage of it.

16 hrs.

Again, in clause 31 it has been provided that he can satisfy the magistrate. Why this ambiguity? How can he satisfy the magistrate when you do not give him the right to lead evidence. So, my request to the Law Minister is that even in clause 31 a person should be allowed to lead evidence to satisfy the court. The ambiguity should be removed. Because, there is an apprehension that in the long run the magistrate will not be able to utilize clause 31 for persons claiming that they are being prosecuted on account of having committed an offence of a political nature. Because of this ambiguity, in the long run the magistrates will feel helpless. There is no remedy because he cannot go to the High Court: he cannot file a revision. At the same time, the hands of the magistrate are restricted. So, I would submit that this ambiguity should be removed.

श्री कृ० ह० बर्मा (मुस्तानपुर) : माननीय सभापति महोदय, यह बिल जो आज इस माननीय सदन के सामने प्रस्तुत है, इस की आवश्यकता थी। इस में कोई शक नहीं कि जो पुराने कानून बने थे उन का निकाज रहना चाहिए है, और, जैसाकि इस बिल में बताया गया है, हाइकोर्ट ला कोट्स से भी वह शीज आवश्यकीय हो गई है और लागू नहीं करनी

[ब्री कुं० कृ० वर्मी]

जा सकती। ऐसी हालत में यह कहना कि इस विल को जल्दी लाया गया है या इस को पब्लिक की राय जानने के लिये सरकुलेट किया जाना चाहिये ठीक नहीं है। मैं समझता हूँ कि इस में देर करना ठीक नहीं है और ज्यादा उचित यही होगा कि इस विल को हम पास करें। इस में अगर कोई संशोधन या सुधार करना है तो हम इस समय वैसा कर सकते हैं। लेकिन इस में देरी करना उचित नहीं है।

दूसरी चीज डिस्क्रिमिनेशन के बारे में कही गई। यह कहा गया कि हम इन्हनें वैल्य कंट्रीज और दूसरे कंट्रीज के बीच डिस्क्रिमिनेशन करते हैं। एक ही जुम्ब है लेकिन हम दूसरे तरीके इस्तेमाल करते हैं। जितने पूर्व बक्ता बोले हैं उन्होंने यह स्वीकार किया है कि एक्स्ट्राडीशन एक्ट का एक आधार लेन देन, रेसीप्रासिटी या गिब एंड टक ही हो सकता है। जब यह बात स्वीकार की जाती है तो मेरी समझ में दूसरे देशों के सम्बन्ध में जो कानून बनाया जाय उस में रेसीप्रासिटी के सिवा और कोई आधार नहीं रखा जा सकता। ऐसी हालत में हम को कामन वैल्य देशों के नागरिकों को और दूसरे देशों के नागरिकों को जिन से हमारी ट्रीटी होगी वही सुविधायें देनी होंगी जोकि हम चाहते हैं कि हमारे देश के नागरिकों को उन देशों में मिल। इस बारे में कोई दो राय नहीं हो सकती। और इस बात पर यह कहा गया कि डिस्क्रिमिनेशन किया जा रहा है। क्या यहाँ के लोग यह चाहते हैं कि हमारे देश के नागरिकों को अन्य देशों में न्यायसंगत सुविधायें मिल। अगर हम चाहते हैं कि हमारे देश के नागरिकों को न्यायसंगत सुविधायें मिल तब तो हम भिन्न भिन्न तरह के कानून बना सकते हैं। लेकिन अगर हम ऐसा नहीं चाहते तो हम को यकसां कानून बनाना चाहिये। इसलिये यह बात प्रनुचित है कि हम इस मामले में कामन वैस्य कंट्रीज के लिये एक तरह से सोच और जो दूसरे फारिन कंट्रीज हैं उन के लिये दूसरे तरीके से सोचें।

मैं समझता हूँ कि क्लाज २ के सब क्लाज ३ी० में जो डेफोनीशन दी गई है एक्स्ट्राडीशन ट्रीटी की उस के आधार पर शक जाहिर किये जाते हैं और डिस्क्रिमिनेशन की बात कही जाती है। उस में कहा गया है :

“‘extradition treaty’ means a treaty or agreement made by India with a foreign State relating to the extradition of fugitive criminals, and includes any treaty or agreement relating to the extradition of fugitive criminals made before the 15th day of August, 1947, which extends to, and is binding on, India;”

इसी डेफोनीशन में यह क्वालिफिकेशन रखी गई है

“is binding on India”

हम लोगों के लिये एक सेफगार्ड तो इसी डेफोनीशन में मौजूद है और हमेशा यह देखना होगा कि वह ट्रीटी इंडिया पर वाईंडिंग है या नहीं। लेकिन एक मजीद सेफगार्ड और इस विल में रखा गया है जैसाकि अभी माननीया लेडी मेम्बर ने बतलाया कि क्लाज ३ में यह दिया हुआ है :

“The Central Government may, by notified order, direct that the provisions of this Act other than Chapter III shall apply—

- (a) to such foreign State or part thereof; or
- (b) to such commonwealth country or part thereof to which Chapter III does not apply;

as may be specified in the order.”

तो ट्रीटी वर्गरह जो भी बात हों, सेंट्रल गवर्नर-मेट को पावर दी गई है कि वह अपने नोटीफाइल आईडर में इसकी व्यवस्था कर सकती है।

“(2) The Central Government may, by the same notified order as is referred to in sub-section (1) or any subsequent notified order, restrict such

application to fugitive criminals found, or suspected to be, in such part of India as may be specified in the order.

(3) Where the notified order relates to a treaty State,—

- (a) it shall set out in full the extradition treaty with that State;
- (b) it shall not remain in force for any period longer than that treaty; and
- (c) the Central Government may, by the same or any subsequent notified order, render the application of this Act subject to such modifications, exceptions, conditions and qualifications as may be deemed expedient for implementing the treaty with that State."

