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Friday, November 20, 1964

Kartika 29, 1886 (Saka)

LOK SABHA DEBATES

(Tenth Session)



(Vol. XXXV contains No. 1-10)

LOK SABHA SECRETARIAT
NEW DELHI

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C O N T E N T S

No. 4—*Friday, November 20, 1964/Kartika 29, 1886 (Saka)*]

COLUMNS

Oral Answers to Questions—	
*Starred Questions Nos. 83 to 92	585—623
Written Answers to Questions—	
Starred Questions Nos. 93 to 105	623—37
Unstarred Questions Nos. 177 to 257	637—91
Calling Attention to Matter of Urgent Public Importance—	
Reported description of Rev. Michael Scott as 'Foreign Observer by Naga Hostiles	691—709
Papers laid on the Table	709—12
Public Accounts Committee—	
Twenty-eighth Report	713
Statement re : Establishment of new Ordnance Factories	
Shri A. M. Thomas	713—15
Business of the House	715—19
Business Advisory Committee—	
Thirty-first Report	719—20
Anti-Corruption Laws (Amendment) Bill—	
Motion to consider	720—40
Shri Hathi	720—40
Clauses 2 to 7 and 1	740—47
Motion to pass, as amended	747—51
Shri Hathi	747, 750—51
Shri M. N. Swamy	747—50
Food Corporations Bill—	
Motion to consider	751—67
Shri C. Subramaniam	751—58
Shri N. Dandekar	758—67
Committee on Private Members' Bills and Resolutions—	
Fiftieth Report	767

*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

Bills introduced—

(1) Constitution (Amendment) Bill	767-68
(<i>Amendment of the Seventh Schedule</i>) by Shri Balkrishna Wasnik	
(2) Hire-purchase Bill by Shri Yashpal Singh	768

Delhi Corneal Grafting Bill—*Negatived* by Shri Naval Prabhakar—

Motion to consider	769-70
Dr. Sushila Nayar	769-70

Constitution (Amendment) Bill—

771—848

(<i>Omission of article 370</i>) by Shri Prakash Vir Shastri	
--	--

Motion to consider	771—848
Shri Prakash Vir Shastri	771
Shri Abdul Gani Goni	772—79
Shri Man Singh P. Patel	779—83
Shri N. C. Chatterjee	783—88
Shri Samnani	789—806
Shri Narendra Singh Mahida	806—09
Shri S. S. More	809—10
Shri Hukam Chand Kachhavaiya	810—12
Shri S. M. Banerjee	812—18
Shri Khadilkar	818—24
Shri Jagdev Singh Siddhanti	824—28
Shri Tulshidas Jadhav	831—36
Shri C. K. Bhattacharyya	836—39
Dr. M. S. Aney	839—42
Dr. Sarojini Mahishi	842—48

LOK SABHA DEBATES

585

586

LOK SABHA

Friday, November 20, 1964/Kartika
29, 1886 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS Anglo-American Aid for Steel Plants

*83.

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Shri Hem Barua:
Shri Vishram Prasad:
Shri Bagri:
Shri Surendra Pal Singh:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri Yashpal Singh:
Shri Shree Narayan Das:
Shri P. C. Borooh:
Shri D. C. Sharma:
Shri N. R. Laskar:
Shri S. M. Banerjee:
Shri D. D. Puri:
Shri Bishwanath Roy:
Shri Brajeshwar Prasad:
Shri Kajrolkar:
Shri R. Ramanathan Chettiar:
Shri Umanath:
Shri P. Kunhan:
Shri Sezhiyan:
Shri P. R. Chakraverti:
Shri Bhagwat Jha Azad:
Shri P. Venkatasubbaiah:
Shri Ravindra Varma:
Shrimati Renuka Barkataki:
Shri T. Subramanyam:

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

(a) whether Government are having discussions with the Anglo-American consortium for the establishment of two or three more steel plants in the country; and

(b) if so, the nature of these talks and the conclusions arrived thereat?

The Deputy Minister in the Ministry of Steel and Mines (Shri P. C. Sethi): (a) and (b). Discussions were held with the members of the Anglo-American Consortium of manufacturers who visited India recently to explore the possibilities of their assisting in the construction and financing of the fifth steelworks in the public sector. They are being requested to consider the feasibility report already available for different locations and to recommend from amongst them atleast two suitable sites where they would be prepared to finance the establishment of a plant, so as to enable the Government to take a final decision on the location of a new integrated steelworks.

Shri Hem Barua: May I know if it is a fact that the Consortium is interested in substantial equity participation so as to enable every member of the Consortium to arrange deferred bank credit in their respective countries and, if so, what is the reaction of the Government to this suggestion?

Shri P. C. Sethi: Government is negotiating with them. They have shown their interest and the necessary credit would be available.

Shri Hem Barua: May I know if the Consortium proposes, more or less, the same terms as the Russian conditions for the Bokaro plant in the matter of designing, construction supervision and management and control at the initial stages of production and, if so, what is Government's reaction?

Shri P. C. Sethi: These are matters of detail which are yet to be finalised.

They are in the initial stage of negotiations. Their expert team is coming here and they will go round the sites.

Shri Hem Barua: My purpose was to elicit information from the Government so as to know whether this is a fact that these suggestions have been made by the Consortium or not. I know they have to finalise the things. I wanted to know whether these suggestions were made by the Consortium to our Government in the process of negotiations or not. That is what I am interested in knowing.

Shri P. C. Sethi: The first stage would be to agree for the preparation of the project report. Then, there will be further two stages as to what extent . . .

Mr. Speaker: That stage has not yet reached when these suggestions could have been made.

The Minister of Steel and Mines (Shri Sanjiva Reddy): The position is not yet finalised. It will take two months for them to suggest possible sites and then after that it will take nine months for them to prepare the report and get everything finalised. It is during this period that we will negotiate the terms and the extent to which we will entrust them with the work. At the moment I am not able to say anything final.

Shri Surendra Pal Singh: Has the consortium agreed to provide the entire requirements of foreign exchange expenditure, and will the sound financial soundness of the parties of the consortium be guaranteed by their respective Governments?

Shri P. C. Sethi: Naturally, the guarantee would be given by the respective Governments and they will be able to raise the necessary funds.

Shri Surendra Pal Singh: I wanted also to know whether they have agreed to provide the entire foreign exchange.

Shri P. C. Sethi: When they are showing their willingness, they will naturally be willing to participate.

श्री क० ना० तिवारी: अमरीकन लोग क्या कोई एक एक्सपर्ट कमेटी भेज रहे हैं जोकि इनवैस्टिगेशन करके कोई रिपोर्ट देगी।

श्री प्र० चं० सेठी: जी हां, उनके दो एक्सपर्ट्स आने वाले हैं वह यहां पर दौरा करेंगे और उस के बाद स्टील बक्स की साइट के बारे में रैक्मेंडेशन करेंगे।

श्री यशपाल सिंह: क्या सरकार यह बतला सकती है कि पहले सरकार ने फैसला किया कि सेलम में स्टील प्लाट कायम किया जायगा तो फिर उस डिमीशन को किस कारण से बदला गया है?

श्री प्र० चं० सेठी: बदला नहीं गया है। यह सेलम, बैलिडेला और होस्पैट के सम्बन्ध में जो प्रीलिमिनरी रिपोर्ट है वह कंसोर्टियम को दे दी गई है। उन के एक्सपर्ट्स इन साइट्स का दौरा करेंगे और हम ने उन से दो साइट्स के बारे में अपना सुझाव देने को कहा है।

Shri P. C. Borooah: May I know what steps have been taken to avoid the Bokaro malady in respect of this steel plant both in respect of financial and technical matters?

Shri Sanjiva Reddy: There is no malady regarding Bokaro. Bokaro is being finalised. I think there is absolutely no malady about it and the work on Bokaro is in progress.

Shri D. C. Sharma: The hon. Minister in his reply referred to some integrated scheme, if I remember aright. What is this integrated scheme?

Shri P. C. Sethi: Integrated scheme in the sense that the job is to be divided into three stages, the first will be the project report; the second is the approval of the foreign exchange requirements; and the third is the detailed financing arrangement and the construction of the plant.

श्री विभूति मिश्र : मैं जानना चाहता हूँ कि सरकार ने कंसोटियम के आने के पहले अपना दिमाग ठीक किया है या नहीं किया है कि कितने लोहे की ज़रूरत है, कहाँ कहाँ कारखाने, लगेंगे और कितनी उन के लिए मदद चाहिए ?

अध्यक्ष महोदय : इस स्प्लीमेंटरी के बाद तो दिमाग ठीक हो ही जायगा ।

श्री विभूति मिश्र : अध्यक्ष महोदय, कंसोटियम आया । हम को जानना चाहिए कि कहाँ कहाँ यह स्टील प्लाट्स लगाने हैं, कितनी स्टील हमें चाहिए आखिर यह सारी बातें हम को पहले से जाननी चाहिए थीं ?

अध्यक्ष महोदय : बेहतर होता अगर माननीय सदस्य दिमाग ठीक किया है या नहीं किया है इस तरह से पूछने के बजाय वे यह कहते कि क्या सरकार ने इन सब बातों पर सोच लिया है अथवा निर्णय कर लिया है ।

श्री प्र० च० सेठी : दिमाग तो सवाल से पहले भी ठीक था और अब भी ठीक है । जहाँ तक स्टील रिकार्डरमेंट का सवाल है प्लानिंग कमीशन और स्टील मिनिस्टरी द्वारा जिनसे स्टील की ज़रूरत होगी उस पर उन के द्वारा विचार किया जा रहा है । अंतिम निर्णय अभी नहीं हुआ है । उस के बाद लोकेशन वर्गीकरण तय होगा ।

Shri S. M. Banerjee: From the statement of the hon. Minister it appears that there are going to be two more steel plants in the public sector. May I know whether it is a fact that one will be in Goa and whether the site for the other plant has also been decided upon?

Shri Sanjiva Reddy: No. We are attempting to secure assistance for only one steel plant. Naturally, if any other country or consortium is prepared to help us, we would very much like to have it. For the present we are negotiating with the Anglo-American Consortium for only one steel plant. The site is not yet decided. After the survey it will be decided.

Shri Bishwanath Roy: May I know whether the Government has made up its mind for having a majority of shares in this collaboration with the American Consortium?

Shri Sanjiva Reddy: Cent per cent it will be in the public sector.

श्री भगवत ज्ञा आजाद : क्या आंग्ल-अमरीकी लोगों को मौखिक या लिखित रूप में कोई ऐसा आश्वासन दिया है कि उन को विशेष सुविधा प्राप्त कराने के लिए वह मूल श्रीदोगिक प्रस्ताव में कोई संशोधन भी करेंगे ?

श्री प्र० च० सेठी : जी नहीं, कोई ऐसा आश्वासन नहीं दिया है ।

Shri Jaipal Singh: We were told about the question of an integrated steel works. I would like to know exactly what that means—apart from steel works, about 'integrated steel works'.

Shri P. C. Sethi: I mentioned about integrated steel works. As far as integrated steel works is concerned, it is right from the coke ovens to the finishing mills.

Board of Trade

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*84.	Shri Yashpal Singh:
	Shri P. C. Borooh:
	Shri Rameshwar Tantia:
	Shri Daljit Singh:
	Shri D. D. Puri:
	Dr. Ranen Sen:

Dr. Saradish Roy:
Shri Dinen Bhattacharya:

Will the Minister of Commerce be pleased to state:

(a) the problems discussed and recommendations made at the meeting of the Board of Trade held in the first week of October, 1964; and

(b) the action taken by Government in the light of those recommendations?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). A

statement showing the problems discussed and recommendations made at the 15th meeting of the Board of Trade, held at Bombay on October 5, 1964 as well as the action taken thereon, is placed on the Table of the House. [Placed in Library. See No. LT-3387/64].

श्री यशपाल सिंह : क्या सरकार के सामने इस तरह की कोई शिकायत आई है कि जो एथारिटीज हैं वह नियांत के सामान को फर्ट किलएरेस नहीं देते हैं और अनन्तैसंसरी डिले करते हैं ?

श्री मनुभाई शाह : कोई खास शिकायत तो नहीं आई है ।

श्री यशपाल सिंह : एक ऐसा खास आया है कि इंगलैंड की सरकार ने जो रुकावटें लगाई हैं उन को दूर करने के लिए इस बक्त सरकार उद्योगपतियों को क्या आश्वासन दे रही है ?

श्री मनुभाई शाह : वह तो हम उन के साथ ख़तोकिताबत कर रहे हैं । वह तो सारे संसार के जितने ही मुल्क हैं उन को पन्द्रह परसेंट सरचार्ज है, ख़ाली हिन्दुस्तान के लिए ही नहीं है । सदन को यह जानकर खुशी होगी कि जो हमारी लैंदर और ट्रेड है उस पर सरचार्ज हटा भी दिया गया है ।

Shri Rameshwar Tantia: The Board of Trade is a very important body consisting of thirty or fifty members from all parts of industry. May I know what is the reason why no Member of Parliament of any House has been taken in this body, and whether Government intends to take some of them who are interested in trade in this Board of Trade?

Shri Manubhai Shah: Members of Parliament are always welcome. But this is more an advisory body of a specialist nature in which we did not want to trouble the Members of the House. But if any Member of the House is very keen to come, he is welcome there.

Mr. Speaker: Now, Dr. Ranen Sen.

Shri Rameshwar Tantia: May I know whether Government so propose to take any Member of Parliament on the Board of Trade?

Mr. Speaker: Order, order. I have called Dr. Ranen Sen.

Shri P. C. Borooh: What has happened to me, Sir? I have not been called.

Mr. Speaker: The hon. Member is sitting in his seat and he should continue to be there. I called the hon. Member first but he did not stand. What could I do?

Dr. Ranen Sen: From the statement I find that under the heading 'Trade with Africa' it has been stated that trade delegations are being encouraged and another delegation of the industrialists is being sent. May I know what steps have been taken by Government to improve the export at the Government-to-Government level in Africa or at the State sector level?

Shri Manubhai Shah: There have been two or three recent contracts, but as the House is aware, most of the countries of Africa excepting Ghana and Guinea do not have much State trading; therefore, at that end, we have got to trade with the private people.

Mr. Speaker: Now, Shri P. C. Borooh. In future, I would not allow call a Member again, if he is not alert to put his question when he is called.

Shri P. C. Borooh: My mind is always alert. But unfortunately only today, I was not.

Dr. Ranen Sen: May I submit that only one part of my question has been answered? The other is yet to be replied to.

Mr. Speaker: Why did he put two questions at a time? If one has been answered, I think that is enough.

Dr. Ranen Sen: I had not asked two questions, but only one question with two parts.

Mr. Speaker: The hon. Member himself said that there was another question also.

Shri P. C. Borooah: May I know whether the strategies to be adopted in the Fourth Plan in regard to price fixation and control of industrial production have been considered and recommended by the Board of Trade to Government, and if so, the decision of Government thereon?

Shri Manubhai Shah: In respect of the UK surcharge?

Shri P. C. Borooah: In regard to price fixation and control of industrial production, what are the strategies that are going to be adopted in the Fourth Plan? Have they been considered, and has any decision been taken thereon?

Shri Manubhai Shah: That would not arise out of the main question.

Expansion of Durgapur Steel Works

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 *85. { Shri Subodh Hansda:
 Shri S. C. Samanta:
 Shrimati Savitri Nigam:
 Shri M. L. Dwivedi:

Will the Minister of Steel and Mines be pleased to refer to the reply given to Starred Question No. 144 on the 11th September, 1964 and state:

(a) whether the amount of the credit and the other terms and conditions of the British assistance for the expansion of the Durgapur Steel works have since been finalised; and

(b) if so, a brief outline thereof?

The Deputy Minister in the Ministry of Steel and Mines (Shri P. C. Sethi): (a) No, Sir.

(b) Does not arise.

Shri Subodh Hansda: Is there any change in the expansion programme

from 1.6 million tons to 3 million tons during the recent months?

Shri P. C. Sethi: An expansion from 1.6 million tons to 3 million tons is contemplated in the Fourth Plan, and there is no change in that.

Shri Subodh Hansda In view of the changed circumstances and the rising prices, is there any change in the expansion programme, and if so, what is the change in the estimate?

Shri P. C. Sethi: The details have yet to be finalised. This was the previous estimate, and that stands at the moment.

Mr. Speaker: Now, Shrimati Savitri Nigam. She sinks herself in the seat so much that it becomes doubtful whether she is present in the House at all.

Shrimati Savitri Nigam: I try to hear from the loudspeaker, and that is why I do so.

May I know the reasons why Government are again trying to find out whether the expansion programme according to the previous schedule should be fulfilled or not?

Shri P. C. Sethi: We are going according to the present schedule, and that is as far as the present expansion is concerned.

Small Car

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 *86. { Shri Surendra Pal Singh:
 Shri Rameshwar Tandia:
 Shri Subodh Hansda:
 Shri S. C. Samanta:
 Shri M. L. Dwivedi:
 Shrimati Savitri Nigam:
 Shri Yashpal Singh:
 Shri Onkar Lal Berwa:
 Shri Gulshan:
 Shri Karni Singhji:
 Shri J. B. S. Bist:

Will the Minister of Industry and Supply be pleased to state:

(a) whether it is a fact that a car manufacturer of Maharashtra State

has assembled a small car without any imported parts, which can be sold for about five thousand rupees, and that the Maharashtra Chief Minister has approached the Centre for financial help for the said manufacturer in order to set up a small car manufacturing plant; and

(b) is so, what is the Central Government's reaction to the proposal?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Mishra): (a), and (b). It has been reported that a car has been assembled by the Technical Director of a certain Engineering Works in Maharashtra State (and not by a manufacturer) from assorted parts taken from second hand cars and a few newly procured parts. No proposal has been received from the State Chief Minister for financial help to this person. The latter has himself stated that the percentage of parts borrowed from second hand cars and those procured new could not be indicated and that the car had not been put to the usual tests. In view of these facts and in the absence of a concrete scheme it would be difficult to come to a judgment.

Shri S. N. Banerjee: In view of the fact that the prices of the cars manufactured by the private sector have gone considerably high up, may I know the positive steps taken by Government to have their own plant for the manufacture of cheap cars?

Mr. Speaker: The main question is not about cheap cars. It relates to only one particular car that has been assembled by a particular gentleman.

Shri S. M. Banerjee: We want to know whether it is a cheap car or not.

Mr. Speaker: How can we judge? Those parts have been taken from several cars and put in there.

श्री भागवत ज्ञा आबाद : महाराष्ट्र सरकार अथवा उस व्यक्ति-विशेष के द्वारा आर्थिक सहायता की मांग न किये जाने पर भी

क्या केन्द्रीय सरकार ने स्वयं इस बात को जानने की कोशिश की है कि जो कार बनाई गई है, उस की विशेषता क्या है या यह समाचार मात्र ही है ?

आर्थिक महोदय : कार बनाने वाले मादमी ने स्वयं कहा है कि उसने बहुत सी कारों के हिस्से लिये हैं ।

Shri Bhagwat Jha Azad: The Government say that it has been reported that a person has made a car in this way. I am asking whether the Central Government has tried to know about it.

Shri Bibudhendra Mishra: It is already stated in the answer itself that 'the latter has stated....'.

Mr. Speaker: He himself says like that.

Shri Sham Lal Saraf: Now that it is admitted that spare parts of different cars have been pieced together and could be presented as a low cost car, at a price of Rs. 5,000, may I know if any attempt is being made to find out if a car assembled that way can be made available at such a cheap price and distributed in the country?

Mr. Speaker: Always getting parts from different cars?

Shri Sham Lal Saraf: No, there are a number of factories which are manufacturing spare parts. So this could be done according to a scheme.

Mr. Speaker: No, Shri Kapur Singh.

Shri Kapur Singh: Are Government at all interested in meeting the requirements not only of hon. Members of Parliament but of the general public for a small and cheap car?

Mr. Speaker: That is a general question.

Shri Kapur Singh: It arises out of this.

Mr. Speaker: Hon. Members of Parliament would not require any such

car which has been assembled from parts of different cars.

Shri S. M. Banerjee: We are only concerned with knowing who are the owners of the cars the parts of which have been stolen.

Mr. Speaker: Shri Yashpal Singh.

श्री यशपाल सिंह : क्या सरकार बता सकती है कि कितने कनसर्न ऐसे थे, जिन्होंने माफ़र किया था और क्या किन्हीं टेकिनिकल हैंडबुक ने अपना एपर्लबल दिया था कि यह सही हो गया है या नहीं ?

प्रधान मंत्री : श्री अल्वारेस !

Shri Alvares: Will Government state if this car assembled on the basis of small parts piracy can be produced on a mass basis?

Mr. Speaker: Next Question.

Shri Kapur Singh: My question remains unanswered.

Mr. Speaker: That is a different thing from a car which has been assembled in this way.

Non-ferrous Metal Ores

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 87. { **Shri D. C. Sharma:**
Shri D. D. Puri:
Shri Yashpal Singh:
Shri Rameshwar Tantia:
Shri Umanath:
Shri P. Kunhan:

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

(a) whether the United States Government have been requested to conduct an aerial survey of the country to locate ores of non-ferrous metals which are in demand; and

(b) if so, the outcome thereof?

The Parliamentary Secretary to the Minister of Steel and Mines (Shri Thimmaiah): (a) and (b). No Sir. A proposal for the intensive airborne survey of certain promising mineralised areas with the assistance of

United States Agency for International Development is under consideration of Government.

Shri D. C. Sharma: What are the terms on which the negotiations are taking place?

Shri Thimmaiah: The U.S. AID had forwarded a scheme known as 'Operation Hard Rock'. According to this, U.S. AID will appoint a firm of contractors who will be responsible for conducting an aerial survey and will also follow up with the concurrent ground work. This will be done under the direction of the Secretary of the Ministry. They will survey by air by means of aero-magnetic and electro-magnetic equipment areas where the minerals can be found. This will be followed by detailed examination by the exploratory team.

According to the terms, this survey should be completed within two years, for which we have to pay for the team; a provision of Rs. 2.05 crores has been made....

Mr. Speaker: All the information need not be given under one question. More supplementaries will follow.

Shri D. C. Sharma: If this scheme is so beneficial to the country, why is the Ministry taking so long in getting it through?

Shri Thimmaiah: It is almost accepted. The Finance Ministry also has given its acceptance. We are waiting for clearance from the Planning Commission.

श्री यशपाल सिंह : क्या सरकार बता सकती है कि जमीन पर जो सरबे हो रहे हैं, उन पर करोड़ों रुपये बर्बाद करने के बाद जब सरकार फैल हो गई है, तो फिर इस बात की क्या पासिविलिटीज हैं कि हवाई सरबे से कामयाबी मिलेगी ? क्या सरकार इस बारे में कोई स्टेटमेंट सदन-पट्ट पर रखने के लिए तैयार है ?

इस्पात और खान मन्त्रालय में उपमन्त्री (श्री प्र० च० सेठी) : जियोलाजिकल सरवे आफ़ इंडिया और इंडियन ब्यूरो आफ़ माइन्ज ने जो सरवे किये हैं, उन से रुपया बर्बाद नहीं हुआ है, बल्कि काफ़ी यूज़फुल काम हुआ है। चूंकि हम को इन मिनर्ल्ज को लोकेट करने की जल्दी है, इसलिए यह कदम उठाया जा रहा है।

श्री यशपाल सिंह : क्या पासिबिलिटीज हैं?

श्री रामेश्वर टांटिया : इस बात का क्या कारण है कि सरकार स्वयं यह सरवे न कर के यू० एस० ए० को यह सरवे करने के लिए एपरोच कर रही है?

श्री प्र० च० सेठी : एयरवोन सर्वे का हमारे पास कीई इंतजाम नहीं है, इसलिए यू० एस० एड० से मद्द लेकर उनके एक्सपर्ट्स के द्वारा इसको कराने का विचार है।

Shri Narendra Singh Mahida: May I know whether there is a scheme to train Indian personnel for this survey work?

The Minister of Steel and Mines (Shri Sanjiva Reddy): In every place we will have one of our men to work as understudy. Therefore, by the time we complete the aerial survey, we will have a team of people who would have been trained. Apart from that, the aerial survey would only give a rough idea. Later on, the Geological Survey and the Bureau of Mines will have to go and work in the field. Therefore, a rough idea will be given to us, and then our people will begin working.

Dr. Ranen Sen: Was any other Government approached in connection with this aerial survey?

Shri Sanjiva Reddy: Yes, Sir, but it has taken a pretty long time already. Some years have been spent, and now this is in the stage of finalisation, we do not want to go and waste a few more years. This is a very useful thing.

Shri Sham Lal Saraf: Have the overground and underground non-ferrous metal ores prevalent in Jammu and Kashmir State been taken into consideration in this survey, and if so, what is being done?

Shri Sanjiva Reddy: We have not yet selected any areas. The whole of India cannot be surveyed. We will have to pick up here and there some useful areas which have been localised by the Geological Survey and Bureau of Mines. Therefore, only small portions here and there can be mapped even by aerial survey.

Shri Bibhuti Mishra: I want to know the names of the areas to which special attention will be given, and where survey will be made.

Shri Sanjiva Reddy: We have not finalised them.

श्री हुक्म चन्द कथ्याय : यह काम कब तक पूरा हो जायेगा, इस में कितना समय लगेगा?

श्री प्र० च० सेठी : जैसा शुरू में बताया गया है, शुरू होने के बाद इस में दो साल लगेंगे।

अखिल भारतीय रेलवे मैजिस्ट्रेट एसोसियेशन

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श्री यशपाल सिंह :
श्री प्रकाशबीर शास्त्री :
श्री हेमराज :
* 88. श्री भगवत शा आजाद :
श्री राम हरख यादव :
श्री मुरली मनोहर :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अखिल भारतीय रेलवे मैजिस्ट्रेट एसोसियेशन का अक्तूबर, 1964 में नई दिल्ली में एक सम्मेलन हुआ था;

(ख) क्या इस सम्मेलन में वर्तमान रेलवे विधियों में कुछ संशोधन करने का सुझाव दिया गया है; और

(ग) यदि हां, तो सरकार उनसे कहां तक सहमत है ?

रेलवे मन्त्रालय में राज्य-मन्त्री (डा० राम सुभग सिंह) : (क) जी हां ।

(ख) सम्मेलन में एक प्रस्ताव पास हुआ जिसमें यह अनुरोध किया गया है कि भारतीय रेल अधिनियम का पुनर्संहिताकरण (recodification) किया जाये ।

(ग) भारतीय रेल अधिनियम में संशोधन का काम विधि आयोग (Law Commission) को करना होता है । आयोग ने बताया है कि अभी यह काम शुरू नहीं किया जा सकता ।

श्री यशपाल सिंह : रेलों में जो दिनरात घटनायें ऐसी हो रही हैं, जैसे अभी मसूली से रिपोर्ट आई है कि बजाय इसके कि माल आता, माल तो बीच में ही निकाल लिया गया और उसकी जगह पर पत्थर भर दिये गये, इनको रोकने के लिए क्या कदम उठाये जा रहे हैं, क्या कोई सजैशन इसके बारे में भी दिये गये हैं ?

डा० राम सुभग सिंह : आल इंडिया मैजिस्ट्रेट्स कान्फेस को इन सारी बातों में नहीं जाना था । वे लोग तो जो बगैर टिकट के यात्रा करते हैं, उन के बारे में ही ज्यादा देखरेख करते हैं । इन बातों पर भी अलग से ध्यान दिया जायेगा ।

अध्यक्ष महोबय : पत्थर भी तो बगैर टिकट के ही थे ।

श्री यशपाल सिंह : विदाउट टिकट सफर करने वालों की तादाद जब बढ़ती जा रही है, तो क्या सरकार ने इसके बारे में भी कुछ सोचा है ? क्या मैजिस्ट्रेट्स की संख्या कुछ बढ़ाई जायेगी या इहीं की कुछ एकिशेंसी बढ़ाने की कोशिश की जायेगी ?

डा० राम सुभग सिंह : उनकी निपुणता बढ़ाने की बराबर कोशिश की जायेगी ।

श्री भागवत ज्ञा आजाद : रेलवे की बहुत सी विधियां और अधिनियम शताब्दियों पुराने हैं और उनका पालन विशेषतः उनको तोड़ कर ही किया जा सकता है, क्या यह बात सही नहीं है ? अगर यह बात सही है तो उनकी महत्ता को देखते हुए क्या रेलवे मन्त्रालय कोई ऐसी व्यवस्था करेगा जिससे उन अधिनियमों का सुधार जल्दी से जल्दी हो सके ?

डा० राम सुभग सिंह : यह सही है कि ये अधिनियम कुछ पुराने हैं । लेकिन यह सही नहीं है कि इन को तोड़ कर ही इनका पालन किया जा सकता है । हम लोग यह कोशिश कर रहे हैं । 1962 से कि इनका पुनर्संहिताकरण किया जाये और विधि आयोग से काफी सरोकार रखा गया है कि इस काम को जल्दी कराया जाय ।

Shri S. C. Samanta: May I know whether, over and above the sections referred to by this magistrates' conference, other sections also will be taken into consideration?

Dr. Ram Subhag Singh: They have given a general suggestion regarding everything, not any particular section, and the whole thing is being looked into by the Law Commission.

श्री तुलशीदास जाधव : क्या मैजिस्ट्रेट्स कान्फेस में इस बात की भी चर्चा हुई थी कि जब से उन्होंने काम करना शुरू किया है उस बक्त से अब तक विदाउट टिकट यात्रा करने वाले पैसेजर्ज की तादाद में कमी हुई है या उनकी तादाद बढ़ी है ?

डा० राम सुभग सिंह : इस में रोज़-रोज़ सुधार किया जा रहा है । ऐसी कोई बात नहीं है कि इस चीज़ को काफी कठिन माना जाये । स्थिति में सुधार होता जा रहा है । लोगों की आदतों में भी सुधार होता जा रहा है ।

श्री सर्जू पाण्डेय : कान्फेस में कानूनों में संशोधन करने के जो सुझाव दिये गये हैं

वे सुझाव क्या हैं, किस तरह के संशोधन वे चाहते हैं रेलवे कानून में ?

डा० राम सुभग सिंह : संशोधनों का सवाल नहीं है। उनका कहना है कि उन सारे कानूनों को, अधिनियमों को कोडिफाई किया जाये, उनका पुनर्संहिताकरण किया जाये। इसी वास्ते विधि आयोग से प्रार्थना की गई है कि वे दुरुस्त करें और वे लोग मीका पा कर दुरुस्त करेंगे।

श्री अ० प्र० शर्मा : मंत्री महोदय ने बताया है कि विधि आयोग का कहना है कि अभी इस में संशोधन नहीं किया जा सकता है। मैं जानना चाहता हूँ कि उन्होंने क्या कोई कारण भी बताये हैं कि क्यों नहीं किया जा सकता है ?

डा० राम सुभग सिंह : जी हाँ, कारण यह है कि और कानूनों को वे कोडिफाई कर रहे हैं और उनके साथ-साथ अपना समय निकाल कर इसको भी करेंगे।

Shri Bishwanath Roy: May I know whether Government have taken into consideration whether the proposed amendment would add to the efficiency of the railway working? -

Dr. Ram Subhag Singh: Yes, Sir; we shall take this into consideration.

श्री रामेश्वरानन्द : प्रथम श्रेणी के डिव्हॉर्स में यात्रा करने वाले यात्री बहुधा ऐसे होते हैं जो या तो राज्य कर्मचारी होते हैं या फिर बड़े मालदार होते हैं। प्रायः देखा जाता है कि दिन में वे जूता जो पहने रखते हैं, उसको उतारते नहीं हैं और जूते महित बैठ जाते हैं या लेट जाते हैं जिससे गद्दियों को हानि पहुँचती है। क्या इस चीज़ को भी अवैधानिक करार दिया जायेगा, जूँकरार दिया जायेगा ?

आच्युत महोदय : मैं मजबूर हूँ, वह जवाब नहीं देते हैं।

श्री रामेश्वरानन्द : यह क्या बात हुई ?
डा० राम सुभग सिंह : कानून में नो नहीं है।

Heavy Engineering Corporation Plant, Ranchi

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*89. { **Shri Hem Barua:**
Shri Tridib Kumar Chaudhuri:
Shri Vishram Prasad:
Shri Bagri:
Shri Shree Narayan Das:
Shri R. G. Dubey:
Shri Yashpal Singh:
Shri P. R. Chakraverti:
Shri P. C. Borooah:
Shri Vidya Charan Shukla:
Shri Umanath:
Shri P. Kunhan:
Shri D. D. Mantri:

Will the Minister of Industry and Supply be pleased to state:

(a) the salient points about the findings of Justice B. Mukerjee's Committee regarding the fire incident at the Heavy Engineering Corporation, Ranchi and its observations about the security arrangements and administrative set-up of the Corporation; and

(b) the steps taken by Government to remedy the manifest defects pointed out by the above Committee in this regard.

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) and (b). A Statement is laid on the Table of the House.

STATEMENT

The salient points about the findings of Mr. B. Mukerjee, Retired Judge of the Allahabad High Court are:

- (i) The fire was an act of sabotage;
- (ii) Although the arrangements for detection of fire were adequate, the fire was not

controlled and put out reasonably expeditiously due largely to inadequacy of personnel and equipment;

- (iii) Security service was both insufficient in number and greatly lacking in efficiency;
- (iv) Genius and capacity to utilise available resources to avert the incident were lacking.

In regard to the administrative set-up, the need for team work and de-centralisation of power has been emphasised. It has been suggested that Government should have a second look at the labour laws in regard to public sector undertakings. The re-organization of Heavy Engineering Corporation into a holding company with Managing Directors for each subsidiary unit has been suggested. It was also recommended that there should be a service commission and a central security force for all public sector undertakings.

2. The Chairman of the Corporation is no longer there. Another Director is being relieved of his duties in the next few days. Explanations of both these officers have been received and are under examination. Charge-sheets have been given to the staff of Heavy Engineering Corporation who were found responsible for various lapses pointed out in the report. The comments of Mr. Mukerjee against officers of Bihar Government have been communicated to them for necessary action. The security arrangements have been considerably strengthened and tightened up. Fire fighting organization has been more fully equipped and augmented. Individual projects have been delegated wider powers in various spheres to make them more effective and responsible consistent with the Central policy and direction. Re-organization of Heavy Engineering Corporation is under consideration of the Government as also the establishment of a service commission and a central security force for all public

sector undertakings. The recommendations of Mr. B. Mukerjee regarding labour matters are being looked into with a view to determine whether it is possible to take any action on the lines indicated in the report.

Shri Hem Barua: The enquiry committee report has revealed that the entire administration in this plant was rotten from top to bottom. In that case may I know what are the specific reasons on account of which Government had not sensed this trouble brewing and boiling in the plant before the disastrous fire took place? Is it how the Government manages the public sector undertakings?

The Minister of Heavy Engineering and Industry in the Ministry of Industry and Supply (Shri T. N. Singh): It is difficult to concede that the whole administration was rotten from top to bottom.

Shri Hem Barua: That is what the report has said.

Shri T. N. Singh: What the report has done is that it has pointed out a number of defects and they have been looked into. As a matter of fact even before this report it was known that some things were to be reformed and I find from the files that my predecessor had taken action and something had been done even without the report and reforms had taken place.

Mr. Speaker: I ought not to intervene but really the report is sad commentary on the administration there. The Members want to know, it worries me also, whether some of these things could not come to the notice of Government earlier without the enquiry officer going into all these things.

Shri T. N. Singh: That is what I stated just now. I looked into the papers as to what action is being taken from time to time and I find that the then Minister had already made some very important changes and reforms in the administrative set-

up there. Some proposals were already there which were in line with the recommendations of the enquiry report subsequently and they have been implemented.

Mr. Speaker: These questions were put to me in Czechoslovakia.

Shri T. N. Singh: That is why I have said that steps were taken and some more steps are being taken.

Shri Hem Barua: The report has further pinpointed the fact that there is no co-operation between the management and the State Government. If so, what steps have been taken by the Government to ensure co-operation? Did they take any step before the report pointed out this fact or do they now propose to take any steps?

Shri T. N. Singh: I find that my predecessor had discussions with the State Government and I personally have had several discussions with the Chief Minister and other officers and I can assure you of the position to-day. If hon. Members will take the trouble to visit that area they will find a great deal of difference.

श्री यशपाल सिंह : पहले भी सरकार ने एडमिट किया है कि इलैक्ट्रिकल फिटिंग्ज करते वक्त इनफरियर क्वालिटी का सामान लगाया जाता है। जब तक इस स्थिति का सुधार नहीं किया जाएगा तब तक इस तरह की घटनायें घटती रहेंगी। इस मामले में सरकार ने क्या किया है कि फिटिंग करते वक्त इस बात का रुपाल रखा जाए कि घटिया किस्म का सामान लगाने न पाये?

अध्यक्ष महोदय : इससे इसका क्या तालिक है।

श्री यशपाल सिंह : सरकार यह मानती है कि जब भी आग लगती है तो इसी तरह से लगती है।

अध्यक्ष महोदय : इस रिपोर्ट में बहुत सी चीजें हैं।

Shri Ranga: The hon. Minister is introducing a new mannerism by a reference to his predecessors. It has never been the practice here in this House; the Government is a continuous process. We would like to know what steps have been taken by the Government—before the hon. gentleman came to occupy this office or later—to remedy the situation and assure themselves and the country of better relations between the employees and the staff and also the management?

Shri T. N. Singh: In regard to labour problems, the judge has made a number of recommendations, some of which I doubt whether the House will agree to. They are being looked into. One of the suggestions is that there should be a different labour law altogether for public sector undertakings. That is a very ticklish question and I think the House will agree that no change in the labour laws should be made without fully considering the whole matter. With regard to the relationship between labour and management, we have made very important changes in respect of labour welfare personnel and labour officers as well as in respect of relations between management and labour. I would only suggest, in all humility, that the House may kindly wait for a little time to see the results.

Shri Jaipal Singh: Quite apart from what his predecessor did know or did not know, may I know if my hon. friend has become wiser and more enlightened since his predecessor—that most of the trouble has been due to the fact that there are two rival Congress labour unions there?

Shri T. N. Singh: I would not say there is nothing like a Congress Union in Ranchi. There is the INTUC. There are divisions in the labour union and there are also writ petitions in the high court, and that has created some problems for us in that we have no union with which we have to carry on negotiations. Therefore we have to wait for the decision of the high court before we recognise one of the

unions there, whosoever it is, as the real representative union.

Shri Jaipal Singh: He has mentioned the question of labour unions. May I know which are the unions that are recognised and which are the ones that have yet to be recognised? He said there is no Congress union there. It is in my constituency, and I know what I am talking about. I know there are certain unions which are to be recognised. I want to know which are the unions which are wanting to be recognised.

Mr. Speaker: Shrimati Renuka Ray.

Shri T. N. Singh: Sir, we will be committing contempt of court if we say anything now on it.

Mr. Speaker: The hon. Minister may note that when I have not allowed the question he need not answer it. Shrimati Renuka Ray.

Shrimati Renuka Ray: The statement says that one of the suggestions of the judge who has made the enquiry, that a Service Commission as well as a Central Security Force should be established for all public sector undertakings, is under consideration. I want to know concretely what this consideration means. Does it mean that some steps are being taken and, if so, when are these things to be done?

Shri T. N. Singh: In regard to a Central Security Force, it will be understood that it is a matter in which no independent action without consultation and consent of the State Governments can be taken. In any case, we have requested the Home Ministry, and the Home Minister has only very recently had discussions with all the Chief Ministers regarding the setting up of such an organisation.

Shrimati Renuka Ray: I also asked about the Service Commission.

Mr. Speaker: "Also"—she should not have asked. **Shri P. R. Chakraverti:**

Shri P. R. Chakraverti: In the light of Justice Mukerji's unreserved comments on the administrative inefficiency of Bihar's officers, may I know whether the Minister has yet found any means to take them to task?

Shri T. N. Singh: The statement laid on the Table details the action already taken in this regard.

Shri P. R. Chakraverti: I want an assurance from the Minister.

Mr. Speaker: No assurance can be given during the Question Hour.

धो विभूति मिश्र : मैं जानना चाहता हूँ कि क्या यह सही है कि बिहार गवर्नरेंट इस इंजीनियरिंग कारखाने के प्रबन्ध के प्रति इस लिये उदासीन हैं कि क्लास 1 से लेकर क्लास 4 तक के जितने एम्प्लायी होते हैं वह नान-बिहारी लिये जाते हैं जबकि इंजीनियरिंग कारखाना रांची में लगाया गया है और उसमें बिहार की काफी जमीन और जायदाद की क्षति हुई है।

धो त्रिं ना० सिंह : कुछ ऐसी शिकायतें थीं जिनके बारे में उचित कारबाई की गई है, और मेरा रुप्याल है कि अगर माननीय सदस्य अब वहां जायेंगे तो वहां की आवहवा बिल्कुल दूसरी पायेंगे।

Shri Nambiar: In view of the fact that there are disputes about the trade unions functioning there and petitions are pending before the court, may I know whether Government are considering the question of granting recognition to a union which has got the maximum representative character by the process of ballot in all the public undertakings?

Mr. Speaker: That would be seen after the writ petition is disposed of; he complains that unless that writ petition is disposed of, nothing can be done.

Shri Nambiar: Not only here, but he said that a policy is being evolved with regard to the recognition of trade unions in all public undertakings, in which case I want to know whether the ballot will be the criterion by which they will do it.

Mr. Speaker: Is he putting this question about Ranchi?

Shri Nambiar: Yes, Sir.

Mr. Speaker: He has answered that a writ petition is pending.

Shri Nambiar: Arising out of that, he said that a policy is being evolved with regard to the recognition of trade unions in all public undertakings.

Mr. Speaker: In all public undertakings? That does not arise here.

Shrimati Ramdulari Sinha: May I know what action has so far been taken against the officer or officers responsible for such incidents?

Shri T. N. Singh: Some of the action that has been taken is already enumerated in the statement.

Shri Bhagwat Jha Azad: When we put supplementaries, we put them with certain knowledge. In spite of the repeated questions from different Members as to what action has been taken against the officers, the Minister says, it is in the statement. The statement is with us and we have seen it. Mr. Chakraverti, the hon. Member from that area, has come from there. Mr. Sharma also, who is INTUC leader, knows it. No action has been taken.

Shri A. P. Sharma: They are promoted, on the other hand.

Shri Bhagwat Jha Azad: On the other hand, it is the contention that they are promoted.

Mr. Speaker: When I read the statement, I had the feeling that against some officers, some action has been taken it is contained there. If I am mistaken, I will ask the hon. Minister to answer it.

Shri T. N. Singh: The statement really states about a number of officers who have been charge-sheeted. Under the law, when we start action, we have to charge-sheet them and get their explanation. That is the procedure laid down. That action has

been taken. (*Interruptions*). Immediately after the report was in our hands, I issued instructions for charge-sheeting those officers. In fact, one officer is no longer in service in the Ranchi project. He is at another place.

Shri Bhagwat Jha Azad: He has been promoted. That is also action!

Shri T. N. Singh: He has also been asked . . . (*Interruptions*).

Mr. Speaker: Order, order. Would they kindly allow me to get this point cleared? The allegation is that the officer who has been charge-sheeted has been promoted and sent to another place.

Shri T. N. Singh: No, Sir. The hon. Member is probably referring to the Chairman.

Shri Bhagwat Jha Azad: Yes, yes.

Shri T. N. Singh: I am answering that. Much before the enquiry report was available the Chairman was no longer in the service of the Heavy Engineering Project, he had already gone over to some other job.

Shri Ranga: What is that some other job?

Shri T. N. Singh: Even then, through that particular department explanation has been demanded from that officer. He has only recently, a few days ago, submitted his explanation. It is under examination in my Ministry (*Interruptions*).

Mr. Speaker: If the hon. Members are not satisfied, they can seek other remedies.

Shri A. P. Sharma: According to the recommendation of the enquiry committee headed by Justice Mukerjee, is it not a fact that serious allegations have been made against the Director of Finance and the Chairman of the Company? Is it also not a fact that instead of giving some punishment to them they have been transferred to some other government establishment and given higher pay?

Shri T. N. Singh: There is nothing against the Director of Finance as such. I do not think he has been transferred. The Director of Finance has not been transferred (*Interruptions*).

Shri A. P. Sharma: What about the Chairman?

Shri Bhagwat Jha Azad: Sir, we seek your protection.

Mr. Speaker: Unless he gives me the opportunity how can I do it? The hon. Minister would kindly just pay attention to this. There is a great deal of agitation. Hon. Members feel exercised that one who was charged with negligence or who did some acts that were not required has been sent from that place to another. Even if he has gone voluntarily to the other place, it is said that he has been given a higher pay when on the other side he has been charge-sheeted and some steps are proposed to be taken against him. Was it done after the enquiry that had been instituted in this case?

Shri Thirumala Rao: There are names of officers mentioned in the report. There seems to be some confusion about the names. The names of officers mentioned in the report are: Shri Nagaraja Rao, Managing Director and Shri Sandilya, Financial Adviser. The hon. Minister says that the Financial Adviser is not there. But it is definitely mentioned in this report that these two gentlemen had serious differences between themselves which percolated down virtually to other sections of the administration and this sabotage was due to that. That has been made clear on the floor of the House.

Some hon. Members rose—

Mr. Speaker: I would only submit that we might have this discussed in some other form.

Shri Nambiar: The whole matter is fishy.

Shri D. C. Sharma: Since allegations of sabotage have been raised

against the officers, the Minister must explain the position.

Shri S. M. Banerjee: In tabling this question our main intention was . . .

Shri D. C. Sharma: Sir, I seek your protection.

Mr. Speaker: Another hon. Member is already seeking my protection, how can I give protection to two at the same time (*Interruptions*)? Order, order.

Shri S. M. Banerjee: My submission would be . . .

Mr. Speaker: I have just announced in the House that I will see that some other opportunity is given for a discussion on this subject. It is for the hon. Members to give notice of that.

Shri S. M. Banerjee: Half-an-hour Discussion?

Shri Raghunath Singh: We must have at least a two-hour discussion on this.

Mr. Speaker: It is for the hon. Members to suggest and send a notice. How can I say anything before that?

Shri Raghunath Singh: We are sending the notice.

Mr. Speaker: When I receive the notice I can decide it.

Shri S. M. Banerjee: My submission is that serious charges were levelled against this particular officer, Dr. Nagaraja Rao, both by the authorities and this particular Judge, Justice Mukerjee. At the same time, we are told—and I am sure the hon. Minister knows it because he was in the Planning Commission—that this gentleman has been shifted nicely because of the influence of some Cabinet Minister and is brought to the Planning Commission as one of the advisers.

Mr. Speaker: What does he want me to do?

Shri S. M. Banerjee: This is known to the Minister. Let him say that. Let that officer resign from the Planning Commission.

Mr. Speaker: The resignation is not in my hands. I have already announced that I will see that an opportunity is provided to this House to discuss it. Next question.

Shri T. N. Singh: May I be permitted to say that . . .

Mr. Speaker: I have already passed on to the next question.

Fifth Steel Plant

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Shri Rameshwar Tantia:
Shri Vidya Charan Shukla:
Shri P. R. Chakraverti:
Shrimati Savitri Nigam:
Shri Bhagwat Jha Azad:
Shri Onkar Lal Berwa:
Shri Omkar Singh:
Shri Sivamurthi Swamy:
Shri Oza:
Shri H. C. Soy:
Shri Vishwa Nath Pandey:
Shri Ram Harkh Yadav:
Shri Ram Sewak:
Shri P. G. Sen:
Shri R. S. Pandey:
Shri Alvares:

*90.

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

(a) whether the location of the fifth steel plant in the public sector in the country has been decided; and

(b) if not, the specific reasons which are causing this delay in taking a decision?

The Deputy Minister in the Ministry of Steel and Mines (Shri P. C. Sethi): (a) and (b). No, Sir. Government have yet to complete an evaluation of the relative merits of the sites proposed in the Goa-Hospet, Visakhapatnam-Bailadila and Neyveli-Salem regions.

Shri Rameshwar Tantia: May I know whether Government are likely to set up this steel plant themselves or in collaboration with some company?

