

Third Series, Vol. XXI—No. 27

Wednesday, September 18, 1963  
Bhadra 27, 1885 (Saka)

# LOK SABHA DEBATES

(Fifth Session)



*(Vol. XXI contains Nos. 21—30)*

LOK SABHA SECRETARIAT  
NEW DELHI

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

LOK SABHA

Wednesday, September 18, 1963/  
Bhādra 27, 1885 (Saka)

The Lok Sabha met at Eleven of  
the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Drilling Operations

- +
723. { Shri Yashpal Singh:  
Shri P. K. Ghosh:  
Shri Kapur Singh:  
Shri Buta Singh:  
Shri Y. N. Singha:  
Shri Sham Lal Saraf:  
Shri Daljit Singh:

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

(a) the progress of the drilling  
operations now being undertaken in  
various parts of the country; and

(b) whether there is any possibility  
of oil being found there?

The Parliamentary Secretary to the  
Minister of Mines and Fuel (Shri  
Thimmaiah): (a) and (b). A state-  
ment giving the required information  
is laid on the Table of the House.  
[Placed in the Library. See No. LT-  
1755/63].

Shri Yashpal Singh: May I know  
for how long these operations are pro-  
posed to be carried on?

Shri Thimmaiah: The drilling  
operations will be carried on till we  
achieve some substantial results.

1256(A1)LSD—1.

Shri Yashpal Singh: May I know  
whether any new areas are to be  
taken up for drilling?

Shri Thimmaiah: The areas men-  
tioned in the statement are under ex-  
ploration and also under drilling  
operations.

Shri Kapur Singh: I want to know  
whether an attempt to strike oil in  
Jawalamukhi has now been finally  
abandoned and, if not, what prospects  
of success are still there.

Shri Thimmaiah: In Jawalamukhi  
and Janauri areas, we have so far  
drilled 2 Deep wells and 5 struc-  
tural wells. In Jawalamukhi area, one  
well was tested and there is found to  
be some gas; the other wells are all  
dry. There is a proposal to drill a  
deep well in order to assess the pros-  
pects.

Dr. Ranen Sen: It was reported pre-  
viously that drilling operation will be  
taken up in West Bengal. I want to  
know what is the actual state of  
affairs about the drilling operation  
proposed to be taken up in West  
Bengal.

The Minister of Mines and Fuel  
(Shri Alagesan): In answer to the  
question, various areas where drilling  
operations are going on have been  
stated. There is no drilling opera-  
tion at present in West Bengal. I  
think, some time ago, there was a  
proposal but it was abandoned.

Shri Man Sinh P. Patel: May I know  
when the drilling operations on well  
No. 2 and No. 3 in the Gandhinagar  
area, the proposed Capital of Gujarat,  
are likely to be finished?

Shri Alagesan: In the Gandhinagar  
area, I think, two wells have already

been drilled. They are drilling the third one. The question arises because the land that has been reserved for construction of the Capital city has to be released. Even with the drilling operations of the two wells, a large area has been released. Only a small area near the river Sabarmati has been reserved.

**Shri Sham Lal Saraf:** May I know what are the results of drilling operations in the State of Jammu and Kashmir?

**Shri Thimmaiah:** No drilling operation has taken place in the Jammu area. Only a geological survey was conducted by the O.N.G.C. But no conclusive results have been arrived at yet.

**Shri Buta Singh:** I want to know in what places in the Punjab State these drilling operations are already in progress or intended to be undertaken in future and also what is the amount allocated in the Third Five Year Plan.

**Shri Thimmaiah:** The drilling operations are being undertaken in the Jwalamukhi area. As I have already stated, at a later stage, even in the Januari area also the drilling operations will take place.

**Shri Buta Singh:** What about the amount sanctioned in the Third Five Year Plan?

**Mr. Speaker:** He wants to know the separate amount sanctioned for Punjab.

**Shri Thimmaiah:** In the foothills belt and also in the Hoshiarpur and Adampur plains.

**Mr. Speaker:** Any separate amount sanctioned for Punjab?

**Shri Alagesan:** I want notice for that.

**Shri S. M. Banerjee:** From the statement it appears that in Uttar Pradesh, drilling operations have so far not indicated any presence of oil. But drilling is being continued fur-

ther. I want to know why drilling is being continued and how much money has been spent on this.