इस में मैं यह समझता हूँ कि जो शुभवात संवक्षण २ कलाज डी के बाबत उठाये गये हैं उन का हल संवक्षण ३ में काफी दिया हुआ है। इस के होते हुए मैं नहीं समझता कि उन शुभवात की कोई आवश्यकता है और न कोई वजह हो सकती है और न ही वह आधार हो सकता है इस बात के लिये कि यह विल पवर्लिक ओपरेनियन एलिमिट करने के लिये घुमाया जाय।

इसके अलावा एक बात और भी कही गई, शर्मा जी ने शायद, यह कि ट्रीटी स्टेट्स की एक लौग लिस्ट है और यह कि जब वह एक्स-ट्रैडीशन ट्रीटी की गई थी उस बबत में वहाँ की गवर्नमेंट का मैट अप वर्हा की गवर्नमेंट का दांचा दूसरा था जबकि इस बबत वह तमाम बदल गया है। ठीक है बदल गया है। वहाँ भी बदल गया है और यहाँ भी बदल गया है। लेकिन किसी देश का स्ट्रक्चर बदल गया हो और गवर्नमेंट वहाँ की बदल गई हो इस से हम लोगों से क्या सम्बन्ध। हमें तो यह देखना है कि अगर उन के साथ में कोई ट्रीटी हुई है और वह श्रीनर करते जा रहे हैं तो हम

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भी श्रीनर कर सकते हैं। सबाल यह है कि जो एक्सट्रैडीशन ट्रीटी उन के साथ में हुई है वह कुछ रेसीप्रोकल चीज है कि नहीं। अगर वहाँ पर हमारा कोई सिटीजन किसी मुसीबत में मुक्तिला होता है, कोई श्रीनर करता है प्रथमा कोई बात करता है तो उस एक्सट्रैडीशन ट्रीटी के: मुताबिक प्रगर वहाँ की गवर्नमेंट एकदम से बदल गई हो विलक्षुल चेंज हो गई हो लेकिन वह उस को श्रीनर करती है और उस के मुताबिक वह चलती है और हमारे सिटीजन को वह मुविधायें, राइट्स और प्रिवेलेजेज देती हैं तो क्या वजह है उस का करेक्टर बदला करे। हम यह मुविधा और वह प्रिवेलेजेज उन के: सिटीजंस को यहाँ देने के लिये तैयार हैं। और जैसेकि अभी बताया गया कि संवक्षण ३ में इस का काफी प्राविजन किया गया है जिस में कि सेंट्रल गवर्नमेंट इन सब बाबतों पर मोत्व विचार कर सकती है। ऐसी हालत में मैं नहीं समझता हूँ कि वह लौग लिस्ट होने से वहाँ की गवर्नमेंट का करेक्टर चेंज होने की वजह से कोई फर्क इस बात में आता है। मेरी समझ में यह कोई भिन्ननीफिकल्न की चोज नहीं है कोई बहुत प्राप्टोरेंस की चोज नहीं है और उन की वजह से यह नहीं कहा जा सकता है कि इस विल के पाया करने में कोई दिक्कत है या इसको सरकुनेट करना ज़रूरी है।

एक चीज और भी कही गई कि इस में संवक्षण ३ के कलाज वी में यह दिया हुआ है:-

(b) if prosecution for the offence in respect of which his surrender is sought is according to the law of that State or country barred by time;

माननीय बरुवा जी ने इसको क्रिटिसाइज किया और उन्होंने यह बात बतलाई कि क्रिमिनल एंकट का प्रोसीक्यूशन कहाँ बांद होता है? उस के: लिए तो कोई टाइम लिमिट नहीं है। जब चाहे उस औफेस के लिए कोई भी शास्त्र द्राई किया जा सकता है। यह कहाँ है कि ऐसे औफेस का ट्रायल बाहर है? अब इस के बारे में मुझे बड़े अद्वेद के: साथ कहना पड़ता है कि

[श्री कुं० कु० वर्मा]

अभी अभी हमी ने आसाम राइफल्स अमेंडमेंट बिल पास किया है। इस में क्लाऊ ३ के: अनुसार जो हम लोगों ने नया संक्षण १० बनाया है उसका क्लाऊ ४ इस प्रकार है:—

(4) Notwithstanding anything contained in any other law for the time being in force, any legal proceeding (whether civil or criminal) which may lawfully be brought against a Commandant, Assistant Commandant or rifleman for anything done or intended to be done under the powers conferred by, or in pursuance of, any provision of this Act or the orders or rules made thereunder, shall be commenced within three months after the act complained of was committed and not otherwise.

अभी हम ही लोगों ने एक ला यहां पर पान किया है कि अगर वह भी संयंस ऐक्सपायर हो जायें तो आपउस का ट्रायल नहीं कर सकते हैं। आप कोई भी प्रांतीज्यिंग उनके खिलाफ नहीं कर सकते हैं। इन किसम की चीजें और देशों में भी हो नस्ती हैं और मैं यह नहीं समझता हूं कि बच्चा जी ने नभी देशों के ऐक्ट्स को स्टडी किया है और उन की बिना पर उन्होंने यह रिमार्क बना किये। ऐसी चीजें हो सकती हैं जिन में कि मैं समझता हूं कि किसी क्रिमिनल ऐक्ट का ट्रायल बार्ड हो। और अगर यहां इस में यह प्राविजन रखा गया है तो हमारे जो ला गिरवं हैं और जिन्होंने कि इस बिल को फैम किया है वह वधाई के पावर है। उन्होंने कोई छोटा भा भी लैकूना नहीं छोटा और इन प्राविजन को भी उन्होंने इन में रखा।

अभी एक माननीय वक्ता ने संक्षण ३ और संक्षण ११ में कनफिलक्ट बताया। संक्षण ७ के: क्लाऊ २ में यह दिया हुआ है:—

(2) Without prejudice to the generality of the foregoing provisions, the magistrate shall, in particular, take such evidence as may be produced in support of the requisition of the foreign State or commonwealth country and on behalf of the fugitive criminal, in-

cluding any evidence to show that the offence of which the fugitive criminal is accused or has been convicted is an offence of political character or is not an extradition offence.