Shri P. C. Sethi: It will be completely in the public sector.

Shri Rameshwar Tantia: In view of the fact that the report submitted by

M/s. Dastur & Company was not approved by the Russians in the case of the fourth steel plant, may I know whether the project report for the fifth steel plant will be made in consultation with the collaborators?

Shri P. C. Sethi: That was in the case of Bokaro. In this case it is yet to be decided.

Shri Rameshwar Tantia: May I know whether it is a fact that the report submitted by M/s. Dastur & Company was not approved by the Russians?

Shri P. C. Sethi: That was with regard to Bokaro.

Shri P. R. Chakraverti: Which are the States which are pressing their claims for the site to be selected in their area?

Shri P. C. Sethi: Almost all the States where the sites have been mentioned are pressing their claims.

Shrimati Savitri Nigam: What would be the criteria for the finalisation of the site? May I also know whether M/s. Dastur & Company have finalised their report in consultation with the collaborators or not?

Shri P. C. Sethi: This is with regard to the Anglo-American consortium. As far as consultation is concerned, we are handing over the entire matter for reference and suggestion to the Anglo-American consortium.

Shri Alvares: In view of the competing claims of Goa, Madras, Mysore and Andhra for the fifth steel plant, will Government associate Members of Parliament while considering the report of the consultants about the feasibility of location of the project before a final decision is taken?

The Minister of Steel and Mines (Shri Sanjiva Reddy): No. Government will have to take the responsibility and so the decision also. After consulting every one and taking the opinions Government will come to a decision. Latter on, Government would certainly be prepared to place the information before Members of Parliament.

Shri Ranga: In view of the fact that the question of security has assumed special significance in this decade, would Government consider that question also apart from other questions while deciding the location of the new steel plant?

Shri P. C. Sethi: It is obvious from the fact that most of the sites are located in the South. So, dispersal of industries is also thought of.

Shri A. P. Jain: What are the principal criteria which will determine the location of the sites? Is it decided purely on merit or on some other consideration?

Shri P. C. Sethi: It depends upon merit and the recommendation of the consortium.

Shri Hem Barua: May I know whether it is a fact that the consortium is for a quick assessment of the availability of raw materials and other facilities by the experts of the consortium before agreeing to the location cause it is the consortium which is the reaction of the Government because it is the consortium which is going to decide the site and not the Government?

Shri Sanjiva Reddy: My hon. friend is making a mistake. We have requested them to study it. We have got preliminary reports and all the preliminary reports are with them. They will not select one but will give their report. It is only then that the Government will be able to come to a decision on the basis of their recommendations. But the selection will be entirely in the hands of the Government. We are not going to give it to the consortium.

Shri Hem Barua: The consortium will submit their report and give a list of names with their recommendations. Will the Government have to confine themselves to the recommendations or can the Government go beyond the recommendations or reject some of the recommendations?

Shri Sanjiva Reddy: Most certainly; Government is privileged to do that.

Mr. Speaker: There will be the recommendations and certainly it will be for the Government to accept or reject them.

श्री भागवत ज्ञा ग्राजाव : विभिन्न राज्य सरकारों ने इस पांचवें इस्पात सन्यन्त्र के लिए जिन-जिन स्थानों की उपयोगिता के सम्बन्ध में केन्द्रीय सरकार का ध्यान आकृष्ट किया है क्या मैं जान सकता हूँ कि केन्द्रीय सरकार ने उन तमाम स्थानों की उपयोगिता के सम्बन्ध में रिपोर्ट मंगा ली है अगर मंगा ली है तो क्या जांच हो चुकी है और अगर जांच हो चुकी है तो उसके सम्बन्ध में इनकी राय कब तक प्रकाशित हो सकेगी ?

श्री प्र० च० सेठी : प्रीलिमिनेरी स्टडी उनके बारे में की जा चुकी है और उसकी रिपोर्ट भी आई है । यह रिपोर्ट जो कंसोटियम आया है उनको दे दी गई है । उसके पश्चात् टैकनीशियन्स आकर यहां दौरा करेंगे और फिर वह अपने मुझाव देंगे ।

Shri M. R. Krishna: May I know whether some German experts have visited these three sites and have made their recommendations to the Government; if so, what was the site suggested by them?

Shri P. C. Sethi: No German experts came here.

Shri Sanjiva Reddy: Not to our knowledge.

Shri Nambiar: In view of the fact that there is availability of lignite as well as raw material for steel production very near-by, may I know whether the question of having this project in Salem has been given up or taken into consideration?

Shri P. C. Sethi: It has not been given up. It has already been stated that even the Neyveli-Salem Project Report has been handed over to the consortium and we are looking for their advice.

Shri Ranga: It is quite clear that Government should have the final decision in regard to the choice of the actual site out of the three or four

that are investigated by the consortium, but are we to understand that Government has a right to go beyond these four or five sites that are discussed by the consortium and think of a fifth one also?

Shri Sanjiva Reddy: No, it is not so.

Shri Basappa: May I know whether Government is aware of the cheap electric power available in Mysore as also the fine quality of iron ore? Is the steel plant going to be located in the Bellary region?

Mr. Speaker: He has given the information. The Government might consider it.

श्री हुकम चन्द कद्यवाय : मैं यह जानना चाहता हूँ कि कितने स्थानों की गवर्नरेंसेट ने सिफारिश की है और क्या उनके नाम बतलाने की कृपा की जायेगी ?

श्री प्र० च० सेठी : मैं उनके नाम शुरू में ही बतला चुका हूँ । वे हैं गोआ-होस्पेट, विशाखापट्टनम्-बैलिडला और नैवेली-सेलम रीजन्स ।

Development of Ancillary Industries

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*91. **Shri K. N. Tiwary:**
Shri Bibhuti Mishra:

Will the Minister of Industry and Supply be pleased to state:

(a) whether Government have taken any decision to develop the ancillary industries in the country along with the public sector undertakings;

(b) if so, the steps taken towards the implementation of this decision; and

(c) whether Government have also asked the public sector undertakings to act in co-operation with the State Governments in this behalf?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibhudhendra Misra): (a) and (b). As one of the important steps for the

rapid and broad based development of small scale industries, Government have impressed upon large scale factories in the public sector the desirability of so organising their production that as large a proportion of their requirements as possible of components are met by ancillary industries. Public sector undertakings have been requested to appoint high level technical officers in each of the various public sector undertakings for working out details for the development of ancillaries in consultation with the Small Industries Service Institute in their respective States. Frequent visits are made by the Director in-charge of Ancillary Development in the Central Small Industries Organisation to these Public Sector Projects to see that progress in this direction is maintained.

(c) The State Directors of Industries are fully associated with the developmental work of such ancillary industries.

श्री क० ना० तिवारी : अभी जो छानबीन हुई है उसका क्या नतीजा निकला है और किन-किन प्रान्तों में यह इण्डस्ट्रीज बैठाई जा रही है ?

उद्योग तथा सम्भरण मन्त्रालय में भारी इंजीनियरिंग तथा उद्योग मन्त्री (श्री लि० ना० सिंह) : माननीय सदस्य ने हर एक प्रान्त की बात पूछी है । अब एनसिएलैरी इण्डस्ट्रीज जो बड़े बड़े प्रोजेक्ट्स होते हैं उनके पास ही बैठाई जाती हैं । जहां-जहां हमारे बड़े-बड़े प्रोजेक्ट्स हैं वहां यह लगाई जायेगी जैसे हैवी इलेक्ट्रिकल्स, भूपाल और हिन्दुस्तान मशीन टूल्स, बंगलौर में यह लगायी जायेगी ।

श्री क० ना० तिवारी : इसके लिए प्लानिंग कमीशन ने फौर्थ प्लान में कितनी धनराशि मंजूर की है ?

श्री भ० ना० सिंह : इसके लिए मुझे नोटिस चाहिए ।

श्री विभूति मिश्र : अभी मन्त्री महोदय ने जब दिया कि बरौनी में रिफाइनरी लग रही

है तो मेरा कहना है कि बरौनी में आपकी पब्लिक सेक्टर में जो रिफाइनरी है वहां एनसिएलैरी इंडस्ट्री ड्रम्स वर्गरह बनाने की जरूरत है उसको आग क्यों नहीं पब्लिक सेक्टर में लेते हैं ? इसी तरीके से गुजरात में तेल निकलता है तो वहां पैट्रो कैमिकल इंडस्ट्री को भी आपको पब्लिक सेक्टर में लेना चाहिए । उसको आप क्यों प्राइवेट सेक्टर में देने जा रहे हैं मैं जानना चाहता हूँ कि सरकार की इस बारे में क्या नीति है ?

श्री ब्रिं. ना० सिंह : बरौनी का मेरे डिपार्टमेंट से कोई ताल्लुक नहीं है । लेकिन जहां तक मुझे मालूम है मैम्बर साहब सवाल एनसिएलैरी इंडस्ट्रीज के बारे में पूछ रहे हैं । बड़ी इंडस्ट्रीज हैं वे इंडस्ट्रीज प्राइवेट सेक्टर में हों या पब्लिक में हों इस सवाल का भौजूदा सवाल से कोई सम्बन्ध नहीं है ।

Shri Mansinh P. Patel: May I know whether the Government has prepared specific reports of ancillary industries attached to each of the public sector undertakings?

Shri Bibudhendra Misra: In some cases, ancillaries have come up; in other cases, reports have been prepared and are being examined.

Shri Narendra Singh Mahida: May I know whether the Government propose to put up such industries in rural areas?

Mr. Speaker: They are attached to heavy public sector undertakings that are there.

Twin Diesel Rail Car Unit

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*92.	Shri Gulshan:
	Shri P. K. Deo:
	Shri Solanki:
	Shri D. D. Puri:
	Shri Subodh Hansda:
	Shri P. G. Sen:
	Shri Ram Sewak:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a twin diesel rail car unit has been manu-

factured at the Integral Coach Factory, Perambur (Madras);

(b) if so, the cost involved; and

(c) whether manufacture of large number of such cars is proposed to be taken up and if so, when?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes, Sir. A prototype Metre Gauge twin diesel rail car has been recently manufactured at the Integral Coach Factory.

(b) The cost of this twin diesel rail car unit is estimated at Rs. 5-58 lakhs.

(c) The series manufacture of diesel rail cars would be undertaken when suitable indigenously manufactured diesel engines are available.

श्री गुलशन : क्या मैं यह जान सकता हूँ कि डीजल रेल कारों के निर्माण के लिए मद्रास राज्य के प्रलावा और भी किसी राज्य में ऐसे कारखाने लगाये जा रहे हैं ?

डा० राम सुभग सिंह : जी, नहीं ।

श्री तुलशीदास जाधव : नैरोगेज के ऊपर यह डीजल कारों का सरकार का उपयोग करने का विचार है अथवा नहीं ?

डा० राम सुभग सिंह : अभी तो केवल एक रेल कार ही इंटैग्रेल कोच फैक्टरी में बनी है । इंजन अभी तक नहीं बना है अलवता इंजन बनाने की बात अवश्य चल रही है लेकिन अभी नैरोगेज पर इसे चालू करने का कोई सवाल नहीं उठता है । भीटरगेज पर चालू हो जाने के बाद ही उसका नम्बर आयेगा ।

Shri Subodh Hansda: May I know whether the manufacture of these diesel rail cars involve any sort of foreign material or whether it is only of indigenous material?

Dr. Ram Subhag Singh: Yes, Sir.

श्री सरजू पाण्डेय : क्या महावाडीह में कोई इस तरह की डीजल रेल कार बनाने का प्रस्ताव सरकार के पास विचाराधीन है ?

डा० राम सुभग सिंह : असल में इंटैग्रेल कोच फैक्टरी में एक प्रोटोटाइप मीटर गेज ट्रूइन डीजैल रेल कार हाल में बनाई गई है। इंजन बनाने की बात अलग से चल रही है। डीजैल रेल इंजन अशोक लैन्ड, हिन्दुस्तान एयर क्राप्ट लिमिटेड बंगलौर और किरोल-स्कर बनाना चाहते हैं और उसकी चर्चा वहां चल रही है।

श्री अ० प्र० शर्मा : अच्युत महोदय, यह डिजैल एलेक्ट्रिकिकेशन अधिक से अधिक रेलवे करने जा रही है तो क्या रेलवे ने तय कर लिया है कि इस तरीके से जो बड़े बड़े स्टीम लोकोमोटिव्स हैं उनका वे इस्तेमाल बन्द कर देंगे?

डा० राम सुभग सिंह : असल में पहले के जो बड़े-बड़े स्टीम लोकोमोटिव्स हैं उनको एकदम से उठाने की कोई बात नहीं है, धीरे-धीरे उनको रिप्लेस किया जायेगा। लेकिन अभी फिलहाल वे पांचवीं पंचवर्षीय योजना तक तो चलते ही रहेंगे।

Dr. Ranen Sen: In Banaras there is the workshop under the State sector to produce these diesel engines. What is the idea behind producing these diesel rail cars in Perambur instead of trying to develop those prototypes in Banaras workshop?

Dr. Ram Subag Singh: At Varanasi, diesel locomotives are manufactured. Here this question concerns only the manufacture of a prototype diesel rail car coach. So, only coaches have been manufactured there, and the Integral Coach Factory is meant for that.

WRITTEN ANSWERS TO QUESTIONS

Bokaro Steel Project

- ✓ **Shri D. D. Puri:**
- ✓ **Shri Vishram Prasad:**
- ✓ **Shri Bagri:**
- ✓ **Shri Hem Barua:**
- ✓ **Shri P. C. Borooh:**

*93. **Shri Surendra Pal Singh:**
Shri Prakash Vir Shastri:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri M. L. Dwivedi:
Shrimati Savitri Nigam:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri Ram Sewak Yadav:
Shri P. R. Chakraverti:
Shri Bhagwat Jha Azad:
Shri C. K. Bhattacharyya:
Shri Vidya Charan Shukla:
Shri Yashpal Singh:
Shri Himatsingka:
Shri Rameshwar Tantia:
Shri H. C. Soy:
Shri Sidheshwar Prasad:
Shri Kishen Pattnayak:
Shri K. C. Pant:
Shri T. Subramanyam:
Shri Y. S. Chaudhary:
Shri P. G. Sen:
Shri Ram Sewak:
Dr. Mahadeva Prasad:

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

(a) whether the final agreement on Bokaro Steel Plant design has been concluded with the U.S.S.R.;

(b) if so, the broad terms thereof;

(c) to what extent and in what manner the Indian consulting firm of Dastur and Company will be associated with this project; and

(d) what remuneration has been agreed to be paid to Dastur and Company?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) to (d). An Indo-Soviet Agreement regarding Bokaro is expected to be concluded shortly. It has been however agreed with the Soviet authorities that the Soviet organization will prepare a detailed project report. While Indian agencies will be associated with the engineering of Bokaro, the extent of such association, including that of

Dastur and Company is to be determined after the detailed project report is ready.

Export of Cotton Textiles to Saudi Arabia

*94. { Shri Shree Narayan Das:
Shri Rameshwar Tantia:
Shri P. C. Borooh:
Shri Ram Sewak:
Shri P. G. Sen:

Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that India is fast losing market for cotton textiles in Saudi Arabia;

(b) if so, the reasons therefor;

(c) whether suggestions to improve the situation have been received from the Indian Trade Representative there; and

(d) if so, the extent to which these have been implemented?

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): (a) The exports of cotton textiles to Saudi Arabia during the past few years have been more or less stationary as under:—

Year	Value Rs. lakhs
1960-61	67.4
1961-62	59.0
1962-63	54.3
1963-64	58.1

(b) The main reasons for this are:—

(i) Preferential treatment is customs tariffs enjoyed by Arab countries like U.A.R. and Syria; and

(ii) Keen competition from other exporting countries like Japan, Pakistan, etc.

(c) and (d). The main suggestion made by the Indian Trade Representative in Saudi Arabia was that Indian manufacturers/exporters should send their representatives to negotiate business personally and that they should visit that region frequently. The Cotton Textiles Export Promotion Council has already taken up this matter with the exporters. The Council is also examining the question of how best to meet the competition from other countries. However, in cotton textiles, when every country is trying to develop indigenously and when practically every exporting country's exports of cotton textiles are continuously declining, the scope for large increases is limited.

Trade with Sudan

*95. { Shri Vishram Prasad:
Maharajkumar Vijaya
Ananda:
Shri R. S. Pandey:
Shri M. Rampure:
Shri D. D. Mantri:

Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that an Indian industrial and trade delegation held negotiations with Government officials and private sectors in Khartoum recently in order to increase the trade between the two countries;

(b) if so, the outcome of the negotiations; and

(c) whether any agreement has been reached in the matter and if so, the broad features thereof?

The Minister of Commerce (Shri Manubhai Shah): (a) An Industrialists Goodwill Delegation sponsored by the Federation of Indian Chambers of Commerce and Industry with the support of the Government of India

visited some African countries recently. It visited Sudan from the 1st to the 5th of October, 1964. The object of the visit was to explore the possibilities of establishing joint industrial ventures and generally to study the scope for closer economic relations between the two countries. The Delegation had a round of discussions with Ministers, Senior Government officials and members of the business community.

(b) and (c). As the visit was exploratory in nature the question of a formal agreement does not arise. The full report of the Delegation is still under preparation. It is understood, however, that the Delegation's visit generated considerable goodwill in all the countries visited including the Sudan and thereby prepared the ground for follow up action by individual Indian Industrialists. Broadly speaking the delegation felt there was good scope for establishing industries in the countries that they had visited.

Export of Handloom Cloth

*96. { Dr. P. Srinivasan:
Shri Kajrolkar:

Will the Minister of Commerce be pleased to state:

(a) whether there has been any increase in the rate of exporting "Bleeding Madras" handloom cloth;

(b) if so, whether the merchants exporting the cloth are affected by it; and

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

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): (a) Yes, Sir. There has been a substantial increase in the export of Bleeding Madras continuously over the last several years. The

exports of this fabric were as under in recent years:

Year	Yards lakhs (approximate)	Approximate Value Rs. lakhs
1959	60	132
1960	5	10
1961	18	39
1962	76	190
1963	127	307
1964 (Estimated)	160	384

(b) The exporters are finding it difficult to cope with the large orders received for this fabric from the United States as the demand is far greater than the handlooms are in a position to supply. The production is continuously increasing as can be seen from the above figures of exports. Almost all the production is exported.

(c) All steps are being taken to increase the production of Bleeding Madras to the maximum extent possible. Already handlooms have been earmarked in Madras and Andhra Pradesh for producing this fabric. More handlooms are brought under production in these areas.

Government have also introduced certain measures for regulating exports so that a long term stability is assured. The measures undertaken are (i) quality control (ii) pre-shipment inspection (iii) registration of contracts (iv) stipulation of floor and ceiling prices and (v) allotment of quotas to competent established exporters.

In view of the limited availability of the products, this has ensured steady price and stable prices in the interest of both India and the importing countries. Before these regulatory measures are enforced as could

be seen from the export figures of 1960 and 1961, due to several speculative tendencies and widely fluctuating prices and indifferent quality, we had lost the export market for a period of these 2 years. Due to these measures, market has been again revived and is continuously expanding.

Royalty on Coal

Shri Ulikey:

Shri Vidya Charan Shukla:

Shri Hukam Chand
Kachhavaiya:

Shri Bade:

Shri Chandak:

Shri Bakliwal:

Shri Wadiwa:

Shri Surya Prasad:

Shri R. S. Tiwary:

Shri J. P. Jyotishi:

*97.

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

(a) whether any proposal has been received from the Government of Madhya Pradesh for revising the rates of royalty on coal which was fixed in 1956; and

(b) if so, when a decision is likely to be taken in the matter?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) and (b). In February 1964 the Government of Madhya Pradesh suggested that the rate of royalty on coal leases should be increased to 8 per cent of the f.o.r. price. The proposal was not agreed to.

Quality Control on Textile Products

Shri P. R. Chakraverti:

*98. { Shri P. C. Borooah:

Shrimati Savitri Nigam:

Will the Minister of Commerce be pleased to state:

(a) whether Government's attention has been drawn to the deterioration in the quality of Indian textiles; and

(b) if so, the steps taken by Government to enforce quality control on the textile products?

The Deputy Minister in the Ministry of Commerce (Shri S. V. Rama-swamy): (a) No, Sir.

(b) However, Government have set up a statutory Textiles Committee, the functions of which include prescription of standards of quality for textiles both for internal consumption and for export. Moreover, every reputed mill in the country is now maintaining a quality control department to ensure production of quality textiles.

Pre-shipment inspection of exports of all textiles is being enforced and carried out.

नेपा अखबारी कागज के मूल्य

*99. श्री सिद्धेश्वर प्रसाद : क्या उद्योग तथा सम्भरण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नेपा अखबारी कागज के मूल्य काफी अधिक हैं ;

(ख) यदि हाँ, तो इस के क्या कारण हैं ; और

(ग) मूल्य कम करने के लिये क्या कदम उठाये जा रहे हैं ?

उद्योग तथा सम्भरण मन्त्रालय में उप-मन्त्री (श्री बिभुषेन्द्र मिश्र) : (क) से (ग) : तटागत आयातित अखबारी कागज के वर्तमान मूल्य की अपेक्षा नेपा मिल के अखबारी कागज का मूल्य लगभग 16 प्रतिशत अधिक है।

वर्तमान उत्पादन क्षमता को 30,000 मीट्रिक टन वार्षिक से बढ़ा कर 75,000 मीट्रिक टन वार्षिक करने के लिए कार्रवाही की जा रही है तथा आशा है कि इस विस्तार के परिणामस्वरूप मूल्य को भी कम करना सम्भव हो सकेगा।

Trade Agreements

*100. **Shri Surendranath Dwivedy:** Will the Minister of Commerce be pleased to state:

(a) whether any stipulation is made regarding carriage of cargo preferably by Government-owned shipping organisations while entering into trade agreements with foreign Governments;

(b) the condition agreed to in regard to shipping in respect of trade agreements between India and Poland and India and U.S.S.R.; and

(c) whether the National Shipping Corporation is consulted on these matters before finalising trade agreements?

The Minister of Commerce (Shri Manubhai Shah): (a) In our Trade and Payments Agreements with the U.A.R., Iran and the East European countries, including the USSR, there are general clauses providing for the utilisation, to the maximum extent possible, of ships of the two contracting parties for the carriage of cargoes imported or exported under the agreements. No special stipulation is made in the agreements for the carriage of cargoes by Government-owned shipping organisation of India.

(b) In the case of our Trade Agreement with Poland, the following clause on shipping is introduced:—

"Both Governments agree that in exercise of their right of shippers' preference they shall, to the maximum extent possible, utilise the vessels owned or chartered by shipping organisations of the two countries engaged in the Indo-Polish shipping service or other ships flying the flag of either India or Poland for the purpose of shipping cargoes imported or exported under this agreement, on the basis of world competitive freight rates and conditions."

"Merchant ships of either country with or without cargoes there-

in, will, while entering, staying in or leaving the ports of the other country, enjoy the most favoured facilities granted by their respective laws, rules and regulations to ships under third flag. This principle shall not, however, apply to ships engaged in coastal trade."

In our Trade Agreement with the U.S.S.R., we have the following clause on shipping:—

"The two Governments will render all possible assistance for the shipment of the goods exported and imported under this agreement from one country to the other as far as possible in Indian and Soviet ships."

(c) The Ministry of Transport is always consulted when clauses on shipping are included in the Trade Agreements.

Loco Engines at Chittaranjan

*101. { **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shrimati Savitri Nigam:
Shri M. L. Dwivedi:
Shri P. C. Borooah:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the manufacture of loco engines has gradually been slowed down at Chittaranjan;

(b) if so, whether this is due to changing over to diesel and electric engines;

(c) by what time there will be complete changeover to electric engine manufacture; and

(d) whether this would involve any extra expenditure for the project?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No, Sir.

(b) Does not arise.

(c) and (d). It is not possible at this stage to state the time by which a complete change-over to electric locomotive manufacture may take place at Chittaranjan. There are possibilities, however, of the manufacture of steam locomotives at Chittaranjan being tapered off gradually as and when the Indian Railways are able to:

- (i) switch over the production facilities at Chittaranjan to the manufacture of electric locomotives and equipment for them and other desired and appropriate purposes; and
- (ii) step up the production of electric and diesel locomotives to the level necessary to meet all needs.

Maximum advantage will be taken of the progressive availability of covered accommodation, plant and machinery and other existing facilities at Chittaranjan arising out of the programme of a planned tapering off of steam locomotive manufacture. Some extra expenditure will, however, be involved for providing certain additional balancing facilities and equipment of a specialised nature, required for the manufacture of electric locomotives.

E. C. M.

•102. { Shri Vidy Charan Shukla:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shrimati Savitri Nigam:
Shri P. R. Chakraverti:
Shri P. C. Borooh:
Shrimati Renuka Barkataki:
Shrimati Laxmi Bai:

Will the Minister of Commerce be pleased to state:

(a) whether the Indian Mission to the European Common Market has renewed its efforts to obtain the long desired tariff concessions from its six members; and

(b) if so, the up-to-date result of these efforts?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). Yes Sir. In a Note Verbale dated the 29th September, 1964, a copy of which is laid on the Table of the House. [Placed in Library. See No. LT-3388/64] and which was presented to the Commission of the European Economic Community, the Indian Economic Mission drew attention to the problems concerning the development of India's trade with the Community and invited the Commission to discuss the arrangements for negotiating suitable solution to these problems. The preliminary discussions with reference to the Note Verbale are now in progress.

A statement containing the list of concessions so far secured through these negotiations is placed on the Table of the House. [Placed in Library. See No. LT-3388/64].

Prices of Woollen Cloth

*103. { Shri P. C. Borooh:
Shri Naval Prabhakar:
Shrimati Ramdulari Sinha:

Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that the prices of woollen cloth have risen by 25 per cent as compared to the last season's prices;

(b) if so, the reasons therefor; and

(c) the steps taken to bring the prices down?

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): (a) and (b). While there has been some price increase in respect of some items of woollen clothing like panama and gaberdine, there has been no increase in respect of suitings and milton compared to last year. This increase is largely due to the reduced availability of raw material for the industry, as a result of the

drastic cut in the foreign exchange allocation for import of wool and wool tops. In addition, the price of raw wool has also registered some increase.

(c) To enable the consumers to obtain supplies of woollen items at reasonable prices, arrangements have been made for the supply of woollen fabrics and knitting wool to consumer co-operative stores and fair-price shops approved by State Governments. Under this arrangement, the woollen industry has agreed to earmark Rs. 25 lacs worth of woollen fabrics and Rs. 5 lacs worth of knitting wool to the consumer co-operative stores and fair price shops. Besides, the industry is also being encouraged to utilise larger quantities of indigenous wool with a view to increasing overall production of woollen goods.

Aluminium Project at Korba

Shri Vidya Charan Shukla:
Shri Rameshwar Tantia:
Shri Shree Narayan Das:
Shri D. C. Sharma:
Shri Bibhuti Mishra:
Shri K. N. Tiwary:
Shri Subodh Hansda:
Shri Chandak:
Shri Bakliwal:
Shri Hukam Chand
Kachhavaiya:

*104. Shri Wadiwa:
Shri Surya Prasad:
Shri R. S. Tiwary:
Shri J. P. Jyotish:
Shri Uike:
Shri Oza:
Shri P. Venkatasubbaiah:
Shri Ravindra Varma:
Shri Ram Sewak:
Shri P. G. Sen:
Shri R. S. Pandey:
Shrimati Renuka Barkataki:

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

(a) whether the proposal to set up an integrated aluminium plant in Korba (Madhya Pradesh) with Hungarian collaboration has been finalised;

(b) whether a preliminary report has been submitted by the Hungarians team; and

(c) if so, the salient features of the report?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) The setting up of an integrated aluminium plant at Korba (M.P.) has been under consideration for some time. The intention is that technical collaboration with the Hungarians should be availed of for the implementation of the project upto the alumina stage with an installed capacity of 1,20,000 tonnes per annum of alumina. As a first step, the Hungarians have been commissioned to submit a detailed project report for the alumina plant. The contract for this purpose was signed on 17th November, 1964. Possibilities of securing technical collaboration for the setting up of an aluminium smelter and fabrication facilities are being explored.

(b) and (c). No. According to the terms of the contract the Hungarians will submit a detailed project report containing a reliable economic assessment of the project within 10 months from the coming into force of the contract, and the final project report within 18 months of the coming into force of the contract.

Steel Plant with Salem Ore

Shri P. C. Borooh:
Shri P. R. Chakraverti:
Shri Sezhiyan:
*105. Shri R. Ramanathan
Chettiar:
Shri Himatsingka:
Shri Y. S. Chaudhary:

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

(a) whether any final decision has been taken on the setting up of a steel plant based on Salem iron ore and Neyveli lignite; and

(b) if so, the particulars regarding location, capacity and capital outlay of the project?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) No, Sir.

(b) Does not arise.

Zonal Railway Users Consultative Committee

177. { Shri A. V. Raghavan:
 { Shri Pottekkatt:

Will the Minister of Railways be pleased to state:

(a) the number of members nominated by the Southern Railway on the Zonal Railway Users Consultative Committee;

(b) the number of Members of Parliament and State Legislatures on the Committee;

(c) the method adopted in nominating the members;

(d) whether any member belonging to the opposition parties has been nominated to the Committee; and

(e) if not, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) The members on the Zonal Railway Users Consultative Committees are nominated by the Minister for Railways. There are fifty-five members on the present Zonal Railway Users Consultative Committee, Southern Railway.

(b) There are four Members of Parliament and five Members of the State Legislatures one from each State as provided for in the constitution of the Committee, on the present Zonal Railway Users Consultative Committee, Southern Railway.

(c) The nominations of Members of Parliament and Members of State Legislatures are made on the recommendations of the Minister of Parliamentary Affairs and State Governments concerned respectively.

(d) Yes.

(e) Does not arise.

Export of Bananas

178. { Shri Pottekkatt:
 { Shri A. V. Raghavan:

Will the Minister of Commerce be pleased to state:

(a) whether a Banana and Fruit Development Corporation has been constituted jointly by the four southern States to export bananas;

(b) when the Corporation will commence business operation; and

(c), the varieties of bananas likely to be exported?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir.

(b) It is expected to commence business operation shortly.

(c) Poovan and Basrai varieties.

बस्तियारपुर पर रेलवे पुल

179. श्री सिंद्वेश्वर प्रसाद : क्या रेलवे मंत्री 18 सितम्बर, 1964 के अतारांकित प्रश्न संख्या 816 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) पूर्व रेलवे में बस्तियारपुर में जो रेलवे पुल बनाने वाला या उसका काम शुरू हुआ है या नहीं ;

(ख) यदि नहीं, तो विलम्ब के क्या कारण हैं ; और

(ग) पुल कव्र तक बन कर तैयार हो सकेगा ?

रेलवे मन्त्रालय में उपमन्त्री (श्री शामनाथ):

(क) जी नहीं ।

(ख) बस्तियारपुर में एक ऊपरी सड़क-पुल बनाने की योजना के सम्बन्ध में अभी बिहार सरकार की स्वीकृति की प्रतीक्षा की जा रही है ।

(ग) अभी यह बताना सम्भव नहीं है कि यह काम किस तारीख तक पूरा हो जायेगा।

Garments and Made-up Articles Corporation

180. { **Shri A. V. Raghavan:**
Shri Pottekkatt:
Shri Ram Sewak:
Shri P. G. Sen:

Will the Minister of Commerce be pleased to state:

(a) the progress made in the matter of establishing the 'Garments and Made-up Articles Corporation'; and

(b) when the Corporation will start functioning?

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): (a) and (b). The matter is still under consideration and is expected to be finalised shortly.

Copper Deposits in Rajasthan

181. **Shri Karni Singhji:** Will the Minister of Steel and Mines be pleased to state:

(a) whether Government have received any scheme from the Rajasthan Government regarding the working of finds of copper deposits at Ghantol and Biramsar (Churu District, Rajasthan) where the ore is reported to contain 12 per cent copper and 25 per cent sulphur; and

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

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) No, Sir.

(b) Does not arise.

Copper Deposits at Dariba (Rajasthan)

182. **Shri Karni Singhji:** Will the Minister of Steel and Mines be pleased to state the result of the in-

vestigations carried out by the Geological Survey of India and the Indian Bureau of Mines regarding copper deposits at Dariba in Rajasthan?

The Minister of Steel and Mines (Shri Sanjiva Reddy): Prospecting of the Dariba deposits has been carried out by the Geological Survey of India and the Indian Bureau of Mines. Mineralisation of copper ore has been located in and around this area. The reserves of copper ore have been estimated at 562,000 tonnes, the average grade of ore is estimated to contain 2.46 per cent Copper. Proposals for the commercial exploitation of these deposits are under consideration.

Balaiapattam Rail-road Bridge

183. { **Shri A. V. Raghavan:**
Shri Pottekkatt:

Will the Minister of Railways be pleased to state:

(a) whether it is proposed to close down the Baliapattam rail-road bridge in the Olavakkode Division of the Southern Railway;

(b) if so, the reasons for closing down the bridge for road traffic; and

(c) the steps taken to minimise the difficulties likely to be caused to road users?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):
 (a) No, Sir.

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

Rayon Pulp Factory in Kerala

184. { **Shri A. V. Raghavan:**
Shri Pottekkatt:

Will the Minister of Industry and Supply be pleased to state:

(a) whether there is any proposal

before the Government of Kerala to review the contract between the Rayon Pulp Factory at Kozhikode in the matter of bamboo prices;

(b) the estimated loss suffered by the Government of Kerala by supplying bamboo at the contract rate so far;

(c) the contract rate per to and the market rate prevailing; and

(d) when the present contract will expire?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) to (d). Information is being collected and will be laid on the Table of the House in due course.

Setting up of Industries in African Countries

185. Shri Sham Lal Saraf: Will the Minister of Industry and Supply be pleased to state:

(a) whether the late Minister for Industry and Supply Shri H. C. Dassappa, visited some of the newly freed countries in Africa with the purpose of finding out markets for our products particularly the capital goods manufactured within the country;

(b) whether the Minister felt the urgency to start cotton textiles, sugar, cement, jute, light engineering industries in these countries; and

(c) if so, how Government propose to move in the matter?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) The late Minister for Industry and Supply Shri H. C. Dassappa was deputed to attend the Independence Day Celebrations at Zambia. On his way to Zambia he visited Kenya and Uganda. His visit to these countries was not for the purpose of exploring markets for Indian manufactures.

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

Electrified Stations

186. Shri Ram Harkh Yadav: Shri Murli Manohar:

Will the Minister of Railways be pleased to state:

(a) the number of electrified stations on the Northern Railway, upto-date;

(b) the number of stations to be electrified in the remaining period of the current financial year; and

(c) the number of stations proposed to be electrified during 1965-66?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) 526.

(b) 21.

(c) 35 subject to the availability of electric power at reasonable cost.

Manufacture of Cheap Radios

187. Shri Ram Harkh Yadav: Shri Murli Manohar:

Will the Minister of Industry and Supply be pleased to state:

(a) whether Government have undertaken mass production of cheap radios for home and export purposes; and

(b) if so, the details of the scheme and its scope to meet the defence and commercial requirements?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) Government have not undertaken mass production of cheap radios, but are considering ways and means of stimulating production of low-cost domestic radio receivers on a large scale, in consultation with the manufacturers in the private sector.

(b) Does not arise.

Small Scale Handloom Industries in Orissa

188. Shri Rama Chandra Mallick: Will the Minister of Commerce be pleased to state:

(a) the number of small scale handloom industries started in Orissa State on cooperative basis during 1963-64;

(b) the total amount sanctioned by way of loans and grants for the development of these industries by the Central Government during the same period; and

(c) the total amount given or proposed to be given by way of loans and grants for the same purpose for 1964-65?

The Deputy Minister in the Ministry of Commerce (Shri S. V. Rama-swamy): (a) The number of Handloom Weavers' Cooperative Societies registered in Orissa State during 1963-64 was 10.

(b) The amount of loans and grants sanctioned during the same period for the Societies was as under:—

Loans	..	Rs. 7.29 lakhs
Grants	..	Rs. 5.64 lakhs
TOTAL	..	Rs. 12.93 lakhs

(c) The Plan Outlay for the development of the Handloom Industry in Orissa for 1964-65 has been fixed at Rs. 23 lakhs. The actual amount of loans and grants to be given by the Central Government to the State Government will be sanctioned in February, 1965 on the basis of actual expenditure incurred during the first three quarters of the current financial year and the anticipated expenditure for the 4th quarter.

Manufacture of Jeeps

189. { Shri Bibhuti Mishra:
\ Shri K. N. Tiwary:

Will the Minister of Industry and Supply be pleased to state:

(a) whether Government have fixed any target for the manufacture of Jeeps in India during the Third Plan period; and

(b), if so, how far the target looks feasible?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibhudhendra Misra): (a) The Third Plan target for the production of Jeeps is 10,000 vehicles per year.

(b) The target will be reached in the year 1964 itself.

मेल/एक्सप्रेस गाड़ियों की यात्रा का समय

190. { श्री म० ला० द्विवेदी :
 \ श्रीमती सावित्री निगम :
 \ श्री स० चं० सामन्त :
 \ श्री सुबोध हंसदा :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि देश में विभिन्न मेल तथा एक्सप्रेस गाड़ियों के एक स्थान से दूसरे स्थान तक यात्रा करने का समय स्वतंत्रता प्राप्ति के पूर्व के समय से एक घंटे से डेढ़ घंटे तक बढ़ा दिया गया है ; और

(ख) यदि हां, तो इन गाड़ियों की यात्रा का समय कम करने के लिये क्या कदम उठाये जा रहे हैं ?

रेलवे मन्त्रालय में राज्य मन्त्री (डा० राम सूभग सिंह) : (क) और (ख). विभिन्न ट्रॅक लाइनों की कुछ प्रमुख डाक और एक्सप्रेस गाड़ियों के कुल चालन-समय की 1947-48 की स्थिति और वर्तमान स्थिति की एक समीक्षा की गयी थी। इस से मालूम हुआ कि कुछ गाड़ियों का चालन-समय बढ़ गया है जबकि कुछ गाड़ियों का घट गया है। चालन-समय बढ़ जाने का कारण यह है कि इन गाड़ियों के अनुसूचित समय में अतिरिक्त समय की व्यवस्था की गयी है बर्तावीक विभिन्न पंच-वर्षीय योजनाओं के फलस्वरूप बढ़े हुए यातायात को सम्मालने के लिए इन लाइनों की क्षमता बढ़ाने के उद्देश्य से इंजीनियरिंग

सम्बन्धी बहुत-से काम किये जा रहे हैं। जब और जैसे इंजीनियरिंग के ये काम पूरे होते जायेंगे, इनके लिए निर्धारित समय बच जायेगा और गाड़ियों के चलन-समय में काफी कमी हो जायेगी।

Balance of Trade

191. Shri P. C. Borooah: Will the Minister of Commerce be pleased to state:

(a) the countries with which India had an adverse balance of trade during 1963-64 and the extent to which this is expected to be minimised during the current year (1964-65);

(b) the total imports from and exports to those countries during 1963-64; and

(c) with which countries and to what extent India's balance of trade during 1963-64 was favourable and how far this is expected to be increased during the current year?

The Minister of Commerce (Shri Manubhai Shah): (a) to (c). A statement showing the countries, grouped under various regions, with which India had adverse and favourable balance of trade during 1963-64, is laid on the Table of the House [Placed in Library. See No. LT-3389/64]. India's imports from and exports to each country during 1963-64 are also indicated in the statement.

As India's trade with East European countries, including U.S.S.R., is on balanced basis with trade plan provisions for calendar years, the adverse balance of trade indicated at the end of financial year 1963-64 will automatically get adjusted through increased exports by the end of the calendar year or by the end of the trade agreement period with these countries. Trade Plans with these countries provide for progressive increase in the turnover of trade.

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Of the West European countries India has the biggest adverse balance of trade with West Germany which is partly due to the import of essential machinery and equipment under credit. In the case of other West European countries with which we had adverse balance of trade, the trend of exports from India for the period April/August 1964-65 as compared to the corresponding period in 1963-64, indicated in the attached statement, shows improvement. Increased export promotion drive to West European countries, including efforts to export minerals and ores especially to West Germany, is expected to minimise the adverse balance of trade in 1964-65.

The trend of exports to most of the countries of Asia and Africa in the first 5 months of 1964-65 as compared to the corresponding period of last year shows great improvement. This drive in the promotion of India's exports is expected to wipe out the adverse balance of trade with many of the countries in these two regions in 1964-65.

India's big adverse balance of trade with the U.S.A. in 1963-64, which is due primarily to heavy imports of food under PL-480 and other imports under AID, is likely to be reduced somewhat this year as may be seen from the trend of exports in the first 5 months of 1964-65. Special attention is being paid to increasing our exports to U.S.A. this year.

Attention is also paid to increasing the favourable balance of trade with countries in Latin America in the current year. An Indian trade delegation visited Latin America recently to explore the possibility of increasing the total turnover of trade with the countries in this region.

At the present rate of exports total exports in 1964-65 are expected to reach the record level of over Rs. 810 crores.

Public Sector Industries

192. { **Shri R. G. Dubey:**
Shri Yashpal Singh:

Will the Minister of **Industry and Supply** be pleased to state:

(a) whether the Hindustan Machine Tools Ltd. has been able to start a series of new factories from its own resources;

(b) if so, the measures that are being taken to develop self-sufficiency likewise in other public sector industries; and

(c) the measure of self-sufficiency attained by the public sector in respect of designing, construction and manufacture?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) and (b). Though Hindustan Machine Tools has generated some resources by way of depreciation and reserve funds, it cannot be said that these alone proved adequate for financing the setting up of the new units. Some other units in the public sector have been able to raise funds similarly. All public sector units do endeavour to raise internal resources as visualised in the Third Five Year Plan. But the conditions vary from unit to unit and many of the bigger units are still in the stage of construction or have started production only recently.

(c) The larger public sector units are building up their own designing and construction organisations. The extent to which such organizations, however, meet the needs of the projects varies from unit to unit.

Tractor Factory in Punjab

193. { **Shri Surendra Pal Singh:**
Shri Daljit Singh:
Shri P. C. Borooh:
Shri P. R. Chakraverti:
Shri Y. S. Chaudhary:

Will the Minister of **Industry and Supply** be pleased to state:

(a) whether Government have decided to set up a tractor factory in the Punjab to speed up the work of mechanization of agriculture in that State; and

(b) if so, where this factory will be set up and what will be its annual production capacity?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) Yes, Sir. Government have approved a project for the establishment of a tractor factory in the Punjab in the private sector.

(b) The factory will be located at Faridabad and it will have a capacity of 7,000 Nos. of Tractors (34.5 HP) per annum.

International Food Show at Washington

194. **Shri Surendra Pal Singh:** Will the Minister of **Commerce** be pleased to state:

(a) whether it is a fact that a short while ago India participated in an international Food Show at Washington and exhibited such specialities as fruit juices, canned vegetables, pickles, any sweets; and

(b) if so, how these Indian products were received there and whether there is any possibility of establishing export markets for them?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir.

(b) India's participation was organised by the Indian Embassy on behalf of the Processed Foods Export Promotion Council in India. A representative assortment of tinned and packaged foods forwarded from India was displayed. Free samples were distributed to visitors. The Tea Board of India had arranged a free tea distribution service which proved a great attraction. A small snack Bar catering some Indian delicacies was who

run. Since all these products were new to the people of Washington, the Indian Stall attracted great interest. Some of the items, like pickles, mango juice, Banana wafers, Tea and tinned sweets like Rossogolla proved specially popular and may be successfully introduced into the American market, with a little improvement in packaging.

Nepa Paper Mills

195. { Shri D. C. Sharma:
Shri Yashpal Singh:
Shri Ram Harkh Yadav:
Shri Murli Manohar:

Will the Minister of Industry and Supply be pleased to state:

(a) whether it is proposed to raise the newsprint production by expanding the NEPA Paper Mills;
(b) if so, the details of the proposal;
(c) how far this will meet the requirement of the country; and
(d) the steps taken or proposed to be taken to achieve self-sufficiency in the matter?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) Yes, Sir.

(b) The existing capacity of 30,000 tonnes per year of Nepa Paper Mills will be raised to 75,000 tonnes per year. This expanded capacity is expected to materialise early in the Fourth Five Year Plan.

(c) About 50 per cent of the restricted demand.

(d) Government have already issued licences for the establishment of two units with a total capacity of 90,000 tonnes per year of newsprint. The progress in the implementation of these two schemes is slow and they are not likely to materialise before the end of the Fourth Plan. The possibilities of licensing more schemes for the manufacture of newsprint are also under consideration by Government. Every effort is being made to achieve self-sufficiency in respect of newsprint in the near future.

Third Class Air-conditioned De-Luxe trains

196. { Shri D. C. Sharma:
Shri Yashpal Singh:
Shri Surendra Pal Singh:
Shri N. R. Laskar:
Shri A. V. Raghavan:
Shri Pottakkatt:
Shri Kappen:

Will the Minister of Railways be pleased to state:

(a) whether any proposal to introduce third class air-conditioned deluxe trains daily on the Howrah-Delhi, Bombay-Delhi and Madras-Delhi routes is under consideration; and

(b) if so, when the scheme is likely to be introduced?

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

(b) Does not arise.

Distribution of Woollen Hosiery Yarn

197. { Shri Rameshwar Tantia:
Shri P. C. Borooh:
Shri Warior:
Shri Daji:
Shri Y. S. Chaudhary:

Will the Minister of Commerce be pleased to state:

(a) whether Government have examined the report of the enquiry Committee set up to enquire into the distribution scheme for the woollen hosiery yarn;

(b) if so, its main recommendations; and

(c) how many of them have been accepted and what measures have been taken to implement them?

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): (a) to (c). A copy of the Order containing the main recommendations of the Woollen Yarn Distribution Enquiry Committee and the deci-

sions taken on them by Government is laid on the Table of the House. [Placed in Library. See No. LT-3390/64]. Necessary steps are being taken to implement these decisions.

गाड़ी में स्त्री का शव

198. { श्री बागड़ी :
श्री विधाम प्रसाद :
श्री यशपाल सिंह :
श्री हुक्म चन्द्र कछवाय :
श्री राम सेवक :
श्री फ० गो० सेन :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 3 अक्टूबर, 1964 को मध्य रेलवे के मानिकपुर रेलवे स्टेशन पर इटारसी-इलाहाबाद सवारी गाड़ी के पहले दर्जे के डिब्बे में एक 26 वर्षीय स्त्री का शव पाया गया था ; और

(ख) यदि हां, तो क्या सरकार ने इस मामले की जांच पड़ताल की है और उस का क्या परिणाम निकला ?

रेलवे मन्त्रालय में राज्य मन्त्री (डा० राम सुभग सिंह) : (क) जी हां ।

(ख) सतना की सरकारी रेलवे पुलिस ने भारतीय दण्ड संहिता की घारा 302 के अन्तर्गत एक मामला दर्ज कर लिया है और मामले की जांच-पड़ताल की जा रही है ।

रेलवे समय सारणी समिति

199. { श्री विभूति मिथ :
श्री क० ना० तिवारी :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे समय सारणी समिति संविहित समिति नहीं है ; और

(ख) यदि हां, तो क्या उसे संविहित समिति बनाने का सरकार का विचार है ?

रेलवे मन्त्रालय में राज्य मन्त्री (डा० राम सुभग सिंह) : (क) जी हां ।

(ख) रेलवे समय सारणी समितियों को सांविधिक निकाय बनाने का विचार नहीं है ।

रेलवे बुक स्टाल

200 श्री विभूति मिथ : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि रेलवे प्रशासन ने सारे भारत के मुख्य रेलवे स्टेशनों पर बुक स्टाल चलाने का पूर्ण एकाधिकार एक ही फर्म अर्थात् मेसर्स ए० एच० ह्लीलर एण्ड संस को दे रखा है ; और

(ख) क्या सरकार रेलवे स्टेशनों के बुक स्टालों पर एक फर्म के इस एकाधिकार को समाप्त करने की कोई योजना बना रही है ?