**Shri Thimmaiah:** Three structural wells and one deep well were drilled near Ujjain.

**An Hon. Member:** Ujjain is not in U.P.

**Mr. Speaker:** What does the hon. Member want to know? Let them discontinue or....

**Shri S. M. Banerjee:** I want to know whether any result is likely to come out of that.

**Mr. Speaker:** How can the likelihood be told? It is only exploration; something unexpected might come out. What is the object of his question?

**Shri S. M. Banerjee:** I want to know whether the prospects of finding oil in U.P. are still bright.

**Mr. Speaker:** Whether the prospects of finding oil in U.P. are still bright that further efforts are being continued.

**Shri Alagesan:** Perhaps, the hon. Member desires that because we have not so far been successful, there is no point in carrying on further drilling and exploration there. But we have not yet reached a stage when we can conclusively say that they will not be of any use. So, we are continuing these drilling operations.

#### Drug for Blood Pressure

+

730. { **Shri Bhagwat Jha Azad:**  
**Shri Raghunath Singh:**  
**Shri P. R. Chakraverti:**  
**Shri Sidheshwar Prasad:**  
**Shri P. K. Deo:**  
**Shri Buta Singh:**

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

(a) whether any new drug for blood pressure has been discovered at

the Indian Institute for Bio-chemistry and Experimental Medicine in Calcutta; and

(b) if so, whether it would be released for sale?

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

(b) Not till the investigations for the assessment of the therapeutic value of the drug have been completed.

**Shri Bhagwat Jna Azad:** Could we have an idea as to how long it will take to come to a final decision whether this drug will be fit for release for common use?

**Shri Humayun Kabir:** It is difficult to give any commitment about the time, because when we are dealing with medicines which have an effect on the human body, we have to be very careful.

**श्री रघुनाथ सिंह :** मैं यह जानना चाहता हूँ कि इस औषधि की विशेषता क्या है ?

**Shri Humayun Kabir:** One peculiar feature of this medicine seems to be that when this is injected intravenously in the normal experimental animal, at a lower dosage, it elevates the blood pressure, and at a higher dosage, it brings down the blood pressure.

**Shri P. R. Chakraverti:** In view of the fact that blood pressure is having a great number of victims amongst social sections of the public, namely journalists, educationists and parliamentarians, may I know what steps have been taken by Government to carry out further research in the line?

**Mr. Speaker:** That is not relevant. The main question relates to the drug and not to blood pressure as a whole.

**Shri Hem Barua:** May I know whether before putting the question, the hon. Member had tried to ascertain the number of parliamentarians suffering from blood pressure? It is a reflection on the Members of Parliament.

**Mr. Speaker:** He has apprehensions about those that have not got it yet.

**श्री कृष्णदास :** मैं जानना चाहता हूँ कि यह दवा सबसे पहले कहां निकली और किसने इसको निकाला ?

**श्री हुमायूँ कबीर :** इसको अभी तक दवा कहना मुश्किल है। लेकिन इस पर एक्सपेरिमेंट चल रहा है। जैसा कि बताया गया इस पर इंडियन एस्टीमेट आफ बायो-कैमिस्ट्री और एक्सपेरिमेंटल मेडिसिन में एक्सपेरिमेंट चल रहा है। यह एक छोटा सा पेड़ है जो कि उसकी बुनियाद है, जिसका हिन्दी नाम अखीला है और साइंटिफिक नाम है एलैंग्युम लेमार्की (Alangium lamarki).

**आयुष्य महोदय :** वह आदमी कौन है जिसने इसको निकाला है ?

**Shri Humayun Kabir:** It is the work of an institute. I do not know the name of the particular scientist concerned.

**श्री शिव नारायण :** मैं जानना चाहता हूँ कि एस एक्सपेरिमेंट पर अब तक गवर्नमेंट ने कितना खर्च किया है ?

**Shri Humayun Kabir:** It is a part of the programme of work. It is difficult to say what has been spent on this particular experiment. But I may tell the House that the experiment has been very highly appreciated outside, and the US Public Health Service and the Health Department there have offered about Rs. 2 lakhs for further experiments.