संक्षण ११ इस प्रकार है:—

11. Nothing contained in this Chapter shall apply to fugitive criminals of a commonwealth country to which Chapter III applies.

चैप्टर ३ के ऐप्लीकेशन के बारे में संक्षण १२(१) में यह दिया हुआ है:—

12. (1) This Chapter shall apply only to any such commonwealth country to which, by reason of an extradition arrangement entered into with that country, it may seem expedient to the Central Government to apply the same.

इस में जो कीमनवेल्थ के प्यूजिटिव क्रिमिनल्स् होंगे उन के: लिए एक दूसरा प्रोत्सीज्योर दिया गया है। चैप्टर ३ में प्यूजिटिव क्रिमिनल्स् वर्गरह के: लिए जब अलग से एक प्रोत्सीज्योर दिया हुआ है तो संक्षण ७ का प्रोत्सीज्योर नो उन प्रोत्सीज्योर के: खिलाफ है। चैप्टर ३ में जो क्लाऊ १४ है उसमें यह चीज दी हुई है कि प्यूजिटिव क्रिमिनल्स् जो वहां के: होंगे उन के: लिए कोई वारंट वर्गरह आता है तो इनडोसर्मेंट हो जाने में उनको गिरफ्तार वर्गरह किया जा सकता है। ऐसी हालत में मैं यह नमझाना हूं कि संक्षण ७ के: क्लाऊ २ और संक्षण ११ में कोई कनफिलक्ट नहीं है बल्कि संक्षण ११ पोजीनन को और क्लेरीफाई करता है: जोकि इस बिल का प्रिसिपल है कि कीमनवेल्थ कंट्रीज के: जो प्यूगटिव क्रिमिनल्स् होंगे उनके साथ में क्या व्यवहार होगा उनके खिलाफ किस तरीके: से हम प्रोत्सीड करेंगे जिन कीमनवेल्थ कंट्रीज के: साथ हमारी ट्रीटी नहीं है या फौरन कंट्रीज जो हैं उनके साथ क्या प्रोत्सीज्योर होगा किस तरीके: से हम ट्रीट करेंगे वह दोनों प्रोत्सीज्योर बिलकुल अलग अलग बतलाये गये हैं। संक्षण ७ से यदि किसी

चीज का डाउट पंदा होता था तो संक्षण ११ उसको और क्लेरीफाई करता है और उसको कंट्रोल करता है बजाय इसके कि उन में कोई कनफिलेट हो। ऐसी दशा में मैं समझता हूँ कि जो शुब्दात उठाये गये हैं या जो कंट्रिडिक्शन्स दिखलाये गये हैं दरअसल वह कोई कंट्रिडिक्शन्स नहीं है और उस बारे में कोई शुब्द करने की जरूरत नहीं है। हमारा विल सैल्फ मफिशियांट है और कम्प्लीट इन इटसैल्फ है और इस के पास करने में मेरी समझ में कोई दिक्कत नहीं होनी चाहिए। जैसा कि अभी एक वक्ता ने बताया है, यह ज़रूर है कि जिन वक्त सैल्फ गवर्नरमेंट संक्षण ३ के मुताबिक अपने आर्डर्जन पास करें, उन वक्त काफी एहतियात ली जाये और ऐसा नहीं होना चाहिए कि उन आर्डर्जन की वजह से हम किसी दिक्कत में पड़ जायें, किसी फारेन स्टेट या कामनवेल्थ कंट्री से हमारे नाल्कुकान खगब हो जायें या हमारे लिटिजन्ज को, अगर वे किसी ऐसी बात में मुव्वतिला हों, कोई दिवाल हो, या उन को किसी तकलीफ का सामना करना पड़े। मैं समझता हूँ कि हम यह कानून सिर्फ यहां पर रखने वाले दूसरे कंट्रीज़ के सिटिजन्ज के लिए ही नहीं बना रहे हैं, यह खाली उन्हीं सम्बन्ध नहीं रखता है, बल्कि, जैसा कि बताया गया है, इस में गिव एंड टेक का भासला आता है। हमें इस बात का ध्यान रखना है कि हमारे लिटिजन्ज का भी सम्बन्ध इस नहीं और उन के गाइट्स यीर प्रिवेलेजिज को प्रोटेक्ट करने के। जिन यह ज़रूरी हैं कि इन विल को ज़ल्द से ज़ल्द पाप किया जाये, ताकि उन को कोई तकलीफ न होने पाये।

Shri A. K. Sen: Mr. Chairman, I am surprised a little that Shri H. N. Mukerjee, speaking on behalf of the Communist group, has opposed this motion and on a ground which appears rather strange to me. He says that this Bill should have been sent for circulation for public opinion before this motion was moved. This Bill went through a Joint Committee of which Shri H. N. Mukerjee was a Member. The report of the Joint

Committee was unanimous. It is on the unanimous recommendation of the Joint Committee that changes were introduced and the original Bill suffered alterations, precisely the same changes which were recommended by the Joint Committee of which Shri H. N. Mukerjee was a Member. The Joint Committee thought that there should not be a separate list of offences for the Commonwealth countries which list included offences like treason and piracy. At the time when the motion for reference to a Joint Committee was made, I personally thought that treason should not be there in the list of extradition offences because it was a term of very wide import and some Commonwealth country with which our relation may not be particularly friendly at a particular moment, might use this term treason to cover all sorts of offences. That is why separate lists were completely removed and one list was agreed upon which does not contain any reference to treason or piracy.