रेलवे मन्त्रालय में उपमन्त्री (श्री शाम नाथ) : (क) किसी रेलवे के सभी स्टेशनों या उसके कुछ स्टेशनों पर बुक-स्टाल चलाने का जो अधिकार पहले केवल मेसर्स ए० एच० ह्लीलर एण्ड कम्पनी लिमिटेड को दिया गया था, उसमें 1-8-1960 से संशोधन कर दिया गया है और इसके परिणामस्वरूप (1) जिन स्टेशनों पर अभी बुक-स्टाल नहीं हैं वहां दूसरों को बुक-स्टाल खोलने और (2) जिन स्टेशनों पर मेसर्स ए० एच० ह्लीलर एण्ड कम्पनी के स्टाल हैं, वहां रामकृष्ण मिशन, गीता प्रेस जैसी निदिष्ट संस्थाओं की पुस्तकों, पत्रिकाओं आदि की बिक्री के लिए दूसरे स्टाल खोलने की अनुमति भी दी जा सकती है । इस प्रकार अब मेसर्स ए० एच० ह्लीलर एण्ड कम्पनी लिमिटेड को स्टाल चलाने का एकाधिकार नहीं रहा । इस समय मेसर्स

ए० एच० हॉलर एण्ड कम्पनी लिमिटेड के अलावा लगभग 65 ठेकेदार हैं जो विभिन्न रेलों में बुक-स्टाल चला रहे हैं । मेसर्स ए० एच० हॉलर एण्ड कम्पनी लिमिटेड के साथ किये गये वर्तमान करारों की अवधि पांच वर्ष है और यह अवधि 31-12-1966 को समाप्त होगी । फिर भी इन करारों में इस बात की व्यवस्था है कि आवश्यकतानुसार मंधानिधि शर्तों पर इनकी अवधी आगे पांच वर्ष के लिए बढ़ायी जा सकती है, लेकिन शर्त यह है कि इनके नवीकरण के समय ठेके की कोई शर्त भंग न हुई हो और सम्बन्धित रेल प्रशासन ठेकेदार के काम को सन्तोषजनक समझता हो । पुस्तकों की विक्री के सम्बन्ध में मुद्य रूप से इस बात का ध्यान रखा जाता है कि पढ़ने के लिए उपयुक्त सामग्री की संतोषजनक व्यवस्था की जाये । इस काम के लिए एक बड़े संगठन की ज़रूरत होती है ।

(ख) ऊपर जो कुछ कहा गया है, उसे देखते हुए एकाधिकार को समाप्त करने का सवाल नहीं उठता । बुक-स्टाल के ठेकों में कमी करने का सवाल वर्तमान ठेके की ममाप्ति पर ही उठाया जा सकता है ।

विदेशी सहयोग से उद्योग

201. श्री प्रकाशबीर शास्त्री : क्या उद्योग तथा सम्भरण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या इस वर्ष के अन्त तक इस्पात और इंजीनियरी की भारी मशीनें बनाने के लिये कुछ बड़े उद्योग दूसरे देशों के सहयोग से आरम्भ करने का विचार है;

(ख) इनमें कितने गैर-सरकारी क्षेत्र में होंगे और कितने सरकारी क्षेत्र में;

(ग) यह कब तक उत्पादन आरम्भ कर सकेंगे ?

उद्योग तथा सम्भरण मन्त्रालय में उप-मन्त्री (श्री विभुषेन्द्र मिश्र) (क), (ख) और

(ग). गैर-सरकारी क्षेत्र में विदेशी सहयोग से छोटे और बड़े कई उद्योगों की योजनाओं को स्वीकृत किया गया हैं जिनकी प्रगति पर नज़र रखी जा रही है । यह स्पष्ट रूप से नहीं कहा जा सकता कि इन में से कौन कौन से उद्योग 1964 में वास्तव में स्थापित हो जायेंगे ।

सरकारी क्षेत्र में भी कुछ उद्योगों को स्थापित करने की योजना है । इन के सम्बन्ध में विदेशी सहयोग के लिए पत्र व्यवहार हो रहा है । हिन्दुस्तान मशीन टल्स, हैवी इंजीनियरिंग कारपोरेशन तथा हैवी इलेक्ट्रो-कल्स लिमिटेड के द्वारा जिन उद्योगों की प्रायोजनाओं पर अमल हो रहा हैं उनके अलावा भारी मशीनें बनाने के लिए सरकारी क्षेत्र में 1964 में कोई अन्य उद्योग स्थापित करने की योजना नहीं है ।

हिन्दी टाइपराइटर

202. श्री विष्वाम प्रसाद :

श्री बागड़ी :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) हिन्दी भाषी राज्यों में स्थित कितने जंकशनों, प्रमुख स्टेशनों और डिविजनल कार्यालयों में हिन्दी टाइपराइटर नहीं हैं; और

(ख) इन कार्यालयों में हिन्दी टाइपराइटर उपलब्ध करने के लिये क्या प्रबंध किया जा रहा है ?

रेलवे मन्त्रालय में राज्य मन्त्री (डा० राम मुभग सिंह) : (क) और (ख). हिन्दी में होने वाले काम की मात्रा के अनुसार हिन्दी भाषी क्षेत्रों में अधिकतर डिविजनल और डिस्ट्रिक्ट कार्यालयों में हिन्दी टाइपराइटरों

की व्यवस्था की गयी है। जंकशनों या महत्वपूर्ण स्टेशनों पर अभी हिन्दी टाइपराइटरों की व्यवस्था नहीं की गयी है, क्योंकि फिलहाल हिन्दी टाइपराइटरों की वहां आवश्यकता नहीं है। जब और जैसी आवश्यकता होगी, दूसरे कार्यालयों में भी हिन्दी टाइपराइटर दिये जायेंगे।

Secondary Foundry Forge Plant

203. { Shri Vishram Prasad:
Shri Bagri:

Will the Minister of Industry and Supply be pleased to refer to the reply given to Starred Question No. 134 on the 11th September, 1964 and state:

(a) whether the detailed Project Report for establishing Second Foundry Forge Plant has been prepared; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) and (b). The Heavy Electricals (I) Ltd., have prepared a detailed project report for the setting up of a Central Foundry Forge Plant for the manufacture of 15,000 tons per annum each of specialised steel castings and forgings to meet the requirements of heavy electrical plants being set up by them. The project report is under consideration of the Board of Directors of the Heavy Electrical (I) Ltd.

Directorate General of Supply and Disposal

204. { Shri Vishram Prasad:
Shri Bagri:

Will the Minister of Industry and Supply be pleased to refer to the reply given to Starred Question No. 141 on the 11th September, 1964 and state:

(a) whether the study team set up by Government has looked into the

procedures relating to tendering, contracting and has also examined the working of the Directorate General of Supplies and Disposal; and

(b) if so, the outcome of this study?

The Minister of Supply and Technical Development in the Ministry of Industry and Supply (Shri Raghu-ramalaih): (a) and (b). The Study Team has not yet submitted its report.

Low-grade Coal

205. { Shri Vidya Charan Shukla:
Shri Shree Narayan Das:

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

(a) whether it is a fact that the National Coal Development Corporation has launched a vigorous drive for the sale of its low-grade coal; and

(b) the up-to-date and expected result of their drive?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) and (b). Like other producers of coal, National Coal Development Corporation is making efforts to find a market for its coal. The results of these efforts will be assessed towards the end of the financial year.

Army Boots

206. { Shri S. M. Banerjee:
Shri Daji:

Will the Minister of Industry and Supply be pleased to state:

(a) whether a decision has been taken to place with some of private firms and an order for the manufacture and supply of army boots for the next year;

(b) if so, total order placed with M/s. Cooper Allen and Company, Kanpur and others;

(c) whether the capacity of Cooper Allen is 12 lakh pairs; and

(d) if so, whether their requirement has been met in full?

The Minister of Supply and Technical Development in the Ministry of Industry and Supply (Shri Raghu-ramaiah): (a) No.

(b) Does not arise.

(c) Their capacity now is approximately 70,000 pairs per month.

(d) Does not arise.

Gypsum Deposits in Garo Hills

207. Shri N. R. Laskar: Will the Minister of Steel and Mines be pleased to state:

(a) whether the quantum and quality of the extensive deposits of gypsum in Garo Hills in Assam has since been assessed; and

(b) if so, whether any steps have been taken to extract the same and utilise them in some industries?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) and (b). The investigation of the gypsum deposits in the Garo Hills in Assam is being conducted by the State Directorate of Geology and Mining. The investigation is still in a preliminary stage and, as such, the question of extraction of the gypsum and its utilisation does not arise at present.

Industrial Estates for Assam

208. Shri N. R. Laskar: Will the Minister of Industry and Supply be pleased to state:

(a) the Third Five Year Plan allocation for industrial estates for Assam State and the number of estates sanctioned; and

(b) the number of estates now working and how many yet remain unallotted?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) Third Plan Allocation—Rs. 59.00 lakhs.

Number of State Schemes Two
for Industrial Estates
approved technically by
Central Government

1. Tinsukia
(Lakhimpur Distt.)
2. Sibsagar
(Sibsagar Distt.)

(b) Latest information is being collected from the State Governments and will be laid on the Table of the House as soon as it is available. state:

363 डाउन आगरा पैसेंजर गाड़ी

209. श्री नवल प्रभाकर : क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 363 डाउन आगरा-दिल्ली पैसेंजर गाड़ी में रोशनी का प्रबन्ध नहीं है;

(ख) यदि हां, तो इसका क्या कारण है;

(ग) क्या इस सम्बन्ध में कोई शिकायत मिली थी; और

(घ) यदि हां, तो उस पर क्या कार्रवाई की है ?

रेलवे मन्त्रालय में राज्य मन्त्री (श्री राम सुभग सिंह) : (क) जी नहीं।

(ख) सबाल नहीं उठता।

(ग) पिछले 6 महीनों में इस सेक्षण पर गाड़ियों में फीकी रोशनी होने की केवल एक आम शिकायत मिली है।

(घ) सभी सम्बन्धित कर्मचारियों को आवश्यक हिंदायत दे दी गयी है और इन गाड़ियों के रोशनी-उपस्करणों को ठीक हालत में रखने की पूरी कोशिश की जा रही है। कभी-कभी चोरियों के कारण बिजली उपस्करणों के अनुरक्षण में बाधा पड़ती है, लेकिन जब ऐसे मामलों का पता चलता है तो छाराबी द्वार करने के लिए यथाशीघ्र कार्रवाई की जाती है। चोरियों की रोकथाम के लिए यथासम्बन्धित निवारक उपाय भी किये जाते हैं।

New Trains

210. Shri Daljit Singh: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 1244 on the 25th September, 1964 regarding the new trains introduced from October, 1964 and State:

(a) whether the Himachal Pradesh and backward hilly area people of Punjab have made representations to start a direct train from Nangal Dam to Delhi and vice versa on an experimental basis to reduce the rush; and

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

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

(b) The quantum of through traffic offering between Delhi and Nangal Dam is not sufficient to justify a direct train between these points. Due to the strained line capacity on the Delhi-Ambala section, it is also not possible to accommodate an additional train on the section. The through traffic offering between Delhi and Nangal Dam is adequately catered to by two through service coaches—one bi-composite I and II class and one third class—running between these two points by 1 Up/2 Dn. Mails and 53 Up/54 Dn. Nangal Dam Expresses.

Foreign aid for Coal Production

211. *Shri Daljit Singh:*

Shri Vishwa Nath Pandey:

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

(a) whether some foreign countries have offered both technical and financial assistance to step up coal production in the country;

(b) if so, the names of the countries and the broad outlines of the assistance offered; and

(c) the expected increase in the coal production with such assistance?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) Yes, Sir.

(b) Technical collaboration and foreign exchange credit have been offered by Poland, the USA and USSR. France is helping in developing an experimental mine by using long wall method with "caving". Similar offers are expected from the U.K.

(c) It is estimated that coal production may be increased by 18 to 20 million tonnes as a result of such assistance.

Expansion of Railway Stations

212. **Shri Daljit Singh:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the expansion of Kiratpur Sahib and Nangal Dam stations was approved and sanctioned by the Railway Board in 1962, but is still pending; and

(b) if so, the reasons therefor and the time by which the expansion work will be started?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). No works of expansion of facilities were sanctioned at Kiratpur Sahib and Nangal Dam stations in 1962. However, the below listed 5 works of providing additional amenities at Nangal Dam station have been proposed during 1964-65 and these will be carried out in the near future—

- (i) Providing shed over passenger platform;
- (ii) Improving goods and parcel facilities;
- (iii) Providing flush system latrines in I & II class waiting room;
- (iv) Provision of ground hydrants for washing rakes; and
- (v) Providing sanitized latrines, urinals and bathing facilities for passengers.

Incident at A-konam Railway Transhipment yard

213. *Shri P. R. Chakraverti:*

Shrimati Savitri Nigam:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a person was killed on the 6th October,

1964 when a Railway 'Rakshak' fired on a group of persons in Arkonam railway transhipment yard who were alleged to have attempted breaking food-grains wagons;

(b) whether any enquiry has been made to find out the cause of this incident;

(c) if so, with what findings; and

(d) the number of casualties?

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

(b) Yes, by the civil authorities.

(c) The findings of the case are still awaited.

(d) One died due to gun shot and the Rakshak sustained simple injuries.

Precision Instruments Plant in Kerala

214. { Shri A. V. Raghavan:
Shri Pottekkatt:
Shri Kappen:

Will the Minister of Industry and Supply be pleased to state:

(a) the progress made in establishing a Precision Instruments Plant in Kerala for the manufacture of mechanical, hydraulic and pneumatic instruments with Soviet financial and technical assistance;

(b) the estimated cost of this project; and

(c) when the plant will go into production?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) Pudusseri in Palghat Area has been selected as the site for the Precision Instruments Plant in Kerala. The State Government have agreed to make available 600 acres of land for the purpose free of all costs and charges. A company by the name of Instrumentation Limited has been registered in Kota, Rajasthan, for the implementation of the two projects at Kota and Kerala. The contract for the preparation of the detailed project report and working drawings for the establishment of

the mechanical instrument plant in Palghat with M/s Prommashexport Moscow has been signed on the 10th January, 1964. The detailed project report is expected to be received early in 1965.

(b) The precise estimate of the cost will be known after the detailed project report is received.

(c) During 1967.

Steel Sheets

215. Shri K. N. Tiwary: Will the Minister of Steel and Mines be pleased to state:

(a) the quantity of 18 and 24 gauge steel sheets produced in India; and

(b) the particulars of the industries which require the above raw material and their consumption annually?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) The production of 18 and 24 gauge steel sheets during 1963-64 is given below:

	Tonnes	18G	24G
Black Plain sheets .	72,018	23,235	
Galvanised Plain sheets .	1,642	21,868	
Galvanised Corrugated sheets .	5,417	107,974	
TOTAL .	79,077	153,077	

(b) A list indicating the industries which generally use steel sheets of 18 and 24 G is laid on the Table of the House. [Placed in Library. See No. LT-3391/64]. As these industries can and do use sheets of other gauges in addition|substitution, the details of the annual consumption of these gauge sheets alone are not readily available.

Ticketless Travel

216. { Shri P. R. Chakraverti:
Shri P. C. Boroosh:
Shri Naval Prabhakar:
Shri Badshah Gupta:

Will the Minister of Railways be pleased to state:

(a) the estimated loss to the Railways on account of ticketless travel-

ling during 1962-63, 1963-64 and the first half of the current year (1964-65);

(b) the number of passengers found travelling without tickets during each of these periods;

(c) the number amongst them who were fined and prosecuted; and

(d) the further steps being taken to tackle this problem?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) It is not possible to estimate the loss incurred by Railways due to ticketless travel from year to year. However, a special organisation was set up in 1957 and again in 1959 to make an assessment of the extent of ticketless travel prevalent by making a series of surprise checks. The total loss on account of ticketless travel on all Indian Railways was estimated at about five crores per year; 515 lakhs the first time and 502 lakhs the second time.

(b) and

(c)

	Number detected travelling without ticket.	Number fined	Number prosecuted
1962-63	8,063,743	92,942	2,21,446
1963-64	9,006,051	98,555	2,46,549
1964-65 (upto 30-9-1964)	5,132,155	47,079	1,22,661

(d) Apart from the normal arrangements for ticket checking, some special measures are being adopted for checking ticketless travel. They include securing of assistance from volunteers of social voluntary organisations of repute, like the Bharat Sewak Samaj etc., incognito checks by officers; frequent Magisterial checks at stations and on running trains and surprise cross country checks by Flying Squads of ticket checking staff.

New York World Fair

217. { **Shri Ram Harkh Yadav:**
Shri Murli Manohar:
Shri P. C. Borooh:
Shri P. G. Sen:
Shri Ram Sewak:

Will the Minister of Commerce be pleased to state:

(a) whether the Indian Pavilion at the New York World Fair has secured orders during October-November for the export of certain items of Indian goods exhibited therein to America, if so, to what extent and for what items; and

(b) whether the Pavilion authorities have made some special efforts to popularise more Indian goods abroad, if so, what?

The Minister of Commerce (Shri Manubhai Shah): (a) The first session of the New York World's Fair, 1964-65 which was opened on the 22nd April, 1964 closed officially on the 18th October, 1964, after running for six months. The information sought for would, therefore, relate only to the period of 18 days from the 1st October, to the 18th October, 1964.

Participating firms do not always disclose their business deals to the Government for obvious business reasons. No orders are directly booked by the Government. However, on the basis of whatever information is available with the Government, during the period October-November, the value of the orders/sales booked for items, such as, Tussar Silk, Matka Silk, Cotton Cut Works, Jewellery, Handicrafts and Handlooms, Coir, Soap etc. is Rs. 17,35,070. The value of the orders which were during the same period under negotiation and proposed to be finalised shortly for items like Bleeding Madras Patch Work, Cotton and Silk Khadi is Rs. 28,15,000.

Trade enquiries which are received by the Government are communicated to the suppliers in India. If all enquiries are handled, orders for a con-

siderable value of goods, almost upto Rs. 20 crores should come about.

(b) Yes, Sir. A detailed statement is laid on the Table of the House. [Placed in Library. See No. LT-3392/64].

Rail Line between Poona and Miraj

218. Shri H. V. Konjalgji: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the railway line between Poona and Miraj is proposed to be converted into broad gauge; and

(b) if so, when the work is to be started?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) Yes.

(b) The conversion work has already commenced.

D.G. S. & D., Calcutta

219. Shri S. M. Banerjee: Will the Minister of Industry and Supply be pleased to state:

(a) whether a final decision has since been taken to confirm clerical staff working under the Directorate General, Supplies and Disposals, Calcutta; and

(b) the number of U.D.Cs. and L.D.Cs. who have been confirmed between 1st August, 1964 to 31st October, 1964?

The Minister of Supply and Technical Development in the Ministry of Industry and Supply (Shri Raghu-malaih): (a) No.

(b) No Upper Division Clerk/Lower Division Clerk in the Directorate of Supplies and Disposals, Calcutta was confirmed during this period.

Mughalsarai-Kanpur Electric Track

220. { Shri R. Barua:
Shri M. L. Dwivedi:
Shrimati Savitri Nigam:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri Prakash Vir Shastri:
Shri R. S. Pandey:
Shri M. Rampure:
Shri D. D. Mantri:
Shri Y. S. Chaudhary:
Shri Ram Sekhak:
Shri P. G. Sen:
Shri Ram Harkh Yadav:

Will the Minister of Railways be pleased to state:

(a) the progress made in the electrification of the track between Mughalsarai and Kanpur on the Northern Railway and extending it upto Delhi;

(b) the expenditure involved in this conversion; and

(c) the considerations or principles kept in view while introducing electric traction?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) The progress of electrification work between Mughalsarai and Kanpur is indicated in the statement laid on the Table of the House. [Placed in Library. See No. LT-3393/64]. The proposal for extension of electrification up to Delhi in the IV Plan is at present under examination.

(b) The estimated cost of the electrification of Mughalsarai-Kanpur is Rs. 20.09 crores.

(c) Electric traction is planned over heavily congested routes with a high density of traffic where steam traction cannot meet the traffic needs.

Flag Station on Eastern Railway

221. Shri Bhagwat Jha Azad: Will the Minister of Railways be pleased to state:

(a) whether Government have postponed the decision of converting the

Ekchari halt on Eastern Railway into a flag station; and

(b) if not, how long it will take the Railway Administration to take up the works?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a). No.

(b) The construction work is held up on account of land required for this purpose not having been made over to the Railway by the Bihar State Government. The matter is being pursued with the State Government. It is not possible at present to indicate when the work is likely to be taken up.

Amenities in Railway Carriages

222. Shri Brij Raj Singh-Kotah: Will the Minister of Railways be pleased to state:

(a) Whether Government propose to provide more and better amenities in the railway carriages on the trains that are going to be introduced; and

(b) if so, the details thereof?

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

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-3394/64].

Trade Talks with Australia

223. √ Shri D. D. Puri:
 └ Shri P. C. Borooah:

Will the Minister of Commerce be pleased to state:

(a) whether a formal agreement based on the talks between Indian and Australian Commerce experts and officials has been or is likely to be concluded between the two Governments; and

(b) in what manner India is likely to benefit as a result of these talks?

The Minister of Commerce (Shri Manubhai Shah): (a) No formal agreement has so far been concluded between India and Australia. Further talks will be taking place early next year on expansion of trade and economic cooperation between the two countries. It is still too early to say whether a formal trade agreement would be concluded.

(b) The talks have provided a useful forum for ascertaining the scope for our traditional as well as non-traditional exports to Australia and for industrial collaboration. It is expected that they will contribute towards increasing trade and economic cooperation between the two countries.

गुलडहर स्टेशन पर ट्रक और रेल की टक्कर

224. श्री हुकम चन्द कछवाय : क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 18 अक्टूबर, 1964 को उत्तर रेलवे के गुलडहर स्टेशन पर फिटियर मेल की एक ट्रक से टक्कर हो जाने के परिणामस्वरूप ट्रक नष्ट हो गया;

(ख) यदि हां, तो टक्कर होने के क्या कारण थे ; और

(ग) दुर्घटना के लिये जिम्मेदार कर्मचारियों के खिलाफ क्या कायवाही की गई है ?

रेलवे मंत्रालय में उपमंत्री (श्री शाम नाथ) : (क) यह दुर्घटना गाजियाबाद और गुलडहर स्टेशनों के बीच 14-10-1964 को हुई, न कि 18-10-1964 को। ट्रक बुरी तरह टूट-फूट गया।

(ख) ट्रक खतरनाक हालत में नियमित समपार से भिन्न एक दूसरी जगह रेलवे लाइन पर छोड़ दिया गया था।

(ग) कोई रेल कर्मचारी इसके लिए चिन्मेदार नहीं पाया गया है। पुलिस ने ट्रक के ड्राइवर के विरुद्ध मामला दर्ज कर लिया है।

Enquiry-cum-Reservation Clerks

225. Maharakumar Vijaya Ananda: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 1245 on the 25th September, 1964 and state:

(a) the extent to which the Railway Board's orders in regard to upgrading of Enquiry-cum-Reservation Clerks have been implemented;

(b) if not implemented, the reasons therefor; and

(c) the time by which these orders are proposed to be fully implemented?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). Steps have been taken to reorganise the cadre of Enquiry-cum-Reservation Clerks on all the Railways. Suitability tests and selections are being conducted and as soon as these are completed the qualified personnel would be brought into position.

(c) By the end of the current financial year.

Airconditioned chair coaches

226. Shri Jena: Will the Minister of Railways be pleased to state:

(a) the number of air-conditioned chair coaches ordinarily provided in the biweekly De-luxe trains;

(b) whether it is a fact that sometimes the number of such coaches is reduced without previous notice; and

(c) if so, the steps usually taken to help those passengers who had reserved accommodation in those coaches?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh):

(a) Three except during winter months when two third class air-conditioned chair cars are put on New Delhi-Howrah/Madras Central bi-weekly Airconditioned Expresses. In summer months, if and when traffic offering warrants, four airconditioned chair cars are put on the Bombay Central-New Delhi/Amritsar Airconditioned Expresses.

(b) and (c). Whenever one of the airconditioned chair cars running on the regular services is damaged, it is replaced by a spare chair car, if available. But it is not always feasible to do so due to limited availability of spare airconditioned chair cars and in such cases an ordinary third class coach is provided as alternative accommodation and the difference in fare refunded to passengers who had reserved accommodation in the damaged airconditioned chair car.

Railway Lines

227. ∫ Shri Sivamurthi Swamy:
 └ Shri Oza:

Will the Minister of Railways be pleased to state:

(a) the number of miles of broad gauge and metre gauge railway lines constructed during the Third Plan period up till now (Zone-wise);

(b) how many miles have been constructed so far in Mysore and Gujarat States; and

(c) how many miles are proposed to be constructed during the remaining period of the Third Five Year Plan (Zone-wise)?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):

(a) and (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-3395/64].

(b) Information is not maintained State-wise, but Railway-wise. However, it may be stated that in Mysore

about 254 K.M. of metre gauge and in Gujarat about 230.84 K.M. of broad gauge and 64.40 K.M. of metre gauge railway lines have been approved for construction during the Third Plan and nothing has been opened to traffic so far.

Carbonisation Plant with Singraoli Coal

228. { Shri Vidya Charan Shukla:
Shri Ulikey:
Shri Hukam Chand
Kachhavalya:
Shri Bade:
Shri Chandak:
Shri Bakliwal:
Shri Wadiwa:
Shri Surya Prasad:
Shri R. S. Tiwary:
Shri J. P. Jyotishi:

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

(a) whether the Central Government are re-considering the establishment of a low temperature carbonisation plant based on Singraoli coal; and

(b) if so, whether the allocation of the plant in the Singraoli areas of Madhya Pradesh, in the light of the decision of Government, is being considered regarding integrated development of resources in Siddhi district which covers the Singraoli area in Madhya Pradesh?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) and (b). The possibility of setting up a low temperature carbonisation plant based on Singrauli coal is under examination. Bulk samples of coal have been sent to the Central Fuel Research Institute for laboratory tests. It is too early to state what the final outcome in regard to this project would be.

Pulp Manufacturing Plant

229. { Shri Ulikey:
Shri Vidya Charan Shukla:
Shri Chandak:
Shri Bakliwal:

Shri Hukam Chand
Kachhavalya:
Shri Wadiwa:
Shri Surya Prasad:
Shri J. P. Jyotishi:
Shri P. S. Tiwary:

Will the Minister of Industry and Supply be pleased to state:

(a) whether the Government are considering a proposal to set up a pulp manufacturing plant in the Fourth Five Year Plan period in the public sector; and

(b) if so, whether they will consider the allocation of such plant to Baster district in Madhya Pradesh where there are areas of forest endowed with rich bamboo resources?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) and (b). All relevant data on the subject is being collected and, on its collation, a decision will be taken.

Pilferage on Railways

230. **Shrimati Ramdulari Sinha:** Will the Minister of Railways be pleased to state:

(a) the approximate amount of the total loss of electrical and mechanical fittings on account of damage and pilferage per month on all the Railways in 1963-64; and

(b) the steps taken to prevent such damage and loss and the success achieved thereby?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) The approximate loss of Electrical and Mechanical fittings on all the Railways works out to Rs. 2,71,127 on an average per month.

(b) A statement showing the necessary preventive measures taken by the Railway Administrations in this connection is laid on the Table of the House. [Placed in Library. See No.

LT-3396[64]. As a result of these measures, the average amount of recoveries on all the Railways is approximately Rs. 53,138 per month, while it was only Rs. 19,226 per month in 1962-63. 954 arrests on all the Railways were also made in 1963-64.

Transfer in N. Railway Accounts Department

231. { Shri Gulshan:
Shri Onkar Lal Berwa:
Shri Omkar Singh:

Will the Minister of Railways be pleased to state:

(a) the total number of occasions when orders for transfers out of Delhi of Assistant Accounts Officers, Accountants, Sub-heads, Clerks Grade I in the Northern Railway Accounts Department were issued from 1st January, 1964 to 15th October, 1964 but were pended, or cancelled by the issuing authority; and

(b) the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) 54, out of which 18 were pended or cancelled.

(b) On administrative, compassionate, medical and personal grounds.

Theft Cases

232. { Shri Onkar Lal Berwa:
Shri Omkar Singh:
Shri Gulshan:

Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 865 on the 18th September, 1964 and state:

(a) the action being taken against the 26 railway employees involved in theft cases; and

(b) the names and designations of these employees?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) —1 Convicted by court;

2 Acquitted by court;

23 Pending departmental action.

(b) In the interest of morale of the staff and in the interest of the departmental action pending, it is not desirable to give the names and designations of the persons involved.

Seizure of Ganja from Delhi Station

233. { Shri Onkar Lal Berwa:
Shri Omkar Singh:
Shri Gulshan:

Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 1722 on the 3rd October, 1964 regarding the seizure of ganja from the Parcel Office at Delhi Main Station and state the action taken against the Railway Staff involved in the case?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): The case against the Parcel Clerk of Delhi Main Station has been challaned in the Court at Delhi and is pending trial.

Clerks of the Personnel Branch of D.S's Office, New Delhi

234. { Shri Onkar Lal Berwa:
Shri Omkar Singh:
Shri Gulshan:

Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 885 on the 18th September, 1964 and state:

(a) the number of Clerks of the Personnel Branch of the Divisional Superintendent's Office, Northern Railway, New Delhi involved in the eleven cases under investigation relating to the possession of disproportionate assets;

(b) whether these clerks are working on the seats dealing with personnel matters of staff for more than 3 years; and

(c) if so, the steps taken or proposed to be taken to check such cases?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Only one clerk of the

Personnel Branch of the Office of the Divisional Superintendent, Northern Railway, New Delhi is involved.

(b) No. The said clerk has been working on his present seat with effect from 25-7-63.

(c) Cases of disproportionate assets are investigated whenever information is received about them. In cases where there are grounds to suspect that a clerk is indulging in malpractices, he is shifted to another seat. In proved cases deterrent punishments are awarded.

Track between Sompeta and Palasa

235. Shri Eswara Reddy: Will the Minister of Railways be pleased to state:

(a) when the doubling of the track between Sompeta and Palasa on the Waltair|Howrah section of the South Eastern Railways will be completed;

(b) the main reasons for the delay; and

(c) when this track is likely to be opened for goods traffic?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):

(a) June 1966.

(b) There is no delay in the execution of the work.

(c) The section between Sompeta and Palasa is expected to be opened to goods traffic in stage by June 1966.

Second Bridge across Krishna

236. Shri Eswara Reddy: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 777 on the 3rd March, 1964 and state:

(a) the reasons for the delay in the completion of the second bridge across the river Krishna;

(b) whether the high tensile steel required for the bridge has since been received from the U.K.; and

(c) when the bridge is likely to be completed and opened for goods traffic?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):

(a) There has been a delay of about 9 months in the receipt of high tensile steel from when it was originally anticipated. There has also been difficulty in getting mild steel in matching lots from indigenous producers due to higher priority given to other projects required for Defence Department, Alloy Steel Project etc.

(b) Yes.

(c) By middle of 1965.

Siding at Thermal Plant at Kothagudium

237. Shri Eswara Reddy: Will the Minister of Railways be pleased to state:

(a) at what stage is the construction of siding from Bhadrachellam Road to the proposed 120 M.W. thermal plant at Kothagudium;

(b) the amount spent so far on the siding; and

(c) when the same is likely to be completed?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):

(a) The siding from Bhadrachellam Road to the Thermal Plant at Kothagudium estimated to cost Rs. 87 lakhs is being constructed entirely at the cost of State Electricity Board, who have undertaken to execute the construction of sub-grade work for the siding viz., earth work, bridge work etc. The permanent-way material, bridge girders, R.C. slabs etc will be provided by the Railway. The sub-grade work has been started by the State Electricity Board and the progress is about 55 per cent. The Railway have already started collection of materials at site and the physical progress is about 40 per cent. Linking of track has also been started.

(b) The expenditure incurred by the State Electricity Board is not known. The expenditure incurred by the Railway so far is estimated at Rs. 20 lakhs approximately.

(c) The Railway will be able to complete the work by the target date of June 1965, fixed by the State Electricity Board provided they complete their portion of the work by January/February, 1965.

Heavy Electricals Project at Ramachandrapuram

238. Shri Eswara Reddy: Will the Minister of Industry and Supply be pleased to state:

(a) whether the Heavy Electricals Project at Ramachandrapuram near Hyderabad is also undertaking the manufacture of steam turbo-sets of 100 MW size;

(b) the progress made up-to-date; and

(c) when the plant will be commissioned?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) Yes, Sir.

(b) Civil construction work relating to the factory blocks, ancillary buildings and township is progressing. Machinery from Czech sources have started arriving.

(c) The plant is expected to commence production during the last quarter of 1965-66.

Tunnels on Kalka-Simla Railway Line

239. Shri H. C. Soy: Will the Minister of Railways be pleased to state:

(a) how often safe-worthiness or otherwise of the tunnels in Kalka-Simla Railway line are got inspected by the Railway Administration; and

(b) whether there is any proposal under consideration to have a few more halting stations on the line, having refreshment facilities; if not, the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) The tunnels on Kalka-Simla Railway line are inspected thoroughly once a year by the Assistant Engineer.

(b) No, Sir. In addition to the catering and vending facilities provided at Kalka and Barog Stations on this line, vending facilities also exist at Jabli, Dharampur (Punjab), Kandaghat, Taradevi and Simla Stations to cater to the needs of the travelling public. Moreover, the seasonal traffic on this line does not justify any more vending contractors.

लघु उद्योगों के लिए कच्चा माल

श्री उडके :

श्री ज्वां प्र० ज्योतेश्वी :

240. श्री राधेलाल व्यास :

श्री बाढीवा :

श्री सूर्य प्रसाद :

क्या उद्योग तथा सम्भरण मंत्री ग्राम्य क्षेत्रों में लघु उद्योगों के उत्पादन एककों के लिये कच्चे माल के आयात के वास्ते चालू वर्ष में 50 लाख खपये के अलग अध्यंश के स्वीकृत किये जाने के बारे में 3 अक्टूबर, 1964 के ताराकित प्रश्न संख्या 548 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि क्या इस अध्यंश में अलौह धातुओं के आयात की भी व्यवस्था है?

उद्योग तथा सम्भरण मन्त्रालय में उप-मन्त्री (श्री विभुवेन्द्र मिश्र) : जी, नहीं। ग्रामीण क्षेत्रों के लिए तांबा और जस्ता अलग से सुरक्षित किया गया है जो क्रमशः 8 लाख रु० और 2.4 लाख रु० के मूल्य का है।

Production of Paper and Paper Board

241. Shri P. C. Borooh: Will the Minister of Industry and Supply be pleased to state:

(a) the production of paper and paper board during the first three years of the Third Plan period and the estimated production to be reached this year and how far it fell short of the production envisaged under the plan;

(b) what is the likely short-fall in the achievement of the Third Plan target for paper production by the end of the plan period according to the latest assessment; and

(c) what steps are being taken to minimise this short-fall?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) The production of paper and paper board during the first three years of the Third Five Year Plan are given below:

1961-62	367,560
1962-63	387,600
1963-64	480,550

The production during 1964-65 is estimated at about 520,000 tonnes, which falls short by 180,000 tonnes of the target of 700,000 tonnes at the end of the Third Plan.

(b) About 70,000 tonnes.

(c) A number of proposals for speeding up of machinery and provision of balancing equipment in existing paper mills have been approved and necessary licences have been granted. After these schemes are fully implemented, they would provide an additional production of 120,000 tonnes per year by the end of the Third Plan which will more than meet the anticipated demand at that time.

Steel Production

242. { Shri Umanath:
Shri P. Kunhan:
Shri Y. S. Chaudhary:

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

(a) whether it is a fact that there will be short-fall in steel production in the estimated Third Plan target;

(b) if so, the extent of anticipated fall and the reasons therefor; and

(c) the action proposed by Government to make good the shortfall?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) to (c). As against the total production target of 24.1 million tonnes of finished steel during the Third Plan period, the present estimate of production is about 21.3 million tonnes. There would thus be a shortfall of 2.8 million tonnes. The shortfall is mainly due to the delay in setting up the Bokaro Steel Plant and in the expansion—particularly of Durgapur and Rourkela Steel Plants. Steps have been taken to expedite the expansion programmes as well as for setting up of the Bokaro Steel Plant.

State Health Clinic, Kharagpur

243. { Shri Nambiar:
Dr. Saradish Roy:

Will the Minister of Railways be pleased to state:

(a) whether a representation was made to the Railway Ministry to advise the South Eastern Railway authorities to provide water connection to the State Health Clinic at Kharagpur constructed on the Railway land;

(b) if so, what steps have been taken in the matter; and

(c) whether it is a fact that the local railway authorities had earlier refused such facilities to the State Health Clinic?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes, a representation was received through the Chief Minister, West Bengal in October, 1964.

(b) The representation has been forwarded to the Zonal Railway for comments about feasibility.

(c) It is a fact that the local Railway authorities at Kharagpur had refused such facilities to the State Clinic in 1962 due to acute shortage of water in the Kharagpur Railway Settlement at that time. Since then no representation had been received by the Zonal Railway except the one mentioned in (a) above.

Railway concession to students

244. { Shri Ram Sewak:
Shri Ram Sewak:
Shri P. G. Sen:

Will the Minister of Railways be pleased to state:

(a) whether Government have restored the rail concessions to students desiring to undertake educational and round tours, if so, since when;

(b) the circumstances under which this concession was earlier withdrawn; and

(c) the estimated annual loss to the Railways by restoring this concession?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes; the rail concession to students for their educational tours was restored with effect from 5th June, 1964 and the concession of round tour tickets from 24th September, 1964.

(b) This concession, along with a large number of other concessions, was withdrawn with effect from 1st January, 1963, in view of the acute stage of the National Emergency at that time.

(c) No such statistics are maintained by the Railways and it is not possible to make an estimate. It may, however, be stated that the sum would not be considerable as the concession itself often makes possible such tours.

पश्चा में हीरे की खान

245. श्री राम सूरी : क्या इस्पात और खान मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पश्चा की रामखेरिया हीरा खदान को गत वर्ष से गैर-सरकारी क्षेत्र से सरकार ने अपने हाथ में ले लिया है ;

(ख) यदि हाँ, तो जब से सरकार द्वारा खुदाई का कार्य किया गया है तब से कितने मूल्य के हीरे अभी तक प्राप्त हुए हैं ;

(ग) खुदाई कार्य में अभी तक कितना व्यय सरकार का हुआ है ;

(घ) गत चार वर्ष में गैर सरकारी क्षेत्र के खान मालिकों ने कितने हीरे निकाले थे और उनका मूल्य क्या था ; और

(ङ) यदि कोई कमी हुई है तो उसके क्या कारण हैं ?

इस्पात और खान मन्त्री (श्री संजोव रेड्डी) : (क) सरकारी क्षेत्र की कम्पनी, राष्ट्रीय खनिज विकास निगम, ने रामखेरिया हीरा खानों को 17 मार्च, 1960 को अपने हाथों में लिया था ।

(ख) पूर्वेक्षण कायवाही में 6.38 लाख रुपये के मूल्य के 4870 हीरे जिनका वज़न 1066.40 कैरट है, प्राप्त किये जा चुके हैं ।

(ग) पूर्वेक्षण व अन्य संलग्न कार्यों में 26.59 लाख रुपये का व्यय किया जा चुका है ।

(ब) भाग (क) के उत्तर को दृष्टि में यह प्रश्न नहीं उठता।

(ड) राष्ट्रीय खनिज विकास निगम ने अभी तक रामबेतिया में खनन कार्यों को प्रारम्भ नहीं किया। केवल पूर्वोक्त कार्य ही चल रहे हैं और इनके दोरान में 4870 हीरे प्राप्त किये जा चुके हैं। अतः (उत्पादन में) कमी का प्रश्न नहीं उठता।

Export of Shoes from Agra

246. Shri S. N. Chaturvedi: Will the Minister of Commerce be pleased to state:

(a) whether there has been a precipitous fall in the export of shoes, marble and jari goods manufactured in Agra, U.P.;

(b) if so, the reasons therefor; and

(c) the steps taken to resuscitate their export market?

The Minister of Commerce (Shri Manubhai Shah): (a) Statistics of exports are not maintained townwise.

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

भट्टिडा रेलवे स्टेशन पर बैंगन में आग लगना

247. श्री गुलशन: क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सितम्बर, 1964 को भट्टिडा रेलवे स्टेशन पर दियासलाई से भरे हुए माल डिब्बे को आग लग गई थीं और यदि हाँ, तो आग लगने का क्या कारण था;

(ख) क्या उस पर कोई मुआवजा दिया गया है; और

(ग) यदि हाँ, तो कितना?

रेलवे मन्त्रालय में राज्य मन्त्री (डा० राम सुभग सिंह) : (क) जी हाँ। संयुक्त जांच समिति ने यह मत प्रकट किया है कि सम्भवतः जोर से धब्बा देकर शॉटिंग करने के कारण माल-डिब्बे में आग लगी।

(ख) दावों का निवारा अभी तक नहीं किया गया है, क्योंकि जांच अभी जारी है।

(ग) सवाल नहीं उठता।

गंत-सरकारी भेत्र के इस्पात कारबाने

248. श्री सिद्धेश्वर प्रसाद: क्या इस्पात और खान मन्त्री यह बताने की कृपा करेंगे कि :

(क) उन व्यक्तियों/कम्पनियों के नाम क्या हैं जिन्हें तीसरी योजना काल में लोहा/इस्पात के कारबाने स्थापित करने के लिए लाइसेंस दिये गये थे;

(ख) उनके नाम क्या हैं जिन्होंने अब तक कारबाने स्थापित कर लिये हैं; और

(ग) अन्य व्यक्तियों ने किन कारणों से कारबाने स्थापित नहीं किये?

इस्पात और खान मन्त्री (श्री संजीव रेड्डी) : (क) और (ख) तृतीय योजना प्रवधि में लोहे/इस्पात के उत्पादन के लिए उद्योग (विकास और विनियमन) प्रधि-

नियम के अधीन निम्नलिखित उपक्रमों को लाइसेंस दिये गये हैं :—

उपक्रम जो उत्पादन कर रहे हैं

उपक्रम जिन्होंने अभी उत्पादन आरम्भ करना है

कच्चे लोहे/छिद्रिष्ट लोहे के कारखाने

मिश्रित और विशेष इस्पात के कारखाने

1. एकमी पिंग आयरन एंड सेट्रीफ्युगल पाइप वर्क्स लि० बम्बई ।
2. बी० रामाकृष्णा एंड सन्स प्रा० लि०, मद्रास
3. टैक्समैको, कलकत्ता ।
4. गेस्ट, कीन, विलियम्स लि० कलकत्ता ।
5. फर्म स्टर्टलिंग स्टील कम्पनी आफ इंडिया लि० बम्बई ।
6. मद्रास एलाए एंड स्टेनलेस स्टील्स लि० मद्रास ।
7. गंगाधर वैजनाथ, कानपुर ।
8. महेन्द्रा यूजीन स्टील कं० बम्बई ।
9. आल स्टील इण्डस्ट्रीज कारपोरेशन मद्रास ।
10. बी० एच० शाह, अहमदाबाद ।
11. केंटी रोलिंग मिल्स प्रा० लि० बम्बई ।
12. मैन इंडस्ट्रीयल कारपोरेशन लि० जयपुर ।
13. पंजाब स्टील रोलिंग मिल्स लि० बड़ीदा ।
14. एस० पी० आयरन एंड स्टील कम्पनी, कानपुर ।
15. चेज ब्राइट स्टील कम्पनी ।
16. खेमचन्द राजकुमार, कलकत्ता ।

कच्चे लोहे और छिद्रिष्ट लोहे के कारखाने

1. कमानी इंडस्ट्रीयल कारपोरेशन लि० बम्बई ।
2. कुण्डा इंडस्ट्रीयल कारपोरेशन लि० मद्रास ।
3. आनंद सीमेंट कम्पनी लि० मद्रास ।
4. वूमीदियर्स (मैनफैक्चरर्स) प्रा० लि० मद्रास ।

मूदु इस्पात पिण्डक/बिलेट्स के कारखाने

1. सिह इंजीनियरिंग वर्क्स लि० कानपुर ।
2. सन रोलिंग मिल्स लि० कलकत्ता ।

(ग) ऐसा मुद्यत: उपयुक्त विदेशी सहयोग प्राप्त करने तथा सन्यन्त्र और मशीनों का आयात करने के लिए विदेशी मुद्रा का प्रबन्ध करने में कठिनाइयों के कारणों से हुआ ।

Collision at Azamganj Station

249. *Shri Gokulananda Mohanty: Shri Rama Chandra Mallick:*

Will the Minister of Railways be pleased to state:

(a) whether the investigation in connection with the collision of two engines at Azamganj junction station on the Eastern Railway during October last has been completed; and

(b) if so, the result thereof?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):
(a) Yes.

(b) The Enquiry Committee have concluded that the accident was due to disregard of signals by the driver of passenger train No. 333 Up.

Printing of Price on Cloth

250. *Shri Gokulananda Mohanty: Shri Rama Chandra Mallick:*

Will the Minister of Commerce be pleased to state:

(a) the reason for the printing of prices on cloth in English; and

(b) whether there is any proposal under consideration for changeover to Hindi or the language of the producing State or that of the purchasing State?

The Deputy Minister in the Ministry of Commerce (Shri S. V. Rama-swamy): (a) Printing of prices on cloth is done in English in accordance with existing trade practice.

(b) No, Sir.

Expert Committee on Coal Sampling

251. **Shri Rameshwar Tantia:** Will the Minister of Steel and Mines be pleased to refer to the reply given to Unstarred Question No. 842 on the 18th September, 1964 and state:

(a) whether the basic formula determining the useful heat value of

coals and specifications of properties affecting heat value has been decided; and

(b) when the necessary organisation is going to be set up for implementation of the recommendations made by the Expert Committee on Sampling and Grading of coal in July, 1962?

The Minister of Steel and Mines (Shri Sanjiva Reddy): (a) and (b). Both the questions are still under consideration.

Assault on the E. and S.E. Railway Officials

252. **Shri Himatsingka:** Will the Minister of Railways be pleased to state:

(a) on how many occasions, from April to October, 1964 the following Officers of the Eastern Railway have been assaulted or man-handled while they were on duty: (i) Railway Guards, (ii) Ticket Collectors, (iii) Station Staff and (iv) Railway Protection Force men; and

(b) on how many occasions, from April to October, 1964, the following officers of the South-Eastern Railway have been assaulted or man-handled while they were on duty; (i) Railway Guards, (ii) Ticket Collectors, (iii) Station Staff and (iv) Railway Protection Force men?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b). The required information is given below:

	Eastern Railway	South-Eastern Railway
Railway Guards	3	1
Ticket Collectors	5	2
Station Staff	2	..
Railway Protection Force men	10	..

Industrial Projects in Jammu and Kashmir

253. { Shri P. R. Chakraverti:
Shri P. C. Borooh:
Shri Y. S. Chaudhary:

Will the Minister of **Industry and Supply** be pleased to state:

(a) whether Czechoslovakia has offered to collaborate in five industrial projects to be set up in Jammu and Kashmir;

(b) if so, the terms of collaboration offered; and

(c) the details of the projects?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

Newsprint Plants

254. **Shri Hem Raj:** Will the Minister of **Industry and Supply** be pleased to state:

(a) whether Government propose to set up any newsprint plants in the Public Sector; and

(b) if so, how many are to be set up in the remaining period of the Third Five Year Plan, in which State and at what places?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): (a) and (b). The matter is under consideration.

Newsprint Factory in the Himalayan Beas Basin

255. **Shri Hem Raj:** Will the Minister of **Industry and Supply** be pleased to refer to the reply given to Unstarred Question No. 1266 on the 25th September, 1964 and state the main conclusions arrived at between the Canadian Company and the Indian Company on the basis of the report of the foreign expert for the setting

up of a Newsprint Factory in the Himalayan Beas Basin?