**Shrimati Savitri Nigam:** Keeping in view the importance of this drug,



may I know whether Government are thinking of getting simultaneous research done in some other laboratory in India?

**Shri Humayun Kabir:** When a particular line of research has been initiated in one laboratory, obviously, it must carry it out. But similar work on blood pressure is being carried on in the laboratory at Lucknow.

**Shri Bata Singh:** May I know whether it has been brought to the notice of the hon. Minister that the Compulsory Deposit Scheme, the Gold Control, and the Constitution (Seventeenth Amendment) Bill are believed to be the contributory factors in the causation of blood pressure, and if so, what action Government are proposing to take in this matter?

**Mr. Speaker:** They will give their policy later.

**Shri Hem Barua:** The Speaker is also a cause for creating blood pressure on us. The hon. Member could have put that also in his question.

**An Hon. Member:** The hon. Member is making a reflection on the Speaker by this remark.

**Mr. Speaker:** So long as I am here in the Chair, I cannot defend myself. Therefore, the Members have to defend me.

### मितव्ययिता समिति

+

श्री भक्त दर्शन :

श्री हरिश्चन्द्र माधुर :

श्री सरजू पाण्डेय :

श्री ज० ब० सिंह :

श्री वारियर :

\*७३१ श्री रामेश्वर टांटिया :

डा० लक्ष्मीमल्ल सिन्हा :

श्री स० च० सामन्त :

श्री ब० कु० दास :

श्री म० सा० द्विवेदी :

श्री वे० जी० नायक :

श्री राम हरख यादव :

क्या गृह-कार्य मंत्री १ मई, १९६३ के तारांकित प्रश्न संख्या ११२८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) विभिन्न मंत्रालयों में कर्मचारियों की संख्या निश्चित करने के बारे में मितव्ययिता समिति ने अपने काम में इस बीच क्या प्रगति की है ;

(ख) किन किन मंत्रालयों में कितने कितने कर्मचारियों को फालतू बताया गया है ; और

(ग) किन मंत्रालयों अथवा विभागों में इन फालतू कर्मचारियों को खपाया जा रहा है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री हज्जरनबीस) : (क) तथा (ख). १६ मंत्रालयों के सम्बन्ध में मितव्ययिता समिति की सिफारिशों पर विचार किया जा चुका है, तथा उन्हें स्वीकार कर लिया गया है। इन मंत्रालयों/विभागों में इस समिति द्वारा निर्धारित फालतू स्टाफ का एक विवरण सभा पटल पर रख दिया गया है [पुस्तकालय में रखा गया, बख्शिए संख्या LT-1756/63]। मितव्ययिता समिति ने पांच मंत्रालयों/विभागों की और जांच की है, तथा इनके सम्बन्ध में उसकी सिफारिशों पर विचार किया जा रहा है।

(ग) इस फालतू स्टाफ को उन्हीं तथा अन्य मंत्रालयों/कार्यालयों के संशोधित स्वीकृत पदों पर तथा अन्य नये कार्य प्राप्ति के लिये बनाये गये पदों पर लगाना है।

[(a) and (b). The recommendations of the Economy Committee in respect of 19 Ministries/Departments have been considered and accepted by Government. A statement showing

details of the surplus staff located by the Committee in these Ministries/Departments is laid on the Table of the House. [Placed in Library. See No. LT-1756/63]. Five more Ministries/Departments have also since been examined by the Economy Committee and their recommendations in respect of them are under consideration.

(c) The surplus staff is to be absorbed against vacancies in the revised sanctioned strength of their own as well as other Ministries/Offices and in posts created for any new items of work, etc.]

**श्री भक्त दर्शन :** श्रीमन्, माननीय मंत्री जी के उत्तर से यह स्पष्ट है कि अभी कुछ मंत्रालयों के बारे में विचार किया जा रहा है, मैं जानना चाहता हूँ कि अंतिम रूप से इसके बारे में कब तक निर्णय हो जायगा और देर से देर उस निर्णय पर कब तक धमल हो जायगा ?

**गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री हजरतबीस) :** यह समय बतलाना तो बहुत मुश्किल है वैसे काम तेजी से चल रहा है और वह चलता ही रहेगा। किसी मंत्रालय में लोग ज्यादा हैं तो किसी मंत्रालय में कम हैं तो जहाँ ज्यादा हैं वहाँ से कर्मचारियों को हटा कर कमी वाले मंत्रालयों में भेजना है और इसलिए मैंने कहा कि यह काम तो एक वरीक्रे से चलता ही रहेगा।

**श्री भक्त दर्शन :** मेरे पहले प्रश्न के उत्तर में भ्रम का उत्तर नहीं दिया गया है कि जो एकोनामी कमेटी ने सिफारिशें की हैं उन को धमल में लाने में कितना समय लगगा, एक वर्ष लगेगा या दो वर्ष लगेंगे।

**गृह-कार्य मंत्री (श्री नन्दा) :** इस का आधार तो इस बात पर है कि जैसे जैसे और जहाँ जहाँ बेकसीज होंगे वैसे वैसे उनको बाखिल कर दिया जायगा। किसी को कोई मौकरी से निकालने की बात तो इसमें है नहीं।

इसके अलावा और धमल वो हो नहीं सकता है।

**श्री भक्त दर्शन :** श्रीमन्, मैं यह जानना चाहता हूँ कि जब प्रायः प्रत्येक मंत्रालय में अफसरों और कर्मचारियों की संख्या बढ़ी हुई पाई गई है तो क्या इस बीच नहीं भरती पर प्रतिबंध लगा दिया गया है और क्या इस भांशका में कुछ तथ्य है कि तीसरी और चौथी श्रेणी के कर्मचारियों की भरती पर तो प्रतिबंध लगा दिया गया है लेकिन ऊँचे दर्जे के कर्मचारियों की भरती पर कोई प्रतिबंध नहीं लगाया गया है ?

**श्री नन्दा :** यह ऊँचे, नीचे सब पर है।

**Shri Harish Chandra Mathur:** In view of the fact that both the vision and scope of this Committee was limited and it has not even covered the public sector enterprises, my I know if a high power Commission is intended to be set up? If so, what would be the nature and scope of that Commission?

**Shri Nanda:** This is a suggestion we shall consider.

**Shri Harish Chandra Mathur:** I am not making a suggestion. I am saying that the scope of this Committee was limited and it does not cover the public sector enterprises. I am asking what action Government propose to take in the light of that.

**Shri Nanda:** At the moment that has not been considered. But this does not come within the purview of this question because public sector enterprises are dealt with on different lines, not through the machinery envisaged here.

**Shri Harish Chandra Mathur:** I do not raise a point of order, but it appears to me that the hon. new Minister is not aware of the commitment made by his predecessor in the Consultative Committee that he is intending to appoint a high power Commission. It is not a suggestion I am mak-

ing. It is now for him to act upon that commitment.

**Mr. Speaker:** Earlier it was a suggestion. Now it is information given. He will find that out.

**Shri Harish Chandra Mathur:** It is not a question of information. He has to say whether he goes back upon that. It was not a personal matter.

**Mr. Speaker:** He will look into that.

**Shri Nanda:** I do not go back on anything. I will certainly see what commitment has been made.

**श्री सरजू पाण्डेय :** कई बार इस सदन में और इस सदन के बाहर भी यह कहा गया है कि तनखाहों का अनुपात १ और १० से ज्यादा का नहीं होना चाहिए तो क्या इस सिलसिले में भी इस कमेटी ने कुछ विचार किया है ?

**अध्यक्ष महोदय :** इस सवाल में वह चीज नहीं आती है ।

**Shri S. M. Banerjee:** I would like to know who were the members of this particular Committee and whether Shri Kamaraj Nadar was also a member of this Committee?

**Mr. Speaker:** Order, order. There ought to be greater responsibility exercised.

**Shri S. M. Banerjee:** On the basis of that, there has been a reduction in ministerial strength...

**Mr. Speaker:** We cannot treat this in a light manner. We ought to show greater responsibility here. What has Shri Kamaraj to do with this?