16.24 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

The difference between Commonwealth countries and other countries is one of procedure. The offences are the same. Nothing which falls outside this category of offences could attract the provisions of the Extradition Act. The procedure is different by reason of historical circumstances, because in all the Commonwealth countries, the procedure has been, first of all, endorsement of a warrant issued by the country seeking extradition and then an enquiry followed after the endorsement by the magistrate concerned, whereas in the case of non-Commonwealth countries, the procedure is a little different. There is no warrant issued initially. Enquiry by a magistrate starts on an intimation by the Central Government, and then if the enquiry discloses a *prima facie* case, the magistrate issues a warrant. Even then the Central Government may intervene and need not automatically issue an extradition order. That is the posi-

[Shri A. K. Sen]

tion. The procedure is different because of historical reasons because in all the Commonwealth countries, the same procedure obtains *vis-a-vis* our extradition demands also. That is why that procedure was followed. But, on the substance of the matter, no difference is there in the Act itself. The offences are the same and the enquiry is a statutory necessity, a statutory obligation and the magistrate has to satisfy himself before making an order in either case that there is an extradition offence proved and the extradition offence is an offence covered by the Schedule which is the same for all the countries.

Then, there is a further safeguard. Simply because it is an offence within the Schedule, it does not follow that there is extradition as a matter of course. The treaty itself will specify which of the matters would be covered treaty in the case of non-Commonwealth countries and mutual arrangement in the case of Commonwealth countries. Then, there is a further safeguard that in extending the application of this Act to Commonwealth countries or non-Commonwealth countries, as Shrimati Renuka Ray was good enough to point out, the Government of India has been given power to apply with such modifications and alterations as may seem fit and proper. This is clause 3 sub-clause 3 (c) which says:

"the Central Government may, by the same or any subsequent notified order—supposing there is a notified order applying to a particular country and changes occur in that country; a subsequent power of notification is also given—render the application of this Act subject to such modifications, exceptions, conditions and qualifications as may be deemed expedient for implementing the treaty with that State."

There is a similar provision with regard to Commonwealth countries in clause 12(2), so that the first require-

ment is a treaty. This is power given to the Government to apply the provisions of this Act for the purpose of implementing the treaty with such modifications as the Government may decide. The same thing for the Commonwealth countries.

Then, there is the further safeguard namely that in one case intimation by the diplomatic representative of the country and in the other case a warrant issued by the Commonwealth country followed by an enquiry in either case. Therefore, all the safeguards show that extradition would not be as a matter of course, but all the safeguards which international law grants on the entire subject are insisted upon.

Then, Shri H. N. Mukerjee said that there was a Geneva Convention on the suppression of international terrorism to which India was a signatory, that Convention still subsists and therefore, though in the Schedule terrorism does not occur, we shall be liable to extradite people on the charge of terrorism. This argument suffers from several fallacies. First of all, even if that Convention was binding today, assuming that is so,—I will show later that it is not binding any more—it does not automatically apply to any extradition arrangement or treaty between India and any other country. The treaty will define which of the offences in the Schedule would be applicable. Secondly, the Schedule itself omits any reference to terrorism. What is omitted in the Schedule cannot be made applicable by any treaty. Because, the Government cannot enter into a treaty in contravention of the Act. It can only enter into a treaty with regard to offences mentioned in the Schedule. Then, the word 'fugitive criminal' has been defined as a person who has either been charged with or has been convicted of an offence mentioned in the Schedule. Therefore, nobody is a fugitive criminal unless he is accused of an offence mentioned in the Schedule. There-

fore pari passu nobody can be sought to be extradited unless he is charged with or is convicted of an offence mentioned in the Schedule itself.

Lastly, Shri H. N. Mukerjee assumes that the Geneva Convention was never effective. I may point out that it was never effective at all; and it was never ratified after signatures, and, therefore, it never came into operation. It was entered into in 1937 after several assassinations took place in Europe; notably the assassination of the German Ambassador in Paris, the Yugoslav Head of the State and some other acts of terrorism took place in Europe. In 1937, a convention was signed in Geneva, to which India was a party, and the signatories undertook to punish persons guilty of terrorist activity. I am reading this out from a publication by the Soviet Government, by the Academy of Sciences of the USSR, under the wing 'Institute of State and Law'. This is what it says: I hope the authenticity of it will never be disputed by anyone. It says:

"In 1937, the convention for the International Convention for punishment of terrorism was signed in Geneva by the representatives of 24 countries including the Soviet Union."

So, it is not that this country alone signed it. In fact, even now, amongst the East European countries in the Communist bloc, the convention to suppress international terrorism still holds good, and extradition arrangements cover this offence. But, let me read further:

"The signatories undertook to punish persons guilty of terrorist activity, that is—

'(a) of attacks upon the life and health of Heads of States and official personages,

(b) of acts of sabotage directed against State or public property;

(c) of actions creating a danger to a number of human lives;

(d) of the preparations, storing or supplying of any persons with any weapons and other means of terrorism;....

(f) of the preparation for terrorist acts, incitement to terrorism or any form of assistance to terrorists'.

Subsequent events showed that the major imperialist States which signed this convention by no means intended to renounce terrorism as a means of imperialist intervention in the internal affairs of the State. The Convention was not ratified and did not come into force".