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibudhendra Misra): It is reported that a representative of the Indian Company has proceeded to Canada to take part in the deliberations with the Canadian company for the finalization of the report submitted by the foreign expert and is still discussing the Report in Canada. Accordingly, no final conclusions have yet been reached in the matter.

Derailment of Goods Train

256. **Shri Mohammad Elias:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a double engined goods train was derailed on the 13th October, 1964 between Dhenkanal and Hindol stations of Cuttack-Talcher section of the S.E. Railway;

(b) if so, the total number of death and injury cases involved therein; and

(c) the reasons for this derailment?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) A goods train which was assisted by a banking engine derailed between Hindol Road and Garh Dhenkanal stations on 12th October, 1964 and not on 13th October, 1964.

(b) There was no loss of life. Three railway employees sustained minor injuries.

(c) The cause of the accident is under investigation.

Train between Manmad and Bombay

257. **Shri M. L. Jadhav:** Will the Minister of **Railways** be pleased to state:

(a) whether there has been a demand to run an Express or Shuttle train between Manmad and Bombay on the Central Railway; and

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

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

(b) Introduction of an additional train between Manmad and Bombay is not feasible at present for want of spare line capacity. The question of providing an Express train which will also serve Bombay-Manmad section will be duly considered when the electrification of Igatpuri-Bhusawal section is completed, which is expected by 1967.

—
12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED DESCRIPTION OF REV. MICHAEL SCOTT AT "FOREIGN OBSERVER" BY NAGA HOSTILES

Mr. Speaker: I have received notice of an adjournment motion and Calling Attention notices about the reported Naga hostiles describing the Rev. Michael Scott to the 'Foreign Observer' at the Peace talks and Mr. Scott's own statement that the cease fire in Nagaland is an 'International Cease fire Agreement'.

I have not given my consent to the adjournment motion, but the Calling Attention notice I have admitted.

Is the Minister prepared to answer it just now?

The Minister of External Affairs (Shri Swaran Singh): Sir, on one or two occasions it has happened earlier that the Rev. Michael Scott has said after a press statement....

Mr. Speaker: If he is prepared to reply, I will ask the Member to put it.

Shri Swaran Singh: No, Sir. I have received it just now. I only

wanted to say that we are getting the statement from the local Government there to find out....

Mr. Speaker: So he wants time.

Shri Swaran Singh: ...as to whether he has made any such statement. But I have no hesitation in contradicting straightway that we do not recognize him as a foreign observer. And there is no question of having an international cease fire agreement..

Mr. Speaker: Order, order. In that case he should allow the Member to read that notice and put it, and then the Minister might say anything he likes.

Shri Nambiar (Tiruchirappalli): He is partly answering.

Shri S. M. Banerjee (Kanpur): Sir, I call the attention of the Minister of External Affairs to the reported Naga hostiles describing the Rev. Michael Scott as the 'Foreign Observer' at the Peace talks and Mr. Scott's own statement that the cease fire in Nagaland is an 'International Cease fire Agreement' thereby drawing a distinction between the underground Nagas and the Indians as two different peoples, and activities of some Nagas to raise a liberation army.

May I submit, Sir, that the Prime Minister in Lucknow has already said that he does agree with the statement, and the hon. Minister says....

Shri Nambiar: Let him say.

Shri J. B. Kripalani (Amroha): Mr. Speaker, is this a question to be answered by the Foreign Minister? Because, this is our own territory. Either it is our territory or it is not our territory. (Interruptions):

Mr. Speaker: Order, order. The Prime Minister would have answered it. But he is not here. Therefore the Minister of External Affairs.... (Interruptions). Does not matter if

any of them answers. Let him make the answer and then we can see.

Shri Hem Barua (Gauhati): Sir, the point raised by Acharya Kripalani is absolutely right.

An Hon. Member: The Home Minister is there.

Shri Hem Barua: On a previous occasion when this matter was brought up before the House it was said that the Nagas have faith in our Prime Minister....

Shri Narendra Singh Mahida (Anand): Sir, on a point of order.

Mr. Speaker: When a Member is just on his legs how can a point of order arise?

Shri Hem Barua: This is a very important thing that Acharya Kripalani has raised. On a previous occasion—in fact not once but on many occasions—this was raised on the floor of this House, and then it was said that the Nagas have implicit faith in Mr. Nehru as a person, and that that is why this was under him and he was Foreign Minister also. Now that Mr. Nehru is not there and we have a different Foreign Minister it is not proper to have a part of our territory administered by the Foreign Affairs Ministry. It must go to the Home Ministry.

Mr. Speaker: I have followed that.

Shri Hem Barua: Because, it produces a different impression abroad.

Mr. Speaker: At this stage we cannot enter into detailed arguments. A point has been made. I have also appreciated it. Now I will put it and ask the Minister. There is no need to go on with a detailed discussion of it.

Shri Narendra Singh Mahida: I rise on a point of order. The point of order is that Nagaland is a part of India.

Mr. Speaker: That point has been made.

Shri Narendra Singh Mahida: I support him in that point.

Mr. Speaker: No regular discussion now.

श्री हेम चन्द्र कथवाय (देवास) :
अध्यक्ष महोदय, गृह-मंत्री बैठे हुए हैं। उनसे उत्तर दिलाया जाये ।

Shri Kapur Singh (Ludhiana): It will be recalled that during the last session, when the hon. Minister of External Affairs similarly rose to answer a question with regard to Nagaland, I had raised this point, and then....

Mr. Speaker: Yes, I do remember that the hon. Member had raised it. Now, Shri Narendra Singh Mahida wants to support that point. I have said that if not the whole House there is a large section at least of the House....

Shri Raghunath Singh (Varanasi): We are also with him. The whole House is with him. It is our internal affair. It is not a foreign affair. Therefore, let the Home Minister answer it.

Shri D. C. Sharma (Gurdaspur): We want that the Home Minister should answer it.

Shri Raghunath Singh: It is our internal affair, and, therefore, the Home Minister should answer.

Shri Kapur Singh: On that occasion, I had said that when the hon. Minister of External Affairs rose to answer questions on this matter, all types of suspicions arose in our minds; then, you Sir, were pleased to observe that on that particular occasion, the hon. Minister of External Affairs was making a reply because the proper Minister was not present in the House. Now, the hon. Minister of Home Affairs is present in the House. Therefore, it is in the fitness of things that he should answer this question.

Shri Bhagwat Jha Azad (Bhagalpur): The Home Minister should reply immediately.

Mr. Speaker: Hon. Members have expressed their feelings showing what the view of the whole House is. Let Government say what they want to, and then we shall proceed....

Shri Bhagwat Jha Azad: They should respect our feelings also. Let the Home Minister reply to this calling-attention notice.

Shri Raghunath Singh: This is a subject for the Home Minister, and not for the External Affairs Minister. Nagaland is not a foreign country. (*Interruptions*).

Mr. Speaker: Hon. Members must resume their seats when I am standing. I have appreciated the extent and the intensity of the feelings of hon. Members, and Government also must have realised that. Now, let us hear the hon. Minister.

श्री हुकम चन्द कक्षाय : हाउस की इच्छा है कि गृह मंत्री उत्तरदें।

Shri Raghunath Singh: They have not realised it; they are not realising it.

Shri Bhagwat Jha Azad: I want to raise one more point to which I would like to draw your attention. In the absence of the Prime Minister, not only would we like the Home Minister to reply but we would like to have the reply from the No. 2 in the Cabinet on this matter. If Government respect the feelings of the House, they should immediately come forward and ask the hon. Home Minister who is also the No. 2 in the Cabinet, in the absence of the Prime Minister, to make a statement on this matter. If the Minister of External Affairs answers this question, then it makes our position intolerable in the international field. We do not want to hear from the Minister of External Affairs but only from the Home Minister.

Shri Swaran Singh: I fully appreciate....

Shri Bhagwat Jha Azad: Is that the respect shown by Government for the feelings of the House?

Mr. Speaker: Should he not be allowed to say what he wants? We should listen to him and see what he has got to say. At least this much courtesy should be shown to the Government and to the hon. Ministers.

Shri Bhagwat Jha Azad: We also expect the same courtesy for us from the Government.

Mr. Speaker: I am sorry that Shri Bhagwat Jha Azad would not allow me also to say anything.

Shri D. C. Sharma: 20 Ministers cannot overrule the whole House.

Shri Bhagwat Jha Azad: Courtesy should be both ways and not only one way.

Mr. Speaker: I am very sorry at this attitude of hon. Members that they would not hear anybody at all. (*Interruptions*) Order, order. Hon. Members have expressed themselves. Should we not listen to the hon. Minister now? Perhaps he might say that he had got the information and the Home Minister would answer it. At least, hon. Members should listen to the hon. Minister. I cannot understand this attitude of hon. Members at all that they would not allow the hon. Minister to say even a word. That is not proper.

Shri Bhagwat Jha Azad: Please do not put that kind of thing into our mouths. We only wanted that the Home Minister should answer it.

Mr. Speaker: We have yet to hear the hon. Minister of External Affairs. Perhaps, he might say that..

Shri D. C. Sharma: We have great respect for the hon. Minister of External Affairs, but we want that the Home Minister should answer this.

Shri Raghunath Singh: It is also a question of fundamental importance.

Shri Thirumala Rao (Kakinada): Shri Bhagwat Jha Azad's view represents only one view. Hitherto, the Ministry of External Affairs has been carrying on negotiations with these people on the question of Nagaland, and this House had silently acquiesced in that action or accepted that proposition. But, today, suddenly because somebody else makes a statement, hon. Members seem to get excited..

Some Hon. Members: Previously, it was the hon. Prime Minister who was answering such questions.

Shri Thirumala Rao: The Minister of External Affairs is as much responsible as the Home Minister. Therefore, let us not make any distinction between one Minister and another. (Interruptions).

Mr. Speaker: Order, order. How can we conduct any business in this manner?

Some Hon. Members: The hon. Home Minister wants to make the statement.

The Minister of Home Affairs (Shri Nanda): Mr. Speaker, Sir.... (Cheers) These cheers are premature

Shri Jaipal Singh (Ranchi West): Before the Home Minister makes his statement, I have a suggestion to make.

Mr. Speaker: Let the Home Minister make his statement, and then I shall hear the hon. Member.

Shri Jaipal Singh: With due respect, I would request you to allow

me, because I have a suggestion to make....

Mr. Speaker: I know that. Let the Home Minister say what he wants to say and I shall give an opportunity to the hon. Member afterwards. Now, he may kindly resume his seat.

Shri Nanda: I find that the feelings of hon. Member are roused. There may be a good cause for it. But the question here at the moment is a limited one.

There are two questions. Should this matter, the question of dealing with Nagaland, be in the Home Ministry or as things are? That is a question which certainly the Prime Minister when he comes will consider. But at the moment, the Ministry which has been dealing with this matter certainly is called upon to give information which hon. Members ask for. These two things should be dealt with separately. Therefore, I ask the indulgence of the House: let us deal with the other aspect now and get the information which they seek from the Minister who is concerned.

Shri Jaipal Singh: I think we are unnecessarily being agitated by this or that Minister answering a question. I hope we know not for the first time, that in this House there is such a thing as Cabinet responsibility; in other words, whatever one Minister says ties down the whole lot of them. This is rather an important point. It does not matter whether the Prime Minister or my hon. friend, who does not talk very much, the Minister of Parliamentary Affairs, or anybody else answers a question.

Mr. Speaker: I have followed him.

Shri Jaipal Singh: I think we are getting upset unnecessarily. Technically it is correct that if the Minister of External Affairs is the one and only person who has to reply to questions about Nagaland, it gives a wrong impression, a false impression.

[Shri Jaipal Singh]

It is not a right thing; it is not a foreign territory. But I hope hon. Members realise that he is a member of the Cabinet and every member of the Cabinet speaks on behalf of the Cabinet. Let us remember that and not get agitated over this matter.

Mr. Speaker: Whether the Minister of External Affairs should answer or the Home Minister should do it . . .

An Hon. Member: Home Minister.

Mr. Speaker: I have not put that question. Whether the External Affairs Minister should answer it or the Home Minister should answer it is quite a separate thing. That cannot be decided just at this moment. The House has expressed its feeling and its viewpoint.

Shri Ranga (Chittoor): For the second time.

Mr. Speaker: For the second time, I agree. It is now for Government to decide. They will take some time. Just now the Home Minister has said that as soon as the Prime Minister comes, he will consider it. Then probably they will come to some conclusion. But now, as the Home Minister has said, when one Minister is in charge of this subject and he has been answering these questions—this notice had been sent to him—and he stands up to answer, to take up this attitude that we would not listen to him or would not allow him to proceed to answer is not fair. Hon. Members would realise it is their internal arrangement; it is Cabinet and joint responsibility also. But there is no doubt that when it has been given to the External Affairs Minister, it might also create some wrong impression . . .

Shri Raghunath Singh: Yes, yes. That is our apprehension.

Mr. Speaker: But the Home Minister has said that they will consider

it. Let us now hear the External Affairs Minister.

Shri S. C. Jamir (Nominated—Nagaland) rose—

Shri Swaran Singh: To begin with, I want to make it absolutely clear that there should not be any such feeling, that the mere fact that one Ministry, namely the External Affairs Ministry, is dealing with this denotes that it is Government's position that this is a matter which is not a matter of our own country. Merely because the External Affairs Ministry as such is dealing with it does not make it an international matter. That position I want to make absolutely clear.

Now, I can well appreciate the other thing, which you, Sir, yourself suggested, that the fact that it is being dealt with by the External Affairs Ministry might raise some doubts. Not that I am keen to deal with it.

Mr. Speaker: There may be no doubt in our minds, but somebody else might use it as an argument against us.

Shri Swaran Singh: Therefore, this categorical statement of mine on behalf of Government should not leave any doubt.

As to the actual allocation of business, it is for the Prime Minister to decide. If he thinks that it should be handled by some other Minister, it is for him to decide. But you will appreciate that so long as the responsibility of handling it is in a particular Ministry, that Ministry is the only Ministry which can deal with it in the House. In fact, it would be shirking the responsibility if it is not to be dealt with in that form. I do not suggest that I am keen, I am the last person to suggest that it should be with this or that Ministry. It is entirely for the Prime Minister to decide about the allocation of business.

I would like to add further that it is not unknown in the parliamentary system that Ministers dealing with external affairs in this country as well as other countries, are also dealing with several other matters which are purely internal. I know of many Foreign Ministers who are in charge of industry or other things. The fact that a particular department is under the Foreign Affairs Minister does not indicate that that particular responsibility has become an international affair. That is the constitutional position, and there should not be any feeling on that score.

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय, मैं एक निवेदन

अध्यक्ष महोदय : अब नहीं ।

श्री रामेश्वरानन्द : प्रश्न सुन लेंगे, तभी तो जवाब देंगे ।

अध्यक्ष महोदय : नोटिस दूसरे का है, आपका नहीं ।

श्री रामेश्वरानन्द : मेरा एक व्यवस्था का प्रश्न है ।

Shri Swaran Singh: I do not give way.

अध्यक्ष महोदय : व्यवस्था का प्रश्न आ गया है, मैं क्या करूँ ।

श्री रामेश्वरानन्द : इस सभा में सरदार जी के व्यक्तित्व के सम्बन्ध में नहीं, उनके द्वारा उत्तर देने के सम्बन्ध में सन्देह हो रहा है । नागालैंड का प्रश्न सरदार जी को सौंपा गया है, इससे जान पड़ता है कि इस प्रश्न को विदेशी समझ कर उनको सौंपा गया है और चूंकि यह विदेशी प्रश्न है, इस बास्ते गृह मंत्री जी को नहीं सौंपा जा रहा है । जब आप मानते हैं कि विदेशी नहीं, यह तो देशी प्रश्न है, तो गृह मंत्री को इसका उत्तर देना चाहिये ।

अध्यक्ष महोदय : यह तो सभी बाकी माननीय सदस्यों ने भी कहा है । कर्क इतना हुआ है कि यह अब स्वामी जी की तरफ से आया है ।

एक माननीय सदस्य : हिन्दी में आया है ।

Shri Swaran Singh: I am grateful to Swamiji because I never took it as personal. So, I am thankful that he has come to our rescue once for a change, but I know that there is nothing personal in it, and it is the feeling in the House which I follow.

On the points that have been mentioned in this Calling Attention Notice, there are two things. The House would, no doubt, have seen the press reports of our Prime Minister's speech in Lucknow, where he has clearly said that this type of statements which have appeared on behalf of Rev. Michael Scott would come in the way of any settlement, and they are unfortunate or unhappy. That is the stand of the Government. Those who are in the peace mission should not act in any manner which might seem to be partisan or might indicate that they are taking sides in this controversy.

Shri Hem Barua: But that is the impression created by Rev. Scott's statement.

Shri Swaran Singh: It is incorrect that Rev. Scott has the position of a foreign observer as has been mentioned in certain press statements.

Shri A. P. Jain (Tumkur): Send him back to England. He is not fit to be here.

Shri Swaran Singh: Then, it is absolutely incorrect that there is any international cease-fire agreement. We have made the position quite clear on the floor of the House that it is a question of cessation of operations against the hostiles, pending, these talks. Therefore, this is an internal

[Shri Swaran Singh]

matter, and there is no question of this being an international cease-fire by any stretch of the imagination.

Shri J. B. Kripalani: May I suggest that the language that is being used is used in international affairs?

Shri Swaran Singh: I think the language I am using is not the language used in international relations.

An Hon. Member: Not yours.

Shri Swaran Singh: If a third party used such language, it is objectionable.

Shri S. M. Banerjee: Send him out of India.

Shri Swaran Singh: We can state our position clearly, and that is . . .

Shri D. C. Sharma: Why was that man put in that position?

Shri Swaran Singh: There is another press statement which is attributed to Rev. Scott, where he is reported to have said that the Nagas and Indians are two different people. That is absolutely an incorrect statement: Nagas are Indians and Nagaland is a part of India. Any such statement is absolutely incorrect and untenable and we do not accept it. I will not be surprised if Rev. Scott might explain later that he was wrongly reported. Therefore, we are having a second check and trying to ascertain as to what precisely he has said.

Shri S. M. Banerjee: May I invite the attention of the hon. Minister to what Mr. Shastri has said:

"He (Mr. Scott) is one of the members of the peace mission along with Mr. Jaiprakash Narain and the Chief Minister of Assam, Mr. Chaliha. He is not there in an individual capacity and hence he cannot make such a statement as in that case it would defeat the very purpose of the talks. I shall

ask Mr. Scott about it when he returned from the mission."

May I know whether it is not a fact that in this House many Members brought to his notice and also to the notice of the late lamented Prime Minister, Mr. Nehru, that Mr. Scott was getting inspiration from Mr. Phizo and he was doing the same thing as Mr. Phizo wanted him to do in Nagaland? If this statement is proved to be correct after proper investigations, will he be sent out of this country or put under arrest? . . . (Interruptions).

Mr. Speaker: We cannot proceed in this manner.

Shri Swaran Singh: We are checking up the authenticity of the statement. But I have made the Government's position quite clear as to the points reported as having been said by Rev. Scott or by the hostile Nagas. After verifying the authenticity of the statement, Government will further consider as to what further action is needed.

Shri Hem Barua: May I draw the attention of the Government to the fact that Rev. Michael Scott had been doing a series of propaganda work there in favour of the hostile Nagas? Firstly, he said that if the West did not provide arms and ammunitions to the Naga hostiles, they will be forced to secure arms and ammunitions from foreign sources. That is No. 1.

Mr. Speaker: How many numbers would be there? Would the fingers of the hand be enough?

Shri Hem Barua: Secondly, inspite of the protests in the House and inspite of the assurances given by the Foreign Minister that words 'cease fire' would not be used in this case because 'cease-fire' had a different legal implication. Rev. Scott had been deliberately using that term, times without number. Rev. Scott has openly stated in a statement signed and released by the PTI that the

Nagas and the Indians are two different people. Fourthly, Rev. Scott issued statements alleging atrocities committed by our Indian security forces on the hostile Nagas but he had never said a single word in condemnation of the atrocities committed by the Nagas. Fifthly, Rev. Scott is in collusion with Mr. Phizo. I can divulge that fact.

Mr. Speaker: He need not divulge the fact. He should come to the question.

Shri Hem Barua: In view of the fact that Rev. Michael Scott, a peace missionary in Nagaland, has been behaving as though he was an emissary of the Naga hostiles and not really as a peace missionary,—

An Hon. Member: A pseudo-missionary.

Shri Hem Barua: He might be a pseudo-missionary—why is it that Government by now have not asked the Peace Mission to withdraw from Nagaland for the good of the Peace Mission and for the good of the country as well?

Shri Swaran Singh: That is a suggestion. (Interruption).

Some Hon. Members: No, no.

Shri Swaran Singh: As I said on the last occasion, as to what precisely he said on this occasion—the correctness of that will be checked and further action in the light of the veracity of that statement will be taken.

Shri Hem Barua: What about the other points made by me?

Shri Swaran Singh: I have already made the position quite clear that members of the Peace Mission should not say anything which might create an impression that they are taking sides and any such thing that is said by Rev. Scott or any other member of the Peace Mission which might create a feeling or an impression that

they are partisans taking sides will not be a correct attitude. Therefore, as the Prime Minister said in Lucknow, it comes in the way of the successful fructification of these peace efforts.

Shri Hem Barua: On a point of information. Please excuse me for saying this. He has not given the information—.

Mr. Speaker: The information that is desired from the Minister has been given.

Shri Hem Barua: He has not given. (Interruption).

Mr. Speaker: Then I am sorry. I cannot give any answer to that.

Shri Hem Barua: I want to have a reply to all the points of facts. I have catalogued so many. Even after these facts, is he not convinced that Rev. Michael Scott is behaving in an odd way in Nagaland? (Interruption).

Mr. Speaker: Order order. Shri Bhagwat Jha Azad

Shri Bhagwat Jha Azad: In view of the fact that the statement reported by a known and authoritative agency of India has not been contradicted by Rev. Michael Scott and since the Government have not been able to challenge the veracity of that statement even after 20 hours of the statement, may I know how long the Government will take time to respect the wishes and sentiments of this country and of this House to expel this man who has affronted the dignity and sovereignty of this country?

Shri Swaran Singh: So far as the wishes and sentiments of the House are concerned, the Government has always given the highest respect; this is a sovereign House and whatever it decides is binding upon the Government. There is no dispute or there is no doubt in anybody's mind about it; certainly not in the mind of the

[Shri Swaran Singh]

Government. But in all these matters action should be taken in a considered way after ascertaining the facts. That is what I have said. The facts have to be ascertained. (Interruption).

Shri Bhagwat Jha Azad: How long will they take to respect the sentiments?

Shri D. C. Sharma: Sir, on a point of order.

Mr. Speaker: Shri A. P. Jain.

Shri A. P. Jain: The question is about the status of Rev. Michael Scott. It has been said that he is a foreign observer and it has been denied. Admittedly he is a member of the Peace Mission and the Government owes it to the House to make it plain what is the position of the Peace Mission *vis a vis* the Government and how far it is being recognised because, upon that will depend how Rev. Michael Scott should be dealt with. (Interruption).

Mr. Speaker: Order, order. Shri D. C. Sharma rose on a point of order.

Shri D. C. Sharma: I want to know—

Mr. Speaker: Not "I want to know." He may raise the point of order which he wanted to raise.

Shri D. C. Sharma: The point of order is this. Rev. Michael Scott is not the whole Peace Mission; there are others also in the Peace Mission. The point of order is, why it has been said that Rev. Michael Scott is saying this, and why does not the Minister tell us what the other members of the Peace Mission also say and whether Rev. Michael Scott is the spokesman of all the members of the Peace Mission and also whether another member of the Peace Mission, Shri Jaya Prakash Narayan, has not said anything.

Mr. Speaker: It is not a point of order.

Shri P. C. Borooh (Sibsagar): May I know, regarding this Peace Mission which is working so hectically in Nagaland to bring about a settlement between the hostile Nagas and the Government, who formed that Peace Mission—whether it was the Nagaland people or the hostiles—and whether Mr. Phizo had a hand in sending Rev. Michael Scott to Nagaland for the Peace Mission when it started its work and . . .

Mr. Speaker: There are so many 'ands'.

Shri P. C. Borooh: . . . and when Mr. Scott came to Nagaland, whether Government ascertained his views about Nagas and Indians being separate entities and if not, why not?

Mr. Speaker: Does the hon. Minister follow that?

Shri Swaran Singh: I am sorry I have not followed it.

Mr. Speaker: There were so many questions that we could not follow it. Shrimati Barkataki.

✓ **Shrimati Renuka Barkataki (Barpeta):** Has the Government considered the possibility that the international sympathisers of Naga hostiles like Rev. Scott may act as intermediaries of the hostiles to persuade some unfriendly Governments to take the so-called claims of the Naga hostiles, to the International Court, if so, what steps Government is going to take to forestall or deal with such a move?

Shri Swaran Singh: I have stated categorically yesterday that it is an internal matter and it is not an international matter. Therefore, any party taking it to any international forum will be doing something which will be invalid and which we cannot accept.

Some Hon. Members rose—

Mr. Speaker: There is a rule that we have been following that only

those Members are called to put questions in connection with call attention notices whose names appear there in the notice. I have never allowed any other Member to put any questions. So, I am sorry I cannot oblige other hon. Members. Papers to be laid.

Shri P. C. Borooh: I come from a constituency adjacent to Nagaland.

12.33 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT AND COAL BEARING AREAS (ACQUISITION AND DEVELOPMENT) SECOND AMENDMENT RULES

The Minister of Steel and Mines Shri N. Sanjiva Reddy: I beg to re-lay on the Table—

(1) a copy each of the following Notifications under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957:—

(i) The Minerals Conservation and Development (First Amendment) Rules, 1964, published in Notification No. G.S.R. 444 dated the 14th March, 1964. [Placed in Library, see No. LT-2677/64].

(ii) S.O. No. 841 dated the 14th March, 1964. [Placed in Library, see No. LT-2822/64].

(iii) G.S.R. No. 730 dated the 9th May, 1964, containing Corrigendum to Notification No. G.S.R. 1486 dated the 31st October, 1962. [Placed in Library, see No. LT-2938/64].

(iv) G.S.R. No. 1123 dated the 9th August, 1964. [Placed in Library, see No. LT-3072/64].

(v) G.S.R. No. 1144 dated the 15th August, 1964. [Placed in Library, see No LT-3162/64].

(2) a copy of the Coal Bearing Areas (Acquisition and Development) Second Amendment Rules 1964, published in Notification No. S.O. 3051 dated the 5th September, 1964, under sub-section (3) of section 27 of the Coal Bearing Areas (Acquisition and Development) Act, 1957. [Placed in Library, see No. LT-3163/64].

COTTON TEXTILES (CONTROL) THIRD AMENDMENT ORDER AND COTTON TEXTILES (CONTROL) FIFTH AMENDMENT ORDER

The Minister of Commerce (Shri Manubhai Shah): I beg to lay on the Table a copy each of the following Orders under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) The Cotton Textiles (Control) Third Amendment Order, 1964, published in Notification No. S.O. 3667 dated the 19th October, 1964.

(ii) The Cotton Textiles (Control) Fifth Amendment Order, 1964, published in Notification No. S.O. 3733 dated the 23rd October, 1964.

[Placed in Library, see No. LT-3381/64].

ORDERS UNDER COPYRIGHT ACT

The Deputy Minister in the Ministry of Steel and Mines (Shri P. C. Sethi): On behalf of Shri Hajarnavis, I beg to lay on the Table a copy each of the following Orders under section 43 of the Copyright Act, 1957:—

(i) The International Copyright (Fifth Amendment) Order, 1964, published in Notification No. S.O. 3527 dated the 1st October, 1964.

[**Shri P. C. Sethi]**

(ii) The International Copyright (Sixth Amendment) Order 1964, published in Notification No. S.O. 3794 dated the 28th October, 1964.

[Placed in Library, see No. LT-3382/64].

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister in the Ministry of Food and Agriculture (Shri D. R. Chavan): I beg to lay on the Table a copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

- (i) G.S.R. No. 1435 dated the 6th October, 1964.
- (ii) The Southern States (Regulation of Export of Rice) Order, 1964, published in Notification No. G.S.R. 1487 dated the 8th October, 1964.
- (iii) G.S.R. No. 1547 dated the 23rd October, 1964 rescinding the Rice (Uttar Pradesh) Price Control Order, 1963 published in Notification No. G.S.R. 1617 dated the 4th October, 1964.
- (iv) The Southern States (Regulation of Export of Rice) Amendment Order, 1964, published in Notification No. G.S.R. 1548 dated the 24th October, 1964.
- (v) G.S.R. No. 1549 dated the 25th October, 1964, rescinding the Rice (Punjab) Price Control Order, 1963, published in Notification No. G.S.R. 1570 dated the 27th September, 1963.
- (vi) G.S.R. No. 1606 dated the 5th November, 1964.
- (vii) G.S.R. No. 1628 dated the 14th November, 1964, extending the Wheat Roller Flour Mills (Licensing and Control)

Order, 1957, to the Union Territory of Goa, Daman and Diu.

[Placed in Library, see No. LT-3383/64].

ANNUAL REPORT AND DIRECTORS' REPORT OF ORISSA ROAD TRANSPORT COMPANY LIMITED AND GOVERNMENT REVIEW ON ITS WORKING

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): On behalf of Shri Sham Nath, I beg to lay on the Table—

- (i) a copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956:—
- (a) Annual Report of the Orissa Road Transport Company Limited, Berhampur, for the year 1962-63.
- (b) Directors' Report of the Orissa Road Transport Company Limited, Berhampur, for the year 1962-63, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.
- (ii) A review by the Government on the working of the above Company.

[Placed in Library, see No. LT-3384/64].

MEMORANDUM AND ARTICLES OF ASSOCIATION OF SAMBHAR SALTS LTD.

The Deputy Minister in the Ministry of Industry and Supply (Shri Bibundhendra Mishra): I beg to lay on the Table a copy of 'Memorandum and Articles of Association of the Sambhar Salts Limited, Jaipur.' [Placed in Library, see No. LT-3385/64].

12.35 hrs.

PUBLIC ACCOUNTS COMMITTEE

TWENTY-EIGHTH REPORT

Shri Morarka (Jhunjhunu): I beg to present the Twenty-eighth Report of the Public Accounts Committee on Audit Report (Civil) on Revenue Receipts, 1964.

12.35½ hrs.

STATEMENT RE: ESTABLISHMENT OF NEW ORDINANCE FACTORIES

The Minister of Defence Production in the Ministry of Defence (Shri A. M. Thomas): Early in 1963, while referring to the measures taken to increase the production of armaments, the Defence Minister had stated that a complex of six new ordnance factories for arms and ammunition was being planned. In April 1964, during the discussions on the demands for grants for Defence expenditure, the Defence Minister had also explained how our efforts at establishing the new factories were dependent, largely due to inadequate free foreign exchange resources, on the possibility of getting assistance from other friendly countries.

2. Of the six factories which were planned, one intended for small arms ammunition production is being set up with US assistance and has commenced production. As a result of the visit of the Defence Minister to the United States of America, the US Government have agreed to assist in setting up the Engineering Factory at Ambajhari. The third factory—the Filling Factory—is being set up partly with the assistance of the Government of United Kingdom. It has not so far been possible to get assurances of assistance for the remaining factories. However, as the requirements of small arms were emergent, it has been decided to use free foreign exchange resources for the fourth factory at Tiruchirapalli.

3. The remaining two factories were intended for the manufacture of explosives and propellants. The estimate of expenditure for the establishment of these two factories was of the

order of over Rs. 60 crores including a foreign exchange element of about Rs. 21 crores. In the case of these factories, the investment output ratio is also high. The products in these factories are such that there is little scope for conversion to civilian use during times of peace. There are financial advantages particularly in foreign exchange in increasing the stock-piles of explosives and propellants rather than setting up capacity for their manufacture. In these circumstances, the proposal to establish an Explosives Factory at Burla, Orissa State and a Propellants Factory at Panvel, Maharashtra State, has been excluded from our Defence Plan for the present. It has been decided that as an alternative to the proposal to set up factories at Burla and Panvel, the existing stock-piles of explosives and propellants should be increased suitably. A certain increase in the existing capacity for the production of explosives and propellants is also being planned, but the increase determined is such that it can be more conveniently done by the modernisation of the existing factories or by the installation of new plant at the site of the existing factories. These proposals are under consideration.

Shri Ranga (Chittoor): Sir, I would like you to help us in this matter. We would like to get some suitable occasion when we can discuss this very important matter. The House was assured—and the country also—that there was great urgency in regard to this matter. Therefore, Government came forward to formulate proposals to establish six ordnance factories. Now the number has come down to 4. Even out of these 4 it is going to take a long time before three of them will be brought into production stage. This reveals rather a serious position. We would like to have some opportunity to discuss this matter properly.

Mr. Speaker: It is not for me to do it; hon. Members have to give notice of it.

Shri S. M. Banerjee (Kanpur): Sir, I welcome this announcement of the hon. Minister. But I would like to

[**Shri S. M. Banerjee**]

draw his attention to the fact that there have been some retrenchment in many of the existing ordnance factories. If it is true that these ordnance factories are coming up in the near future, may I know from the hon. Minister whether it will be possible for him to absorb all those who have been trained in the ordnance factories and who are now being retrenched because there is no work?

Mr. Speaker: How can he give that assurance just now?

Shri S. M. Banerjee: I only want to know whether he is aware of it.

—
12.38 hrs.

BUSINESS OF THE HOUSE

The Minister of Communications and Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, with your permission, I rise to announce that Government Business in this House during the week commencing 23rd November, 1964, will consist of:

- (1) Discussion on the present international situation and the policy of the Government of India in relation thereto on a motion to be moved by the Minister of External Affairs on Monday, the 23rd November after disposal of questions.
- (2) Consideration of any item of Government Business carried over from the Order Paper of Saturday, the 21st November, 1964.
- (3) Consideration and passing of:
 - The Warehousing Corporation (Supplementary) Bill, 1964.
- (4) Discussion and voting on the Supplementary Demands for Grants (General) for 1964-65.

(5) Consideration and passing of:

The Payment of Wages (Amendment) Bill, 1964.

The Wealth-tax (Amendment) Bill, 1964.

Shri Ranga (Chittoor): Sir, I think at this stage I can repeat my request. I would request the Minister of Parliamentary Affairs to help the Business Advisory Committee in giving priority to the business I just now mentioned and bring it up at an early date.

Mr. Speaker: Unless there is a notice given by hon. Members . . .

Shri Ranga: Notice will be given, but it has to be allotted some early time.

Mr. Speaker: Let the notice come and then it will be decided.

Shri Nambiar (Tiruchirapalli): We have already tabled a motion for a discussion on the food situation in the country. Last time we discussed only the situation in Kerala. There was a mention by the hon. Minister that he was prepared to give some time for this. We thought that item would also find some time in the business for next week.

Shri S. M. Banerjee (Kanpur): I would draw your attention and the attention of the hon. Minister to three items. Firstly, during the previous session we have been clamouring for a discussion on the Report of the Bonus Commission. A notice has already been given and I am glad it has been accepted by you. Secondly, there is a motion to have a discussion on the opinion of the Supreme Court in the case UP Legislature vs. the High Court of Allahabad. Thirdly, there is the production of small cars. You will remember, Sir, that it could not be discussed last time. This time, a motion has been admitted in the name of Shri Bagri and others. Would the Minister give an assurance that all these three would be taken up during this session?

श्री किशन पट्टनाथक (साम्बलपुर) :

पिछले अधिवेशन में बैकवर्ड बलासेज कमिशन की रिपोर्ट पर बहस अधूरी रह गयी थी, मैं जानना चाहता हूँ कि वह इस वर्तमान सेशन में ली जायेगी या नहीं ?

श्री स्त्य नारायण सिंह : बिजनेस एड-वाइजरी कमेटी में उसका भी सवाल आयेगा ।

श्री प्रकाशबीर शास्त्री (बिजनौर) : मैं संसदीय कार्य भवी से थोड़ा सा स्पष्टीकरण इसमें और चाहता था कि सोमवार से जो अन्तर्राष्ट्रीय स्थिति पर बहस होने जा रही है तो क्या अन्तर्राष्ट्रीय स्थिति की बहस से अभिप्राय केवल उन विशेष मामलों से है जैसे सत्ताओं में और राजनीतिक स्थितियों में जो परिवर्तन हुए हैं उन्हीं तक यह सीमित रहेगा या जैसे लंका से साढ़े पांच लाख भारतीयों को वापिस लेने का जो दुर्बल समझौता भारत सरकार ने किया है वह भी समाविष्ट होगा । चूँकि यह एक महत्वपूर्ण मामला है और इसका दूसरे देशों में बस रहे लाखों भारतीयों पर भी प्रभाव पड़ रहा है इसलिए मैं चाहता हूँ कि उसको इससे सम्बन्धित न किया जाय और उस पर पृथक् रूप से बहस की जाय ।

अध्यक्ष महोदय : हम इसको देखेंगे ।

श्री हृकम चन्द्र कल्पवाल (देवास) : मैं चाहूँगा कि इसी सेशन में बोनस कमिशन की रिपोर्ट पर बहस कराई जाय ।

अध्यक्ष महोदय : श्री बनर्जी यही चीज कही है ।

श्री हृकम चन्द्र कल्पवाल : मैं भी अपनी आवाज उनके साथ मिलाना चाहता हूँ ।

श्री दे० शि० पाटिल (यवतमाल) : बैकवर्ड बलासेज कमीशन की रिपोर्ट पर भी इसी सेशन में बहस कराई जाय । उसके अवश्य समय दिया जाए ।

अध्यक्ष महोदय : उसको भी टाइम अलाट करने के लिए कंसिडर कर रहे हैं ।

Shri Satya Narayan Sinha: Regarding the Report of the Bonus Commission, Government is introducing a Bill very shortly in this session. Then hon. Members will have ample opportunity to express their opinions. Regarding the Backward Classes Commission, as you have already explained, as it is coming up in the form of a resolution by a private Member, it can have only 2½ hours. But the House has the right to extend the time as much as it likes. Therefore, when that motion comes before the House, it can decide it. Then, I must point out that I have read out the business only for one week. As hon. Members are aware, we are going to be here for six weeks.

Shri S. M. Banerjee: I will be satisfied with an assurance by the Minister.

Mr. Speaker: The hon. Minister says that he is announcing only the business for the week commencing from next Monday.

Shri S. M. Banerjee: Sir we are raising this issue knowing fully well that they cannot be taken up next week. We only want an assurance. Regarding the opinion of the Supreme Court, people are having a symposium outside. We alone are not able to discuss it. So, let it be discussed in this session. We want an assurance from the Government.

Mr. Speaker: I cannot say what the attitude of the Government is. Does Government propose to give an opportunity to discuss the opinion given by the Supreme Court two days before we adjourned last time?

Shri Satya Narayan Sinha: I cannot definitely say at present.

Mr. Speaker: Shri Banerjee says that everyone else in this country is discussing it and only Parliament has had no time.

Shri Satya Narayan Sinha: I am sure Government will seriously consider it. But I am not in a position to say definitely whether we will have an opportunity to discuss it. The hon. Members must remember that I have announced the business only for one week.

श्री प्रकाशबीर शास्त्री : वह विषय इसमें समाविष्ट नहीं है

अध्यक्ष महोदय : जी हां उसे भी देख लेंगे।

Shri Nambiar: What about the food situation? It is deteriorating in other States. Will we get some time?

Mr. Speaker: How can I compel the Minister?

Shri Nambiar: He must give us some time to consider it.

Mr. Speaker: He can consider it.

Shri Satya Narayan Sinha: We have already had a discussion on food last week.

Shri Nambiar: That was about Kerala. We have asked for a full-scale debate and the Minister of Food and Agriculture has agreed to have a debate.

Shri Satya Narayan Sinha: The Foodgrains Corporation Bill is coming up before the House. You can discuss anything you like on food during that discussion.

—
12.45 hrs.

BUSINESS ADVISORY COMMITTEE
THIRTY-FIRST REPORT

The Minister of Communications and Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to move:—

“That this House agrees with Thirty-first Report of the Business

Advisory Committee presented to the House on the 18th November, 1964.”

Mr. Speaker: The question is:

“That this House agrees with Thirty-first Report of the Business Advisory Committee presented to the House on the 18th November, 1964.”

The motion was adopted.

—
ANTI-CORRUPTION LAWS (AMENDMENT) BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Jai Sukh Lal Hathi on the 17th November, 1964, namely:—

“That the Bill further to amend the Indian Penal Code, 1960, the Code of Criminal Procedure, 1898, the Criminal Law (Amendment) Ordinance, 1944, the Delhi Special Police Establishment Act, 1946, the Prevention of Corruption Act, 1947, and the Criminal Law (Amendment) Act, 1952, be taken into consideration.”

The Minister of Communications and Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, for this item no time was allotted.

Mr. Speaker: The House wanted to have five hours for this. We have already spent 4 hours and 50 minutes over this. Now we must conclude as early as possible.

Shri S. M. Banerjee (Kanpur): Clause-by-clause consideration is there. Let it continue till 2.30 when we shall take up non-official business.

Mr. Speaker: I cannot say that. I propose to call the hon. Minister now. After that I shall allow some hon. Members, who are interested in speaking on this, during the second reading.

The hon. Minister.

The Minister of State in the Ministry of Home Affairs (Shri Hathi): Mr. Speaker, Sir, the Bill has been discussed for the whole day yesterday threadbare. Of course, hon. Members, who took part in the discussion, had their point of view to express. Some of the hon. Members supported the Bill and suggested certain amendments to the present Bill. Some of them, though not fully supporting the Bill and though they had criticized the Government for not accepting all the recommendations of the Santhanam Committee, ultimately welcomed the Bill in so far as it goes. The third category opposed the Bill forcefully, specially the hon. Member, Shri Dandekar, who demanded that the Bill should be withdrawn.

On the merits also some of the hon. Members have attacked the provisions of this Bill on the ground that they are against natural justice, that they are detrimental to the interest of the accused and that they are unnecessarily going to cause inconvenience and hardship to public servants. Most of the attack on the Bill has been from the Opposition which has challenged the sincerity of the Government in so far as the present Bill deals only with public servants and strives to implement those recommendations which are meant for public servants and others but not for Ministers, Deputy Ministers etc.

I shall deal with all the points raised by hon. Members and it shall be my duty to endeavour and endeavour to convince that there is no lack of sincerity on the part of Government to root out corruption and to consider the various points which have been raised during the course of the debate. I would, however, say that though we are bringing forward this measure, it is not the least intention of Government to condemn all the public servants as such or as a class. It is not the remotest idea of Government to say that everyone in the public services or in the Government machinery is dishonest or corrupt. There are a

number of officers who are honest, able and efficient. There may be only a few cases; but, there also, if there are a few cases, we have to deal with them.

I do not want, in the least, to give an impression that this measure is only meant for the public servants. It may be that a public servant may be involved when there may be one, who is not in the public services, who might have offered bribe. There is no question of demoralising the public servants at all. In fact, some of the officers whom I met said that after this various anonymous applications were coming and that they would be looked into by the Special Police Establishment. We have decided and instructed the Special Police Establishment that they should not take into consideration any such anonymous application. If it is only authenticated, it will go to the Department and then only the investigation will be made. Therefore, I want to make it clear that it is only for the purpose of bringing to book those who are involved in corruption that action will be taken. So far as the honest and able officers are concerned, they have nothing to fear and they can go ahead with the work as sincerely and enthusiastically as they have done hitherto. I, therefore, give this assurance to them.

Some of the Members have criticised that certain recommendations of the Santhanam Committee which are more strict have not been accepted. Others have complained that even the proposals to make the existing law stricter would cause hardship to the accused. For example, the hon. Member, Shri Surendranath Dwivedy has criticised for not accepting the recommendation to make abetment of an offence substantive offence and similarly the recommendation to make the offence non-bailable. According to that hon. Member, these should have been accepted. I do not know what would have been the reaction of Shri Dandekar if this also had been accepted. But we have carefully con-

[Shri Hathi]

sidered those recommendations. What I mean to convey is that it is after due consideration that certain recommendations have been accepted while certain others have not been accepted. So far as this recommendation about making the offence non-bailable is concerned, if this had been accepted, it would have been a great hardship to the accused. Generally speaking, an offence deserves to be made non-bailable if it is a major offence involving capital punishment or life imprisonment or long term imprisonment and there is a possibility that the accused may try to abscond or tamper with the evidence. In the case of offences relating to bribery and corruption, there is no likelihood of accused trying to abscond and if he does, action will be taken. It will certainly cause a hardship to a person if he is kept in jail and not released on bail. We have, therefore, taken these factors into consideration before accepting the recommendations of the Santhanam Committee and have not accepted this particular recommendation. I shall deal with other provisions later on.

Then, the hon. Member, Shri Bade, observed that of all the chapters which deal with a number of things, the Government have taken action only on chapter 7 and on none else. He said that there are various other measures which the Committee have recommended but the Government has only taken this particular set of recommendations. He observed that instead of simply accepting the recommendations of the chapter 7, it should have been better if the Government had brought forward a Bill after accepting all the recommendations. He said that there are 12 chapters and the Government has not brought forward any legislation for the recommendations contained in the other 11 chapters. He, therefore, doubted the sincerity of the Government. Moreover, he said that even in bringing forward this piece of legislation, the Government had delayed too much.

He said that the Committee was appointed in 1962, its report was submitted in 1963 and the Bill is brought forward in the House in 1964. May I correct the impression of the hon. Member? The Committee was appointed in 1962, the report was submitted not in 1963 but in March, 1964 and it is in September, 1964 that we introduced the Bill in this House. It is, therefore, not a question of delay. Thus, after the submission of the report, much time has not been lost.

I may also point out to the House that there are 12 sections of the Report out of which the first one deals with introductory remarks. There is no legislation involved there. The second section deals with the nature of the problem; the third deals with the extent of corruption; the fourth and fifth deal with the conduct rules and disciplinary rules. All these do not require legislation at all. Only section 7 deals with law and procedure relating to corruption. Again, section 8 is dealing with general recommendations; section 9 deals with Vigilance Organisation; section 10 deals with Special Police Establishment; section 11 deals with social climate and section 12 is on miscellaneous things.

I would like to submit to the House that so far as sections 4 and 5 are concerned, the recommendations have been accepted with regard to the revision of conduct and disciplinary rules applicable to Government servants and the revised rules are being prepared. The recommendation that a thorough review of laws, rules, procedures and practice should be undertaken for the purpose of listing the discretionary powers, levels at which such powers are exercised, the manner of the exercise of such powers, the control exercised within the hierarchy over the exercise of the powers, the points at which citizens come into contact with the Ministries and Departments and the purpose for which they do so and that a thorough study be made in respect of each Ministry

Department/Undertaking of the extent, the possible scope and modes of corruption, preventive and remedial measures prescribed, if any, and their effectiveness has been accepted. For the present, study teams have been set up in the Central Public Works Department, Import and Export Control Organisation, D.G.S. & D. and the Director General of Technical Development which deal mainly with the public in issuing of licences, giving contracts and all that. Each one of these working teams headed by the Member of Parliament is looking into the irregularities, the bottle-necks and delays and all that. As one hon. Member had suggested, the root cause of corruption, if not the sole cause, the major cause, is delay and if delay is eliminated and the efficiency is there, the chances of corruption are also less. Therefore, these working teams are working and they will find out what could be done. Then, he said, we have not accepted the recommendations . . .

Shri S. M. Banerjee: Who is that Member?

Shri Hathi: Shri H. C. Mathur.

I may mention here that out of 137 recommendations, as many as 51 have been accepted with or without change and already implemented. 37 recommendations have been accepted with or without changes and the implementation is under consideration. Only 49 recommendations out of 137 recommendations are under consideration. This will show that we are not slow in accepting and implementing the recommendations of the Santhanam Committee.

There are certain recommendations which relate to the judiciary, to the University Grants Commission, etc. These are being taken up with the Chief Justice of India and the other concerned Departments. It is, therefore, not correct to say that only this part has been accepted while the other recommendations have not been accepted by the Government and are not being implemented.