**Shri S. M. Banerjee:** Six members of Government have gone.

**Mr. Speaker:** Order, order. The first part of the question may be answered.

**Shri Sheo Narain:** On a point of order?

**Mr. Speaker:** Order, order. What is his point of order?

**श्री शिव नारायण :** मेरा प्वाएंट ऑफ़ ऑर्डर यह है कि श्री कामराज नाडार इस हाउस के मैम्बर नहीं हैं और उन पर इस तरह से छीटाकशी की जाय यह बहुत ही अनुचित होगा ?

**अध्यक्ष महोदय :** इस में छीटाकशी क्या हुई । नाम लेना कोई छीटाकशी नहीं है ।

**श्री भागवत झा आजाद :** लेकिन अध्यक्ष महोदय, एस तरह से जागबूझ कर उनका नाम लेना यह तो भजाक करना है ।

**Shri Harish Chandra Mathur:** There is a lot of force in the objection which is being raised, because it was stated on the floor of the House that this Committee is a committee of three high-powered secretaries, and even the names of the secretaries were given. If, in spite of that knowledge in the possession of the House, the hon. Member asks such a question, it does mean something of an aspersion.

**Mr. Speaker:** I have already indicated how I react to it, and the Member knows it by now. The House has seen that I have taken exception to that. I do not think anything further is needed.

**कमेटी के मैम्बरों को माननीय सदस्य जानना चाहते थे ?**

**Shri Nanda:** This committee had some Secretaries—the Home Secretary, the Finance Secretary, the Additional Secretary, Planning Commission.

**Shri Tyagi:** Has an estimate been made of the approximate saving that would be effected by the implementation of these recommendations if they are accepted in toto?

**Shri Hajarnavis:** It is expected that the recommendations of the Economy Committee already accepted may re-

sult ultimately in a saving of Rs 12,71,927 in relation to the sanctioned strength, and Rs. 44,38,262 in relation to the actual strength. There may not, however, be any substantial saving immediately, as until such time as the surplus staff is absorbed elsewhere into fresh items of work or to fill the vacancies in the existing staff it will be treated as supernumerary to the sanctioned strength of the concerned Ministry.

**Shri Tyagi:** That is nothing. That is no saving.

**श्री श्रीकार लाल बेरवा :** जिन मंत्रालयों में कर्मचारी कम किये हैं और वह दूसरी जगहों पर लगाये जा रहे हैं तो क्या वे उसी ग्रेड में लगाये जा रहे हैं या उनके ग्रेड में कटौती करके उनको दूसरी जगहों पर लगाया जा रहा है।

**श्री हज्रनवीस :** ग्रेड में कटौती नहीं की गई है। उसी ग्रेड पर लिये जायेंगे। उन को कोई नुकसान नहीं होगा।

**Shri Dinen Bhattacharya:** May I know whether this committee, before coming to any decision in respect of Class IV staff, made an on-the-spot departmental enquiry?

**Shri Hajarnavis:** They made as thorough an enquiry as possible.

**Shri Dinen Bhattacharya:** Was it a spot enquiry?

**Shri Hajarnavis:** I cannot say what the procedure followed exactly was, but the officers visiting the Ministry ascertained what work was being done, whether there was enough work for the staff etc.

**Shri S. C. Samanta:** May I know whether the Railway Ministry is included in the remaining five Ministries, as I do not find any mention of it in this statement?

**Shri Hajarnavis:** The Railway Ministry is not included. They have been

requested to consider the question themselves and take the necessary steps.

### All India Education Service

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733 { **Shri P. R. Chakraverti:**  
**Shri Harish Chandra Mathur:**

Will the Minister of Education be pleased to state:

(a) the progress made in setting up an All-India Education Service;

(b) whether it is a fact that a scheme has been evolved under which the Central Officers will be appointed as administrative officers, such as Directors of Education, D.P.I.s and Principals of Colleges; and

(c) whether the State Governments have revised their earlier attitude, which was mostly opposed to the idea of an education service?