So, it never came into force. In any event, even if it did come into force, as I said earlier, unless terrorism was mentioned as an item in the Schedule, there would no fugitive criminal at all charged with the offence of terrorism. A fugitive criminal can only be one who is charged with or who is convicted of an offence as mentioned in the Schedule. Therefore, this point fails. Having regard to the fact that the unanimous recommendation of the Joint Committee was incorporated, I see no reason for accepting the motion for circulation of this Bill for eliciting opinion thereon. In fact, the debate on this motion has disclosed more or less unanimity about the necessity of a legislation of this type. The only controversy was whether this difference between the Commonwealth countries and the non-Commonwealth countries should persist. But as I have explained already, in regard to the substance of the law, it is the same. It is only the procedure which is different, though in either case, an inquiry becomes a statutory obligation, and even after the inquiry, the Central Government are not bound to issue extradition order as a matter of course.

With these words, I once again commend the motion for the acceptance of the House.

Mr. Deputy-Speaker: I shall first put the amendment of Shri H. N. Mukerjee to the vote of the House.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by 15th October, 1962."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Bill to consolidate and amend the law relating to the extradition of fugitive criminals be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the clauses. I shall first put clauses 2 to 6 to the vote of the House.

Shri H. N. Mukerjee: I had given notice of certain amendments yesterday, but possibly it was after four o'clock, and, therefore, they could not be circulated. Some had relation to clause 2.

Mr. Deputy-Speaker: They have not been circulated, and there was no time to circulate them.

Shri H. N. Mukerjee: If they are barred for want of proper notice, then there is no way out.

Mr. Deputy-Speaker: The question is:

"That clauses 2 to 6 stand part of the Bill".

The motion was adopted.

Clauses 2 to 6 were added to the Bill.
Clause 7—(Procedure before magistrate)

Shri Rameshwar Tantia (Sikar): I beg to move:

Page 4, after line 23, insert:

"(3A) If the Magistrate is of the opinion that the offence, though

not of a political nature, is not an offence in terms of the law of the land, he shall discharge the person against whom the extradition proceedings have been instituted." (1)

Mr. Deputy-Speaker: The amendment is now before the House.

Shri Rameshwar Tantia: The object of moving this amendment is to bring this piece of legislation in conformity with the true spirit of the international law. Suppose a person is not guilty under the law of the land but is guilty under the law in the other country wherefrom he has come. It is to cover such cases that this amendment has been moved by me. For example, suppose a person in East Africa or South Africa, let us say, a coloured person, marries a white woman; probably he might be committing an offence under the law of that country, but that would not be an offence in our country. If that person comes to this country, he should not be extradited under this Bill on the ground that he has committed an offence under the law of that country. I think that it is a very reasonable amendment, and it should be accepted.

Shri A. K. Sen: May I say with due respect to Shri Rameshwar Tantia that this amendment proceeds from a wrong assumption that all offences are the subject-matter of extradition? It is only those offences which are mentioned in the Schedule which are the subject-matter of extradition. He will be good enough to see that all offences mentioned there are offences within the meaning of our Indian Penal Code itself, and so it is not offences in general under the law of any country for which extradition can be sought, or which can form the subject-matter of extradition proceedings, but it is only those offences, first of all, as defined in the Second Schedule, and secondly, as covered by an existing extradition treaty. Therefore, these are the two safeguards.

I hope my hon. friend will withdraw the amendment.

Mr. Deputy-Speaker: Does Shri Rameshwar Tantia want to press his amendment?

Shri Rameshwar Tantia: No. I would beg leave of the House to withdraw it.

Shri U. M. Trivedi (Mandsaur): I hope that some better explanation will be forthcoming from the hon. Minister. What the hon. Law Minister has said has not been followed by us. What does he mean? Does he mean that the only extraditable offences are those offences which are mentioned in the Indian Penal Code?

Shri A. K. Sen: What I said was that extradition proceedings can only be started against a fugitive criminal as defined in the Bill. A fugitive criminal is defined in clause 2(f) as one who is charged with or who has been convicted of an offence as mentioned in the Second Schedule. Therefore, any offence outside the Second Schedule is not relevant at all. If one examines the offences mentioned in the Second Schedule, one will find that they are all offences which are regarded as such in the Indian Penal Code. Therefore, the point that a man who is charged with an offence which is not an offence under the Indian Penal Code would still be harassed is a point that fails.

Mr. Deputy-Speaker: Has Shri Rameshwar Tantia leave of the House to withdraw his amendment?

Several Hon. Members: Yes.

The amendment No. 1 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 7 stand part of the Bill".

The motion was adopted.

Clause 7 was added to the Bill.

Clauses 8 to 37 were added to the Bill.

The first Schedule and the Second Schedule were added to the Bill.

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

Shri A. K. Sen: On behalf of the Prime Minister, I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed".

Shri H. N. Mukerjee: I am sorry that even at this late stage I have to oppose the motion moved by my hon. friend, the Law Minister, on behalf of the Prime Minister. I am sorry again that an effort has been made to get this Bill passed through this House in somewhat of a hurry, rather, if I may say so with respect to this House, in a cavalier fashion. I say so because certain points had been raised which are by no means trivial, and it was rather disconcerting to hear my hon. friend, the Law Minister, point out that all discriminatory tendencies in the legislation as previously propounded have been removed, that differences between our treatment of commonwealth countries and non-commonwealth countries are of a very minor nature and purely procedural and, therefore, do not go to the essence of the subject.