One of the important recommendations which the Committee has made is with regard to the setting up of the Central Vigilance Commission and the Vigilance Commissions in the States. I would not go into the details. But the House knows that the Central Vigilance Commission have been established and in several States also Vigilance Commissions have been set up and these organisations are functioning in those States.

As I have already stated in my remarks while making the motion for consideration, that certain recommendations, namely, with regard to Section 311 with regard to the amendment in the Public Servants (Inquiries) Act, 1850 have been considered separately. Some of the specific recommendations pertaining to some important departments with which public is greatly concerned relate to the four departments which I mentioned and these recommendations have been separately examined.

I had discussions with the officers of all these four departments in order to find out how far these recommendations could be accepted with a view to see that efficiency is increased, delays are eliminated, and ultimately we came to the conclusion that it would be better if a working team is appointed which makes a sample survey into these cases.

Regarding the social climate to which reference has been made. I am coming to the question of Ministers and public servants. I may say here, let a controversy not be created between public servants and Ministers and politicians and others. After all, we are all . . .

13 hrs.

Shri Nambiar (Tiruchirapalli): This is not for controversy but to see that some action is taken for the top-posts people.

Shri Hathi: I will try to clear all the doubts, and I hope to convince the House that there is no intention of

[Shri Hathi]

making any discrimination so far as this aspect is concerned. But let me be heard.

Then, about this code of conduct for Ministers, it has already been evolved and a copy of it has been laid on the Table of the House. Thus, Shri Bade's complaint that we have made unnecessary delay and half half-heartedly brought this measure before Parliament, I think, is not justified. I am, however, glad that on the whole he has welcomed the Bill.

I shall deal with the points regarding the definition of public servants later, because this has been referred to by almost all the Members.

Shri Banerjee has cited several instances of favouritism, nepotism, about the method of licensing, showing favours to certain parties and so on. I do not think I can deal with them individually. But so far as licensing is concerned, we are going into this, the procedure, the method, etc. It is the organisation of the Director-General of Technical Development which first scrutinises the applications and then processes them to the committee. Therefore, at that level, first, if there is any scope for any corrupt method, what could that be? One of these is people from the general public going and meeting the officers very often; and the greater the contact the greater are the chances of corruption. We do not want that an officer should not meet anybody. But we have in these four Departments set up information-cum-public reception offices. Whenever a person wants to find out where his case is, he contacts the officer and gets in touch with the officer there who gives him information. If that information is not available, he gives the person a date, and he notes that. But the direct contacts are therefore eliminated. But it may be that discussions may be necessary in some cases. There they register the name and then they go there. But it is not that any-

body could go and contact the officers or the lower staff and try to meddle or interfere with the work and thus get any information which he should not normally get.

Shri Nambiar: There is nothing to prevent people going and seeing the officers in the bungalows.

Shri S. M. Banerjee: According to the revised rules, nobody can see the Director-General of Supply direct, but they can . . .

Mr. Speaker: When one Member is on his legs, the other should sit.

Shri S. M. Banerjee: My question was that if there is any restriction, it is like this. What is corruption? Suppose people had free access up to the Deputy Director-General and Director-General. Nobody can see them now. But suppose the other Assistant Director or his subordinate expects something from a person to see that he sees the Director-General.

Shri Nambiar: There are a hundred and one ways.

Shri Hathi: The question is, we cannot possibly stop officers from meeting individuals. That we cannot do away with. But we have evolved a system whereby at least the contact with the officers in the offices would be restricted or would be mentioned in the book of visitors, where he goes, the nature of the work, the officer whom he meets. And the officer has to keep a diary. That is the only thing that we can do. We cannot stop people meeting them. But certainly, if there is any suspicion, the movements of the person could also be watched.

So far as licensing is concerned, we have already appointed a team under the chairmanship of Shri H. C. Mathur. The team is on the job. We have requested them to examine the causes,

of delays, bottlenecks in procedure, the focal points of corruption and such other things as the Committee may think necessary to go into in order to see that the procedure of issuing licences is amended wherever necessary and that delays do not occur.

I also mentioned the recommendation about the ban on the employment of public servants after retirement. This recommendation has been made by the Santhanam Committee that for two years after his retirement a public servant should not be permitted to accept employment in a commercial enterprise or business. That we have accepted in principle.

Shri Dwivedy has said that this law is imperfect and that it is a misnomer to call it as an anti-corruption Bill. He is not here unfortunately. He has attacked the Bill on the ground that the specific recommendation about the definition of public servant to include Ministers has not been accepted and included in this Bill. So many other Members from the opposition also have taken up that question. Ministers, I may say, are not only public servants but something more than that. They have a greater moral, social and political responsibility towards the people. As Shri Mukerjee said, they must be above suspicion. Their case has to be judged from a different standard. They need not be declared guilty by a court of law before action is taken or before they take action on their own. Have we not had instances where Ministers have resigned without being adjudged guilty by a court of law? On the very remote possibility, on the mere likelihood of something touching remotely even in the slightest manner upon the integrity of the Ministers, have they not resigned?

Shri D. C. Sharma (Gurdaspur): But all those Ministers have come back.

Shri Hathi: Why talk of any doubtful standards. Even when a Minister was not the least connected and when

he feels that he has not faithfully discharged his duties, has he not voluntarily resigned? Hon. Members opposite may understand that Ministers are today working here not as mere public servants; we have some liability or responsibility greater than that. It is therefore that the Ministers should not be that way clubbed with public servants or with ordinary people. Suppose they are included in the category of public servants. What will be the result? First, before any prosecution is launched, sanction under-section 197 is necessary.

Shri Nambiar: They will have to resign and face the proceedings.

Shri Hathi: At that stage, when the question of permission comes, then also it may be that the opposition may say that Government has withheld permission on political grounds. After the permission is granted it will come before a court of law. After that the facts constituting the offence have to be proved. In the case of the public servant after all these stages have been reached, then the question of motive comes; it is presumed that the motive was this.

Here what we are proposing to do or have proposed to do, or what the convention is, is that if there is a *prima facie* case, as the Prime Minister has said, the Minister would resign. But there must be a *prima facie* case. There is a distinction between allegations and *prima facie* case. Somebody has to decide that there is a *prima facie* case. Today in political life there may be allegations. But these allegations, merely because they are allegations, do not constitute a *prima facie* case. And unless it is decided that there is a *prima facie* case you cannot expect any Minister to surrender to the political pressures. That, I think, should be made very clear.

But I am sure hon. Members opposite would not like or appreciate this distinction or this explanation of mine.

[Shri Hathi]

They would ask, why have the Government not included that in the definition of 'public servants' in this very Bill when the Santhanam Committee has recommended it. Now, I say that though they are only not government servants, they are public servants and something more than public servants. But this would not go down their throat, I can understand.

I may, therefore, say that we thought of this, that is of incorporating this recommendation of the Santhanam Committee into the Bill, but we were advised that there is already the decision of the Supreme Court in the case of Rao Shiv Bahadur Singh (1953, Supreme Court Reporter, No. 1188) where Ministers have been held to be public servants. In view of the judgment of the Supreme Court, we are advised that this provision would be redundant. I think that this should clear all the doubts, all the allegations and all the criticisms that the Members have levelled inasmuch as they have said that we are making a distinction between public servants, and that we are going to create a rift between them. This is the explanation which I have to submit before the House.

Shri Nambiar: Are we to take it that this definition includes Ministers also, as per the Supreme Court's judgment?

Shri Hathi: Hon. Members have judged the Government only from a political angle, and, therefore, I know that my explanation is not going to be appreciated.

Shri N. Dandekar (Gonda): It is a very serious statement. So, I would like to know the facts of that particular case and the circumstances in which it was held by the Supreme Court that a Minister, for a particular purpose, was a public servant.

Shri Hathi: I say under the Prevention of Corruption Act. Minister is a Public Servant.

Shri Nambiar: Are we to take it that this definition includes Ministers also? And are we to proceed on that basis, as per the decision or the judgment of the Supreme Court which has been quoted now? Let the hon. Minister make that position clear.

Shri Hathi: This is the judgment of the Supreme Court. And this is the legal advice which Government have been given that the Supreme Court judgment, as has been mentioned by me a little while ago, has concluded this interpretation, and, therefore, any such further amendment would be redundant. This is the advice which we have been given.

Shri S. M. Banerjee: The Supreme Court might have given that judgment. But unless it is embodied in a Bill, how can it become valid? I am not a lawyer, and I find that this is something surprising.

Shri Nambiar: We are unable to understand this. You may kindly help us to understand what exactly the position is.

Mr. Speaker: There is a procedure laid down for public servants. The Supreme Court has held that Ministers are also public servants. So, whatever procedure has been prescribed for public servants would apply to the Ministers also.

Shri Nambiar: Are we to pass this Bill with that understanding? Let the hon. Minister make that quite clear.

Shri Hathi: That is what I am submitting.

Shri Nambiar: He can make it clear in the Bill itself.

Mr. Speaker: What further can he say? He has said once, twice and thrice.

Shri Nambiar: The wording of the Bill can be made to conform to that.

Mr. Speaker: Why should the wording of the Bill be made to conform to that? If the term 'public servant' has been put in there, and the hon. Minister says that the term 'public servant', according to the Supreme Court's judgment and according to the advice tendered to Government includes Ministers also, then it is clear that Ministers would be included in that definition.

Shri Hathi: I think I have made it very clear. There is the Supreme Court's decision already. That is what I have said. What further can I say? I think that now all the apprehensions in the minds of hon. Members should be dispelled.

Shri N. Dandeker: I am glad to hear this, but may I please ask him for one clarification? Would the hon. Minister make a solemn statement here that this Bill applies to Ministers, Ministers of State and Deputy Ministers?

Mr. Speaker: It is not for the hon. Minister to make that statement; it is for the courts to say so.

Shri N. Dandeker: He says that the court has so decided.

Mr. Speaker: Yes, the courts should say that this applies to the Ministers; it is not for the Minister to say it. If the Minister makes such a statement, then that would apply, though the courts might hold that it does not apply?

Shri N. Dandeker: I would accept with very great respect a Minister's statement that it does apply.

Shri S. M. Banerjee: I would invite your attention to the body of the Bill. Certain categories of public servants have now been included afresh, such as official liquidator, or receiver and so on, who had not been included previously. The Supreme Court has given a judgment in a particular case in 1953 that the term 'public servant' includes a Minister.

Supposing a case is filed in a court of law,—after all, the court will be concerned with the anti-corruption Act—unless there is a proviso clarifying the matter, how can the court presume like that? How could it be presumed by the court on the basis of only one judgment of the Supreme Court that a Minister is also a public servant?

Mr. Speaker: One Supreme Court judgment is not enough?

Shri S. M. Banerjee: Let it be embodied in the Bill.

Shri Hathi: I think I have made it absolutely clear.

Mr. Speaker: Now, the hon. Minister might pass on to the next point.

Shri Hathi: Shri Surendranath Dwivedy had said that the Santhanam Committee's recommendations regarding making abetment a substantive offence had not been accepted. The reasons are that the offering of a bribe or otherwise corrupting a public servant should be made a substantive offence and not merely as abetment of an offence.

Mr. Speaker: But Members have got one apprehension in this respect. Just at this moment there is a judgment of the Supreme Court that Ministers are included in the definition of 'public servant', and on that assumption Government are making a law. Tomorrow, the Supreme Court may reverse that judgment and hold that Ministers are not public servants; then, of course, this definition would not apply to them.

Shri Nambiar: It is always better to put it in the Bill itself.

Shri Hathi: I appreciate. I shall read out the relevant portion of the advice. It reads thus:

"Section 2 of the Prevention of Corruption Act provides that for the purposes of this Act, 'public

[Shri Hathi]

servant' means a public servant as defined in section 21 of the Indian Penal Code.”.

“The Prevention of Corruption Act is, therefore, applicable to the Ministers who are public servants as defined in section 21 and can be prosecuted for criminal misconduct as defined in section 5(1) of the Prevention of Corruption Act . . .”.

I appreciate the point raised by the Chair. This point was also considered by the Law Ministry, and the advice was that Ministers were already public servants, as had been concluded by the Supreme Court. If we today add something and put it in the Bill, it might mean that they were not included before, and, therefore, we thought that we should not make this amendment.

Shri Oza (Surendranagar): By way of abundant caution, the position may be made clear.

Shri S. M. Banerjee: Doubt should be removed.

Shri Hathi: I want to clear this doubt. So far as Government are concerned, the idea and the intention is that they are public servants as defined in this Act. That is the only thing that I can say. I cannot go further than that. What more can I say? If this does not satisfy the hon. Members, what more can I say? I do not think that I can go further than that.

Shri S. M. Banerjee: It is not a question of giving satisfaction. My point was this. The court is not going to read the entire proceedings of the House; they will be concerned only with the Act that we pass.

Mr. Speaker: They will be taking notice of the Supreme Court's judgment.

Shri S. M. Banerjee: You have given him the lead, Sir.

Mr. Speaker: What am I here for? I must say what the actual position is. I have just said that that position can hold so long as the Supreme Court's judgment is there. If the Supreme Court judgment is reversed, then this position cannot hold.

Shri N. Dandekar: May I make one submission? Very often, in a number of statutes, Government have enacted a clause which begins thus:

“For the removal of doubts, it is hereby stated . . .”.

Mr. Speaker: Let that be done afterwards. First, let this Bill be passed. That provision for the removal of doubts is enacted after some doubt has arisen.

Shri N. Dandekar: I think a doubt has arisen.

Mr. Speaker: Before this Bill is passed, how can doubts arise, because the Supreme Court's judgment is there? If doubts arise afterwards, then they can be corrected. They can be corrected only after they arise and not before. The hon. Member is making a suggestion that if afterwards doubts arise, then Government might come forward with a supplementary legislation, to remove the doubts.

Shri Hathi: Shri Surendranath Dwivedy had said that the Santhanam Committee's recommendations to make abetment a substantive offence had not been accepted. The reasons are that the offering of a bribe or otherwise corrupting a public servant should be made a substantive offence and should not merely constitute an abetment of an offence.

This question was specifically examined when the Criminal Law Amendment was under consideration and the existing section 165A was added to the Indian Penal Code. Under this section, offering of bribe can be punished as substantive offence and not merely as an abetment of an offence under section 161 read with

section 109 of the Indian Penal Code, and so, a further provision as recommended by the committee was thought to be redundant.

Then, coming to another point, Shri Oza said that so far as the prosecutions were concerned, a number of people were prosecuted, and cases were launched against them, but he would like to know how many cases had been taken up by the Special Police Establishment, in how many cases conviction had resulted, and he also wanted to know the number of gazetted officers out of the total number of public servants who had been proceeded against by the Special Police Establishment.

The figures are as follows: In 1961, the SPE brought 278 cases before the courts out of which 204 resulted in conviction, i.e. 83.3 per cent; in 1962, out of 288 cases, 242 resulted in conviction, that is, 82 per cent; in 1963, out of 313, 227 resulted in conviction i.e. 87.3 per cent; in 1964 (upto 31 October), there were 198 cases out of which there were 170 convictions—85.4 per cent.

Shri Oza: What is the number of gazetted officers?

Shri Hathi: Out of 278, the number of gazetted officers was 13.

Shri S. M. Banerjee: What is the number of other public servants, Ministers, according to the Minister?

Shri Hathi: Out of 278 cases against public servants, 13 were gazetted officers. I talk of cases taken up by the SPE and not throughout the country. Let there be no misunderstanding on that point.

Shri S. M. Banerjee: I am asking about Ministers.

Shri Hathi: I was answering the question of Shri Oza.

Shri S. M. Banerjee: Since he was looking at me, I thought he was answering my question.

Shri Hathi: I am addressing not the hon. Member, but the Chair.

Mr. Speaker: He should keep his face also towards me.

Shri S. M. Banerjee: My question is: Out of these cases of public servants, how many are those of ex-Ministers and Ministers?

Shri Hathi: Not in the courts. What I have given is figures of cases taken up by the SPE.

Shri Man Singh P. Patel (Mahasana): Number of cases of acquittal and convictions as regards officers might also be mentioned.

Shri Hathi: In 1961, out of 13, there were 4 convictions; in 1962, out of 13, 10 convictions; in 1963, out of 19, 6 convictions. These figures will show that the investigations which have been taken up are cases taken up by the SPE and have resulted in conviction to a very large extent, 80—85 per cent. Therefore, the complaint that there would be unnecessary harassment and while there would be nothing against people still they will be put to trouble and so on does not seem to be justified.

Dr. M. S. Aney (Nagpur): So the existing law is good enough to deal with the situation and there is no necessity for a further amendment.

Shri Hathi: It is not so. Take, for example, the question of disproportionate assets. It is not covered in the existing Act. Therefore, we are including that. I am coming to that point raised by Shri Dandeker.

Regarding the suggestion about amendment of sec. 251A Cr.P.C., there are three such provisions about which various amendments have been tabled. Hon. Members have shown their concern in this respect. One of the provisions is that if the procedure for warrant cases, after the charge is framed the accused should be called upon to produce a list of

[Shri Hathi]

documents and of witnesses. There the observation made was that the accused should be given some time and should not be compelled at once to submit a list of documents and of witnesses. This might cause him some hardship. I have considered this argument; I feel there is some force in it. We do not want to give even an impression that the accused is being unnecessarily put to hardship. I am therefore giving consideration to this amendment that it might be proper to give some time. But this should be at the discretion of the court—this is what I feel—and not an arbitrary thing. Let the court decide. Otherwise, cases will be prolonged; documents are not being produced and delays will thus occur. Even then I feel this suggestion deserves consideration. I will consider this amendment.

The second thing was about trial proceeding in the absence of the accused. Here it is not that the trial will proceed when the accused is absent once, twice, thrice or more. It is not a regular procedure being laid down that the court can go ahead with the trial—No. There will be absolutely no harassment to the accused. If the court at any time is satisfied that the accused is unnecessarily delaying, he does not remain present in spite of opportunities, and there is thus unnecessary delay caused, the court can, at its discretion go ahead; but even then, it has to record reasons for doing so. It would not be an arbitrary decision.

The third was with regard to the question of holding the proceedings *in camera* if the parties so desire or if the court so decides. We gave ample consideration to this. We thought that in defamation cases, if the parties consider that the proceedings are such that the other party might have to answer so many questions in cross examination, which might damage one's reputation—ultimately the allegations may not be

substantiated, but the damage would have already been done—it would be in fairness to the public servants and to the accused and to everybody to agree to that. Because this is not only restricted to a public servant; there may be other people also who are not public servants who may, for example, be convicted or charged with abetment of the offence. To them also this protection should be given. Therefore it is that if either party wants or if the court decides, the proceedings should be *in camera*.

The other observation made was by Shri Dandekar. He said that if a man is in possession of disproportionate assets, that by itself would constitute an offence. It is not so. If a person is found to be in possession of assets disproportionate to his known sources of income, then he has to prove wherefrom he got it. If he cannot satisfactorily explain, then only it will be an offence, not simply because he is in possession of such wealth. Therefore, the impression that mere evidence of disproportionate assets will be converted into an offence is incorrect.

I think I have explained most of the points raised by Members. I move.

Mr. Speaker: The question is:

"That the Bill further to amend the Indian Penal Code, 1860, the Code of Criminal Procedure, 1898, the Criminal Law (Amendment) Ordinance, 1944, the Delhi Special Police Establishment Act, 1946, the Prevention of Corruption Act, 1947 and the Criminal Law (Amendment) Act, 1952, be taken into consideration".

The motion was adopted.

Mr. Speaker: The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3— (Amendment of Act 5 of 1898).

Shri Yashpal Singh (Kairana): I beg to move:

Page 2, line 25,—omit “if either party thereto so desires or” (1)

Shri K. L. More (Hatakanangle): I beg to move:

Page 2,—omit lines 18 to 32. (7)

Mr. Speaker: These amendments are moved.

श्री यशपाल सिंह : सबसे पहले अध्यक्ष नहीं दिय, मुझे यह कहना है कि इस तरीके में बब तक आप लीपा पोती करते रहेंगे। जब तक एक कम्प्रीहेंसिव बिल नहीं आयेगा, खास तौर से जब तक आप यह तय नहीं करेंगे कि कितना स्टेट को नुकसान हुआ है। और कितना उस पर फाइन होना चाहिये जब तक आप यह डिसाइड नहीं करेंगे तब तक यह बिल कैसे काम चला सकेगा? इसलिए मेरी दररुवास्त यह है कि मेरा यह अमेंडमेंट मंजूर किया जाय और मैं चाहूँगा कि इसमें विवर फाइन और इम्प्रेजनमेंट, बोय की व्यवस्था रखती जाय।

कल ही एक कम्पनी के भ्रष्टाचार का मामला आया है। लाखों रुपये उसने गबन किये। लेकिन उसे 67,000 रुपया फाइन करके छोड़ दिया गया। लाखों रुपये का उन्होंने गोल माल किया। इसके लिए मेरी दररुवास्त यह है कि मेरा यह अमेंडमेंट मंजूर किया जाय।

अगर अध्यक्ष महोदय, मुझे इजाजत दे तो मैं इतना कह दूँ कि लकड़हान नदी का पुल बने हुए आठ महीने पूरे हो चुके हैं लेकिन अभी तक उस पर ट्रैफिक आदि का इस्तेमाल गूँह नहीं किया गया है। जब उनसे उसे चालू करने की वजह पूछी गई तो उन्होंने कहा कि मिनिस्टर माहब द्वारा उद्घाटन करने के

बाद ही उसे चालू किया जायगा। अब इस कारण जो नुकसान हो रहा है वह नुकसान किसके ऊपर है? इस पुल को इस्तेमाल के लिए अभी तक चालू न करने के कारण लाखों रुपये का नुकसान हो रहा है। जब हम यह पूछते हैं कि यह पुल चलता क्यों नहीं है तो कहते हैं कि क्या किया जाय, कोई मिनिस्टर साहब इसका उद्घाटन करने अभी तक नहीं आये हैं

अध्यक्ष महोदय : ठाकुर साहब ने उसका उद्घाटन क्यों नहीं कर दिया।

श्री यशपाल सिंह : वह हमसे नहीं करते। वह तो गांधी टोपी वालों से ही करते हैं।

अध्यक्ष महोदय : आपके लिए टोपी। पहन लेना मुश्किल तो नहीं है।

श्री यशपाल सिंह : इसके अलावा मैंने अपने एक दूसरे अमेंडमेंट में यह चाहा है:—

“and in no case the fine shall be.....”

अध्यक्ष महोदय : माननीय सदस्य यह कीनसा अमेंडमेंट बतला रहे हैं?

श्री यशपाल सिंह : मेरे ४ और ५ नम्बर के अमेंडमेंट्स हैं।

अध्यक्ष महोदय : उनके लिए जरा ठहर जाइये।

श्री यशपाल सिंह : नम्बर २ के मुतालिक मेरी इतनी अर्ज है कि इतना और किया जाय कि कम से कम जब तक यह सरकार इस तरह की कोई रूपरेखा न दे कि कैसे यह लोग अलग किये जा सकते हैं गवर्नरमेंट सर्वेंट्स से, तब तक यह बिल आपका कम्प्रीहेंसिव नहीं हो सकता है। इसलिए मेरी आप से यह अर्ज है कि इस बिल को बनाते बक्त इस बात का ज़रूर ख्याल रखता जाय कि कम से कम गवर्नरमेंट सर्वेंट्स

[श्री यशपाल सिंह]

की डैफनीशन में वे सब लोग आ जायें जिनका कि ताल्लुक इन फाइल्स से हो और जिनके यहां यह फाइलें पहुंचती हैं।

Shri Hathi: Amendment No. 1 is about trial *in camera*.

श्री यशपाल सिंह : मैं अर्ज करना चाहता हूँ कि जब तक आप यह डिफाइल नहीं करेंगे कि कोन इसमें क्लॉसरवार है, किस तरह से कोन रहेगा और कोन नहीं रहेगा; तब तक आप कैसे यह बतला देंगे कि हमने करप्शन दूर किया है?

इसके साथ ही साथ वह दूसरे क्लाऊज भी हैं...

अध्यक्ष महोदय : जब वह आयेंगे तो मैं आपको बुला लूँगा।

Shri K. L. More: Yesterday I dealt with this point, and I do not desire to repeat the arguments.

Shri N. Dandekar: I would very much support Shri More's amendment. I have, in my general speech, covered most of the points.

Shri Hathi: In regard to Shri Yashpal Singh's amendment, I have already given my reasons. In defamation or corruption cases, if either of the parties wants that it should be *in camera*, or if the court so directs, I think we should give this facility, so that there is no unnecessary publication of things coming out in the cross-examination. That is the only idea, and I do not think there should be any objection to it. I am not prepared to accept the amendment.

Amendment No. 7 desires to omit lines 18 to 32. This is with regard to section 198B. At present the words are "other than the offence of defamation by spoken words". We intend that defamation even by spoken words should be a matter for a com-

plaint by the public prosecutor when the public servant is being defamed. It is not necessary that it should be only in writing. I am not accepting the amendment.

Mr. Speaker: I put amendments Nos. 1 and 7 to the House.

Amendments Nos. 1 and 7 were put and negatived

Mr. Speaker: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Mr. Speaker: The question is:

"That Clauses 4 and 5 stand part of the Bill."

The motion was adopted.

Clauses 4 and 5 were added to the Bill.

Clause 6— (Amendment of Act 2 of 1947)

Shri Hathi: I beg to move:

Page 4, line 1,—

for "after clause (d)" substitute—

"in clause (d) the word 'or' shall be inserted at the end and after clause (d) as so amended". (6)

Shri Oza: I beg to move:

Page 6, line 41,—

for "at once to give in writing", substitute—"to give in writing, at once or within such time as the Magistrate may allow.". (9)

Shri Hathi: I am accepting amendment No. 9.

Shri Yashpal Singh: I beg to move:

(i) Page 4,—

omit lines 21 to 23. (2)

(ii) Page 4, line 27,—

for "or with fine, or with both" substitute—

"and shall also be liable to fine". (3).

(iii) Page 4, line 36,—

add at the end—

"and in no case the fine shall be less than the amount or the value of the property which the accused person has obtained by committing the offence". (4)

(iv) Page 6, line 41,—

for "at once to give" substitute—
"to give within a fortnight" (5)

अगर लाइन २१ से २३ को ओमिट कर दिया जाय तो यह और ज्यादा साफ़ हो जायेगा।

Shri K. L. More: I beg to move:

Pages 6 and 7,—

omit lines 32 to 41 and 1 to 4 respectively. (8)

Yesterday I pleaded that nothing should come in the way of the right of the accused.

Shri Hathi: Amendment No. 2 wants the omission of lines 21 to 23 containing the proviso. The main provision is that it shall be punishable with imprisonment for a term which shall not be less than one year. but in the proviso special power is given to the court that if there is a petty offence, then it should not be

necessary that the compulsory punishment should be inflicted on the man. Moreover, it may also be pointed out that a similar provision is already there with regard to offences of at least a similar nature in section 5(2) of the Prevention of Corruption Act. This is on the same lines, and here only an option is given to the magistrate.

Mr. Speaker: What about amendment No. 3?

Shri Hathi: About that also my argument is that there must be some discretion.

With regard to amendment No. 4, his objection seems to be that if a public servant had disproportionate assets, the whole of the disproportionate assets should be recovered as fine or that the fine should be equivalent to the disproportionateness of the assets. After having rejected the earlier amendment where also he wanted no discretion to be vested, we feel that discretion should be given to the court to decide the amount of fine to be imposed on the accused. I submit that we should not tie down the hands of the judge and so I oppose this amendment.

Regarding amendment No. 5, I have already said that I accept Mr. Oza's amendment and so I do not accept this amendment.

Mr. Speaker: Amendment No. 8 is that of Shri K. L. More.

Shri Hathi: I do not accept it.

Mr. Speaker: I shall put all the amendments Nos. 2, 3, 4, 5, and 8 together to the vote of the House.

Amendments Nos. 2 to 5 and 8 were put and negatived

Mr. Speaker: I shall put Government amendment No. 6 and Shri Oza's

[Mr. Speaker]

amendment No. 9 to the vote of the House. The question is:

Page 4, line 1,—

for "after clause (d)" substitute—

"in clause (d) the word 'or' shall be inserted at the end and after clause (d) as so amended"
(6)

The Motion was adopted

Mr. Speaker: The question is:

Page 6, line 41,—

for "at once to give in writing", substitute "to give in writing, at once or within such time as the Magistrate may allow,"
(9)

The Motion was adopted

Mr. Speaker: The question is:

"That clause 6, as amended, stand part of the Bill".

The Motion was adopted

Clause 6, as amended, was added to the Bill.

Clauses 7. 1, the Enacting Formula and the Title were added to the Bill.

Shri Hathi: Sir, I beg to move:

"That the Bill, as amended, be passed".

Mr. Speaker: Motion moved:

"That the Bill, as amended, be passed".

Shri M. N. Swamy (Ongole) Sir, at the third reading stage of this Bill, I wish to say that we have heard what the Minister had said by way of a long explanation regarding the Ministers. The Santhanam Committee

report says that the ministers are a special case. But now we hear the Minister saying that the 'ministers' are also included in the 'category of public servants'. Then, it was pointed out to him that the position will become different if the Supreme Court reverses this interpretation.

Mr. Speaker: Shri Dandekar suggested that a Bill would have to be brought.

Shri M. N. Swamy: In that case, the House has to sit and discuss it again. It is only in the fitness of things that there should have been a provision regarding Ministers in this Bill itself. In that report, there is a chapter regarding legislators and political parties and that has not been dealt with in this Bill. Several Members raised the point that huge donations should not be accepted by the political parties and any small donations should be publicised and Election Commission should know about all this. All this had not been included in this Bill.

I am glad the Minister concedes the principle that high officers should not join big private firms after retiring from government service but what prevents him from incorporating it in this Bill. Officers with rich experience and contacts go and join big firms of Tatas and Birlas after their retirement because they know how to do things and to move papers. The Minister ought to have incorporated a provision in this Bill about this matter.

The Santhanam Committee also dealt with ministers' sons and relatives being appointed to high posts on huge salaries, hardly with any qualification. This Bill should have provided that such appointments should not be made in the big business houses. These people get appointments as public relations officer, etc. and draw Rs. 4,000 or Rs. 5,000 with

big cars and bungalows; perhaps even the Ministers do not enjoy such perquisites. But this Bill does not do anything about it.

Coming to the last point, I may say this. What is it that corrupts people who have sacrificed so much in the national movement? Why are they victims of corruption today? The gigantic means of production are owned by a few people. That is what the report on national income shows. Wealth is increasingly owned more and more by a few houses and this leads to corruption of some legislators and Ministers.... (An Hon. Member: All Ministers). I would not say all ministers. It is this concentration of wealth which corrupts people who made great sacrifices during the freedom struggle. Perhaps the Minister may say that this is not the proper place to talk about it. Till perhaps the Government comes out with measures, breaking up the means of production being owned by a few individuals, this corruption, this capacity to corrupt, the means to corrupt by big business-houses will remain there. therefore, appropriate and proper measures should be brought forward, shaking the capacity to corrupt, the chance to corrupt, and those measures should be somehow included in this Bill. Till we come with such a measure, corruption will continue. We may talk that there is so much of corruption. As has been pointed out, every day, we see in the press reports about corruption not only of officers but in respect of bigwigs and ministers—ministers both at the Central and the State level. Law and order is not there in some States today. Take the States from Kerala to Kashmir; in a State like Orissa, you do not have law and order today but the Government do not feel it proper to enquire into the matters, and dismiss, or prosecute and penalise the people concerned, because they belong to the same party flag. Therefore, this Bill does not meet the needs of the situation today.

Shri Hathi: I am glad that the hon. Member appreciated that this was not the proper forum and for the Minister to reply on questions of economic development and economic progress which would not fall within the purview of this Bill. I am glad he appreciated it, but very often even though one appreciates it, one wants to give expression to what is present and is pressing in one's mind.

The second point that the hon. Member raised was about the Ministers, about corruption going on in Orissa and matters like that. Yesterday, most of the speakers who spoke, especially, Shri Sundranath Dwivedy, also mentioned the Orissa question. They also mentioned about the honesty and integrity, and the recommendations of the Santhanam Committee. So far as the social climate is concerned, I may say that we have evolved a code of conduct which has been laid on the Table of the House, according to which, as the hon. Members will see, the ministers have to disclose their assets and liabilities. (Interruption).

Shri M. N. Swamy: There must be a provision in this Bill.

Shri Hathi: Everything cannot be included in this Bill; there are other things also where they can go. After all, as I said, it is a question of the social climate and of moral standard. Everything cannot be done by law. There is something like moral character; there is something like morals. If we simply do everything under the threat of law or the threat of fine or punishment, it will not do; there is something like the social atmosphere; there is something like social status and there is something like moral character; and there is something like a code of conduct for everybody, not only ministers and politicians but for everyone. I think we should lay emphasis more on the question of character and code of conduct rather than pieces of legislation. This is all right but this alone would not serve the purpose.

[Shri Hathi]

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

—
13.54 hrs.

FOOD CORPORATIONS BILL

The Minister of Food and Agriculture (Shri C. Subramaniam): Mr. Speaker, Sir, I beg to move:*

"That the Bill to provide for the establishment of Food Corporations for the purpose of trading in foodgrains and other foodstuffs and for matters connected therewith and incidental thereto, be taken into consideration."

Hon. Members may recall the White Paper reviewing the food situation which was circulated to them early in September. I had presented an up-to-date picture of the then prevailing situation. I drew attention in paragraphs 30 and 31 of that Paper to the need for evolving a long-term foodgrain policy with a view to deal with the several defects and deficiencies that had been noticed in the implementation of several short-term measures recently undertaken. Experience in the last two months has confirmed that unscrupulous elements do not hesitate to exploit difficult situations to their advantage and hold the community to ransom.

Recent events have shown how necessary it has become, in the face of frequent disturbances on the food front and reported shortages and panicky hoarding by consumers as well as various anti-social elements in the society, to regulate, reorganise and co-ordinate the production and distribution systems of foodgrains along scientific lines to face the future with confidence.

We have already taken action on the Jha Committee's recommendations in regard to ensuring fair prices at the producer, wholesaler and retailer levels. We have also set the machinery in the States with additional price pattern. Steps are being taken to strengthen the enforcement machinery in the States with additional financial assistance from the Centre. Other regulatory measures are being taken but the most important will be the setting up of a Food Corporation of India as proposed in the Bill before this House. None of the regulatory measures like licensing or requisitioning or regulation of movements can succeed and no price policy can be administered unless there is a State agency which can secure for itself a commanding position in the foodgrains trade in course of time.

Procurement for internal distribution at approved prices has been a feature of our food policy for several years now. Similarly, the building up of buffer-stocks has been one of the objectives behind this procurement. The procurement policy itself received considerable attention in the hands of a committee headed by my hon. friend Shri Thirumala Rao in 1950. Even at that time, the committee came to the conclusion that the aim of Government food policy must be the achievement of a stable and reasonable price level for foodgrains and supplies to the consumer at this price, and that this meant a controlled system for the procurement and distribution of grains. The committee also recommended that a uniform system of procurement and distribution is not only practical but desirable and necessary.

Seven years later, we had the benefit of the recommendations of the Foodgrains Enquiry Committee under the chairmanship of my colleague, Shri Asoka Mehta. One of the terms of reference of this Committee was to make recommendations to ensure a level of prices which would provide

*Moved with the recommendation of the President.

the necessary incentive to the producer with due regard to the interests of the consumer and the maintenance of a reasonable cost structure in the economy. I have referred to this show that the objective then was the same as it is today. This Committee recommended the setting up of a foodgrains stabilisation organisation and observed:

"Prices of foodgrains can be successfully controlled only through controlling the demand and supply of foodgrains. The way in which demand and supply of foodgrains can be regulated is through undertaking timely and effective purchase and sale operations, arranging for necessary procurement and imports and maintenance of sufficient stocks. We consider however that for the specific functions of open market purchases and sale, procurement of foodgrains and maintenance of stocks, it will be desirable to have a separate organisation called Foodgrains Stabilisation Organisation under the Ministry."

It was suggested that the organisation should operate as a trader in the foodgrains market with branches or agencies of its own in all important *mandis*, particularly in surplus areas and centres of distributive trade.

The Bill before the House is precisely intended to set up such an organisation as an autonomous statutory Corporation. We hope that the Corporation will effectively protect the producer against the cyclic and seasonal fluctuations in prices and ensure that he gets a steady return which would also act as an incentive for increased production. It will be our main instrument for protecting the consumer from the exploitation and vagaries of speculative trade.

What is important from our point of view is to see that the Corporation acts quickly and functions efficiently on the lines of a commercial undertaking, alive to the heavy responsibilities placed on it. The structure of

the Corporation has been evolved bearing this aspect in view. It should be enabled to evolve its own set-up in a manner that will lead to quick results and it should have the strength even at the out-set to withstand and face effectively not merely healthy competition but, judging from present trends, even unhealthy opposition.

14 hrs.

[SHRI SONAVANE in the Chair]

Shri Nambiar (Tiruchirapalli): It has started already.

Shri C. Subramaniam: We envisage that with the proposed initial capital of Rs. 100 crores and the borrowing facilities that will be available to the Corporation, it should be in a position to start and conduct operations in the Southern Zone where its activities will be largely confined to start with. In due course, the Corporation will extend its sphere of operations to other areas and take on additional responsibilities. It is also envisaged that in due course it may be entrusted with powers to negotiate and procure supplies from abroad.

Hon. Members will agree that the objectives behind the establishment of this Corporation cannot be achieved unless we secure for the Corporation not merely the blessings of State Governments, but their active and continued cooperation and, in fact, the participation in a big way of the State Government machinery. This important aspect has been considered carefully particularly in consultation with the panel of administrative experts consisting of high officials from State Governments set up by this Ministry. It was the view of this panel that the participation of State Governments could either be secured by the setting up of Regional Boards of Management or by setting up Corporations, functioning within the framework of the policy of the Corporation of India. In the Bill before the House, we have made provision for setting up either Boards of Management as in Chapter

[Shri C. Subramaniam]

III or State Food Corporations as in Chapter IV, depending upon the advice and wishes of the particular State Government concerned.

It is not necessary for me to explain in any great detail the provisions relating to Finance, Accounts and Audit in Chapter V. Clause 27 has been introduced to enable the Corporation to borrow money from banks and financial institutions against stocks under Government guarantee. Clauses 28-30 have been introduced to enable the Corporation to function in the same way as a trader and also to facilitate additional investment by producers.

In this connection, I may observe that credit will be the principal means by which the farmer is brought closely to the Corporation's activities. It is through credit that the private trader has been making his inroads into the farmers and gathers the marketable surplus. The Corporation will be expected to use the credit mechanism to ensure that the farmer is able to meet his requirements fully. In the long run, increased production can be obtained only by putting in more inputs like better seeds, fertilisers, etc., and the Corporation should, in due course, undertake the supply of these productive inputs along with credits to those farmers who enter into suitable agreements with the Corporation. We have to bear in mind that it is the first time that a commercial organisation established by Government comes into direct contact with the farmers. The business of buying and selling can be used for mutual benefit and profit.

There is then the important problem of storage. It is admitted on all hands that faulty storage at all levels from the consumers to the producers who are poor and are in millions results in our losing a very high percentage, almost equal to about 15 per cent of our grains every year and as long as our storage is not perfected,

even more production would only mean more loss of foodgrains. It has been estimated that a rat can eat foodgrains every day equal to its own weight and 10 rats can eat one man's food a day. You will imagine, therefore, in a big country like this what an amount of work is ahead of us even in this direction and how millions of people will have to participate in facing the problems and trying to solve them for the country. We shall have to regulate storage at all levels even by legislation and at the same time build up soils and other storage facilities on modern lines so that we can save all that we grow.

The Corporation will be expected to utilise fully the storage facilities of the Central Warehousing Corporation and the State Warehousing Corporations and, if necessary, storage facilities at the disposal of the Ministry. The storage will be arranged at such strategic points so that the responsibilities for distribution to deficit areas would be quickly discharged. The accounts and audit will be based on commercial practice. The Corporation is expected to submit an annual report which, together with the audit report, will be placed before Parliament.

I have observed earlier that it will be necessary, if our policy is to succeed, that the Corporation should, as quickly as possible, build for itself a commanding position in the foodgrains trade in the areas where it operates. Any tendency or moves on the part of the trade to place obstacles in the way of the Corporation in its efforts to achieve these objects will have to be dealt with firmly by the Government concerned. I may perhaps herein emphasise the point that the Corporation will succeed in its objective fully only when it is able to build adequate buffer stocks. There should be no misapprehension that by the setting up of this Corporation as

an autonomous Commercial organisation, it loses its complexion as Government entity. It in fact, must function as an essential limb in the integrated set-up of Central and State Government machineries for the implementation of an all-India food policy. If, therefore, circumstances warrant the necessity of resorting to the powers of requisitioning under the Essential Commodities Act or the Defence of India Act, such action will be taken.

It will be seen that in drafting the provisions, we have confined ourselves generally to the need for securing for the Corporation such powers and authority as are necessary in the fulfilment of our overall objectives. Whilst immediately the Corporation will be expected to concentrate in the discharge of its primary functions of trade in foodgrains, we envisage that in due course, the Corporation should assume for itself and play a much wider role in the matter of achieving the long-term objective, namely, of assisting in an overall increase of agricultural production. It may then be necessary for the Corporation to take the lead in the matter of modernizing agriculture by introduction of mechanisation, attention to subsidiary foods, food processing, etc. It is only a corporation of the standing and resources as now being set up that can effectively achieve success in this direction. The Corporation, therefore, has not merely an immediate role to play, but a broader and more vital role in due course.

It is necessary for all of us to realise that immediate action is called for on the purchase front. The Corporation will officially start its operation only in January and it is essential that the necessary network is built up without delay. In the intervening period, we propose to utilise the procurement organisation of the State and Central Governments to buy foodgrains in the open market at the declared prices.

There is no doubt that the success of the Corporation depends largely on

the efficiency and achievements of its Purchase Division. The Corporation should have enough freedom to choose from cooperatives, commission agents, wholesale traders, rice mills for its own personnel at the market centres. It may even be desirable to set up multiple purchasing agencies at the same points not only to fulfil the target but also to act as mutual checks on each other so as to increase the operating efficiency.

The gravity of the present situation depends on overall and determined effort. I earnestly hope that Members will not merely endorse this measure—I am sure they will endorse it—in the House, but also help in every way to interpret the national role that the Corporation is expected to play in protecting the interest of particularly the producer, who should realise that, very soon, he will have an office or agent of the Corporation to go to where he can get the minimum price which has been assured to him.

Sir, I move.

Mr. Chairman: Motion moved:

"That the Bill to provide for the establishment of Food Corporations for the purpose of trading in foodgrains and other foodstuffs and for matters connected therewith and incidental thereto, be taken into consideration."

There is a motion for circulation and a motion for reference to Select Committee. Are they being moved?

Shri Yashpal Singh (Kairana): Yes. Sir; I want to move my motion.

Shri N. Dandekar (Gonda): If the Minister is accepting the motion for reference to Select Committee, then I am not particularly keen about my motion for circulation.

Mr. Chairman: Let it not be conditional.

Shri N. Dandekar: In that case, Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 20th February, 1965".

Shri Yashpal Singh: I beg to move:

That the Bill be referred to a Select Committee consisting of Dr. M. S. Aney; Shri Bhagwat Jha Azad; Shri Ramchandra Vithal Bade; Shri Mani Ram Bagri; Shri Bibhuti Mishra; Shri Ajit Prasad Jain; Sardar Kapur Singh; Dr. Ram Manohar Lohia; Shri Harish Chandra Mathur; Shri B. P. Maurya; Shri H. N. Mukerjee; Shri Ananda Nambiar; Shri Nath Pai; Dr. Sarojini Mahishi; Shri Diwan Chand Sharma; Shri Prakash Vir Shastri; Shri Vidya Chanran Shukla; Shri Krishnapal Singh; Shri Surendra Pal Singh; Shri C. Subramaniam and Shri Yashpal Singh with instructions to report by the 30th November, 1964.

Mr. Chairman: I find that Shri Berwa and Shri Bade are not present in the House. There are no other substitute motions. Therefore, these two substitute motions, one for circulation and the other for reference to a Select Committee will also be considered along with the original motion moved by the hon. Minister.

Now, there are no amendments. The time allotted for this Bill is 5 hours.

Shri D. S. Patil (Yeotmal): I have given notice of amendments.

Mr. Chairman: I was talking about the apportionment of time. As there were no amendments I wanted to say that most of the time allotted can be taken up in the general discussion.

Shri K. N. Tiwary (Bagaha): Have you closed taking in amendments, or can we give amendments now?

Shri Ranga (Chittoor): There is very little time left today. They can give amendments even tomorrow.

Mr. Chairman: The rules are very clear on that. 24 hours notice is necessary. If your notice falls within that rule it will be taken up.

Shri K. N. Tiwary: The hon. Minister has moved the Bill today.

Shri C. Subramaniam: I gave notice long ago.

Shri K. N. Tiwary: I hope we can give our amendments tomorrow.

Mr. Chairman: Hon. Members may send in their amendments. I will place them before the Speaker for his consideration.

Shri N. Dandekar: Sir, as the hon. Minister explained, the introduction of this Bill is in pursuance of a policy concerning which a White Paper was laid on the Table of the House in September, 1964. Having regard to the explanation of the Bill which the Minister so lucidly gave to the House just now, ordinarily one would be inclined to say that, on the whole, it is a measure to which one need not in principle take exception.

He described that the Corporation would work on commercial lines. There is included in the Bill a provision that the Board of Directors would conduct the affairs of the Corporation on business principles. There are references also to the commercial manner in which the operations would be handled. Moreover, the Minister was good enough to explain the manner in which the Corporation was intended to assist the producer, not merely by purchasing his output at assured minimum prices but also to assist him with credit, and that there would be various agencies for that purpose and so on.

As I said, ordinarily, expressions of that kind, explanations of that kind, would not form grounds for any apprehension concerning the objectives

of this Food Corporation or the manner of its working, nor the general policy objectives which the Government had in view in setting up this Corporation. But, Sir, knowing the manner in which the various State Trading and other State Corporations have started in the beginning and the manner in which they have subsequently grown, namely, gradually to oust from the field, the ordinary trade channels, those hundreds of people who are engaged in that particular business and gradually converting the operations into a large monopolistic octopus, I view this measure with some apprehensions as to the implications of it, on the one hand, and as to the motives behind it, on the other, in so far as Government policies are concerned. I also view with grave apprehensions the consequences which may emerge from this, not merely in terms of profiteering by this very Corporation, that is to say not merely in terms of harm to the interests of the consumer in the long run, but also in terms of the potential harm which it contains in the course of its development as an anti-farmer device. In other words, this seems to be measure for the compulsory acquisition of foodgrains throughout the country as a means for monopolistic distribution throughout the country whereby, in fact, all that will remain is to attach to the State in this country the name of "Communist State". Short of merely adopting that name, there will be established in the most important part of the national economy practically a Communist State Enterprise of an all-pervading character.

very large proportion of the total national income. Letting into that sphere a State-owned corporation on an all-India monopoly basis, with satellite corporations in every State, the whole of whose operations would be financed at public expense and the whole of whose operations both in the matter of procurement and distribution and also in the matter of transport, in the matter of purchase and sale and in the matter of distribution trading would be on a monopolistic basis,—all this certainly raises apprehensions of an extremely grave kind.

I, therefore, make the first point, namely I wonder whether one can ask the Minister, when he replies to the debate, to give an assurance that there is no intention whatsoever in this particular measure to establish an all-pervading a government monopoly in the entire agricultural economy of this country.