**The Minister in charge in the Ministry of Education (Shri Hamayun Kabir):** (a) and (c). Discussions are in progress with these State Governments, which have not yet agreed to the formation of the Service.

(b) Such a Scheme was under consideration and has been kept in abeyance in the context of the discussions now in progress for the formation of an Indian Educational Service.

**Shri P. R. Chakraverti:** What are the main grounds of objection from the States in this matter?

**Shri Hamayun Kabir:** Three States have not agreed so far—Madras, Madhya Pradesh and Maharashtra, one may say the three M's—but the grounds of objection are different. The Maharashtra Government feels that there would be a distinct disadvantage in this service, in having some educational officers who are all-India officers. The Madhya Pradesh Government is of the view that it is not necessary.

**Shri P. B. Chakraverti:** In view of the undesirable happenings which occur in the universities where the atmosphere is surcharged with the venom of group politics, has the Government impressed on the State Governments the need for going in for uniform standards?

**Shri Hamayun Kabir:** This was one of the recommendations accepted by the National Integration Council, and almost all the Chief Ministers were there, and there appeared to have been general agreement. But later on, when detailed discussions were taken up, these three States differed, and we are pursuing the matter with them.

**श्री भक्त वरुन :** श्रीमन्, क्या माननीय मंत्री जी को यह धारणा है कि ये तीन राज्य श्री इस से सन्तुष्ट हो जायेंगे, और देर से देर कब तक इस पर प्रयत्न हो जायेगा ?

**श्री हुमायून् कबिर :** धारणा तो जरूर है कि जल्दी ही होगा, लेकिन उन्होंने एक दूसरी बात मान ली है कि अगर आल-इंडिया सर्विस न भी बने, अगर सेंट्रल सर्विस बने, तो सेंट्रल सर्विस के आफिसरों के साथ स्टेट आफिसरों का एक्सचेंज हो। यह मन्त्रालय गवर्नमेंट ने भी मंजूर किया है।

**Shri Harish Chandra Mathur:** What is the outline and the scope of the proposals for the constitution of this committee which has been put to the various States?

**Shri Hamayun Kabir:** For the present teaching and research posts have not been included in this service. For the time being, it is mainly for administrative exchange at the level of educational administrators. That is the major feature. As for the rest, it is suggested that about 10 to 15 per cent posts may be reserved for women; it is also suggested that the promotion quota may be 25 per cent of the senior posts. Certain tentative scales have been drawn up. The

other features are broadly the same as in the existing All India Service.

**Shri Swell:** In view of the importance of the All India Educational Service for national integration, may I know whether the Government is determined to set up such a service not withstanding objections from some States?

**Shri Hamayun Kabir:** We can set up a central service even if there is some opposition from the States but for setting up an All India Service we have to carry the States with us and I believe it is far better to do so. Any idea of trying to impose such a service from the Centre would not be desirable from many points of view and would not also be practicable so long as the Constitution is not changed.

**श्री सिद्धावर प्रसाद :** श्रीमाननीय मंत्री जी ने बताया कि इस प्रखिल-भारतीय सेवा में शिक्षण को शामिल नहीं किया जायगा। क्या मैं जान सकता हूँ कि इस की बात बजड़ क्या है कि इस में शिक्षण को शामिल नहीं किया जा रहा है ?

**Shri Hamayun Kabir:** I do not think it will be correct to say that education is not being made a part of it. In the subjects the difficulty which will arise is this. You have so much of specialisation today that interchange between officers of one service is difficult; say, interchange between a chemist and a physicist or between a bio-chemist and a philosopher would become very difficult.

**Shri Vishram Prasad:** The hon. Minister said that technical and research services will not be considered in this scheme. May I know what will be the fate of technical and research? May I know whether they will be put in the same class of service or inferior or superior class of service?

**Shri Hamayun Kabir:** I never said that technical teaching and research

posts will not be a part of the scheme for improvement. We are taking every possible measure to see that teaching and research posts are given a higher recognition; in fact a great deal of improvement in this respect had already taken place.