I am sorry that my hon. friend, the Law Minister, was not present when I was speaking and when so many other members were speaking. But we did try to point out to Government—though we know that Government is usually indifferent to what is said from this side of the House—that even procedurally speaking something is being done now discriminating in favour of commonwealth countries, which is by no means right, which on principle should never be done by this country. I say this not only from the point of view of theory but also from the

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point of view of practice. From the point of view of theory, of course, it might very well be said with justification that this difference in the procedure in our extradition relations as between commonwealth countries and non-commonwealth countries has no basis at all. But what can be the possible justification of a non-commonwealth country asking for the extradition of a fugitive criminal having to go through the procedural safeguard in this country, that a magistrate in this country would look into the *prima facie* nature of the allegation brought by the country seeking extradition? In the case of a commonwealth country, which includes all sorts of countries with all kinds of political set-up, with all kinds of peculiar complications in their own political and economic arrangements, what happens is that a warrant comes and all that the officers of our judicial administration can do is to examine whether the warrant is in order or not, and if it is certified to be in order, as having been signed by the proper authority in the country asking for extradition, then, of course, the extradition takes place.

This is a most serious matter. I say this because there are countries like Pakistan, for instance, with which as far as we are concerned, we wish to maintain friendly relations, whatever the provocation, but we know, at the same time, that political life in Pakistan is fettered and truncated in such a fashion that real, serious, genuine efforts to bring about democratic changes in that country are not only frowned upon but are absolutely crushed without any kind of legal safeguard to put a brake on that process at all. We know for a fact that there are so many instances where people have had to come away from Pakistan.

My grouse against this Bill, as I tried to express it when the Law Minister was not present, is that in regard to political offences, this Bill

is particularly cavalier, particularly indifferent and particularly negligent. In regard to political offences, our duty as a country should have been to tell the world that we are going to offer political asylum to whoever is suffering for political reasons in other countries including commonwealth countries like the UK or Pakistan. But we are not doing that at all. What is happening? As a matter of fact, a warrant executed in 'X' commonwealth country for what would, to all intents and purposes, be a political offence, to which a cloak would perhaps be put in the shape of certain criminal allegations, would, merely because procedurally it is acceptable, have to be executed on our soil and the so-called fugitive offender will have to be extradited. Why should this happen? That is because of the negligence of the Government in so far as this Bill is concerned of the universally accepted principle that every possible safeguard should be adopted to see that political offenders do not come within the mischief of any extradition law. We are not taking any steps in that direction. I tried to point out, and happily you were in the Chair at that time, that in 1937 we were a party, we were made to be a party because we were not a free country at that time, to a convention which was signed in Geneva, in accordance with which acts of what is called rather peculiarly, political terrorism would be extraditable, that is to say, a political act, but which can be given a sort of quasi-criminal connotation by calling it an act of political terrorism or something like that would not get the immunity which political offences should get under the internationally accepted principles of extradition. We are a party to that, and I tried to find out the position. Unfortunately, for purely technical reasons, some of my amendments were barred, and I am not having any grouse against it, but I wanted a very definite clarification from Government as to what is happening in regard to pre-1947 agreements which India has already

entered into. And here in clause 2(d) extradition treaties include agreements relating to extradition of fugitive criminals made before the 15th day of August, 1947. I have brought before the House Oppenheim's Treatise on International Law edited by Lauterpacht, in which there is a specific reference to the international convention which India was made to sign in 1937. England did not sign it, but India did, and by doing that India has given a certain connotation to political offences which goes against the principles laid down in the other parts of this Bill. This is a peculiar thing. That is why I wanted this Bill not to be made perfect, as some of my friends over there tried to insinuate—I have no such illusions about perfection being achievable in the conditions in which we live—but at least I wanted to have this Bill made as good as it could be, but I find this kind of thing all the time.

Then again, I tried to draw the attention of the House to certain things in the Second Schedule which should not be accepted without very careful thought having been given to them. Here is the power which we are giving to Government if we pass this Bill, as we shall I am sure, merely by notification to and to the list of offences already scheduled here in the Second Schedule of this Bill. And what do we say there?

"Any offence which if committed in India would be punishable under any other section of the Indian Penal Code or any other law....".

This is an omnibus provision, and are we going to let go of this without very careful thought? But apparently Government does not want us to give careful thought to this matter. Government behaved in the same manner earlier in the last Parliament, and Government had to be by main force compelled to refer the matter to a Select Committee, and then luckily for Government perhaps, the general elections intervened, and this thing lapsed, and now Government

comes on the first day of the session, puts on the agenda the Extradition Bill and calls upon the Parliament to pass it knowing full well that the serried ranks of the supporters of Government here would naturally say "yes" to whatever Government has to offer. This is a kind of procedure which is extremely objectionable, and I do say that not only from the point of view of theory, but from the point of view of practice, certain discriminatory practices continue in this Bill.

I am very sorry to find that the Government party, with all its wealth of legal talent, for some reason or other, put out speakers who had hardly made a study of this Bill and knew hardly a thing about what was actually being contemplated by this Bill. I am sorry to have to say it but I say with respect, whatever respect I can muster in my present mood, that I was very sorry to find that speeches were made in a manner which suggested a complete lack of study of the matters which are relevant to the principles of extradition.

That is how the Government wishes to behave. I do not wish to be dilatory. I do wish that as soon as ever it is possible we have an extradition law of our own. I am completely at one with my revered friend, Dr. Aney, in this matter. I want that in free India we should have an Extradition Act of our own, as quickly as ever it is possible. I did not want to postpone matters, but I only suggested that the heavens would not have fallen if we had waited for two months, if we had received suggestions from outside, if we had got the Law Commission to examine this matter. Some of us may be regarded not very reputable, we are not clever lawyers, but at least the Law Commission could have been asked to give its views in regard to this, and I had indicated to you that the Law Commission itself had suggested that when the extradition law was finally formulated, perhaps it was better that the Commission was consulted. But nothing of that sort is done. Government, in its wisdom, comes before

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us and says that it has adopted the recommendations made by the Joint Select Committee. I do welcome the Bill in so far as some of the really good elements introduced by the Committee have been incorporated here. Government has not gone as far as it ought to have done; and that is why, in spite of my disinclination to do so, I feel constrained to oppose the passage of this Bill which has been conducted so cavalierly by the Law Minister.