Now, I would like to say a few words as to why I entertained these apprehensions. I turn, first of all, to the provisions that are contained here in clause 7 about the appointment of directors. Of the total Board of Directors, six are to be clearly officials anyhow, namely: the Chairman, the directors representing the ministries of Food, Finance, and Co-operation, the Managing Director of the Central Warehousing Corporation, and the Managing Director of this Corporation itself. There remain six other Directors whom Government would appoint. There is no indication whatever, either in the Bill or in the Minister's speech, as to the source from which these six Directors would be drawn, what sort of qualification they will be expected to have and what sort of experience they will be expected to have. This raises considerable doubts in one's minds as to whether this is not in fact intended to be an entirely Government-owned, Government-managed, Government-directed corporation in every sense of the term, including the day to day management, including those occasions on which the Board of Directors get together for

The House is undoubtedly aware that something like 50 per cent of the national income is derived from agriculture. I have not with me the figures of exactly how much of that portion of the national income is contributed by foodgrains and other food products in which this Corporation will be engaged and how much by commercial crops. But one can be absolutely certain that it constitutes a

[**Shri N. Dandekar**]

the purpose of deciding specific issues and policies in the normal course of business.

In the Statement of Objects and Reasons it is explained that the Corporation is expected to work within the framework of overall Government policy. This causes some apprehension. On the one hand, the Corporation is said to be designed to work on commercial principles. In some places it is said "on commercial lines", elsewhere it is said "in commercial manner" and in other places it is said "on business principles" and so on, but there is this ominous statement that this Corporation will work within the framework of overall Government policy. What does that imply?

Shri C. Subramaniam: Does the hon. Member expect it to work against the Government policy?

Shri N. Dandekar: No, Sir. But I want to know whether this Corporation is going to work in the matter of making advances and of purchasing and selling foodgrains on business principles or is it going to work according to any odd principles that happen to be at that particular time, or in a particular context, within the whims and fancies of the "overall policies of Government."

Mr. Chairman: The hon. Minister has referred to that in his speech earlier.

Shri N. Dandekar: The "overall policies of Government" can mean anything at any time.

Shri Ranga: Including profiteering.

Shri N. Dandekar: Yes, including profiteering. For example, they have recently in their Ordinance announced the prices at which foodgrains may be bought from the producers and also the wholesale and retail trade prices. Of course, there is a provision for margin of profit; fair enough. But will the Corporation be

working or not working within that kind of framework and pricing? That is the kind of assurance that one desires—or is it that the Corporation after assuming these wonderful things called "commanding positions" "strategic heights" and things of that kind,—which are military expressions that have crept into the speeches of Government spokesmen since China invaded us from strategic heights and drove our forces out from their "commanding positions" since when we have certainly become extremely military-minded in expressing or giving an exposition of our policies—this is the kind of phraseology that is very familiar in Communist literature—....

Mr. Chairman: The hon. Minister has taken food production on a war footing.

Shri N. Dandekar: Yes Sir, crash programme, war footing, strategic and commanding positions and heights and expression of that kind are always there. Unfortunately, there is nothing in the Bill, no indications whatever, nothing to reassure one that, while apparently leading people to believe that at any rate in the earlier years this Corporation is going to function alongside with the normal trade channels, the dice will not in fact be loaded in favour of the Corporation in various wages so as to make it a monopoly in practice.

Of course, I cannot object in principle to the creation of the State food Corporation. I cannot object to it if its finances are provided or guaranteed by the Government; that necessarily goes with it. But I have in mind fears of another kind. For instance, it is already in the newspapers that the zones were abolished and now every State has become a separate zone. There will not be free movement of foodgrains whether from district to district or State to State or from one part of India to another part. In other words, we

would now be having even smaller units constituting zones. The thought that occurs to me, the apprehension that I have is this, that while apparently this Corporation is to set an example of good conduct, an example of fair dealing, an example of how to help the producer, how to minimise cost and profit margin, how to help the consumer etc., in other words, to function alongside the trade so that the trade may learn from this wonderful Corporation how to conduct itself while all this is on paper, in reality nobody would be able to buy foodgrain from one State and take it to another State, except only the Corporation. Permits will be needed for transport, whether by rail or by road. It was in fact mentioned that in so far as inter-State movements or inter-district movement by railways was concerned, it was intended that the Corporation should have a monopoly. I do not understand what sort of working on business line or commercial principles is this when all the time the dice is loaded by giving the Corporation preferential situations, preferential permissions, preferential privileges, monopolistic privileges and things of that kind. The Minister has mentioned in his speech—I am not sure whether it is in the Government policy statement made two months ago—that, "if necessary," the Corporation will under the Essential Commodities Act be given the right to procure foodgrains compulsorily. I feel that this is not just a mere possible thing that might happen; I am certain that it is actively in the minds of most State Governments and apparently it is also the intention of the Central Government. I am really afraid of this. I am not afraid of shadows; I am afraid of the things that have been said, namely, that at any time all the producers of foodgrains in this country are going to be at the mercy of this enormous Corporation, with its satellites, the State Corporation, with enormous money resources behind it, with transport monopolies and the like. The Minister also mentioned that one of the ways in which this Corporation can acquire commanding position or strategic posi-

tion,—for whatever the words are, would be for it to acquire adequate buffer stocks. To acquire buffer stocks means stocks more than are needed for the purpose of current distribution to the consumer under pressure purchase of a kind that would be of incredible dimensions. I do not know whether one is aware that if you are going to make purchases with a view to building up substantial buffer stocks, not merely stocks that are going to see you through from one harvest to the next, i.e. during the inter-harvest period, but buffer stocks of such magnitude as build up for the Corporation a commanding position in the foodgrains trade. What this means is that you have either got to have a compulsory procurement policy such that the producers will be compelled to surrender their foodgrains to the Corporation or such a high voluntary purchase price that they will be readily attracted to the Corporation and would not mind selling their entire produce to the Corporation.

It may be thought that I am getting frightened of shadows. Therefore, I would like to read what has been said in that white paper itself that was circulated in September, regarding the Foodgrains Corporation. This is what is said in paragraph 36:—

"Government have, therefore, decided to set up a Foodgrains Trading Corporation to function on strictly commercial lines...."

Presumably no monopoly; I take that to be one of the Cardinal principles of working on "Strictly commercial lines", one of the fundamental principles of strictly commercial operations is free and open competition.

"....to function on strictly commercial lines to purchase, to store and sell foodgrains. This Corporation, which would be on a statutory basis, will be equipped with sufficient resources..."

And here we begin to get to the rough stuff:

[**Shri N. Dandekar**]

"It will be armed . . ."
another military expression:

"It will be armed with adequate
powers"

Mr. Chairman: I hope the hon. Member
is likely to take some more time.

Shri N. Dandekar: Yes, Sir.

Mr. Chairman: In that case, he
might continue his speech the next
day. Now we will take up Private
Members' Business.

14.30 hrs.

**PRIVATE MEMBERS' BILLS AND
RESOLUTIONS COMMITTEE**

FIFTIETH REPORT

Shri Hem Raj (Kangra): Sir, I beg
to move:—

"That this House agrees with
the Fiftieth Report of the Com-
mittee on Private Members' Bills
and Resolutions presented to the
House on the 18th November,
1964."

Mr. Chairman: The question is:

"That this House agrees with
the Fiftieth Report of the Com-
mittee on Private Members' Bills
and Resolutions presented to the
House on the 18th November, 1964."

The motion was adopted.

Mr. Chairman: Bills to be intro-
duced **Maharajkumar Vijaya Ananda**
Absent.

14.31 hrs.

**CONSTITUTION (AMENDMENT)
BILL***

(Amendment of the Seventh Schedule).

Shri Balkrishna Wasnik (Gondia):
Sir, I beg to move for leave to intro-

duce a Bill further to amend the Con-
stitution of India.

Mr. Chairman: The question is:

"That leave be granted to intro-
duce a Bill further to amend the
Constitution of India."

The motion was adopted.

Shri Balkrishna Wasnik: Sir, I in-
troduce the Bill.

Mr. Chairman: Shri Malaichami.
Absent.

Shri D. S. Patil (Yeotmal): On be-
half of Shri Malaichami can I intro-
duce the Bill?

Mr. Chairman: Has he been given
the authority?

Shri D. S. Patil: No.

Mr. Chairman: Then he cannot do
so. Shri A. S. Saigal...Abent. Shri
Yashpal Singh.

14.31½ hrs.

HIRE-PURCHASE BILL*

Shri Yashpal Singh (Kairana): Sir.
I beg to move for leave to introduce
a Bill to amend the law relating to the
hire-purchase of goods.

Mr. Chairman: The question is:

Shri Yashpal Singh: Sir, I intro-
duce a Bill to amend the law
relating to the hire-purchase of
goods."

The motion was adopted.

Shri Yashpal Singh: Sir, I intro-
duce the Bill.

*Published in Gazette of India, Extraordinary—Part II, section 2,
dated 20-11-1964.

14.32 hrs.

DELHI CORNEAL GRAFTING BILL
—contd.

Mr. Chairman: The House will now take up further consideration of the following motion moved by Shri Naval Prabhakar on the 25th September, 1964:—

“That the Bill to make provision with respect to the use of eyes of deceased persons for therapeutic purposes, be taken into consideration.”

Shri Naval Prabhakar is not here.

The Minister of Health (Dr. Sushila Nayar): Sir, the Delhi Corneal Grafting Bill was under discussion last time. As the hon. Mover of the Bill is not here, it will have to be disposed of one way or the other.

Mr. Chairman: Is Shri Sheo Narain, who was holding the floor, here? ... He is not here. Is there any other speaker? ... No.

The time allotted for this Bill was one hour and the time taken was 13 minutes leaving a balance of 47 minutes. As there is no other speaker, I shall call upon the hon. Minister to reply.

श्री यशपाल सिंह (केराना) : रेप्लाई किस को दी जा रही है? मूवर महोदय तो यहां हैं नहीं।

श्री हुकम चंद्र कछवाय (देवास) : माननीय मन्त्री किस को उत्तर देंगे? प्रस्तावक तो सदन में नहीं हैं।

Mr. Chairman: The House is seized of it. As nobody is there to speak on it, she will reply to the debate.

Dr. Sushila Nayar: Mr. Chairman, Sir, I very much appreciate the spirit in which Shri Naval Prabhakar has

introduced this Bill. It is true that in modern times the techniques of corneal grafting have developed so that it is possible to replace the cornea of one human being with the cornea of another human being. If the cornea of people, who are killed in accidents or whose eyeball has to be removed for certain specific conditions, is clear and healthy it, can very well be grafted on to another person's eye whose cornea has become opaque and, therefore, does not allow him to see through that cornea.

But the Chief Commissioner of Delhi has already extended the Bombay Corneal Grafting Act to Delhi. The Bombay Corneal Grafting Act has been in use in Bombay and several institutions have been authorised and declared as suitable places for acting as eye banks and do the corneal grafting work. There are four institutions in Bombay itself. In Delhi also it has been declared under this notification that five institutions, namely, the All-India Institute of Medical Sciences, the Safdar-jung Hospital, New Delhi, Dr. Shroff's Eye Hospital, Daryaganj, Irwin Hospital, New Delhi and the Hindurao Hospital, Delhi, are approved institutions for the purposes of this Act.

In view of this it does not seem necessary to pass the Bill that has been introduced by Shri Naval Prabhakar. He is not here and so I cannot request him to withdraw it. So, I will have to request the House to reject the Bill.

Mr. Chairman: The question is:

“That the Bill to make provision with respect to the use of eyes of deceased persons for therapeutic purposes, be taken into consideration.”

The motion was negatived.

**CONSTITUTION (AMENDMENT)
BILL (Omission of article 370)—**

श्री प्रकाशवीर शास्त्री (जिनोर) : सभापति जी, मैं प्रस्ताव करता हूँ कि संविधान में संबोधन करने वाले अर्थात् संविधान की धारा ३७० को संविधान से हटा कर जम्मू काश्मीर राज्य को भारत का अभिन्न अंग बनाने वाले विधेयक पर जो चर्चा ११ सितम्बर, १९६४ को स्थगित की गई थी, उस को फिर से आरम्भ किया जाये।

Mr. Chairman: The question is:

"That the adjourned debate on the following motion moved by Shri Prakash Vir Shastri on the 11th September, 1964, be resumed, namely:—

"That the Bill further to amend the Constitution of India, be taken into consideration."

The motion was adopted.

Mr. Chairman: The House will now take up further consideration of the following motion moved by Shri Prakash Vir Shastri on the 11th September, 1964:—

"That the Bill further to amend the Constitution of India, be taken into consideration."

Shri D. C. Sharma (Gurdaspur): How much time will be allotted to this Bill today?

Mr. Chairman: Time allotted to this Bill was 4 hours. On the 11th September, 1964, 2 hours and 25 minutes were taken; the balance now is 1 hour and 35 minutes. It will all depend upon the number of speakers desirous of speaking on this Bill. May I know how many hon. Members want to participate in the discussion on this Bill so that I may be able to fix a time-limit?

श्री हुकम चन्द कछवाय (देवास) : सभापति महोदय, यह बड़े महत्व का सवाल है और चूंकि टाइम बहुत कम है, इस लिए टाइम बढ़ा दिया जाये।

Mr. Chairman: Four hours have been allotted. More than sufficient time has been given, I think hon. Members should be satisfied. Still, there are 1 hour and 35 minutes and I will be able to give a chance to many hon. Members but only if they are brief in their remarks.

Shri S. M. Banerjee (Kanpur): Ten minutes to each

Mr. Chairman: I will see how many hon. Members are desirous of speaking on this. I shall be grateful if they give their names to me. There are 8 Members. Then, I will be able to give 10 minutes each.

Shri Abdul Ghani Goni (Nominated Jammu and Kashmir): I request that the time-limit be relaxed at least in the case of Members from Kashmir.

Mr. Chairman: I think you also took some time on the last occasion?

Shri Abdul Ghani Goni: I have not spoken on this. Anyhow, I shall try to finish early.

Sir, I congratulate Shri Prakash Vir Shastri on the introduction of his Bill which is of a very great importance particularly in the present state of affairs when Kashmir, not only Kashmir but also the people there, has become a great sore in the national and international politics. The instrument of accession was first accepted by the then Governor-General, Lord Mountbatten sometime in 1947. It was on the enunciation of His Highness there, according to the Instrument of Accession, that it was accepted by the then Governor-General, Lord Mountbatten. But there were certain conditions that it may be referred to the people there

for ratification. For this also, there were some conditions laid down. Now, it for the last 17 years that this burning question has been attracting the attention not only in our country but in that country also.

On our part, according to the various provisions of the article 370 of the Indian Constitution, the Assembly was convened there in 1951 and this issue was settled finally by the Constituent Assembly. It was in February, 1954, as far as I remember, that this issue was settled and a provision in the Constitution was adopted that this question of accession is final and irrevocable. Since 1953, under the leadership of our great leader Sheikh Abdullah, this question of accession was raised, discussed and decided. And after 1953, when Bakshi Ghulam Mohammed took over as the Prime Minister of Jammu and Kashmir and the President of the National Conference, he made further progress. In fact, I am proud if I pay due respect and due regard to Bakshi Gulam Mohammed, the then Prime Minister and the then President of the National Conference who brought Jammu and Kashmir State nearer to the country and virtually at par with other States of India. For instance, the financial integration, the Supreme Court jurisdiction, the Election Commission jurisdiction and then the integration Indian Administrative Services and various other steps which were taken by Bakshi Ghulam Mohammad and his colleagues and the Party in the National Conference who represent the main population in Kashmir brought Jammu and Kashmir nearer to India, exactly like other States, except that this article 370 is still on paper, that is, in the Constitution.

Sir, so many times our leaders have announced that this provision is in the process of erosion. I am sorry that our great leader Panditji is not here. I assure this House that Bakshi Ghulam Mohammed had also moved for the abrogation of article 370. But the Central Government was not agreeable to that at that

time. I do not understand whether the Central Government is under the influence of the West or it wants the appeasement policy towards Pakistan. Whether it may be called home policy or foreign policy, they want to please their neighbours at our cost. Kashmir question has been a burning problem. I am extremely sorry to say that the Central Government, our Congress leaders, have not done justice to the people of Kashmir. The people of Kashmir had decided once and for all and have decided once and for all that Kashmir is an integral part of India, whether there is article 370 or no article 370. It is only a provisional provision and a temporary provision in the Constitution which can be removed at any time. But as far as the complete accession is concerned, that is final and nobody can challenge it.

Then, unfortunately, when things become stabilised there particularly during Bakshi Sahib's regime, under his stewardship and leadership all of a sudden this Kamraj Plan came. I do not understand for what purpose this Kamraj Plan was and what it was meant for. But it came and it was unfortunate that at the time when the Kashmir question had become no question, when the pro-Pakistani elements had completely vanished there, the Central Government intervened and changed leadership. Well, this change of leadership may be good for some people but I am sorry that a man of that stature, a man of that strong will and a man of those pro-Indian forces behind him has been put behind the bars under the Defence of India rules. It is a shame for us. I would say that it is double treatment, double standard of the Central Government towards the State. Had not this article 370 been in the Constitution, I would have asked the Government and our State leaders as to why it is double-standard policy towards the Kashmir State. If there is a vote of no-confidence in Kerala Government, the detenus are released to face the vote of no-confidence and to support the vote of no-confidence and

[Shri Abdul Ghani Goni]

remove the Government. That was the Central Government's policy to strengthen democratic structure in India. But in Kashmir, when there was no-confidence against any leadership, they have arrested them and they are put behind bars. All of a sudden, overnight, there are corruption charges against Bakshi Ghulam Mohammad. For the last 17 years, he was the hero, the Champion of pro-Indian forces. And overnight he becomes a corrupt man. On the other hand, say, for example, there are corruption charges against Shri Pratap Singh Kairon and various other Ministers in States. I would ask the Central Government and the State leaders whether the Defence of India rules have been applied in any case when commissions have been appointed and various charges have been proved. There has been no prosecution and nobody has been arrested so far. But in the case of Kashmir I do not know what is this double standard of democracy and secularism.

Mahatma Gandhi once said that Kashmir is the torchbearer of India. But here are people, in the State and elsewhere who want to be in power, who want to be in their chairs as Ministers, and they want to crush the democratic principle whether in the State or outside.

I assure you, Sir, as far as we are concerned, we will fight to the last for the secular forces, for the secular character and for the pro-Indian forces. But unfortunately the Government in the State is proceeding in such a manner that the pro-Indian forces are attacked or assaulted and the anti-national forces, the pro-Pak forces, are given full freedom to say any damn thing. There are these double standards. I can quote on every side. Take, for instance, the All India Radio.

Mr. Chairman: He must finish now.

An Hon. Member: He comes from Kashmir.

Mr. Chairman: Others also want to participate.

Shri Abdul Ghani Goni: I am the Mover also.

The nation is not kept well aware or well informed about Kashmir affairs. For instance, Bakshi Ghulam Mohammed was arrested, to avoid the vote of no-confidence. But had the Government faced the Assembly, the confidence of the people would have been known. But they prorogued the Assembly. The All India Radio does not announce it. They announce only the arrest of Bakshi Ghulam Mohammed under the Defence of India Rules. Then when the convention was held, the All India Radio says there was a big procession of the Plebiscite Front from Sangram to Sopur.

An Hon. Member: And the audience was five hundred.

Shri Abdul Ghani Goni: There are so many things which are burning in our hearts. For instance, take the freedom of the press. I will give you just one example of Government's policy. There is a paper called *Kashmir Post* which belongs to the National Conference party. There is another paper *Marthand*, which is an organ of the Kashmir pandits. They wrote something against the Government; and the editor, printer and publisher of *Kashmir Post* which is pro-Indian, are arrested and detained under the Government of India Rules and the paper stopped. On the other hand, there is another paper, *Mahaz*, of the Plebiscite Front. It is publishing one paper. On the birth-day of Ayub Khan, on the 24th October, they give a front-page photo of Ayub Khan and a last-page photo of Liaquat Ali Khan.

Mr. Chairman: He will conclude now. I want to give chance to other Members also.

Shri Abdul Ghani Goni: I am trying to conclude.

So, the ruling party clique is being supported by some hon. Members here. Our leaders have come here, our representatives have come here; you might have read it in the papers. *** We went to everybody here, to all the leaders. Everybody says it is not just, it is not fair.

Mr. Chairman: Please do not refer to that.

Shri Abdul Ghani Goni: I would not.

Mr. Chairman: What ever that remark is, it will be expunged.

Shri Abdul Ghani Goni: Everybody admits that the Defence of India Rules have been misused, have been used for political purposes, for victimisation. But nobody takes any action. So I dispassionately appeal to the Members of this House, and appeal not only to the Opposition Members but also to the Congress Members to support this Bill and get it passed and have article 370 abrogated from the Constitution of India, so that we may also be treated as equal citizens, as good citizens of India as any other citizen. Don't treat us as second-class citizens, and don't treat us as a colony of India. We are as much a part of India as other States.

Therefore my humble submission is this. I have a lot to say.

Mr. Chairman: He will conclude now. Other Members will speak about them.

Shri Abdul Ghani Goni: I am not supporting the Bill only because of political purposes. I am supporting the Bill on economical basis also. Mr. Sadiq when he was not a Minister or Prime Minister said "I am for the ab-

rogation of article 370, we will move a resolution for that". And I was the mover in the National Conference Working Committee in Jammu. Mr. Samnani who is another Member from Kashmir was also there. We moved a resolution and it was passed by the National Conference at Jammu. But after he became Prime Minister, Mr. Sadiq says 'there is some political and constitutional implication'. What implication is there, I ask. Everybody has said it; Panditji has said, and our Shastriji has said it; and Mr. Justice Chagla who unfortunately is not here now has also expressed his views on the same line, in the Security Council. Why should we not abrogate it now? It will not only solve our political problem. It will not only be a political reply to our opponent; it will not only be a good reply to Sheikh Abdullah's party and Beg's party but it will be a good reply to Pakistan and all anti-national forces who are trying to sabotage it in the United Nations. On the other hand, if this issue is continued like this, it will be another Nagaland where you enter into "cease-fire talks" and other things. Our recent policies will not take India to any good goal. If we want the solidarity of India we want man like the late Sardar Patel, who could consolidate the country, who could bring about the oneness of the country. But here are people who are trying to divide us.

So I would request in the name of democracy, in the name of Indian secularism, that this amending Bill must be accepted by Government. If they want some time, we will send it to the State Government and wait for seven days. Give them time, because he is committed to it. He has said it when he was not Prime Minister 'I am for the abrogation of article 370'. I know; when I was Parliamentary Secretary in the State Assembly, once he said that the time has come when this provision in the Constitution

***Expunged as ordered by the

Chair.

[Shri Abdul Ghani Goni]

about the State must be abrogated. Now when he is the Prime Minister, why does he avoid it? Why does not the Central Government ask him?

Mr. Chairman: You must now resume your seat.

Shri Abdul Ghani Goni: So I would humbly submit that the amending Bill be accepted.

Mr. Chairman: Shri Patel. Members will stick to the time-limit of ten minutes.

Shri Man Singh P. Patel (Mehsana): Surely I will abide by your decision.

I am pleased to hear the arguments advanced by our friends even though there are so many differences amongst themselves. Our friend who spoke last has given a very spirited argument in favour of the abrogation of this article. When we look back at the history of the past seventeen years a suspicion has been created in the mind of one and all Members and even in the minds of those outside regarding the vacillating policy of the Government of India. I want a straight explanation from the hon. Minister in charge, whether it is a fact that the Prime Minister of Kashmir, Shri Bakshi Ghulam Mohm. had suggested for the abrogation of this article, what were the special reasons—and they may be explained to the country—to reject that suggestion about abrogation of article 370. Let us look to history also as we are looking all around. There is a spirit that we find all round, and we find that even smaller States want to secede from the country as a whole.

15 hrs.

The argument advanced against the abrogation of article 370 is that we have got a pending case in the U.N.O. And because of this argument, whenever we have to legislate any enact-

ment in this House, we find that the enactment generally states that it would be applicable to all States except the State of Jammu and Kashmir. It has been well said by my hon. friend that the then leadership of ten years in Kashmir wanted to integrate the State as a whole, and therefore, they started with integration of different types of administration such as financial integration, inviting the jurisdiction of the Election Commission, the jurisdiction of the Supreme Court and so on. I want to understand from the hon. Minister what prevents him from the abrogation of article 370 of the Constitution.

Very recently, if my memory serves me aright, I read a statement by Mr. Sadiq too on this matter. He had said regarding the matters relating to Kashmir that they were absolutely in the hands of the Government of India now. I can understand that there may be differences of opinion amongst the leading members of the National Conference, and one may try to take credit for having the release of Sheikh Abdullah by the present Prime Minister or the then Prime Minister or for suggesting the abrogation of article 370. There may be differences between leaders and leaders on other matters but there is unanimity on this point that this article should necessarily be abrogated. There is no difference of opinion so far as this point is concerned, among the members of the National Conference. So, for whom are we waiting?

We have said before the world as a whole that there is no possibility now of plebiscite and that the integration of Kashmir is firm, final and irrevocable. Even after having said this repeatedly, sometimes again we continue with this article 370 thereby showing to the world as if there is still some difference between Jammu and Kashmir and the other States of the Indian Union. This kind of maintenance of the separate identity of a State

creates difficulties for us. For instance, very recently, we have created Nagaland. This morning, I was very much pleased to hear from the Government Benches that Nagaland is a part of India. In our Constitution also, we have declared that it is a part of India. And yet, we want to maintain the separate identity of that area. We find the same thing happening in regard to Kashmir also, and we are still continuing article 370 even after seventeen years.

When the leaders of the State of Jammu and Kashmir said that they wanted to frame their own Constitution, they were given an opportunity to have a Constituent Assembly for themselves, and they also said that they wanted to remain within the Indian Union, and that their integration was final.

Therefore, I would like to ask whether there are any special grounds or reasons why the Government of India are fighting shy of abrogating article 370, especially when all other integrations such as financial, Election Commission, Supreme Court, etc., as in the case of other States has been sought to be implemented. I am glad that my hon. friend had very rightly asked whether the people of Jammu and Kashmir were going to be treated as second class citizens even now. Therefore, I would submit that this is the right time when this article has to be abrogated.

Let us look to the times in the country also at the moment. It was Sheikh Abdullah himself, who was the then leader in Kashmir, who led this movement for accession to the Indian Union in 1947; it was not only his Highness the Maharaja of Jammu and Kashmir who acceded to India under an agreement for accession to the Indian Union but even the then leader Sheikh Abdullah himself was also for accession. Then, something happened, which might have been national or international or something else; or some under-currents might have been given there or something of that sort, and

he changed his views; and he changed them to the length of saying that they might have an independent Kashmir or even to the extent of saying that the question of Kashmir was inter-related with India, Pakistan and Kashmir. Then, Bakshi Ghulam Mohammed led the Jammu and Kashmir Government for about ten years. My hon. friend has well said about him. The history is there for anyone to see. He was the person who took charge in August, 1953 with the help of Shri Sadiq and my hon. friend Shri Sham Lal Saraf who is now a Member of this House, but today he is in jail. About six months have already elapsed. There is a suspicion in the minds of some of the leading members of the National Conference that the present Prime Minister has got a vacillating policy and, therefore, he is not thinking in terms of immediately abrogation of article 370. Please do not misunderstand me when I am saying this. So, there are possibilities of under-currents and cross-currents as a result of which the views of the National Conference leaders change according to times. Therefore, I would ask whether this is not the proper time to abrogate this article?

If I remember aright, a motion for this purpose had also been moved in the Lower House there.....

An Hon. Member: Upper House.

Shri Man Singh P. Patel: I am sorry. A motion for this purpose had been moved in the Upper House there. I am sorry to know that there are two houses even in a small State like that because of the existence of article 370. A Select Committee was also appointed to go into the matter and suggest whether this article should be abrogated or not. The report of that Select Committee was likely to come up during the last session of that House which was held. But I have no further news about it. But that report on this small matter about whether that article should be abrogated or not did not come up at all.

[Shri Man Singh P. Patel]

So, we could very well understand that some currents are moving in such a way that there may even be a divided leadership in the National Conference as to whether article 370 should be abrogated or not.

Looking to all these circumstances, and the fact that the stability of the State of Jammu and Kashmir has already been established, and whoever is the Prime Minister has taken charge of the whole affairs, and the fact that all members of the other wing also are in favour of the abrogation of this article, I feel that the Government of India should seize this finest opportunity and say that this is the proper time for the abrogation of this article. If due to some misfortune in some way, we delay matters, and we vacillate as normally we are accustomed to do in all other issues, national or otherwise, then I would submit that history will have its own course; and I doubt whether the future historians may not then accuse the present leadership of the country as a whole.

In conclusion, I would earnestly appeal to the Government of India to give a definite assurance on this matter. Either they should accept this Bill or they should give us an assurance that within a very short period, say a few weeks or a few fortnights, the Government of India would see that this article is abrogated.

Shri N. C. Chatterjee (Burdwan): Shri Prakash Vir Shastri's motion has ushered in a debate which is almost unique in its character. It has been supported by Shri Kamath, Dr. Ram Monhar Lohia and prominent Members of the Opposition; it has been supported by the prominent members of the Jammu and Kashmir State, such as Shri Gopal Datt Mengi, Shri Sham Lal Saraf, Shri Abdul Ghani Goni and also others; it has also been supported and

endorsed wholeheartedly by prominent Congress leaders like Shri Hanumanthaiya, Shri D. C. Sharma, Shri Bhagwat Jha Azad and others. I fail to understand what difficulty there is in the Government's immediately standing up and saying that "We completely endorse this demand; it is not a communal demand; it is not a party demand but a national demand, and it will be in the best interests of the nation itself."

I have in my hand an extract from *The Hindustan Times* dated the 29th November, 1963, which reads thus:

"The veteran founder-fighter and National Conference Leader Mr. Sadiq today confirmed reports of lawlessness and corruption in the administration of the Jammu and Kashmir State."

He was very eloquent there, but look at the next sentence.

"Mr. Sadiq, who is the senior vice-president of the ruling National Conference declared in an interview that abrogation of article 370 of the Constitution was essential for the restoration of normalcy in that State."

I maintain that it is today more imperative for the restoration of normal conditions, for the upkeep of the democratic life of that State and for greater cohesion both of the people of Kashmir and of India as a whole. We should not delay any further.

What has happened since the 29th of November, 1963 till today which necessitates that there should be any going back on the solemn declaration that article 370 must be abrogated and it is essential for restoration of normal conditions in that State?

Even after the assumption of the high office of Prime Minister of that State, what has Mr. Sadiq said? He has said: and I am reading this out

from *The Hindustan Times* dated the 9th March, 1964:

"The people of the State have decided to make the State an irrevocable part of India and it shall remain so. None should undo that decision".

If it is really a solemn assurance that it must be a part of India, an integral part of India, then I maintain that it cannot possibly tolerate any further continuation of article 370 of the Constitution. What is the heading of that chapter? It is in Part XXI of the Constitution—Temporary and transitional provisions. Therefore, article 370 was never meant to be a permanent part of our Constitution; it was only a temporary provision, a transitional provision. How long will a temporary provision continue? If the Prime Minister had been here, I would have asked him: in his dictionary, what is the meaning of 'temporary and transitional'?

Then kindly look at clause 1(a):

"Notwithstanding anything in this Constitution, the provisions of article 238 shall not apply in relation to the State of Jammu and Kashmir".

That is the first part. What is article 238? It dealt with Part B States. That has been deleted already. Therefore, the first part of article 370 is gone.

Then it says:

"For the purposes of this article, the Government of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir....."

That has also been abrogated. You know there is no longer a Maharaja functioning as head of the State.

They have got the Sadr-i-Riyasat now. Therefore, you have deleted that also.

Then you know that the President has got the power under this very article to change the content and form of this article. Therefore, the President, by an order dated 15th November, 1952, promulgated that for the purpose of this article, 'the Government of the State means the person for the time being recognised by the President on the recommendation of the Legislative Assembly of the State as the Sadr-i-Riyasat of Jammu and Kashmir'.

Therefore, vital parts of article 370 have already gone. Then there is a clause:

"Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify".

Therefore, in the very content of this article, there is a clear demarcation, a clear expression of the will of the makers of the Constitution, that it shall not be a permanent feature, and the President, by a declaration, by a notification, can say that this article shall cease to operate.

What is the difficulty? I am afraid the Prime Minister is not treating the House with a sense of responsibility expected of him. Why is he not here today? This is a most vital thing agitating the public mind. Their policy of non-alignment is, to my mind, alignment with cowardice. The so-called policy of non-alignment is alignment with forces detrimental to the interest of India. We have built up people who have betrayed India, who are betraying India, who are betraying India's interests. We had built up the Rev. Michael Scott,

[Shri N. C. Chatterjee]

and that Rev. Michael Scott is today playing the part of an enemy of India. When he has declared that Nagaland should go out of India, that it must be independent, you should have immediately said—no further provision for his stay here, he should quit India.

Shri D. C. Sharma: What about the other members of the peace mission?

Shri N. C. Chatterjee: I am no supoter of them also. I say whether a person is white, black or brown, anybody acting as an enemy of India, anybody saying that he wants a part of India, an essential part of the territory of India, shall go out of it, is no friend of the country. He is guilty of treason, guilty of sabotage.

Although we have welcomed what Shri Shastri has done as our Prime Minister at the Cairo conference, it is perfectly clear that the leadership of the Asian and African world is passing from the hands of Shri Nehru, who is now dead and gone, to the hands of Mr. Nasser. Therefore, we have got to be very careful. It is now perfectly clear that if you toy any more with, if you give any further licence to, the forces operating to our detriment, there will be disaster ahead.

Even after the assumption of Prime Ministership, this gentleman, Shri Sadig, declared that there shall be complete cohesion and nothing can undo it. Why then does he resist this now? I cannot understand. The Prime Minister, Shri Shastri, also made a declaration when Pandit Nehru was alive; he said on the floor of this House that 'I am satisfied that the forces of integration are active'. This was after the Hazratbal incident. There was a terrible upsurge. After the release of Sheikh Abdullah, there were difficulties. He went there, came back and reported to this House that 'I am satisfied that the forces of integration are active and they are not in any way being sabotaged'.

If you do not accept this demand of all sections of the House, you will really be strengthening the forces of disintegration; you will really be doing no service to India. You will be pandering to the misdeeds of people who are acting in a manner inimical to our interest. That should not be tolerated.

The first declaration should be made by the Prime Minister, by the Government, that art. 370, which was meant to be temporary and transitory, should go. They have themselves issued amending orders. This has been amended in 1952, 1954, 1956, 1960, 1962 and 1964. Progressively you have extended the jurisdiction of India. What is there left? The only important thing is this that the High Court of Jammu and Kashmir has not got the same prerogative as the other High Courts in India under art. 226. Those who have been privileged to appear before that High Court know that that High Court has maintained the highest traditions of judicial decorum and has also upheld the rule of law in a very straightforward manner. If anybody—whether it is Bakshi or anybody else—feels that he has been unfairly, improperly and dishonestly treated and the Defence of India Act has been abused or improperly applied against him, he should have the right to go to that High Court and demand complete freedom. He should have that inalienable right which every other Indian citizen has throughout the length and breadth of India. That right should be extended to every Kashmiri citizen.

I think it was Shri Mengi who said that art. 370 is a wall between India and Kashmir. I think Shri Sharma characterised it as a mountain which divides India and Kashmir. I say we have got the atom bomb which will completely demolish that wall; that bomb is our conviction in the integrity of India, in our secular democracy, in the forces which have built up democracy both in the country and in that State of Jammu and Kashmir.

श्री समनानी (जम्मू तथा काश्मीर) :

जनाब वाला, ३७० दफा के आईन हिन्द में रहने की जो जुआजियत है, उसे रहना चाहिए या नहीं रहना चाहिए मैं उसके मुतालिक कोई आईनी तौर पर नहीं कहूँगा और न मैं कोई ऐसी वजूहात या कुछ दलायल, देना चाहता हूँ कि इसको जल्दी खत्म किया जाय। बल्कि मैं यह पूछना चाहता हूँ कि आखिर हमारा क्षूर बया है? आज सत्तरह साल से हमारे मुतालिक इरादे बांधे जाते हैं, सोचे जाते हैं और तोड़ दिये जाते हैं कि कहीं ऐसा न हो जाय और कहीं बैसा न हो जाय। एक तरफ तो दावा किया जाता है कि काश्मीर हिन्दुस्तान का है हमारे मुल्क का एक हिस्सा है। लेकिन दूसरी तरफ जब यह अजीम और बावकार ऐवान जब कोई कानून पास करता है तो उसके मतन पर लिख दिया जाता है मास्वाये रियायस्त जम्मू काश्मीर के, लेकिन फिर भी यह दावा किया जाता है कि कश्मीर हमारा है और वह हिन्दुस्तान का हिस्सा है।

जो मैं कहने लगा हूँ वह बाक्यात हैं, तजुर्बा त है जिन्होंने कि हमारे दिल को दुखाया हुआ है। जनाब गोनी जजबात की रौ में वह गये और उन्होंने कहा कि हम बी० क्लास सिटीजन्स हैं। इसलिये ही गोनी साहब शायद अहसासे कमतरी का शिकार हो गये। इनफीरियाश्टी कम्पलैक्स में आदमी अपने आप को बड़ा बतलाना चाहता है। जब उन्होंने अपने लिए बी० क्लास शहरी कहा था तो मैंने उसी बक्त आवाज़ दी थी कि हम बी० क्लास सिटीजन नहीं बल्कि सी० क्लास सिटीजन हैं। मुझे मुश्किल किया जायगा कि हम सी० क्लास भी नहीं बल्कि शायद नानपरसानानाने ग्रेटा हैं। इसका सबूत मैं इस तरह अर्ज करूँगा कि मैं आज हुक्मरान पार्टी में इसलिए नहीं बैठा हूँ कि मैं नेशनलिस्ट पार्टी के टिकट पर आया हूँ बल्कि मैं इसलिए कांग्रेस बैचों में हूँ कि मेरा यह नजरिया है, मेरा यह सियासी यकीदा है और मैंने कांग्रेस के नजरियात को बनाने में अपना एक हिस्सा अदा किया है।

लेकिन फिर आज पार्टी की सतह पर भी हमारे साथ सलूक यह है कि हम पार्टी के पुरे मैम्बर नहीं हैं। पार्टी आफिस में जाकर देखिये कि जहां तमाम स्टेट्स की पार्टियां हैं उनके नाम हैं वहां जम्मू तथा काश्मीर स्टेट के नाम की कोई स्टेट पार्टी ही नहीं है। मैं पूछना चाहता हूँ कि आखिर हमने क्या गुनाह किया हुआ है।

दफा ३७० अगर आपको इंटरनेशनल (बैनलअकवामी) और कुछ दीगर मसलहतों की बिना पर रखनी ही पड़ती है तो मैं आज आनरेबल मिनिस्टर से साफ़ साफ़ पूछना चाहता हूँ कि क्या इसको खत्म करने का हक्क पालियामेंट को है या किसी दूसरे ऐवान को है? मिनिस्टर साहब इस बारे में बजाहात करें। कि कुट्बाल बना कर हमारी इज्जत, हमारी अजमत और हमारे जजबात हमारे हुकूक और फैसला बकार को इस तरह से ठुकराया न जाय। हिन्द सरकार बतलाये कि यह फैसला करना स्टेट गवर्नरमेंट का काम है या यह मरकज़ का काम है। आखिर यह जिम्मे दारी किस की है और किसके नाम है? अगर यह चीज़ इस ऐवान के अख्त्यार में है तो यह ऐवान इस बारे में फैसला करे। अगर यह उसके अख्त्यार में नहीं है तो जिस ऐवान के अख्त्यार में यह चीज़ है उस ऐवान को फैसला करने के लिए कहा जाय और उसे इसके लिए मजबूर किया जाय। आखिर यह क्या है? एक तरफ हुक्मत कहती है कि आप लोग हिन्दुस्तानी हैं और दूसरी तरफ हम को मुल्क से अलग रखा जा रहा है। क्या हमने यह गुनाह किया कि हमने बापू के रास्ते को अपनाया था? क्या हमने यह गुनाह किया कि हमने 1939 में कहा कि हम जम्मू-काश्मीर में नेशनल कांग्रेस बनायेंगे? आचार्य कृपालानी उस बक्त कांग्रेस के जनरल सैकेटरी थे। मैं उनकी उस चिट्ठी को इस ऐवान में रख सकता हूँ, बड़े से बड़े फोरम में रख सकता हूँ, जिससे जाहिर होगा कि जब हमने एपरोच किया, तो हमें कहा गया कि नहीं, आप रिय-

[श्री समनानी]

सत में प्रजा मण्डल बनाइये या नेशनल कान्फेस बनाइये या कुछ बनाइये ।

आज हम अपनी रियासत की पोलीटिकल इन्टेरेशन के लिए कह रहे हैं। आज हम कह रहे हैं कि यह हूँकूमत और यह ऐवान जो कानून महाराष्ट्र, मद्रास, केरल और बंगाल को दे रहे हैं, वही कानून हम को भी दिये जायें लेकिन हमें कहा जाता है कि नहीं, अभी ठहर जाइये। फिर भी हूँकूमत कहती है कि आप हिन्दुस्तानी हैं। अगर मैं कहूँ कि हम गोया शहरी नहीं बल्कि यरगमाल, बन्दी या जंगी कैदी कहा जाता है, वे हम हैं, तो वह वजा होगा। क्या हमारी किस्मत का फैसला कभी कराची में होगा, कभी रावलपिंडी में होगा और कभी न्यूयार्क में होगा? और हमने छुद जो फैसला किया था, क्या वह फैसला ही नहीं है? सारी नेशन ने जो फैहला किया था, किया है, या करना चाहती है, क्या वह फैसला ही नहीं है?