### Brick Kilns in Delhi

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\*735. { Shri Sham Lal Saraf:  
Shri Siddananjappa:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware of a crisis facing the established brick kilns in Delhi, because of off-take of bricks having considerably fallen; and

(b) if so, whether Government propose to examine this matter and take necessary steps?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) The brick kilns of Delhi are not facing any crisis.

(b) Does not arise.

Shri Sham Lal Saraf: How far is it correct the report in the Press that these kilns have not been able to sell most of their production? Have Government found out the reasons?

Shri Hajarnavis: The reason is that sometimes bricks are not of the required quality. Secondly, there is slowing down of the building programme in Delhi. These are the reasons. But there is no hardship suffered because generous permits have been granted for the kiln owners to sell bricks outside Delhi so that there is no undue accumulation of stocks.

Shri Sham Lal Saraf: May I know if the Government is aware of the fact that a number of schemes relating to the low-paid employees are going ahead and, if so, whether the Government has made itself sure that these small, low-paid people will be able to buy these bricks at the moment and whether these bricks

will be made available to them or not?

Mr. Speaker: On the one hand he says that there is surplus and nobody is prepared to buy them, and on the other hand he says that the Government should take care to see that the small income-groups are enabled to buy them.

Shri Sham Lal Saraf: I want to know the reasons for its being or not being sold.

Shri Hajarnavis: It is precisely to help them that the control on rates, price and distribution has been imposed. Secondly, bricks are not the only building material which is required. Cement is also required. Sometimes cement is in short supply.

श्री शिव नारायण : क्या मैं जान सकता हूँ कि दिल्ली में ब्रिक्स का क्या भाव है ?

अध्यक्ष महोदय : भाव तो उन को पूछना चाहिए, जो कि ब्रिक्स खरीदना चाहते हैं। क्या माननीय सदस्य खरीदना चाहते हैं ?

श्री हजरतबीस : जहाँ तक कंट्रोल भाव का सम्बन्ध है, पहले दर्जे की ईंटों का भाव ३१ रुपये, २५ नये पैसे, दूसरे दर्जे की ईंटों का भाव २७ रुपये और तीसरे दर्जे की ईंटों का भाव २१ रुपये की हज़ार है।

Shri Sonavane: The Minister of State in the Ministry of Home Affairs has just now said that some of the bricks are not of a high standard. So, may I know why he wants that these bricks should be sold outside Delhi when they are sub-standard, and why he is permitting their sale outside Delhi?

Shri Hajarnavis: The overall estimate of the stocks on 1st August was about 30 crores of bricks. They were of all varieties.

Mr. Speaker: The question was, if they are of such a standard, sub-

standard, why they should be permitted to be sold outside.

The Minister of Home Affairs (Shri Nanda): It is not that in Delhi the sale of any particular grade of bricks has been stopped. All are sold for different purposes and different uses. So far as the other States are concerned, they are also not given the worst kind of bricks. All kinds of bricks will go there.

Shrimati Savitri Nigam: May I know whether this is correct, namely, the Government, in its generosity to help these kiln-owners, has allowed them to sell these bricks to the people of other places and they are fetching pretty higher prices, and that is why the kiln-owners are not interested in selling these bricks to the Delhi people?

Shri Nanda: The Delhi people had all that they needed and there was all this accumulation. Therefore this had to be done.

श्री कपिल राम गुप्त: माननीय मंत्री जी ने बताया है कि कुँक दिल्ली में मकान कम बन रहे हैं इस लिए रीमें की बात कम हो रही है। मैं यह जानना चाहता हूँ कि जब दिल्ली में सरकार की मकान बनाने की योजना बहुत लंबी है तो मकान कम बनने का कारण क्या है।

Shri Nanda: It is a question of relationship of the availability of bricks. The buildings are going up, though not with sufficient speed to absorb all the bricks that are being made.