Shri U. M. Trivedi: I will not take long. I endorse the views expressed before us by the Deputy Leader of the Communist Party, Shri Hiren Mukerjee. It is very strange that we are one of the nations in the Commonwealth; and we have all sorts of nations in the Commonwealth. Ours is a democratic country. We have got a neighbour which does not believe in any democracy. We do not know what laws are made there. We do not know what kind of reciprocities are observed by them. We know that many of the fugitives from here—hundreds of examples are there in the reports of our Public Accounts Committee from 1950 onwards—cheats, thugs, those who commit breaches of trust and all sorts of people, who have escaped from here and walked into Pakistan territory are there and we cannot get them back. If this is so, I do not understand why we should have a law whereby we hand over fugitives from law coming from that country. I do not understand why we should have any such arrangement with the Commonwealth *ipso facto*.

Instead of entering into a treaty on this particular proposition we just make it so because it is a Commonwealth country and that because the Commonwealth have accepted the position of a Commonwealth country, we agree to hand over those who may be alleged fugitive even when we have bitter examples of persons who have been dragged from our soil, like Col. Bhattacharya, and tried and sentenced to 7 years rigorous im-

sonment. I cannot understand why we should have an arrangement of that kind in our law whereby we agree, very meekly and mutely, to hand over fugitives against whom any extradition warrant may be issued by that Government. The only explanation available to that person would be that he would have to satisfy the magistrate that he is being shifted for political purposes. I do not know how a person who is produced before a magistrate consucceed in showing that there is some ulterior motive on the part of Government of the nature which I have indicated.

Time is running short. I endorse every word of what has been said by my predecessor. This Bill ought not to be hurried through in the manner in which it is being done. It is a very important Bill which puts a sort of heavy burden on all of us, all the citizens of this country. In view of the fact that we are not on good relations with many of these Commonwealth countries, it would have been proper for us to have paused and considered all the aspects of this Bill before we put down in the Second Schedule item 18.

The point raised by Shri Tantia was a very reasonable one. He belongs to the political party which rules this country; and so he agreed to withdraw his amendment. But the spirit behind the amendment was very sound. We do not know what Government will do and what particular offences of the Penal Code it will notify.

We have put it in our law that bigamy is an offence and that a man can be sentenced for bigamy. But it is not so in Pakistan. So, Pakistan will not hand over any person who has committed the offence of bigamy and gone over to Pakistan and is a fugitive there because it is not an offence there. All these things ought to have been considered. We have done this in order to placate those persons. We are very zealous reformists and we do not know to what extent we will go in calling ourselves reformists and getting certificates from

other circumstances. In these circumstances, I do wish to endorse the views already expressed and oppose this Bill.

Shri D. C. Sharma: Mr. Deputy Speaker, I do not subscribe to the views put forth by the previous speakers that this Bill is being done in a hurry. I do not know what the implication of the word is in the dictionary of my hon. friends. A Joint Committee was appointed; it submitted its report. The report was in our hands during the last session. Now the Bill has come up. I do not know how much time my hon. friends over there want for this Bill so that this Bill may be said to be done, not in a hurry. Due time has been given to the consideration of this problem; due precautions have been taken that the Bill is made as workable as possible. All those things have been done which are done when any Bill of a controversial kind comes up and I do not see any reason why they say that this Bill has been done in a fit of hurry.

The Deputy Leader of the Communist Party charged the Members of the Congress Party with something which should not have been done. He said that the Members of the Congress Party who spoke on this Bill showed lack of knowledge. Do quotations mean knowledge? Simply because you quote from a leader of the Statesman you become learned! Or simply because you quote two paragraphs from the Law Commission or from some other book, you become learned! Certainly not. I think this has been the most uncharitable thing for anybody to say so and for anybody to arrogate to himself deep and profound study and a great study of something and to charge other people that they have studied nothing and know nothing. I feel that this shows the kind of approach which some Members and some parties bring to

bear on the problems that are placed before this House....(Interruptions.) Those Members who have taken part in the discussions on this Bill have done their best and nobody here has any right to sit in judgment upon anybody else. If anybody else does so, we can also sit in judgment upon them: that is the reciprocity.....(Interruptions.)

Dr. M. S. Aney: May I say, Sir, something on a point of personal explanation? Referring to the long list of Committees read by the hon. Member; Shri K. K. Verma, an hon. Member sitting near him said: I do not know whether he has read the constitution of all those countries. Then, I said: "certainly not". That is what I said. If you have that in mind, I admit having made that observation jocularly.

Shri D. C. Sharma: I was not referring to it.... (Interruptions.)

Shri K. K. Verma: May I also explain? I certainly did not ask whether my friend has read the constitutions of those countries which he was mentioning. When it was pointed out that he was reading a long list of countries I said: It does not matter what the political character of that Government is or what changes happened there; we have only to see whether they observe the treaty or not. That is all that I said.

Mr. Deputy Speaker: Will the hon. Member take more time?

Shri D. C. Sharma: Yes, Sir.

Mr. Deputy-Speaker: He can continue tomorrow.

17 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, August. 8 1962/Sravana 17. 1884 (Saka).