श्री दी० च० शर्मा : आज हम फैसला करेंगे।

श्री समनानी : फैसला हमने उस वक्त किया, जिस वक्त हमने मुस्लिम लीग का सियासी मुकाबला किया और सारे जम्मू काश्मीर में मुस्लिम लीग की एक शाखा भी नहीं बनने दी। हमने उस वक्त फैसला किया, जिस वक्त मरहम जिन्ना, जो कि कायदे आजम थे, वहां गए और हमने उन का इस्तकबाल किया, उनके साथ बहस की, लेकिन जब उन्होंने टूनेशन थ्योरी की बकालत की, तो काश्मीर ने वह टूनेशन थ्योरी ठुकरा दी और जिन्ना साहब को मायूस होकर वापस जाना पड़ा। हम ने उस वक्त फैसला किया था, जिस वक्त पाकिस्तानी फौजें कुरान हाथ में लेकर और अलाह-अकबर के नारे लगाते हुए आए और जबकि अभी आमीं वहां नहीं पहुँची थीं, हमने मजहबी नारों के बाबूद

पाकिस्तानियों का मुकाबला किया और पीछे हटा दिया। उस वक्त नेशनल कान्फरेंस में हम थे और हमने यह फैसला किया। हमने उस वक्त फैसला किया था, जब जम्मू में मजहबी और दूसरे किस्म का जनून था और वहां कहा जा रहा था कि जम्मू में किसी मुसलमान को न रहने दिया जाये। मैं जम्मू के उन साथियों में था, जिन्होंने फैसला किया कि हम बापू के रास्ते पर चलेंगे, जब हम सैकुलरिज्म के लिए लड़े हैं, तो आज तलवार या मजहबी जनून के नारे हम को उस रास्ते से नहीं हटा सकते हैं सैक्यूरिज्म के लिये हम ने फैसला किया कि तलवारों के हमलों में सदा नजीर हुंसैन समनानी जम्मू में रहेगा हम जम्मू में रहेंगे, मैंने और हम लोगों ने—उसी वक्त फैसला किया था कि हम हिन्दुस्तानी हैं, मुल्क के दूसरे लोगों और हम में कोई तकरीक नहीं है, जैसे महाराष्ट्र है, वैसे ही जम्मू है। हमारे इन फैसलों के बाबूद सवाल यह है कि आज तक क्यों है दफा 370? किस लिए है दफा 370? अगर यह हूँकूमत इसी तरह पाकेट बनाना चाहती है, तो वह दफा 371 राजस्थान को दे, दफा 372 महाराष्ट्र को दे और दफा 373 और 374 किसी और को दे।

श्री शिकारे (मरमागोआ) : अभी गोआ को बना रहे हैं।

श्री समनानी : मैं अपील करूँगा कि खुदारा इस अलाहिदगी को ख़त्म कर दिया जाये। हमने एक बार नहीं, बार बार फैसले किये हैं कि इस अलाहिदगी को ख़त्म कर दिया जाये। आज उन फैसलों का हमें इनाम मिल रहा है।

जिस शेष मुहम्मद अब्दुल्ला को शेरे-काश्मीर कहा जाता था, हम ने अपने खुन-पसीने गिरा कर जेल की तंगो-तारीक कोठरियों में जाकर, जिन्दाबाद के नारे लगा कर जिसको उभारा था, एक वक्त आया कि वह

इस परेशानी में आ गया कि मैंने क्या करना है और रास्ते से बहक गये और हमें उसके खिलाफ जाना पड़ा। और एक लीडर हाथ से गया। फिर दूसरी बात जिस शब्द के बारे में हम कल दूसरी बात कहते थे कि वह काश्मीर में इंडिया का इम्प्रेज है, वह इंस्ट्रूमेंट आफ एक्सेशन है—बरुशी गुलाम मुहम्मद, आज वह जेल में है, लेकिन वह दफा 370 की वजह से किसी हाईकोर्ट या सुप्रीम कोर्ट में नहीं जा सकते।

श्री दी० चं० शर्मा: अफसोस, अफसोस।

श्री समनानी: कल क्या होगा, मुझे यह पता नहीं है। मैं अपनी पर्सनल, जाती और इन्फरादी सिक्यूरिटी, अपनी इन्डिविड्युअल सिक्यूरिटी की खातिर यह चाहता हूँ कि मैं उस सरजर्मी में रहूँ, जहां मुझे पूरी सिक्यूरिटी हो, जहां उस मुल्क के कानून और जम्हूरी कद्रें मेरी हिफाजत कर सकी हैं। ऐसा नहीं बल्कि आज तक दफा 370 रख कर मुझे उस हक्क से महरूम रखा जा रहा है, जोसिकि महाराष्ट्र और मद्रास बालों को हासिल है। मैं उस हक से महरूम नहीं होना चाहता हूँ, और महरूम रखेगी। हुक्मत साफ़ कहे कि वह मुझे उस हक्क से महरूम रखना चाहती है। तब फिर 17 सालों के बाद शायद मुझे फिर सोचना पड़े, शायद अपने फैसला पर नजर सानी करना पड़े कि इन हालात में मैं यहां रहूँ या ना रहूँ।

आज नागालैंड से आवाज आती है कि “गैंट आउट”। मैं आप की वसात से गवर्नर्मेंट को मुतनब्बह करना चाहता हूँ कि अमर इस सिलसिले में कोई आखिरी फैसला जल्दी फैसला न लिया गया, तो वह बक्त दूर नहीं है, जब यह लावा काश्मीर में भी उबलेगा।

श्री दी० चं० शर्मा: अब भी है।

श्री समनानी: यह न समझा जाये कि यह लावा वहां नहीं उबल सकता है। यह लावा वहां भी उबल रहा है। अगर हम

अपनी आंखें मूंद रखें, न देखें, तो वह अलग बात है। इस लिए यह बिल्कुल सही और निहायत मुनासिब मौका है कि हुक्मत इस बारे में फैसला करे और बिल्कुल वाजह तौर पर कहे कि दफा 370 को हटाया जा रहा है।

इस बक्त मैंने दलायल देने नहीं हैं, दलायल लेने हैं। हुक्मत मुझे कायल करे कि मुझे बाकी मुल्क से क्यों अलग रखा जा रहा है। अगर हुक्मत के सामने कुछ इन्टर-नैशनल मसलहतें हैं और उस ने कुछ काम्प्रो-माइसिस किये हुए हैं और वह उन काम्प्रो-माइसिस को मेरे बच्चों की कीमत पर कायम रखना चाहती है, तो मैं उस के साथ नहीं रह सकता हूँ। जब यह हुक्मत मुझे सिक्यूरिटी नहीं दे सकती है, तो मैं उस की इज्जत और मसलहतों के साथ क्यों दूँ? आज मैंने दलायल लेने हैं कि आज तक जो दफा 370 रखी गई है, वह क्यों रखी गई है? और अगर वह आईन्दा रखी जायेगी, तो क्यों रखी जायेगी और अगर इस को खत्म करना है, तो किस ने खत्म करना है।

हम ने कभी यह डिमांड नहीं की थी कि हम को अलग रखा जाये। हम ने कभी यह नहीं चाहा था कि हम दफा 370 को कायम रखना चाहते हैं। यह हुक्मत जितना आगे बढ़ी, हम उस से एक कदम और आगे बढ़े। हमारे आंजहानी नेता, पंडित जी, ने फरमाया था कि यह दफा इरोडन की प्रासेस में है, यह घिसते घिसते घिस जायेगी निहायत दुरुस्त है। लेकिन अगर इस के घिसने की रफतार इतनी कम हुई, की गई और इसके घिसने तक मैं न रहूँ, मेरे बच्चे न हों, उन की सिक्यूरिटी, सलामती और इज्जत न हो, तो मुझे क्या? अमर यह दफा हमारे बाद घिसेगी, तो हमें क्या? मैं इस दफा को आज-अपनी जिन्दगी में-खत्म करना चाहता हूँ अपनी सेफ्टी, अपने बाल-बच्चों की सेफ्टी और अपनी आने वाली नस्लों की

[श्री समनानी]

सेफ्टी के लिए। मैं उन को यह वर्सा दे कर जाना चाहता हूँ कि वे एक अजीम मुल्क के शहरी हैं, किसी छोटी कम्पनीटी के फर्द नहीं, और उन को वही दुकूक हासिल हैं, जो कि मुल्क के बाकी करोड़ों इंसानों को हासिल हैं। मैं उन के लिए एक वाटर-टाइट कम्पार्टमेंट कायम कर के, उन को यह एहसासे-कमतरी दे कर नहीं जाना चाहता हूँ कि चूंकि वे मुसलमान हैं, चूंकि बद-किस्मती से वे एक ऐसे पाकेट में पैदा हुए हैं, जहां मुसलमानों की बद-किस्मती उनकी अक्सरियत हो गई है, इस लिए वे इस मुल्क के शहरी नहीं हैं, वे इस मुल्क का हिस्सा नहीं हैं। मैं अपने बच्चों को यह पूरा एतमाद दे कर इस दुनियां से जाना चाहता हूँ कि वे इस बड़े मुल्क के फर्द हैं और उन को इस मुल्क में तमाम सहूलियतें हासिल हैं।

मैं आनंदेबल मिनिस्टर साहब से यह चाहूँगा कि वे मेरे दलायल न सुनें, बल्कि वह मुझे कायल करें कि आज तक दफा 370 क्यों रखी गई है और वह क्यों इस को रखना चाहते हैं।

श्री हुकम चन्द्र कथवायः मैंने पहले भी कहा है और अब मैं फिर कह रहा हूँ कि इस विल के लिये एक घंटा प्रैर बढ़ा दिया जाये।

श्री س्लानी (ज्मून और कृष्णराव) -

जलाप वा - - - दफ्तर ३७० के अन्तीम हल्द मूँह रहने की जो जोहत है ऐसे, हल्द चामते या नहें, हल्द चामते मैंने इस के متعلق कोई अनेक और नहें कहोना और नहें कहोनी लियी जगहों पर केवल दिला चाहता हूँ कि इस को जल्दी

खत्म किया जाने बल्कि मूँह ये पोचेहो जाहता हूँ कि अंतिम हारा क्षमा किया है - आज १७ साल से हमारे متعلق अदाए बांधे जाते हैं औ जो जाते हैं वे कहें अब तो दीने जाते हैं कि कोहें अम्बा ने हो जाने - एक तरफ तो दम्भी का जाना है कि कश्मीर हल्दोस्तान का है - हारा है एक का एक हास्त है लेकिन दोस्री तरफ जैव ये उत्तम और बावधार लियां ज्ञान कोई नाम नहीं ताकि इस के मत्तू पर लक्ष्य दिया जाना वाला सावधानी विषय ज्ञान कश्मीर के लियें पहर भयी ये दम्भी की जाना है कि कश्मीर हारा है और वह हल्दोस्तान का हास्त है -

ये मूँह कहने लगा हूँ वह
والعهات हैं - जल्दी न कि हमारे
दल को दियाया - जलाप कोनी जड़ीबा
की दो मूँह ये कीं और अनेहों ने
कहा कि हम बी क्लास स्टेफेन्स हैं -
इस लिये ये शान्द अहसास क्षत्री
का शकार हो कीं - अन्धेरीपार्टी
क्लेमेंस मैंने आदमी अपे
अपे को बो बोला जाहता है -
जैव अनेहों ने अपे लिये बी
क्लास शहरी कहा तेहा तो मैंने ने
इस वक्त आवाज दी तोहि कि हम बी
क्लास स्टेफेन्स नहें बल्कि सी क्लास
स्टेफेन्स हैं - मैंने उपराज कहा

جائے کہ ہم سو کلاس بھی نہیں بلکہ شائد نا پسلدیدہ پرستانتان گواہتا ہیں۔ اس کے نہوت میں میں عرض کوں کا کہ مہر آج حکمران پارتوی میں اس لئے نہیں بھٹھا ہوں کہ میں نہ عملست پارتوی کے تکت پر آیا ہوں بلکہ میں اس لئے کانگریس بینچوں میں ہوں کہ مہرا وہ نظریہ ہے مہرا یہ سیاسی مقدمہ ہے اور میں نے کانگریس کے نظریات کو بنانے میں اپنا ایک حصہ ادا کیا ہے لیکن جو آج پارتوی کو سطح پر بھی ہمارے ساتھ سلوک یہ ہے کہ ہم پارتوی کے پوچھے مسجد نہیں ہیں۔ پارتوی آفس میں جا کو دیکھئے کہ جہاں تمام استھنیں کی پارتوی ہیں اُن کے نام وہاں ہوں جمیں کشمیر ستھن نام کی کوئی پارتوی ہی نہیں ہے۔ میں پوچھتا چاہتا ہوں کہ آخر ۳۷۰ میں کہا گلا گھا ہوا ہے۔ دفعہ ۳۷۰ اُر آپ کو انترنیشنل - بینل اقوامی اور کچھ دیکھ مصلحتوں کی بنا پر دکھلی ہی پوتی ہے تو میں آج آنہ بیان ملستھن سے صاف صاف پوچھتا چاہتا ہوں کیا اس کو ختم کر لے کا حق پارلیامنٹ کو ہے یا کسی دوسرے ایوان کو ہے۔ ملستھن صاحب اس بادی میں وفاحت کریں۔ کہ فتیال بذا کو ہماری عوت۔ ہمارے عظمت اور ہمارے جذبات وقار ہمارے

حقوق کی اور فیصلے کو اس طرح تھکرا لیا نہ جائے۔ ہلد سرکار بتلائے یہ فیصلے کونا استھن کوونسل کا کام ہے یا یہ مراز کا کام ہے۔ آخر یہ ذمہ داری کس کو ہے اور کس کے نام ہے۔ اگر یہ چیز اس ایوان کے اختیار میں ہے تو یہ ایوان کے اس بارے میں فیصلہ کرے۔ اگر یہ اس کے اختیار میں نہیں ہے تو جس ایوان کے اختیار میں ہے چیز ہے اس ایوان کو فیصلہ کرنے کے لئے کہا جائے۔ اور اس کے لئے مجبور کیا جائے۔ آخر یہ کیا ہے۔ ایک طرف ہم و مت کہتی ہے کہ آپ لوگ ہلد و ستانی میں اور دوسری طرف ہم کو ملک یہ ایک دکھا جا رہا ہے۔ کہا ہم نے یہ گلاہ کیا کہ ہم نے بایو کے داستے کو اپلائی تھا۔ کہا ہم نے یہ گلاہ کیا کہ ہم نے ۱۹۳۹ میں کہا کہ ہم جمیں کشمیر میں نہیں نہیں کانگریس پڑائیں گے۔ آچاریہ دیلانی اس وقت کانگریس کے جدول سیکھتی تھے۔ میں ان کی اس چھٹی کو اس ایوان میں دکھے سکتا ہوں۔ بڑے سے بڑے فورم میں دکھے سکتا ہوں جس سے ظاہر ہوگا۔ کہ جب ہم نے ایہ ووچ کیا تو میں کہا گیا کہ نہیں۔ آپ دیاسع میں ہو جا ملکل بھائی یا نہیں کالدرونس بلائی یا کچھے بلائے۔

آج ہم ایلی دیاست کی پولیتھکل انتہکریہن کے لئے کہہ دیں ہیں۔

[شری مسلمانی]

آج ہم کہہ دے ہوں کہ یہ حکومت اور یہ ایوان قانون مہاراشرٹہ مددگار۔ کہلا اور بلکال کو دے دے ہوں۔ وہی قانون ہم کو بھی دیئے چاہئے۔ ایکن ہمیں کہا جاتا ہے کہ نہہن۔ اپ اپ اپنی تھوڑی جائے۔ پھر بھی حکومت کہتی ہے کہ آپ ہندوستانی ہوں۔ اگر میں کہوں کے ہم کویا شہری نہیں بلکہ جس کو پرسال۔ بلدی یا جلگی تیدی کہا جاتا ہے۔ وہ ہم ہیں۔ تو یہ یہ جا نہ ہوگا۔ کہا ہماری قسمت کا فیصلہ کبھی کراچی میں ہوگا۔ کبھی داولپنڈی میں ہوگا اور کبھی نہو پارک میں ہوگا۔ اور ہم نے خود جو فیصلہ کہا تھا کہا وہ فیصلہ ہی نہہن ہے۔ ساری قوم نے۔ نہیں نے جو فیصلہ کہا تھا۔ کہا ہے یا کرنا چاہتی ہے کیا وہ فیصلہ ہی نہیں ہے۔

श्री दी०चं०ज्ञमौ (गुरदासपुर) : आज
हम फैसला करेंगे ।

شہری سلطانی - فیصلہ ہم نے اس

وقت کہا جس وقت ہم نے مسلم
لیگ کا سیاسی مقابلہ کیا اور سادے
چمروں و کشمیر مہن مسلم لیگ کی
یا لیک شاخ بھی نہیں بلتنے دو - ہم
لے اس وقت فوصلہ کیا جس وقت
مرحوم جلالح - جو کہ قائد اعظم تھے -
بھاں کئے اور ہم نے ان نا استقبال
کیا - ان کے ساتھی بحث نہیں - لیکن

جب انہوں نے دد تولہشن تھہوڑی ۲۲
کی والائی کی تو گشیدہ نہ ۲۳ تولہشن
تھہوڑی تھکوا دی اور جناب صاحب
کو مایوس ہو کر واپس جانا ہوا ۔ ہم
نے اس وقت فیصلہ کیا تھا جس
وقت پاکستانی فوجیں قوانین ہائی
میں نے کر اور اللہ اکبر کے نعرے لکاتے
ہوئے آئے اور جب کہ ابھی آدمی
وہاں نہیں پہنچی تھیں ہم نے مذہبی
نہادوں کے باوجود پاکستانیوں کا
 مقابلہ کیا اور پہنچی ہتا دیا ۔ اس
وقت نہشتل کانڈریں میں ہم تھے
اور ہم نے یہ فیصلہ کیا ۔ ہم نے
امر و قمع فیصلہ کیا تھا جب جمیں
کشیدہ میں مذہبی اور دوسرے قسم
کا جلوں تھا اور وہاں یہ کہا جا رہا
تھا کہ جمیں میں کسی مسلمان کو
نہ دھلے دیا جائے ۔ میں جمیں کے ان
سماں میں تھا جمیں نے فیصلہ
کیا تھا کہ ہم پایو کے داستے ہو چکھلے ۔
جب ہم سیکولرزم کے لئے لوے ہیں
تو اُج نلوار یا مذہبی جمیں کے لئے
ہم ۲۴ اس دامتھے سے نہیں ہتا سکتے ۔
سیکولرزم کے لئے ہم نے فیصلہ کیا کہ
نلواروں کے حملوں میں سعید نذیر
حسین سلمانی جمیں میں دھی گا ۔
ہم جمیں میں دھیلے ۔ میں نے ۔
اور ہم لوگوں نے اس وقت فیصلہ کیا
تا کہ ہم ہندوستانی ہیں ۔ ملک
کے دوسرے لوگوں اور ہم میں کوئی

تفریق نہیں ہے - جوہر مہاراشٹر ہے
وہی سے ہی چھوٹ ہے -

سوال یہ ہے کہ آج تک کھوٹ ہے
دفعہ ۳۷۰ - کس لئے ہے دفعہ ۳۷۰
اگر یہ حکومت اس طرح پاکت بانا
چاہتی ہے تو وہ دفعہ ۳۷۱ اجتہان
کو دے - دفعہ ۳۷۲ مہاراشٹر کو دے
اور دفعہ ۳۷۳ اور ۳۷۴ کسی اور کو
دے -

شہری گیا (مरمماگोआ) : ابھی گیا
کو بے اثر ہے ।

شہری سلطانی - میں اپنی کرونکا
کہ خدا دا اس علیحدگی کو ختم کر دیا
چاہئے - ہم نے ایک بار نہیں بار بلو
فہصلے کئے ہیں کہ اس علیحدگی کو
ختم کر دیا جائے - آج ان فہصلوں کا
مہین انعام مل رہا ہے -

جس شہری محدث عباداللہ کو شہر
کشہر کہا جاتا تھا - ہم نے اپنے خون
ہمسیلے کو کر - جہل کی تک
و تاریک کو تھوڑیوں میں جاکر - زندہ
باد کے نعرے لکا کر جس کو ابھارا
تھا - ایک وقت آیا کہ وہ اس پریشانی
میں آئئے کہ میں نے کیا کرنا ہے اور
دستے سے بھک کئے اور ہمیں اس کے
خلاف جاتا پوا - اور ایک لیڈر ہاتھ
سے کیا جس شخص کے بارے میں ہم
کل کہتے تھے کہ وہ کشہر میں اندھیا
کی امیج ہے - وہ انسٹروریٹ اف
ایکسیشن ہے - بخشی غلام محمد -

آج وہ جہل میں ہے لہکن وہ دفعہ
۳۷۰ کی وجہ سے کسی ہائی کورٹ یا
سہیم کورٹ میں نہیں جا سکے -

شہری گیا (میرزا) : اسکے میں اسکے ہم
میں اپنے پتے نہیں ہے - میں اپنی
پوسٹل - ذانی اور انفرادی سیکھوتوں
سینتھی - لہلی اندیجھوں سیکھو دیتی
کر خاطر ہے چاہتا ہوں کہ میں
اس سر زمین میں دھوں دھوں جہاں
میں ہوں سیکھو دیتی ہو - جہاں
اس ملک کے قانون اور جمہوری قدریوں
میں ہوی حفاظت کو سکھتے ہیں نہیں
ایسا نہیں - بلکہ آج تک دفعہ ۳۷۰
دکھکو میں اس حق سے محروم رکھا
جاتا ہے - جو کہ مہاراشٹر اور مدراس
والوں کو حاصل ہے - میں اس حق سے
محروم نہیں ہونا چاہتا ہوں -

حکومت صاف کرے کہ وہ میں اس
حق سے محروم رکھنا چاہتے ہے اور محروم
رکھنے کی تب پہر ۱۷ سالوں کے بعد
شاید میں پھر سوچنا پوئے - شاید اپنے
فیصلے پر نظر ثانی کونا پوئے کہ ان
حالات میں میں بھاں دھوں ہا نہ
دھوں -

آج ناگاہمہت سے آواز آئی ہے کہ
وہ کہت آوت " میں آپ کی وسیطت
سے کورسٹ کو متبہہ کونا چاہتا ہوں
کہ اکر اس سلسلے میں کوئی آخری

[شروع سلطانی]

فیصلہ - جلدی فیصلہ نہ لیا جائیگا -
تو وہ وقت دور نہیں ہے جب یہ لاوا
کشمکش میں ہی اپنے گا -

امرو ۳۰ ص ۳۰ شامی : ایسا بھی ہے ।

شروع سلطانی - یہ نہ سمجھا جائے
یہ لاوا وہاں نہیں اب سکتا ہے - یہ
لاوا وہاں بھی اب دھا ہے - اگر ہم اپنی
آنکھوں وند کھوئیں - نہ دیکھوئیں - تو
وہ الگ بات ہے - اس لئے یہ بالکل
صحیح اور نہایت مناسب موقع ہے
کہ حکومت اس بادے مہر فیصلہ کو
اور بالکل واضح طور پر کہتے کہ دفعہ
۳۷۰ کے متاثرا جا رہا ہے -

اس وقت میں نے دلائل دیے
نہیں ہیں - دلائل لئے ہیں - حکومت
مجھے قائل کرے کہ مجھے باقی ملک
سے کھوں لگ دکھا جا دھا ہے - اگر
حکومت کے سامنے کچھہ انtronishen
مصلحتیں ہیں اور اس نے کچھہ
سچھوتے کامیاب مائسنس کئے ہوئے ہیں
اور وہ ان سچھوتوں کو مہرے بچوں
کی قیمت پر قائم دکھا چاہتی ہے تو
میں اس کے ساتھ نہیں ہو سکتا ہوں
جب یہ حکومت مجھے سچھوتی کے
نہیں دے سکتی ہے - تو میں اس کی
عزت اور مصلحتوں کا ساتھ کھپیں دوں -
آج میں نے دلائل لئے ہیں کہ آج تک
جو دفعہ ۳۷۰ کوئی کٹی ہے وہ کھوں
کھوئی کٹی ہے اور اگر وہ آئندہ کھی

جا لیگی تو کیوں دکھو جائیگی اور اگر
اس کو ختم کونا ہے تو کس نے ختم
کونا ہے -

ہم نے کبھی یہ تمانہ نہیں کی
تھی کہ ہم کو الگ دکھا جائے - ہم نے
کبھی یہ نہیں چاہا تھا کہ ہم دفعہ
۳۷۰ کو قائم دکھا چاہتے ہیں - یہ
حکومت جتنا آئے ہو یہ ہم اس سے
ایک قدم اور اگر بڑے - ہمارے آنحضرتی
نہتا - پلذت جی نے فرمایا تھا کہ یہ
دفعہ اوزن کی پراسسیس میں ہے - یہ
گھستے گھستے کھس چاہیگی - نہایت
درست ہے لیکن اگر اس کے گھستے کی
رفتار انہی کم ہوئی کوئی کٹی کہ اس کی
گھستے تک میں نہ رہوں - میرے بچے
نہ ہوں - ان کی سیکھوڑیتی - سلامتی
اور عزت نہ ہو - تو مجھے کھا - اگر یہ
دفعہ ہمارے بعد آہسینگی تو ہمیں کھا
میں اس دفعہ کو آج - اپنی زندگی
میں ختم کونا چاہتا ہوں اپنی
سہنپتی اپنے بال بچوں کی سہنپتی اور
اپنی آنے والی نسلوں کی سہنپتی کے
لئے میں ان کو یہ دوئی دیکھ جانا چاہتا
ہوں کہ وہ ایک عظیم ملک کے شہری
ہیں - اسی چھوڑتی کمہونیتی کے فرد
نہیں اور ان کو وہی حقوق حاصل
ہوں جو باقی کروڑوں انساتوں کو حاصل
ہیں - میں ان کے لئے ایک وائز تائب
کمہارست قائم کرکے - ان کو یہ
احساس کمتری دیکو نہیں جانا چاہتا

ہوں کہ چونکہ وہ مسلمان ہوں - چونکہ بدقسمتی سے وہ کہ اوسے پاکت میں پہلا ہوئے ہوں - جہاں مسلمانوں کی بدقسمتی ان کی اکثریت ہو گئی ہے - اس لئے وہ اس ملک کے شہرو نہیں ہوں - وہ اس ملک کا حصہ نہیں ہوں - میں اپنے بھروسے کو یہ بیوڑا اعتماد دیکر اس دنہا سے چاننا چاہتا ہوں کہ وہ اس بھروسے ملک کے فود ہوں اور ان کو اس ملک میں تمام سوہنہ ہوں حاصل ہوں -

میں آنریبل ملسترو مسٹر صاحب سے یہ چاہوںکا کہ وہ سوہنے دلائل کو نہ سنیں بلکہ وہ صحیح قائل کوئی کہ اج تک یہ دفعہ ۳۷۰ کو کہوں دکھی نہیں ہے اور وہ کہوں اس کو بکھدا چاہتے ہوں - [

شی ہنریم چنڈ کلکھا یا : میں نے پہلے بھی کہا ہے اور اب میں فیر کہ رہا ہوں کہ اس بیل کے میں یہ ایک بھانڈا اور بڈا دیا جائے

Mr. Chairman: I would like to know how much time the hon. Minister will take?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): About 25 minutes.

Mr. Chairman: And Shri Prakash Vir Shastri?

Shri Prakash Vir Shastri: About 10 minutes.

Mr. Chairman: The time for this Bill would be over by 4:10. There are 8 more speakers on the list. I shall be guided by the desire of the House.



Shri S. S. More (Poona): This is a very important Bill, and the time should be extended.

I move:

"That the time allotted to this Bill be further increased by one hour."

Mr. Chairman: The question is:

"That the time allotted to this Bill be further increased by one hour."

The motion was adopted.

شی ڈیو چنڈ شاستری : میں اک ارجمند کرنا چاہتا ہوں । بडی ایمپارٹ ڈیورٹ ہاں ہی رہی ہے । سارا ہاٹس کبھی ایتنہ یونایٹڈ نہیں ہو گیا جیتنہا آج یونایٹڈ ہے । سب پارٹیز یونایٹڈ ہے । میں ارجمند کرتا ہے کہ چرا ہم ارے ہوم مینیسٹر ساہب کو ٹولوا لیجیے تاکہ وہ اسکا جواب دے دے اور ہم گورنمنٹ کا ریاکشید مالوں ہو جائے । ہم ارے ہاٹس ساہب بडی اپنے آزادی ہے لے کین مینیسٹر آف سٹٹ ہے ।

Shri Narendra Singh Mahida (Anand): Mr. Chairman, I congratulate Mr. Shastri for bringing in this Bill incorporating this very important provision. I am quite sure that the House is one on one on matter. We should compel the Minister of State who is here to give us a proper reply and assurance. We must also see that the Bill is not withdrawn but is passed unanimously. Kashmir weeps and bleeds today. I have heard the Members from Kashmir. I have seen the MLAs from Kashmir. In spite of all their clear views, it is surprising that the Government of India is showing a weak-kneed policy and is vacillating all these years. The only consideration that the Government of India can have in mind is the international factor. But it is high time that we now proved that Kashmir was part of India, and there was no indecision about the status of Kashmir. The special status should

[Shri Narendra Singh Mahida]

go and article 370 should be abrogated. Why should there be a separate flag for Kashmir? We cannot tolerate this. Why should the head of Kashmir be named as Sardar-i-riyasat; when we call the Governors everywhere and in some states Rajpramukhs we had have all gone. Even one of our biggest States, Maharashtra, has a Chief Minister while in Kashmir he is called the Prime Minister, which means equal status with the Prime Minister of Union. All these factors do not fit in with the present conditions. The rebels in Nagaland are demanding independence and we are refusing it and the House was one—this morning its views that not the Minister of External Affairs but the Home Minister was the proper person to reply to the Nagaland question. This evening also, the House should be one as far as the abrogation of this article is concerned. There is this unfortunate tradition established here in Kashmir now. The former Prime Minister, Mr. Sheikh Abdullah was arrested: the succeeding Prime Minister Bakshi Ghulam Mohammad was also arrested. We do not know whether the present Prime Minister would also be arrested. This State of affairs is very disturbing. We can see no parallel anywhere in the world where successive prime ministers have been arrested. We are not going into the details of the case. But one thing is definite that Kashmir cannot remain independent of India. If some political parties talk of giving away Kashmir, it cannot be done. Let us now settle the question for all time. The feeling of majority of Kashmiris is that they desire to be part of India. So, we should remove article 370 and make Kashmir and India one in all respects. We have decided the question of Goa. But Kashmir problem has been in cauldron for over 17 years now. The people there want security. The hon. Member here spoke few minutes before, of security for him and his children in Kashmir. He and others feel insecure; they are not sure

whether it is part of India or not. This insecurity must go. The hon. Minister must assure this House that the question would be decided before the end of this session. There is a rule which has been continued from the former ruler's days that a non-Kashmiri cannot buy any land in Kashmir. I can buy land in Bengal or Punjab or Madras or Gujarat but I cannot as an Indian buy any land in Kashmir. It is a unique situation and very ridiculous. If the people there want to merge with India, completely the special status which has been given must go. I do not know what policy comes in the way of abrogation of article 370. We must act now. We read in the newspapers that there are bomb outrages now and then in various places in Kashmir. Even leaders of political parties are threatened. Recently we heard about the bomb explosion near Premnath Dogra's place. The law and order situation is endangered Pro-Pakistan sentiments and movements in Kashmir are very dangerous. The other day I read in the newspapers that Sheikh Abdullah is being pictured in the Chinese newspapers. I do not know whether it is a fact or not; I wish it is incorrect. I hope that Sheikh Abdullah is not thinking in Pro-Chinese terms. But there are the lures from Pakistan, China and other countries. The foreign elements want to play with Kashmir like that. Because of these uncertainties, tourist-traffic has declined in Kashmir: tourists are afraid whether India will retain Kashmir or not and there is a feeling of insecurity in the minds of the Kashmiris themselves. Our former Prime Minister, the late revered Pandit Nehru was extraordinary a tribal-democrat. But it should be remembered that even goodness is considered a weak policy in international affairs. Our generosity that had been shown has proved detrimental to our interests. I say that we should be very careful about our attitude. Our goodness does not always pay. I think it was Bernard Shaw who said at the time of

Mahatma Gandhi's assassination that "It is dangerous, to be too good". To be lenient is all right in individual matters but in matters of state policy it is not desired. So, through you, Sir, I request the Ministers to give us a categorical assurance that he would bring forward a Bill before the session ends or this Bill should be accepted . . . (An Hon. Member: Why not today). In fact I would be glad if the House itself agrees today unanimously to pass this Bill so that our friends from Kashmir can go back with a comforted heart and full of confidence about their security because of their complete knowledge that Kashmir is a part of India.

Shri S. S. More: I rise to accord my hearty support to the present Bill. I have read article 370 and even as a lawyer I am not able to understand the rhyme or reason behind that article. We say that Kashmir has acceded to India finally and irrevocably but article 370 is proof of the fact that accession is not final and complete. There is a sort of Chinese wall between Kashmir and the rest of India in the different articles and the Schedule in which the clauses have been described, where Kashmir has been mentioned. But why should there be such a discrimination between Kashmir and say Maharashtra? We should also like to be placed on a separate footing! Therefore, my submission will be that it is high time that this abrogation of article 370 was accomplished.

On every occasion, the Government dominate and the House yields, but this is one of the occasions on which the House must assert definitely and categorically; it is not in the interests of democracy that the majority should always be led by the Government. On occasions, if we have to help the interests of real democracy, we have to develop a virile and strong democracy and see that the majority asserts and forces the Government to accede to the wishes which are highly in the interest of the nation as a whole.

Therefore, without taking much of the time and without repeating the arguments which have already been advanced, let me say this. I think very dispassionately that this article 370 must go as early as possible. It is our responsibility, the responsibility of the majority in the House, to see that we unanimously give accord to this measure.

With these words, I once again extend my wholehearted support to the Bill.

श्री हुकम चन्द कछवाय : सभापति महोदय, श्री प्रकाशवीर शास्त्री ने जो विल रक्खा है मैं उस का समर्थन करता हूँ। इस सम्बन्ध में सरकार की जो नीति रही है वह बहुत गलत रही है। संविधान की धारा 370 जो है उसे तुरंत समाप्त करना चाहिये। आज काश्मीर के अन्दर जो परिस्थिति पैदा हो रही है वह उसी धारा के कारण है। उसी के कारण आज समय समय पर अनेकों उपद्रव वहां पर होते रहते हैं। हम आये दिन समाचारपत्रों में पढ़ते हैं कि फलां जगह बम फटा। इन सब बातों का कारण आज शासन की गलत ढंग की नीति है। इस काश्मीर के बारे में शासन की सम्पूर्ण नीति एक ललगत एवं साम्प्रदायिक नीति है। इस का परिणाम हम को आज दिखलाई पड़ता है। वहां का राजनीतिक ढांचा ऐसा है, वहां की कार्य प्रणाली ऐसी है कि वहां पर जो भी प्रधानमंत्री बनता है उसे जेल के अन्दर जाना पड़ता है, उसका दिमाग खराब हो जाता है। हम ने देखा कि शेख अब्दुल्ला को जेल जाना पड़ा, उस के बाद बच्ची को जाना पड़ा और मुझे ऐसा लगता है कि कहीं ऐसा न हो कि सादिक को भी जाना पड़े।

मैं इस सम्बन्ध में कहना चाहता हूँ कि आखिर यह परिस्थिति वहां पर क्यों पैदा होती है। काश्मीर आज एक राष्ट्रीय प्रश्न है, एक राजनीतिक प्रश्न है और उस को

[श्री हकम चन्द कछवाय]

उसी ढंग से सोचना चाहिये। उस के बारे में हमारी सरकार की साफ साफ नीति होनी चाहिये। काश्मीर की जनता चाहती है कि उसे पूर्णतया भारत में मिलने का हक मिलना चाहिये, आखिर वह क्यों अछूती पड़ी रहे। लेकिन उस के साथ सोतेली मां का सा व्यवहार किया गया है। वहां पर आज बड़ी दूषित प्रकार की गतिविधियां बढ़ रही हैं। अभी तीन या चार दिन पहले वहां से समाचार आया कि वहां जन संघ के प्रधान श्री प्रेमनाथ डोगरा के साथ ऐसा व्यवहार किया गया, जिन्होंने अपने जीवन के 80 साल देशभक्ति में लगाये।

एक माननीय सदस्य : 30 साल लगाये। पचास साल वह गवर्नरमेंट की ओर थे।

श्री हुकम चन्द कछवाय : ऐसे देशभक्त के साथ इस तरह का व्यवहार किया जाता है। मैं मंत्री महोदय को बतलाना चाहता हूँ कि यदि इस प्रकार की हवा सारे देश में फैल गई तो भारतीय जनता और काश्मीर की जनता इस को कभी बर्दाश्त नहीं कर सकती। कि ऐसे ऐसे देशभक्तों के घर में बम फटे और वहां की जनता के लिये कोई परेशानी पैदा हो वह कभी बर्दाश्त नहीं कर सकती जबकि सारी जनता चाहती है कि धारा 370 हटाई जाये।

हमारे भारतीय शासन ने आज यह तय किया है कि जो भी इस देश के किसी हिस्से को अलग करने की मांग करेगा उसे सीखचों में बन्द किया जायेगा, लेकिन आज शेष अबदुल्ला दो महीनों से बराबर यह प्रचार कर रहे हैं कि काश्मीर भारत से अलग है और वह अलग रहेगा। काश्मीर के बारे में इस तरह की बात नहीं चलती चाहिए। क्यों नहीं उन से कहा जाता कि ऐसे भाषण देना ठीक नहीं है और उन के इस तरह के भाषण देने पर उन को क्यों नहीं सीखचों

के अन्दर बन्द किया जाता। क्या कारण है कि सरकार इस तरह की नीति अपना रही है। सरकार के समने जो भी समस्या है वह हमें बताये क्योंकि सारा सदन इस बात को मानता है कि धारा 370 हटनी चाहिये। आज हर व्यक्ति, चाहे वह अपो-जीशन में हो या और कहीं हो, यह मांग कर रहा है कि धारा 370 को हटाया जाये तब क्या कारण है कि मंत्री महोदय शासन का बल प्रयोग कर के इस को नहीं मानते हैं। मैं तो कहता हूँ कि आप इस मामले को हाउस के ऊपर लाड़ दीजिये। शासन अपना विषय न लगाये और तब इसके ऊपर मत लेले। मैं कहना चाहता हूँ कि इस के संबंध में साफ साफ नीति होनी चाहिये। शासन क्यों कुछ लोगों के लाभ के लिये यह नीति अपनाता है। भारत में पांच करोड़ मुसलमान रहते हैं। आज काश्मीर के बारे में जनमत संघर्ष की बात कही जाती है। यदि आप को ऐसा ही करना है तो मैं कहना चाहता हूँ कि काश्मीर में हिन्दुओं को भी बसाइये और उस के बाद चाहे जो कीजिये। आज वहां पर क्या परिस्थिति है इस में मैं जाना नहीं चाहता, लेकिन मैं बड़ी नम्रता से प्रार्थना करूँगा बिना संकोच किये हुए, बिना कुछ सोचे समझे मंत्री महोदय को यह बिल स्वीकार कर लेना चाहिये। इस तरह से यह सारी समस्या अपने आप हल हो जायेगी।

श्री स० मो० बनजी (कानपुर) : सभापति महोदय, यह जो बिल मेरे मित्र श्री प्रकाशवीरजी शास्त्री ने सदन के समने प्रस्तुत किया है, मैं उस का समर्थन करने के लिये बड़ा हुआ हूँ। मैं समझता हूँ कि आज सदन में जितने भी माननीय सदस्यों ने इस बहस में भाग लिया, खास कर हमारे काश्मीर से आये सदस्यों ने, चाहे वह गोती साहब हों या दूसरे साहब हों, जब मैं ने उन की आवाज सुनी तो ऐसा मालूम होता था जैसे वह जीती जागती काश्मीर की आवाज हो।

इतने मालों के बाद भी आर्टिकल 370 के एंब्रेगेट न होने के बारे में कोई दलील आज तक नहीं दी गई इस सदन में। हमारे मोअज्जित और हरदिन अजीज प्रदानमंत्री थ्री नेहरू आज हमारे बीच में नहीं हैं, जब भी यहां कोई सवाल उठाता था तो वह हमें यकीन दिलाते थे कि काश्मीर हिन्दुस्तान का एक जुज है, एक हिस्सा है। लेकिन मेरे ख्याल में, इतना कहने के बावजूद भी इत्मीनान दिलाने के बावजूद भी, जब भी यह सवाल सदन के सामने आया कि आर्टिकल 370 को हटाया जाये, तो कुछ न कुछ कह कर, मैं यह कहने के लिये मजबूर हूं, उसे आल दिया गया। आज हम इस को भूले नहीं हैं, चाहे शेख अब्दुल्ला साहब छूटने के बाद अपना चोला बदल दें और दूसरी तरह की बात करें या अमरीका का असर हमारे देश पर इतना ज्यादा हो और वह काफेडरेशन की बात करें, ज्वायेंट डिफेन्स की बात करें, काश्मीर के मामले में, या कोई हमारे दूसरे लीडर काश्मीर के मामले में तरह तरह की बातें करें, एक एक हिन्दुस्तानी को याद है और मैं समझता हूं कि काश्मीर के बच्चे बच्चे को याद होगा, कि जब सन् 1948-49 में पाकिस्तान ने हमारे साथ वहशियाना हरकत की थी तब वहां पर जितने लोग निशावर हुए थे, जिन्होंने अपनी कुर्बानी दी थी, वहे इसलिए नहीं दी थी कि काश्मीर को भारत से कुछ अलग रखा जाये। मैं समझता हूं कि आज अन्तर्राष्ट्रीय परिस्थिति को देखते हुए यह जरूरी है कि काश्मीर को हर मामले में हिन्दुस्तान के साथ मिला दिया जाये, और लोगों के सामने इंके की ओट पर कहा जाये कि काश्मीर हिन्दुस्तान का था, हिन्दुस्तान का है और हिन्दुस्तान का रहेगा। मेरे ख्याल में इस में कोई दो रायें नहीं होनी चाहियें। आज कहां पर इस में दो रायें हैं। जिस बक्त शेख अब्दुल्ला ने कहा था कि हमारी सेना काश्मीर भेजी जाये और काश्मीर की इज्जत रखी जाये, तो क्या वे भूल गये कि

उस बक्त वह काश्मीर की ही इज्जत नहीं थी, वह मादरे बतन की इज्जत थी, जो उन लोगों ने बचाई। आज मुझे याद है कि अगर नेफा में चीनियों के हाथों से हिन्दुस्तान की धरती को बचाने के लिए ब्रिगेडियर होशियार सिंह ने अपनी शहादत दी थी, तो हम हिन्दुस्तानी अध्यज्ञ यह भी नहीं भूले हैं कि ब्रिगेडियर उस्मान की लाश सामने पड़ी हुई है और उन की हड्डियों से आज भी बार बार यह सदा आती होगी कि काश्मीर हिन्दुस्तान का है और उसे हिन्दुस्तान में ही रहना है। आज हमारे सामने यह साफ साफ और सीधा सवाल है।

आज अगर हमारी सरकार काश्मीर के सीधे से सवाल पर फैसला नहीं कर सकती तो गोआ के बारे में क्या फैसला करेगी अचानक मंत्रिमंडल का एक मंत्री कह दे कि दस साल तक गोआ को अलग रखा जायेगा, यह क्या है। क्यों अलग रहेगा जबकि महाराष्ट्र के लोगों ने .

डा० मा० श्री० अर्जे (नागपुर) : गोआ के अलग रहने की बात नहीं है, गोआ हिन्दुस्तान में ही है।

श्री स० मो० बनर्जी : हां, वह हिन्दुस्तान में है लेकिन मेंट्रली कंट्रोल रहेगा। मैं समझता हूं कि यह गलत होगा। चूंकि काश्मीर के मामले में हम कुछ नहीं कर सके इसलिए नागालैंड में यह हो रहा है कि जो माइकेन स्काट शांति स्थापना करने के लिये भेजा गया वह साम्राज्यवादियों का एंजेंट वहां कीजो की बातों की तर्जुमानी करने के लिए गया हुआ है, और मैं समझता हूं कि वह दिन दूर नहीं है जबकि इस नागालैंड के ममले को भी एक अन्तर्राष्ट्रीय मसला बना दिया जायेगा, और उस के बाद हम दूसरों के मोहताज रहेंगे कि कहीं ऐसी बात तो नहीं कि छुश्चेव के बदलने के बाद रूस की नीति बदल जाये और हमें बीटो न मिले। मैं नहीं समझ पाता कि हम कब तक दूसरों के

[श्री स० मा० बनर्जी]

मौहताज रहेंगे। काश्मीर के मामले में यह कलंरी की गई और इस मामले को यूनाइटेड नेशन्स आर्मेनियनेशन में भेजा गया। उस गलंरी का व्याख्याजा हम को आज तक भूगतना पड़ रहा है। मैं समझता हूँ कि इस अहम मसले को अब तय कर देना चाहिये। अगर भविमंडल ने इस के बारे में अभी तक कोई फैसला नहीं किया है, तो मंत्री महोदय इस का जवाब आज न दें, किसी दूसरे दिन, जब कि नानाप्राफिशल बिल लायें, उस बक्त दें। यह जरूरी नहीं है कि सरकार इस का फौरन जवाब दे दे। अगर आज देश के सामने यह जवाब आयेगा कि संविधान की दफा 370 एवरोगेट नहीं हो सकती, अगर सरकार आज यह कहती है कि हम काश्मीर में हाईकोर्ट दे देंगे, हम काश्मीर में दूसरी चीजें दे देंगे, लेकिन अगर काश्मीर की जनता के सामने यह बात नहीं आती कि वह हिन्दुस्तान की जु़ज़ है, तो मैं समझता हूँ यह बहुत बड़ी गलती होगी।

पाकिस्तान में चुनाव हो चुके हैं और अगर वहां के लोगों ने गलती कर के अर्यूब-शाही को कायम रखा, तो मैं यकीन के साथ कह सकता हूँ कि पाकिस्तान और चीन की जो नापाक साजिश है, उस को लेकर काश्मीर के मामले को फिर उछाला जायेगा और हो सकता है कि उस बक्त हमारे पास काश्मीर को रखने का साधन तलवार के जोर के सिवा और कुछ न रह जाये।

यह कहना दुर्स्त नहीं है कि वहां हमारे भाई मुसलमान हैं और अगर प्लेबीसाइट हुआ तो क्या होगा। अब तो वहां प्लेबीसाइट का सवाल ही पैदा नहीं होता। अगर इस मांग को स्वीकार किया गया तो जो काश्मीर में अमरीका की साजिस है कि ज्वाइंट डिफेंस हो और दूसरी चीजें हों, वह बात सामने आ सकती है। अब वहां प्लेबीसाइट किस चीज का होना है?

हमने हिन्दुस्तान की जनता के सामने बहुत सी चीज रखी हैं कि चाहे नेफा का सवाल हो या लदाख का सवाल हो या काश्मीर का सवाल हो, वह हमारे देश की परिवर्त भूमि है और उसका एक इच भी हम किसी को नहीं दे सकते। अगर आज काश्मीर के मामले में हीला हवाल करके हमने इस मसले को मुश्किल बना दिया, तो हम किस मुँह से चीन से कहेंगे कि हम आक्रमणकारी से समझीता नहीं करेंगे। इसलिए मैं बड़े अदब से अर्ज करूँगा कि आज हमको इस मसले को तय करना जरूरी है।

इस मसले के बारे में कानूनी दृष्टिकोण चटर्जी साहब ने आपके सामने रख दिया है, और हमने क्या गलती की इसके बारे में राजनीतिक दृष्टिकोण से भी प्रकाश डाला जा रहा है और नैतिकता के दृष्टिकोण से भी हम वंधे हुए हैं। आज हम इसमें नहीं जाना चाहते कि बख्शी साहब ने क्या किया और सादिक साहब ने क्या किया। हमें आज इस मसले को तय करना है।

आज कहा जाता है कि हमको अमरीका से और ब्रिटन से मदद मिल रही है। अगर हमने यह कदम उठाया तो ये देश नाराज हो जायग। मैं पूछता हूँ कि हमें आज इन देशों की नाराजगी को देखना है या देश को देखना है। मैं तो समझता हूँ कि आज इस मसले का फौरन फैसला हो जाना चाहिए। अगर यह फैसला नहीं होता तो आखिर हम कब तक लोगों से कहते रहेंगे कि साहब काश्मीर के मामले में जरा चुप रहिये। इसके इंटर-नेशनल रिपरकशन हो सकते हैं। मैं तो काश्मीर की जनता से कहूँगा कि इस मसले का फैसला करे। और मैं हिन्दुस्तान के हिन्दू, मुसलमान, सिख और ईसाई से कहूँगा कि अब वह जमाना चला गया जब कि काश्मीर के मामले में हश हश की बात होती थी और चुप रहने को कहा जाता था। अब तो हमको

इस मसले को साफ तौर से फैसला करना है।

गुजर गया वह दौर साकी कि छिप के पीते ये पीने वाले, बनेगा सारा जहां मयखाना हर कोई बादा ख्वार होगा।

अब तो हमको साफ तौर से कहना होगा कि काश्मीर हिन्दुस्तान का है। क्या हम अमरीका से डर जायें?

आज यूनाइटेड नेशन्स के आवजरवर क्या कह रहे हैं? पाकिस्तान रोज काश्मीर की सरहद पर गोलावारी करता है, हमारे लोगों को अपनी गोलियों का निशाना बनाता है, हमारी भाताओं और बहिनों का मुहाग लूटता है। पर इस वक्त भी कहा जाता है कि वक्त अभी राइप नहीं है। ऐसे तो कभी वक्त राइप नहीं होगा। मैं कहूंगा कि अगर हमारे वर्तमान प्रधान मंत्री शास्त्री जी भी स्वर्गीय प्रधान मंत्री पंडित जी की तरह हैमलेट की तरह कहने रहे कि “टु बी आर नाट टु बी” तो कुछ नहीं होगा।

पाकिस्तान ने अब तक अपनी साजिश जारी रखी हुई है। उसकी बन्दूक आज भी काश्मीरियों की छातियों पर तनी हुई है। चीन भी दूर से देख रहा है कि किस तरह से पाकिस्तान से सांठ गांठ करके काश्मीर में घुस आए और हिन्दुस्तान पर दोबारा आक्रमण करे। और हम अभी इस बारे में सोच रहे हैं कि संविधान की धारा 370 को एवरोगेट करें या न करें और इसके लिए मविमंडल की बैठक हो रही है।

एक बात मैं और कहना चाहता हूं। बरुशी साहब के बारे में बहुत सी चीज कही गयी। वह मेरे मुअर्जिज लीडर थे और मैं उनकी काफी इज्जत करता था। लेकिन मैं जानना चाहता हूं कि काश्मीर में लोगों को मर देसा क्यों नहीं हुआ सरकार के बारे में।

अभी तक उनके खिलाफ कोई चार्ज साबित नहीं है। मैं नहीं चाहता कि किसी को डी०आई०आर० के मातहत बन्द कर दिया जाए। मैं इसके खिलाफ हूं। लेकिन अगर कोई चार्ज हैं तो उनकी जांच की जाए।

श्री अब्दुल गनी गोनी : ये चार्ज कब आए?

श्री स०म० बनर्जी : ये चार्ज उनकी गिरफ्तारी के बाद आए।

Mr. Chairman: The hon. Member may not refer to these things.

श्री स०म० बनर्जी : अगर यह चार्ज सही हैं तो वह पहले भी थे और आज भी हैं। उनकी जांच होनी चाहें और बरुशी साहब को अपनी सफाई देने का मौका मिलना चाहिए। इस तरह से बिना सफाई का मौका दिये किसी की गिरफ्तार करके बन्द कर देना, मैं समझता हूं जुल्म है। मैं इसके खिलाफ हूं। मैं आशा करता हूं कि सरकार इस बिल को मान लेगी और देश के सामने और विदेशों के सामने कह सकेंगे कि काश्मीर हमारा है। आज हमको ऐसा कहने में जिज्ञक होती है। जिज्ञक हमारी बाणी में नहीं है, पर जिज्ञक सरकार में है। अगर गोआ के बारे में उसके हाथ लड़खड़ा रहे थे तो काश्मीर के मामले में उसके पैर लड़खड़ा रहे हैं। मैं चाहता हूं कि यह लड़खड़ाना बन्द हो ताकि हम सरकार के हाथ और पैर मजबूत कर सकें काश्मीर के मामले में।

Shri Khadilkar (Khed): Sir, I feel that the purpose of the discussion on this Bill is more to convey through this House the sentiments of the people regarding Kashmir's integration. I do not want to look at this problem in a superficial manner, just depending on certain sentiments prevailing among certain sections of our people. I do agree that Kashmir and the people of Kashmir must be brought into the mainstream of our national

[Shri Khadilkar.]

life and there should not be any barrier whether constitutional, political or otherwise any longer. But at this juncture, if on our own, we were to abrogate article 370, we will have to give some serious consideration to the many aspects of the problem. I do not want to raise that issue; the Home Minister perhaps might refer to it, but I have my doubts whether this House is competent to do it. (Interruptions). I was just going to suggest not very seriously, because it is too late, that I have my doubts from the constitutional point of view whether this House is competent to do so.

Shri S. M. Banerjee: It is competent.

Shri S. S. More: Was not the House competent when it passed article 370?

Shri Khadilkar: I have read article 370 and I know there is a provision there. If at all an effort is to be made to integrate Kashmir fully with India and bring Kashmir into the mainstream of our national life and to remove all the obstacles and difficulties, the best thing according to me is that the initiative must come from the people of Kashmir.

Why do I say this? We should not ignore the facts of political life in Kashmir.

Shri Abdul Ghani Goni: All the people from Kashmir have supported the Bill.

Shri Khadilkar: I have my own to say.

Shri Abdul Ghani Goni: It is not for the Kashmir people to amend the Constitution; it is the right of the Parliament.

Shri Khadilkar: Sir, let me have my say. So far as I am sitting here I represent Kashmir as well as Maharashtra. (Interruptions). Sir, I am not going to be swept away by emotion or sentiment. This is a problem which needs careful thought.

Shri S. M. Banerjee: That is why you have come now?

Shri Khadilkar: I was sitting here and following the debate. I would request the House to give me a patient hearing. Let them have a little tolerance to hear a point of view which is slightly different from their view.

16 hrs.

Mr. Chairman: You should not be disturbed by interruptions.

Shri Khadilkar: What I am pleading is, the basic concept behind this article was that ultimately; because of certain international complications, Kashmir should integrate step by step. What has happened during the last ten years? If we take that into consideration, my own feeling is that many steps have been taken. If this process continues, this article 370 will be an empty shell after some time and simply a formal recognition would be needed of this House to abrogate it.

As I was saying, what are the facts of life? Do some Members realise—some of them do it even though they do not see it—that some citizens of India are today in Azad Kashmir? We recognise their citizenship. We are ready to give them representation and keep some vacancies reserved in the Assembly of Kashmir. Is this the case in respect of other States of the Indian Union? Let us give some thought to it.

If I remember correctly, in 1956 there was a move like this. But immediately Pakistan raised a voice of protest in the United Nations and it was given up.

Shri Shinkre: Why do you worry about it?

Shri Khadilkar: I am giving the history, and I would like hon. Members to listen. What I suggest is, while dealing with Kashmir we have

to give careful thought. I fully agree with the sentiments and the purpose behind bringing forward this Bill. The present state of affairs is neither happy for us nor for the people of Kashmir. Shri Sadiq who is a close friend of many of us has already given expression to it, but he will have to win over the people. By just saying certain things, we cannot get things done. Some hon. Members referred to Nagaland.

Shri S. S. More: Are you proposing another plebiscite on this issue?

Shri Khadilkar: Some hon. Member just now referred to Nagaland. Some controversy was also raised during the Question Hour. What is the position there? Because it has been equated with this I am referring to it. There we tried the military method, the method of force to win over Nagaland. Now the Government is trying the peaceful method consistent with our policy. We have decided to negotiate with the Nagas and to integrate them into this country, and we entered into an agreement. Nobody refers to that agreement. Simply voices are raised here as if the Government or we, sitting in this House, are quietly bartering away Nagaland on this side and Kashmir on the other.

Shri S. M. Banerjee: Nobody said that.

Shri Khadilkar: I am only saying that this whole Himalayan region is a sensitive region. The people there, though they would like to be with us, have their own point of view. They have a certain approach to life. They have their own background. They have their own evolution. Therefore, they will have to be won over very patiently and all efforts must be made in that direction (*Interruption*).

Shri K. N. Tiwary (Bagaha): If Maharashtra wants to secede from the Union, will this Parliament permit it?

Shri Khadilkar: Therefore, whether it is Kashmir or Nagaland, the problem will have to be approached very carefully. I entirely agree with the sentiment. It must be done and it must be done quickly. Is not the present Government which is slowly stabilising—Shri Sadiq's Government—moving in the matter? They want the title of "Prime Minister" and "Sadar-i-Riyasat" to be changed. These measures are coming. But I would certainly say that all these measures must be speeded up. I only say that with that speed the people's general understanding of to the problem must be sought. They must not feel that we are taking a decision. Even if there is a small minority which has some reservation, I must not spare pains, if I am a real democrat, to win over them by persuasion, by argument. It is not a question of exercising the brute majority. Sometimes brute majority is a worse type of force than actual weapons being used (*Interruptions*).

Shri S. M. Banerjee: That is the African line. He is championing the cause of Africans.

Shri Khadilkar: I am not sponsoring anybody's line. The Chinese are having their designs. Many nations have their own designs. I am not referring to that. My submission is . . . (*Interruptions*). Sir, I find it very difficult to continue.

Mr. Chairman: Shri Khadilkar is a very experienced Parliamentarian. He should not mind these interruptions.

Shri Khadilkar: When I am advancing certain arguments if there is disturbance it is very difficult to carry on. Do they write me off as a Pakistani because I say this? It is wrong. If I say something about Nagas which may be against their present approach am I supposed to be for secession of Nagaland? No. In order to retain Nagaland a certain approach has to be made. I think the Government is right in making this approach.

[Shri Khadilkar.]

If they commit a mistake we must try to pull them up. That is our right. But their basic right should not be questioned. When we have sent a peace mission to Nagaland—it is not a military problem—that Mission must have full support from us. What Mr. Scott said something or somebody else said, we might object to. But so far as Kashmir is concerned I would plead that let the people of Kashmir give earnest consideration to this question and come forward instead of our taking the initiative. Let Kashmir, at the time of the next general elections, go to the people and give the call. Let them be asked to do it. Let them be told that we have reached a stage when we do not want this so-called artificial barrier.

श्री समनानी : क्या माननीय सदस्य भूल गये कि इसी मैतीकैस्टों पर सन् 1951 में हमने एलेक्शन्स लड़े थे ?

شروع سلطانی : کہا مان نیہ سدیہ
بھول کئے کہ اسی مہینو فوستو ہر
سے 1951 میں ہمیں الیکشن لے گئے تھے۔

Shri Khadilkar: Then the time will be ripe for this House to just give a formal sanction. As I said, I have read the Constitutional provision in article 370. Inherently that section gives certain rights to the people of Kashmir to decide certain aspects of their development. I do not want to go into the constitutional aspect, but I would plead that the Government should approach the people of Kashmir. Let them be told that the Mover of the Bill is not motivated by some sort of partisan approach. Let them be told that there is a growing sentiment in this country. Let these be conveyed to the people of Kashmir and the Government of Kashmir. Let them be told that if this condition remains for long, as it is a sort of artificial condition of separation from the main stream of life, it is likely to result in international complications.

What is the use of saying that we have taken the issue to the United Nations and unless we withdraw it from the United Nations.....

Shri S. M. Banerjee: You cannot withdraw. There is no provision.

Shri Khadilkar: Knowing it you are shouting here? All these national and international complications are to be avoided. If they are to be avoided and the object of the Bill is to be achieved, we will have to follow a persuasive, reasonable—not just sentimental or emotional approach—to the problem of Kashmir. The people of Kashmir and, I am sure, the hon. Members from Kashmir who have spoken here, are equally patriotic. Let emotional integration, political integration, organisational integration and integration at all levels take place. State level integration can then follow within no time (Interruptions).

Shri S. S. More: Does the hon. Member know any minority in Kashmir which is opposed to abrogation of article 370?

Shri Khadilkar: I am talking of myself.

श्री जगदेव सिंह सिंहान्ती (अज्जर) : समाप्ति महोदय, माननीय श्री प्रकाशशीर शास्त्री जी ने जो बिल रखा है, यह ऐतिहासिक महत्व का बिल है। इस से यह निर्णय होगा कि हम हृदय से दुर्बल हैं या हम हृदय से बलवान हैं। जो बहुत कानूनों की शेखो बवारा करते हैं वे राष्ट्र की रक्षा कभी नहीं कर सकते हैं। कानून जो है ये मनुष्य के लिए होते हैं, राष्ट्रों के लिए होते हैं, राष्ट्र और मनुष्य कानूनों की बानून से वांछना गलत बात है, विलकूल उलट बात है। हमारे नेताओं ने एक भूल की थी और आज उस भूल के लिए प्रायशिच्त करने का मौका है और यह इसी रूप में

हो सकता है कि हम 370 दफ़ा को उड़ा दें। जैसे—

आयान्त्रिकारण विचारयन्

आत ताथी पुरुष जो होते हैं जोकि अनेक प्रकार के होते हैं, वे जब आते हों तो विना विचार किये ही उनको मार देना चाहिये। वैसे ही मेरा कहना यह है कि इस बिल पर लम्बी चौड़ी बहस की काई आवश्यकता नहीं है, इसको अभी पास कर दिया जाना चाहिये, इसको अभी स्वीकार कर लिया जाना चाहिये, धारा 370 को अभी उड़ा दिया जाना चाहिये। जब हम स्वतंत्र हुए तो जो देशी रियासतें थीं, उनको यह अधिकार था कि वे चाहें तो पाकिस्तान में और चाहें तो हिन्दुस्तान में मिल जायें। उन रियासतों ने अपने अधिकार का प्रयोग किया। कोई पाकिस्तान में गई ता काई भारत में सम्मिलित हुई। उस समय काश्मीर की जनता ने और काश्मीर के महाराजा ने, दोनों ने ही यह निर्णय किया था कि वे भारत के साथ रहना चाहते हैं। स्वर्गीय प्रधान मंत्री जी की आलोचना करना उचित नहीं है। परन्तु यह कहना पड़ेगा कि उन्होंने जनमत की बात कहकर के एक अड़चन डाल दी थी और इस बात को कह कर एक बड़ी भयंकर भूल की थी।

हम काश्मीर के मामले को ले कर यू. पॅन. ओ. में गये। क्या आवश्यकता थी वहां जाने की? हमारे बहादुर सिपाही उस समय लड़ रहे थे और आगे बढ़ रहे थे। तब सीज़ काफ़ार करने का निर्णय क्यों कर लिया गया?—अगर पंद्रह दिन और इस प्रकार का निर्णय न किया गया होता तो उस इलाके का पाकिस्तान में रहना तो दूर पाकिस्तान की भूमि से भी दूर जाने को उनको मजबूर होना पड़ता जिन्होंने काश्मीर पर आक्रमण किया था। हमारे जबान तैयार थे जिस समय उनको कहा गया कि बन्द कर दो, लड़ाई को। जब उनको यह हुक्म दिया गया तो सनके हृदयों के ऊपर पत्थर पड़ा, बज़ धड़ा। आज मौका है कि हम जो भूल उस

बक्त कर चुके हैं, आज न करें उस भूल को आज न दौहरायें। यू. पॅन. ओ. में कौन लोग जाते हैं? वहां वे लोग जाते हैं जो—दुर्बल होते हैं। वहां जाने की क्या आवश्यकता थी? थोड़ी देर के लिए मान लो कि हम वहां गये भी, लेकिन हमें देखना होगा कि हम किस लिये गए? हम वहां इसलिए गये कि जो भाग काश्मीर का पाकिस्तान ने दबा लिया है, वह उससे खाली करवाया जाए। हम वहां इस लिए नहीं गये कि पाकिस्तान के साथ काश्मीर के सवाल को लेकर हम मेज पर बैठ कर बातचीत करें। यह कठई गलत बात है।

पाकिस्तान के आक्रमण हमारे ऊपर बराबर होते आ रहे हैं। क्यों ये हो रहे हैं? कारण यह है कि हम पर दबाव डाला जाए। यह दबाव अनेक रूपों में हम पर डाला जा रहा है। कल के समाचारपत्रों में आपने देखा होगा कि हमारे डिकेंस मिनिस्टर साहब जो इंग्लैंड गये हुए हैं—कुछ सहायता प्राप्त करने के लिए और उस सहायता के बारे में जो निर्णय ही जाना चाहिये था कल वह स्थगित हो गया है जिस का कारण यह है कि पाकिस्तान और अमरीका की तरफ से इसके खिलाफ उस पर दबाव डाला गया है। पाकिस्तान के राजदूत वहां पर जा कर अधिकारियों से मिले हैं। वहां के मंत्री यह उत्तर नहीं दे पाये पूरी तरह से चाहूण साहब को कि हम क्या हृषिकार दे सकेंगे। आपने देखा है कि ब्रिटेन और अमरीका दोनों के दोनों मौका पाते ही पाकिस्तान का साथ देते हैं। यही कारण है कि हम जो लेते हैं, वह उससे कहीं कम का होता है जोकि पाकिस्तान को मिलता है। पाकिस्तान हम से कहीं अधिक लेता है।

इन सब बातों का परिणाम यह हो रहा है कि आज जितने हमारी पड़ोसी देश हैं जैसे बर्मा है, लंका है और जो बहुत छोटे देश हैं, उनमें आज यह हिम्मत आ गई है कि वे भी भारत के साथ रहने के लिए तैयार नहीं हैं, भारत के साथ दोस्ताना ताल्लुकात रखने

[श्री जगदेव सिंह सिद्धान्ती]

के लिए तैयार नहीं हैं। इसका कारण यह है कि हमारी जो नीति है, वह दुर्बल नीति है। इस दुर्बल नीति को तुरन्त हमें समाप्त कर देना चाहिये।

आज मारे मंसार में सेन्द्रेह फैला हुआ है जब हम कोई कानूनी बात करते हैं, कानून बालों की बात को सुनते हैं। आप कहते हैं कि काश्मीर भारत का एक अंग है। अभिन्न अंग है। यह सारी चीज ठीक है। जब कोई बात और नहीं रह गई है तो फिर क्या अड़चन है आपके गत्से में इस धारा 370 को समाप्त करने परी, इसको न उड़ाने की।

काल: पिबतिनद्रसम्।

समय पर काम किया जाना चाहिये नहीं तो बाद में पश्चात्वा हो सकता है। परसों हमारे विदेश मंत्री स्पष्ट हून से उत्तर नहीं दे सके कि यह स्काट जो शान्ति मिशन के द्वारा बन कर आये हैं, ये कौन हैं? आज उन्होंने भी वही बात करनी शुरू कर दी है, जो प्रायः किजो के मुँह से सुनने को मिला करती थी, जो वह अपनी जबान से बोला करते थे। उन्होंने कहा है कि नाया लोगों का और भारत का कभी माय नहीं रहा है। ये दोनों देश अलग अलग हैं।

यही नहीं और भी बहुत सी बातें हैं जिन के बारे में सरकार समय पर काम नहीं करती है। गोआ के बारे में पता नहीं क्यों डिलमिल नीति आज भी अपनाई जा रही है। क्यों किसी मंत्री ने यह कह दिया है कि दस साल बाद इस प्रश्न पर विचार होगा। जब वह भारत का अंग है, तो इस तरह की बात कहने की क्या आवश्यकता रह गई थी।

समाप्ति महोदय, विदेशों से पोप साहब हमारे यहां आ रहे हैं। पोप साहब कभी किसी दूसरे देश में नहीं गये हैं। एक पादरी के ये शब्द हैं कि जितना संक्युलरिज्म से खतरा है,

उतना न हिन्दुओं से और न मुसलमानों से और न ही बौद्धों आदि किसी से है। आज ईसाई पादरियों की एक बहुत बड़ी मेना बम्बई में उत्तर रही है। सरकार को न जाने दिया चीज का डर है, हथियार नहीं मिलेगे, इसला डर है, उनको प्रोत्साहन दे रही है। हमारा राज्य असाम्प्रदायिक राज्य है। उस असाम्प्रदायिक राज्य को इस प्रकार से उनको प्रोत्साहन नहीं देना चाहिये। रेलों में इनको कंसेशन दिया जा रहा है और जो लोग आ रहे हैं, इनमें वे लोग भी शामिल हैं जो भारत से शवुता रखते हैं—

Mr. Chairman: The hon. Member will confine himself to article 370 instead of referring to other matters.

श्री जगदेव सिंह सिद्धान्ती: काश्मीर में सब से पहले जिस की वाह वाही तुर्ई वह शेख अब्दुल्ला की हुई। जब वह दिल्ली आने थे तो हम उनको शेरे काश्मीर, शेरे काश्मीर कहा करते थे। अब उस मेरे काश्मीर को आपने देख ही लिया है। कौन कह सकता है कि वह किस के साथ मिला हुआ है, पाकिस्तान के साथ मिला हुआ है या चीन के साथ मिला हुआ है। बख्शी जी आज जेल में बन्द हैं। मैं कहना चाहता हूँ कि यह ठीक है कि काश्मीर भारत का एक अभिन्न अंग है लेकिन जब तक इस धारा को हटाया नहीं जाता है, तब तक सेन्द्रेह जो लोगों के मनों में है वह बना ही रहेगा। जरूरत इस बात की है कि उस अंग को भी भारत के साथ एकाकार कर दिया जाय। अगर ऐसा नहीं होता है तो न मालूम आगे चल कर क्या अड़चन पैदा हो जाए।

हमारे बनर्जी साहब ने ठीक बात कही है। हम किसी गाड़ी के आगे जुते हुए घोड़े नहीं हैं, किसी की गाड़ी खींचने वाले हम घोड़े नहीं हैं। सही बात को कहना और सही काम को करना हमारा कर्तव्य है। बख्शी गुलाम मुहम्मद ने क्या कुछ किया है, इसका फैसला

तो अदालत ही करेगी। हमारा उससे कोई वास्ता नहीं है, हमारी उससे कोई गर्ज़ नहीं है। हमारा कहना तो केवल इतना है कि काश्मीर जो सदा से भारत का एक अंग रहा है, उसके रास्ते में यह जो धारा 370 आती है, जिस पर आपत्ति उठाई गई है, इस अवसर को हाय से न गवां कर, इसको हटा दिया जाना चाहिये।

मैंने पहले कहा है कि यह एक एतिहासिक महत्व का विधेयक है। तीनों लोक सभाओं में भव से अधिक महत्वपूर्ण एतिहासिक विधेयक यह है और इस पर हमारे द्वारा किया गया निर्णय भी एतिहासिक महत्व रखेगा, एतिहासिक स्थान रखेगा। हमारे गृह मंत्री जी जरा साहस दिखायें। वह कोई चिन्ता न करें। सारा देश इस बात में उनके साथ है, सारा देश इस मामले में एक जूट है। कोई विपत्ति हम पर नहीं आ सकती है। चीन ने जिस समय हमारे राष्ट्र पर आक्रमण किया था भेदभाव जितने भी हममें थे, उन सब को हम भूल गये थे। कोई भेदभाव किसी प्रकार का नहीं रह गया था। अगर कभी कोई विपत्ति कल को हमें आ घेरेगी तो हम फिर सब भेदभावों को भूला कर एक हो जायेंगे। आप देखिये कि हैदराबाद के खिलाफ जिस समय पुलिस एकशन किया गया था उस समय, अंग्रेज वहां आता जाता था, बार बार हवाई जहाज से हथियार भी भेजे जाते थे, भव कुछ किया जाता था लेकिन वहातुर सरदार पट्टल ने पुलिस एकशन के द्वारा साढ़े तीन दिन में हैदराबाद की तथा उसके समर्थकों की सारी शक्ति को खत्म कर दिया। उनकी क्या हैसियत है कि हम पर अंख उठा कर भी देखें। यहां वह बात भी नहीं है कि कोई यह कहे कि हमारे नेताओं ने क्योंकि एक मार्ग बताया है, इस वास्ते हम उस मार्ग पर ही चलेंगे। मैं कहना चाहता हूं नेताओं से राष्ट्र बड़ा होता है। अगर किसी नेता ने किसी समय पर कोई निर्णय लिया था तो वह निर्णय उस समय के लिए ठंक हो सकता है और अगर वह निर्णय आज

राष्ट्र के हितों के विपरीत जाता है, तो हम उस निर्णय को मानने के लिए वाध्य नहीं हो सकते हैं। अगर कोई राष्ट्रीय हितों के विपरीत कोई बात कहता है तो उसको किसी भी अवस्था में माना नहीं जा सकता है। किसी नेता को दोष देना ठीक नहीं है और यह कहना ठीक नहीं है कि फलां नेता यह कह गया है कि आहिस्ता आहिस्ता चलो। आहिस्ता आहिस्ता चलने में तो सारा मामला ही खत्म हो जाएगा। जो कुछ करना है, एक दम कर दीजिये। अगर गौर होता है तो वह तो दुनिया में होता ही रहेगा। जैसे और किया करते हैं, वैसे हमें भी कर देना चाहिये। आज हम मंत्री जी के श्रीमुख से यह सुनने को आतुर बैठे हैं कि दफा 370 को उड़ा दिया गया है।

Shri K. N. Tiwary: Sir, you have extended the time by one hour but as this is a very important subject and there are many more who want to participate in this debate, may I request you to extend it further?

Mr. Chairman: Time has been extended and all those who want to speak will be given an opportunity; but they will have to restrict themselves within the time-limit.

Shri K. N. Tiwary: It is a very important subject and you are giving very little time.

Mr. Chairman: Ten minutes are more than sufficient. Most of the points have been covered. Most of the arguments have been touched.

Shri K. N. Tiwary: Are you extending the time?

Mr. Chairman: No. We have extended it by one hour more. Now five hours have been allotted.

Shri K. N. Tiwary: My request is to extend it further.

Mr. Chairman: That we will see Shri Jadhav.

श्री तुलशीदास जाधव (नांदेड) : सभा-पति महोदय, जो विधेयक प्रकाशवीर शास्त्री जी ने हाउस के सामने रखा है, उसको मैं स्पष्ट करता हूँ। एक बात का खुलासा मैं उन के तथा इस सदन से चाहता हूँ। धारा 370 जो कास्टीट्यूशन की है, उस में यह है:

"Notwithstanding anything in the foregoing provisions of this article the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify;

Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification".

जो ठहराव रखा गया है, इस ठहराव के बारे में मैं चाहता हूँ कि शास्त्री जी खुलाशा कर दें। इस प्राविजन के बारे में काश्मीर की असैम्बली ने अभी तक अपनी कोई राय जाहिर क्यों नहीं की है। यह जो बात है यह हमारी समझ में नहीं आती है। जब कोई अलग प्रान्त हो, अलग डिस्ट्रिक्ट हो, फैमिली हो, तो हर कोई यही चाहता है दिल से कि हम अलग रहें, स्वतन्त्र रहें। हम रोजाना कहते हैं कि काश्मीर हिन्दुस्तान का एक हिस्सा है, वहां के लोग भी यही कहते हैं कि काश्मीर हिन्दुस्तान का अभिन्न भाग है तो जो चीजें उसके रास्ते में अड़चन बन कर आई हैं, उनको पार करने की कोशिश क्यों नहीं की गई है? बख्ती गुलाम मुहम्मद जेल में हैं। जब तक वह वहां के प्राइम मिनिस्टर ये तब तक तो जो हवा थी, वह अच्छी थी। उनकी जो वायस होती थी, उसको काश्मीर में भी और यहां पर भी माना जाता था। वह भी इस प्राविजन के

खिलाफ बताये जाते हैं। जब ऐसी बात है तो आज तक इस प्राविजन को कास्टीट्यूशन में क्यों आप रखे रहे, यह बात समझ में नहीं आती है। वहां पर कारोबार करने की जो रीति है, उसको वहां की सरकार और यहां की हमारी सरकार तय करती रही है। ऐसी अवस्था में जो चीज करने की थी, वह क्यों नहीं की गई है, यह मेरी समझ में नहीं आया है। अभी यह चीज वैसी की वैसी पड़ी हुई है। मेरे मित्र खाडिलकर साहब ने कुछ आवजैशन किया है। ऐसी चीज को कास्टीट्यूशन में क्यों रखा

श्री प्रकाशवीर शास्त्री : भारतीय संविधान में जो व्यवस्था है वह जम्मू काश्मीर गवर्नरमेंट की है असैम्बली का कहीं कोई जिक नहीं है, उसकी किसी प्रकार से कोई चर्चा नहीं है। जम्मू काश्मीर की जो कास्टीट्यूशन असैम्बली थी उस ने प्रस्ताव पास कर रखा है कि जम्मू काश्मीर राज्य भारत का अभिन्न अंग है। इसमें जम्मू काश्मीर असैम्बली कोई परिवर्तन नहीं कर सकती। उसकी व्यावहारिकता उसकी दृष्टि में है और न हमारी दृष्टि में।

श्री तुलशीदास जाधव : यह बात ठीक है। लेकिन काश्मीर गवर्नरमेंट ने अथवा कास्टिटुएंट असैम्बली ने अभी तक क्यों नहीं संवेश 370 को खत्म करने की सिफारिश की है। इस मामले में सेटल गवर्नरमेंट की भी कुछ दुर्बलता मालूम होती है। यह दुर्बलता उसी तरह से है जैसे उसकी दुर्बलता दूसरे कामों में देखने को मिलती है। नागालैंड के सवाल पर वह दुर्बलता से काम ले रही है और ऐसे चल रही है जैसे वह कोई अलग देश है। इसी तरह से प्रांतों के झगड़े अभी तक भी चल रहे हैं। यू० एन० ओ० में यह सवाल गया और धारा 370 की वजह से लोगों के दिलों में बड़ा संशय पैदा हुआ, बड़ा संसप्तिशन पैदा हुआ। वे

लोग कहते हैं कि न तो ये स्वतन्त्र हैं और न ही हिन्दुस्तान का एक भाग हैं।

अभी काश्मीर के जितने माननीय सदस्य बोले हैं, उनकी स्पीचिज़ को मैंने सुना है। बड़े जोर से उन्होंने इस बात को कहा है कि काश्मीर हिन्दुस्तान का एक भाग है और काश्मीर हिन्दुस्तान के साथ रहना चाहता है। जब डैमोक्रेटिक डंग पर लोग कहते हैं, यहां जो बैठे हैं, वे कहते हैं, काश्मीर के जो नेता हैं वे कहते हैं कि 370 को निकाल दीजिये, तो मैं सेन्ट्रल गवर्नमेंट से पूछना चाहता हूँ कि संसपेस में उसने लोगों को क्यों रखा हुआ है। संसपेस में रखनेसे कई दिक्कतें पैदा होती हैं। शख अब्दुल्ला छूट कर आए और उन्होंने स्पीचिज़ देकर एक बवण्डर सा पैदा कर दिया। बरुशी गुलाम मुहम्मद जेल में बन्द कर दिये गये हैं। जब वह सत्ता में ये तब उन्होंने भी इस सेवन को हटवाने की कोशिश क्यों नहीं की? अगर कोई यह कहता है कि सेन्ट्रल गवर्नमेंट इसको नहीं मानती है, तो यह बात भी समझ में आने वाली नहीं है। असली बात यह है कि इस सेवन को जो निकाला नहीं गया है इसकी बजह यह है कि सेन्ट्रल गवर्नमेंट के मन में कोई संस्पर्शन है। हो सकता है कि चूंकि पढ़ोसी देश जो पाकिस्तान है और जिसके साथ झगड़ा चल रहा है, उसकी बजह से ऐसा इसने न किया हो। काश्मीर का आधा भाग उसके कब्जे में है। उस इलाके को न तो ले सकते हैं और न ही १० एकू० ओ० के सामने जाकर उसका मामला तय हो सकता है। यह ठीक बात है कि दुनिया के अन्दर दो देशों में जब झगड़ा होता है तो एक देश दूसरे को उस पर आक्रमण करके अपने ताबे नहीं ले सकता है। कांगो में ऐसा किया गया है, यह ठीक है लेकिन हर जगह ऐसा नहीं हो सकता है। ब्रिटेन और अमरीका भी इस झगड़े को बढ़ाने की कोशिश करते हैं। ज्यादा से ज्यादा जितना उसको पाठ सकते हैं, पाटने की कोशिश करते हैं। जो

भी निर्णय किसी मामले में करना हो वह हमें जल्दी से जल्दी कर लेना चाहिये। संसपेस में किसी चीज़ को डाले नहीं रखना चाहिये। जब काश्मीर के बारे में हमारे दिलों में, काश्मीर के लोगों के दिलों में, वहां के प्रधान मंत्री के दिल में, उसके नुमाइंदों के दिलों में इतनी तीव्र भावना है, तो जो भी हमें निर्णय लेना हो, जल्दी से ले लेना चाहिये। अगर ऐसा नहीं होता है तो इस तरह की भावना हर किसी के दिल में पैदा हुए बगैर नहीं रह सकती है कि काश्मीर हिन्दुस्तान का भाग नहीं है। इस तरह की हवा का अधिक दिन तक बने रहना ठीक नहीं। इस प्रश्न का तुरन्त निर्णय होना चाहिये।

काश्मीर में हिन्दू महासभा है, जन संघ है, कम्युनिस्ट पार्टी हैं, दूसरी राजनीतिक पार्टियां काम कर रही हैं, सब को वहां पर परवानगी हासिल है, खाली कांग्रेस को ही परवानगी नहीं है अपनी पार्टी चलाने की, यह कितनी अजीब बात है। इससे मालूम होता है कि सरकार के दिल में भी कुछ ऐसी बात है कि काश्मीर हमारा नहीं है। काश्मीर हमारा है, इसमें कोई शक नहीं है। लेकिन बाहर से ऐसा मालूम देता है कि हमारा नहीं है। इसलिये इस बारे में भी तुरन्त निर्णय होना चाहिये कि जो पोलिटिकल पार्टी हिन्दुस्तान में चलती हैं, उसको वहां भी काम करने की इजाजत दी जाए। बरुशी गुलाम मुहम्मद चार आने के सदस्य यहां बने थे। उस बक्त खयाल था कि वहां जाकर वह पार्टी बनायेंगे। पार्टी बनाने के बजाय दूसरी पार्टी बनाने के लिए वह जेल में चले गये। इसके बारे में 17 वर्ष हो गये हैं, कोई निर्णय नहीं हुआ है कि जो पोलिटिकल पार्टी हिन्दुस्तान में चलती है वह वहां भी काम करे। सरकार की नीति स्पष्ट न होने के कारण नागार्लैंड का सवाल पदा हुआ, गोआ का सवाल पैदा हुआ। गोआ के लोग कहते हैं, वहां की असैम्बली ठहराव करती है,

[श्री तुलशी दास जाधव]

वहां के बहुसंख्यक लोग कहते हैं कि हम तो एक प्रदेश में जाना चाहते हैं, तो उसके लिए सेन्ट्रल गवर्नरमेंट उनकी परवानगी नहीं देती, वहां पर एक अनिश्चितता रखती है। जैसे यह सवाल है, वैसे ही दूसरे भी सवाल हैं। छोटे छोटे बांदर के सवाल हैं, मसूर और महाराष्ट्र के बांदर का सवाल है कृष्ण गोदावरी के पानी का सवाल है इनके अलावा भी छोटे छोटे सवाल हैं जो सत्तरह, सत्तरह वर्षों तक ऐसे ही पढ़े रहे हैं। इससे दोनों विभागों में एक सम्पिशन पैदा होता है और काम करना मुश्किल होता है। इतना ही नहीं, इससे उसके डेवेलपमेंट करने में भी मुश्किल पड़ती है।

मैंने सुना कि काश्मीर पर करोड़ों रुपये आज तक खर्च हो चुके हैं। सरकार के दिल में यह है कि पैसा खर्च कर के भी वह उन लोगों को ठीक रीति से रखे और उनका दिल अपनी तरफ ज्यादा से ज्यादा रख दे। जब उसका इतना खर्च होता है, वहां पर लक्षकर रखा जाता है, और चीजें होती हैं, तब इस सवाल का निवाटारा जल्दी कर्यों नहीं होता, यह मेरी समझ में नहीं आता। श्री खाडिलकर ने कहा कि किसी माइनरिटी के दिल में यह शक पैदा न हो इसलिये सरकार उनको खश रखना चाहती है। लेकिन किसी भी डिमाकेसी के माने य नहीं है कि शतप्रतिशत लोग किसी बात के पीछे आयें। जैसे श्री खाडिलकर ने कहा सत्तरह वर्ष के अन्दर क्या प्रयत्न किया गया, इसको भी वहां की जनता देखती है। काश्मीर के बारे में किसी माइनरिटी का सवाल हीं है। किसी माइनरिटी ने इस बिल का विरोध किया हो एसी बात नहीं है। यह बात सही है कि कांस्टिट्यूएंट असेम्बली न यह ठहराव पास नहीं किया है, लेकिन काश्मीर में जो नेशनल कांफेस है, वहां के जो प्राइम-मिनिस्टर हैं उनके नेतृत्व में यह ठहराव पास हुआ है, इसलिये यह बहुत जरूरी है कि

सरकार को इस बिल को तुरन्त स्वीकार कर लेना चाहिये जिस से कि सब लोगों की दिल-जमई हो सके। यही मेरी विनती है।

Shri C. K. Bhattacharyya Raitors' Conference was meeting at ganj: Mr. Chairman, Sir, when Editors' Conference was meeting at Srinagar in November, 1962, I stood on the same platform with Bakshi Ghulam Mohammad and on that platform the Prime Minister of Kashmir declared before the entire assembly:

“यावच्चन्द्रमा-दिवाकर काश्मीर भारत के अन्दर रहेगा।”

He made that declaration and repeated it. I am quoting his own words. That is the declaration of a Prime Minister of Kashmir. Again, he said, “Call me a Prime Minister or a Chief Minister, whatever you like, I am with you.” So, that was a clear unequivocal and irrevocable declaration. After that, we should have no hesitation in our mind as to what to do regarding this article 370 in our Constitution.

Sir, as Mr. Khadilkar was speaking and as I heard him speaking, I felt he was speaking like a sophist of Greek philosophy, confusing the issue rather than clarifying it. If I am to speak about Kashmir, I should say, there can be no India without Kashmir and there can be no Kashmir outside India. Our President is known to be not only the head of the Government of India but as the cultural ambassador of India to the world. He is the best person to judge whether Indian culture can be complete without Kashmir and whether the history of Indian culture can ever be written keeping Kashmir out. It cannot be done. That is integrated in our life all through the ages. The entire Indian literature is interspersed with reference to Kashmir. Go to any section of Indian literature—Mr. D. C. Sharma asks me to give some quotations—I am quoting from

literature on Indian music. The Tori (टोडी) Ragni is described as—

“काश्मीर-कर्पूर-विलिप्तदेहा”

Describing a Ragini, they bring in Kashmir. I come to Jayadeb. In the opening stanzas of “Gita gobindam” be describes Narayana—

“पश्चापयोधरतटी-परिरम्मलग्न
काश्मीर मुद्रितमुरो मधुसूदनस्य”

Describing Narayana, Kashmir comes in. Kashmir is integrated in our life, spirit and culture, in everything. There can be no India without Kashmir and there can be no Kashmir outside India—that is my point, the second point is more emphatically stated than the first.

That is the point we should remember when we are discussing this particular article of the Constitution. Our late beloved Prime Minister himself gave the lead when he stated in the other House that this article will gradually erode away. Erosion has been accepted. It is only a question of time and nothing more. If the Government today adopts this resolution or follows the line indicated in the Bill, they would move in the line indicated by our late beloved Prime Minister that the article 370 has got to erode away. We want to quicken the pace of erosion. That is the proposition which is before the House.

When Bakshi Ghulam Mohammad gave up his premiership, he gave a clear direction to the National Conference that the Conference would recommend that this article be abrogated. Then Mr. Sadiq came and he was even more emphatic. He said, “I am going to move in the Kashmir legislature that article 370 be abrogated.” Even the day was announced—I remember the newspaper report—a particular day was announced for the introduction of a Bill in the Kashmir legislature recom-

mending the abrogation of this article. There was no hesitation about it. But somehow or other the matter has prolonged.....

Shri Bhagwat Jha Azad (Bhagalpur): But unfortunately now Mr. Sadiq wants a panel of jurists to think over it.

Shri C. K. Bhattacharyya: It came later. Our second thought is not always the best. It may sometimes be the best. But it is not always the best.

Now, what I believe, the position is that the argument to maintain this article as it is in the Constitution cannot be held with reason. It can be maintained only on grounds of expediency and convenience, nothing more than that. Even those grounds should have come to an end by this long lapse of time of 17 years. We should come to a decision now. As the Government is in the position today, perhaps it may take some time to come to a decision. But the indication of the opinion of the House, the feelings and sentiments of the House, as expressed here today, would give the correct lead and correct guidance. As I have stated before, I cannot think of India without Kashmir and there can be no Kashmir outside India.

India developed three schools of philosophy: the eastern school of philosophy, the southern school of philosophy and the north-western school of philosophy. And Kashmir is placed at the head of the north-western school of philosophy. All students of Indian philosophy and Indian literature will know that Kashmir has got the lead in one section of philosophy. We take lead from Kashmir. Kashmir was actually the leader of that part of India. We want that the same position be maintained even today and Kashmir should remain in India and be integrated with India and again be in the position from which leading thinkers

[Shri C. K. Bhattacharyya]

may come out to give India the correct lead and the correct guidance.

We are already having our exchanges of views. The representatives from Kashmir are here. Naturally, they feel themselves in a difficult position as Mr. Samnani has said just now. When this legislature accommodates the representatives from Kashmir, they must be feeling it difficult for them when they find that we pass laws and in every legislation the introduction is that it applies to whole of India excluding Kashmir. Members of Kashmir represented in this legislature feel why should this legislature not be in a position to extend the operation of this law to Kashmir. That is because this article stands in the way now. I therefore move that this article be removed from the Constitution as early as possible and Kashmir be brought on the same level with India as it used to be in our cultural, political and all other phases of life and be completely integrated with India.

Dr. M. S. Aney: Mr. Chairman, let me thank you for giving me a few minutes at the fag end of this debate for intervening in the debate.

The debate that has gone so far has clearly shown that excepting for a few jarring notes struck by one or two friends, there has been a practically unanimous expression of opinion in favour of the resolution moved by my hon. friend Shri Prakash Vir Shastri.

The demand is very simple. After India has become independent, one of the greatest things for which we claim credit is that we have succeeded in integrating the whole of India, including the States which were in existence there. That we consider as the greatest achievement of the Indian people after we became independent. There was one exception to it, and that State could not be integrated just at that time. And why?

Because the enemies of India did not want that integration to take place. They created certain difficulties. But God willing, fortune was in our favour, things so shaped that the people of Kashmir themselves have approached the people of India and they voluntarily offered that they were prepared to join with them. And it is under these conditions that India has taken the responsibility of accepting the accession of Kashmir to India, and the accession has taken place.

Now, whether any part of India is an integral part of India or not depends not upon what we say in the Constitution but because of certain law by which the accession and all these things have taken place—the law of the Parliament by which the procedure for accession of States was prescribed. And through that procedure, prescribed by the law of Parliament, the matter has gone. We stand by that procedure, and it is by the law of Parliament that Kashmir has acceded to India. By that very fact the accession becomes complete. Nothing more, legally or in any other form, can be done by anybody else. Even if you put in the Constitution something else, it has no effect as against the established fact created by that fact itself.

So, so far as Kashmir being a part of India is concerned it is a constitutional fact and nothing can make a change of it. But as a matter of convenience and expediency a provision has been made here and, as is mentioned there, it is a transitory provision. For the sake of convenience, a provision, namely article 370 has come in. The word 'transitory' has some meaning. A thing can be there as a transitory for a year or two years, three years or five years. But if it goes on for generations, then instead of remaining transitory it becomes stationary. And the danger is the longer the time you give for a transitory thing, the greater is it likely to settle itself into a stationary one instead of being transitory.

I submit the time has come when we have to ask ourselves whether we have not reached that period when we should seriously examine whether we should allow to keep that transitory provision at all. Seventeen years is not a joke. We have passed several laws during all these seventeen years, and every time we pass a law we make an exception by saying "it shall not apply to Jammu and Kashmir". When passing a law for the whole of India we say that it shall not be applicable to Jammu and Kashmir. Is that the way of befriending the people. We are telling them. "You are part of India, but for the time being we are not prepared to call you as our own".

You have got enemies on your borders. You have got enemies for the sake of Kashmir itself, who want to have their hand on Kashmir, who want to be masters of Kashmir, driving you away. Under these circumstances what is the best way? The best way is to befriend those whom you have already accepted as your own citizens. You have to strengthen that relationship and make it permanent. The time has come when any delay in that direction is costing you so much. If you allow that criticism to go unheeded, not taking proper steps in time, I do not know, the problem will not be solved by negotiations and carrying on pourparlers. You must come to some decision.

My friend Shri Khadilkar said, let us not hasten. I am afraid, let us not go slow. We have been too slow. It is time for you to hasten and create a situation where people would know that Kashmir and India is one inviolable, inviolate, inseparable entity. For that reason I submit that the resolution put forward today should be accepted by the House.

There is one thing. My friend Shri Khadilkar has stated that this House possibly is not competent to take up a resolution of this kind. At the same time, he has said that we have taken

so many steps. Who has done that? So practically three-fourths of the resolutions has been done by this House. If that is so, then at one stretch we could do the remaining one-fourth and make a declaration that Kashmir and India is one and that article 370 is no longer a part of the Constitution. We are only making a recommendation, we have not made a law. This is a matter of procedure. We make a recommendation in the name of the people of India to the Government of India saying "the time has come for you to take that step and create a permanent relationship for ever". As my friend Shri N. C. Chatterjee has said the dividing wall has to be broken down and now there must be no distinction between the people of India and the people of Kashmir. That day will and must come soon.

Mr. Chairman: Dr. Sarojini Mahishi.

Shri K. N. Tiwary: The time may be extended.

An Hon. Member: How long will this go on?

Mr. Chairman: Till five o'clock.

Shri Bhagwat Jha Azad: That we can be continued.

Mr. Chairman: The hon. Member knows the rules of the House.

An Hon. Member: Next time.

Mr. Chairman: It is Private Members' Business day. It will be taken up on the appropriate day.

Shri Bhagwat Jha Azad: That we know. But we would like to know whether in view of the demand of the Members you are prepared to extend it to the next Friday.

Mr. Chairman: That is implicit.

Dr. Sarojini Mahishi: (Dharwar North): Seventeen years after the attainment of Independence, a Bill to

[Dr. Sarojini Mahishi]

delete article 370 of the Constitution has been brought forward by a private Member and placed before the House for consideration. It is really a sad incident today that indeed that we are now trying to assert that Kashmir is a part of India. Kashmir has always remained a part of India, and it will continue to remain a part of India. The history of philosophy, the history of religion, the history of rhetorics, and the history of Sanskrit literature in India would never be complete without the history of all these as associated with Kashmir. We have had very great propounders of religion and also the propounders of rhetorics in Sanskrit right from Kalata, Rudrata, Mammata and others hailing from Kashmir. From Kashmir to Kanyakumari, India was one, and India will continue to remain one. Therefore, it is a very sad incident today that we are trying to assert that Kashmir is a part of India, because no such assertion is at all necessary. That is my first point.

A glance at the history of the Indian Government during all these seventeen years will indicate that a moment of indifference, a moment of negligence on our part has cost us very heavily. A part of Kashmir was occupied by Pakistan. And Justice Mahajan who was then the Prime Minister or Premier in Kashmir has depicted in very eloquent terms the circumstances in which Kashmir sought military aid from India. India gave military aid to Kashmir on the condition that accession was complete. If Kashmir had not acceded to India, then Kashmir would not have been given the military help. That picture also has been given. Of course, I do not know whether that picture was correct or not. But some Members have given this picture. And no less a person than Justice Mahajan has given this picture. Every native-State in India was given the option. There was no compulsion at all.

Shri Abdul Ghani Goni: When a State acceded to India, it was the duty of the Central Government to defend that area.

Dr. Sarojini Mahishi: That is right. It was the duty of the Central Government. What I am pointing out is this. Every native-State in India was given the option to accede to the Union. It was left to the sweet will of this native State also, and for a long period Kashmir was given this opportunity to exercise this option. And once certain circumstances arose, and Kashmir had exercised this option in favour of acceding to the Indian Union, then, naturally, all the help that was necessary and was sought in the conditions then prevailing was extended to Kashmir. Therefore, I say that the accession has been complete, and Kashmir has been declared as an integral part of India, and especially in view of the fact that the matter was subsequently ratified by the Kashmir Assembly as well.

Therefore, I do not know how far it was right on our part to have taken the matter to the Security Council of the UNO, because we find that subsequently the matter was pursued by Pakistan, and India was made to appear as if she was the accused in the Security Council; I do not know whether my hon. friends would agree with me when I say this, but India was made to appear as if she was the accused, whereas actually, the position of India is altogether quite different. No doubt, nobody questions our democratic values. We are thorough democrats, and we are giving every opportunity to the citizens of our country to exercise their freedom.

I am referring to this matter because Shri Khadilkar has referred to this and said that we must give some more time for the deliberations of the people of Kashmir. I would point out that enough time has been given already. The world has also recognised that India is a democratic country. Therefore, in no circumstances is the

faith in Indian democracy going to be shaken.

Shri Shivaji Rao S. Deshmukh (Parbhani): Why not forget Shri Khadilkar? He is a super-democrat?

Shri Bhagwat Jha Azad: One swallow does not make a summer.

Dr. Sarojini Mahishi: The faith in Indian democracy cannot be shaken by any means.

A reference to plebiscite was made, no doubt. But I do not know whether that was under any pressing foreign forces. I want that the hon. Members must ask this also into consideration that it might have been made under certain pressing foreign forces. Even assuming that the reference to plebiscite was made, I would submit that the period that ought to have been given for that purpose has also expired. That matter is very clear now. Therefore, there is no scope at all either for the citizens residing outside Kashmir—I am referring to all political parties—or for those residing in Kashmir or for the foreign people to think that Kashmir is still a bone of contention. Many foreign people might be interested in keeping Kashmir as a bone of contention between Pakistan and India. But let us not give any opportunity to such elements to poke their nose in the Kashmir affair; it is a home affair of India and not an external affair.

I am referring to these developments for this reason. The greater the delay in settling this matter of Kashmir, the greater the complications and the greater the intricacies will be. If it is suggested that we should postpone this matter for the time being, then it would create greater complications. The experience of the last seventeen years had made it clear that delay in all such matters, especially with reference to matters relating to the Himalayan border, which is quite sensitive from Kashmir to NEFA, and I would say, any delay in talking any decision in regard to this matter in

particular will make the matter more complicated.

Even when the matter has been approved of by the Constituent Assembly in Kashmir, subsequently there may be voices here and there in Kashmir, as there are in India also, in some remote corner or the other, expressing dissenting voices or dissenting notes. Of course, democracy welcomes such voices also.

During the period when Mr. Bakshi Ghulam Mohammed was in Office, of course, he was certainly in favour, and he indicated that in the National Conference that he was in favour of complete and irrevocable accession of Kashmir to India, and the abrogation of article 370.

Subsequent to that, when Sheikh Abdullah was released, he started saying that there were three parties to the dispute and not merely two, and Kashmir was also a party to it. Formerly we were under the impression that to a dispute there were only two parties. But Sheikh Abdullah brought in a third party saying that Kashmir also was a third party to it.

Shri Inder J. Malhotra (Nominated-Jammu and Kashmir): As far as accession is concerned, there is no dispute about it.

Dr. Sarojini Mahishi: I am referring to that only. I am only referring to what Sheikh Abdullah has said.

An Hon. Member: It is meant for Sheikh Abdullah and not for you and me.

Dr. Sarojini Mahishi: Yes, it is meant for him and I am not saying for the Members here or for myself. Sheikh Abdullah said that there were three parties.

Mr. Chairman: The hon. Member should try to conclude now.

Dr. Sarojini Mahishi: It is not yet five o'clock I would like to continue for some more time.

Mr. Chairman: I have got to accommodate some more Members..

Dr. Sarojini Mahishi: If you would permit, I would take another two or three more minutes.

Mr. Chairman: The hon. Member has already taken nine minutes

Dr. Sarojini Mahishi: Sheikh Abdullah said that Kashmir was a third party to the dispute, and we condoned it by saying that Sheikh Abdullah had come out of the prison after a very long time and therefore he might have freedom of speech for the time being, and he might say what he wanted to say, because his words might not carry much value and significance

After the Sadiq Government took charge of the administration, we found that he was bent on asserting that article 370 must be abrogated. The other day, we found that he had shifted the emphasis and said that the issue between Pakistan and India was not the question of Kashmir, but the essential difference existed in the two countries, as far as the administrative set-up was concerned. In a way, that may be helpful to a solution of the Kashmir problem also, because Kashmir no longer remains the bone of contention between the two countries, according to him.

What I wish to point out is that delay in these circumstances would create greater complications, and the greater the delay, the greater the complications will be. Hence, I would request the Government to consider this matter very earnestly and very seriously. In fact, there is no time even for Government to consider this matter, because the matter is urgent, and Government have to accept this Bill. Even though

this Bill has come forward from a private Member, it should not be treated as a Bill from a private Member only, but it should be treated as the voice of the people reflected through this particular Bill in this House.

Mr. Chairman: I want to inform the House that there is great anxiety on the part of several Members to participate in this debate, and I have before me a list of about six or seven Members. So, if the House so desires, we shall sit for an hour extra . . .

Some Hon. Members: No, no.

Shri Bhagwat Jha Azad: This can be continued on the next non-official day for Bills.

Sri Shivaji Rao S. Deshmukh: First, let the time be extended, and then the debate can be continued on the next non-official day for Bills.

Mr. Chairman: Extension of time can be asked for and given on the next occasion also.

श्री बुद्धराजन्द कल्याण : सभापति
महेदय, इसको आज ही पूरा कर दें।

Some Hon. Members: No, no.

Mr. Chairman: The House stands adjourned to meet again at 11 A.M. tomorrow.

17 hrs.

The Lok Sabha then adjourned till Eleven of the clock on Saturday, November 21, 1964 | Kartika 30, 1886 (Saka).