[August 7, 1962/Sravana 16, 1884 (Saka)]

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| ing certain amendments to the Tripura Motor Vehicles Rules, 1954:— |
| *(a) Notification No. F. VIII(6)-MV/61 published in Tripura Gazette dated the 25th November, 1961. |
| **(b) Notification No. F. IV(2)-MV/61 pub- lished in Tripura Gazette dated the 26th May, 1962. |
| (6) A copy each of the following Notifications under sub-section (3) of section 133 of the Motor Vehicles Act, 1939:— |
| (a) Notifications No. F. 12/130/56-61/PR (T) and No. F. 12/41/61- Transport published in Delhi Gaze- ttes dated the 12th April, 1962 and 24th May, 1962, respec- tively making certain amendments to the Delhi Motor Vehicles Rules, 1940. |
| (b) Notification No. 66/ 62/F.176/61.Pub. published in And- aman and Nicobar Gazette dated the 5th April, 1962, mak- ing certain further amendments to the Andaman and Nicobar Islands Motor Vehicles Rules, 1939. |
| (7) Report and the Certi- fied Accounts of the Shipping Development Fund Committee for the period ended the 31st March, 1961 together with the Audit Report thereon, under sub-section (6) of section 16 of the Merchant Shipping Act, 1958. |
| (8) Statement correcting the reply given on the 3rd May, 1962 to a sup- plementary by Shri S.C. Samanta on Starred Ques- tion No. 385 regarding Second Shipyard at Cochin. |

*The Notification was previously laid on the Table on the 12th June, 1962 and was
re-laid under Rule 234(2) of the Rules of Procedure.

**The Notification was previously laid on the Table on the 20th June, 1962 and was
re-laid under Rule 234(2) of the Rules of Procedure.

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

(9) A copy each of the following papers:—

- (i) The Delhi Development Authority (Publication of Approval of Plan) Regulations, 1962 published in Notification No. S.O. 2165 dated the 14th July, 1962, under section 58 of the Delhi Development Act, 1957.
- (ii) Certified Accounts of the Delhi Development Authority for the year 1959-60 together with the Audit Report thereon, under sub-section (4) of section 25 of the Delhi Development Act, 1957.

(10) A copy each of the following papers:—

- (i) Government Resolution No. WB-3/34/62 dated the 7th July, 1962, on the recommendations made by the Central Wage Board for tea plantations industry for the grant of interim wage increase in Assam and West Bengal.
- (ii) Government Resolution No. WB-3/43/62 dated the 19th July, 1962 on the recommendations made by the Central Wage Board for tea plantations industry for the grant of interim wage increase in Tripura.

(iii) Annual Report of the Co : Mines Rescue Station Committee, Dhanbad for the year 1961-62.

(11) A copy each of the following papers:—

- (i) Annual Report of the Damodar Valley Corporation and Audit Report thereon for the year 1960-61, under sub-section (5)

PAPERS LAID ON THE TABLE—*contd.*

COLUMNS

of section 45 of the Damodar Valley Corporation Act, 1948.

- (ii) Budget Estimates of the Damodar Valley Corporation for the year 1962-63 under sub-section (3) of section 44 of the Damodar Valley Corporation Act, 1948.
- (12) A copy of the Railway Accidents (Compensation) Amendment Rules, 1962 published in Notification No. S.O. 2004 dated the 30th June, 1962 together with a Corrigendum thereto, under sub-section (3) of section 82J of the Indian Railways Act, 1890.

(13) A copy of the following Notification; under sub-section (6) of section 3 of the Essential Commodities Act, 1955:

- (a) The Rice (Punjab) Price Control Order, 1962 published in Notification No. G.S.R. 876 dated the 30th June, 1962.
- (b) The Rice (Mahya Pradesh) Price Control Order, 1962 published in Notification No. G.S.R. 877 dated the 30th June, 1962.
- (c) The Rice and Paddy (Assam) Price Control Order, 1962 published in Notification No. G.S.R. 878 dated the 30th June, 1962.
- (d) The Rice (Uttar Pradesh) Price Control Order, 1962 published in Notification No. G.S.R. 879 dated the 30th June, 1962.
- (e) Notification No. G.S.R. 962 dated the 18th July, 1962.

PAPERS LAID ON THE
TABLE—contd.

(f) The Uttar Pradesh Paddy and Rice (Restriction on Movement) Amendment Order, 1962 published in Notification No. G. S.R. 1023 dated the 24th July, 1962.

(14) A copy of the Animal Welfare Board (Administration) Rules, 1962 published in Notification No. S. O. 2005 dated the 30th June, 1962, under sub-section (4) of section 38 of the Prevention of Cruelty to Animals Act, 1960.

(15) A copy of the Indian Aircraft (Amendment) Rules, 1962 published in Notification No. G.S.R. 772 dated the 9th June, 1962, under section 14A of the Indian Aircraft Act, 1934 together with an explanatory note.

ELECTION TO COMMITTEE

The Minister of Health (Dr. Sushila Nayar) moved for election of two Members of the Lok Sabha to be members of the Indian Nursing Council. The motion was adopted.

REPORT OF BUSINESS ADVISORY COMMITTEE ADOPTED

Third Report was adopted.

COLUMNS

BILLS PASSED

COLUMNS

418—65

(i) Further discussion on the motion to pass, as amended, the National Cooperative Development Corporation Bill concluded and the Bill, as amended, was passed.

(ii) The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru) moved that the Assam Rifles (Amendment) Bill be taken into consideration. The motion was adopted. After clause-by-clause consideration the Bill was passed.

BILL UNDER CONSIDERATION

465—534

The Minister of Law (Shri A. K. Sen) moved that the Extradition Bill be taken into consideration. The motion was adopted. The clause-by-clause consideration of the Bill was also concluded. The discussion on the motion to pass the Bill was not concluded.

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AGENDA FOR WEDNESDAY,
AUGUST 8, 1962/SRAVANA
17, 1884 (SAKA)

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Further discussion on the motion to pass the Extradition Bill and passing thereof; consideration and passing of the Hindu Adoptions and Maintenance (Amendment) Bill; and discussion on the motion to refer the Christian Marriage and Matrimonial Causes Bill to a Joint Committee.