श्री यशपाल सिंह: दिल्ली से बाहर के भट्टों में ईंटें दस रुपये की हज़ार कम पर मिल रही हैं। इस लिए यहाँ पर दस रुपये की हज़ार का जो भाव बढ़ा हुआ है, वही निकासी को रोक रहा है। मैं यह जानना चाहता हूँ कि क्या इस भाव को कम करने पर विचार किया जा रहा है।

श्री हज़रतबीस: जो रेट मुकर्रर किया गया है, वह इस बाजार पर किया गया है कि लागत क्या लगती है, कोयले का क्या भाव है और मजदूरी क्या लगती है, आदि।

#### Pay-Scales of College Teachers

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737. { Shri Warior;  
Shri Vasudevan Nair:

Will the Minister of Education be pleased to state:

(a) whether there is any proposal to introduce uniform pay-scales for college teachers throughout the country;

(b) if so, the broad outlines of the proposal; and

(c) when the proposal is expected to be implemented?

The Minister in charge Ministry of Education (Shri Hamayun Kabir): (a) to (c). A statement is laid on the Table of the House. [Placed in the Library, see No. LT-1757[53].

Shri Vasudevan Nair: May I know how many States have made use of the provisions made by the University Grants Commission and have actually increased the salary of college teachers according to the scales laid down by the Commission?

Shri Hamayun Kabir: 460 colleges affiliated to 23 universities have received assistance under this scheme.

Shri Vasudevan Nair: May I know whether the Government is aware of the fact that the largest number of colleges belong to private agencies and, if so, whether the private agencies are coming forward to pay their share also for the improvement in the salary scales of teachers?

Shri Hamayun Kabir: We are trying to persuade them as well as the State Governments. One difficulty has been that the Commission's assist-

ance, is, in the first instance, for five years. But they have now agreed to extend it by a further year, provided the scales are made permanent and the State Governments give some assurance. We approached the State Governments and 8 States have agreed to give the necessary help.

**Shri Bhagwat Jha Azad:** May I know whether it is a fact that while arriving at this agreement with the Central Government, the State Governments committed themselves without asking the different colleges whose governing bodies are not in a position to meet the cost and, if that is so, may I know whether the Central Government will ask those State Governments who are a party to the agreement to pay the rest of the cost due to these increased scales?

**Shri Humayun Kabir:** We cannot go into the details about the arrangement arrived at with the colleges. We make the funds available and, as I said, 8 State Governments have agreed that they will support it. My hon. friend's State is not in that List.

**Shri C. K. Batacharrya:** Will the Minister be pleased to state what amount of the grant given by the UGC for improving the salaries of the teachers could not be utilised because of the condition that they must be accompanied by matching grant from the State and the States did not give the matching grant?

**Shri Humayun Kabir:** It is a State subject. There is thus no question of any allocation not being utilised. The Commission have agreed to bear 50 per cent of the increased expenditure in the case of men's colleges and 75 per cent of the increased expenditure in the case of women's colleges. It is for the State Governments to take advantage of that. No separate allocation has been made for that.

**Shri C. K. Bhattacharyya:** I asked whether the amount granted by the UGC could not be utilised in the in-

terest of the teachers because the State Governments did not give the matching grant.

**Shri Humayun Kabir:** The question does not arise because no separate allocation is made for that.

**Mr. Speaker:** It is for the States to do that.

**Dr. Sarojini Mahishi:** May I know if the universities and postgraduate colleges are implementing the scheme proposed by the UGC for the salary grade of the professors?

**Shri Humayun Kabir:** For the universities, there is a different scheme. In the case of the universities, I think more progress has been made. The difficulty with the colleges appears to be, where there are private organisations running the colleges they are always short of funds and unless the State Governments give them help, they find it difficult.

**Shri A. N. Vidyalkar:** May I know whether it is a fact that after the UGC stopped the grant in certain cases, the colleges again reduced the scales of pay?

**Shri Humayun Kabir:** I would ask for notice of that question.

**Dr. M. S. Aney:** On account of this attempt to increase the scales of pay, in the case of private colleges, is it a fact that attempts are being made to increase the fees which the students have to pay, so that they may be in a position to pay higher salaries to the teachers?

**Shri Humayun Kabir:** I have no information, but it may be possible.

**Shri Harish Chandra Mathur:** May I know what is the basis for fixing the pay scale of the Principal of a postgraduate college at Rs. 600 to Rs. 800, which is half the salary of a Deputy Secretary or Under Secretary?



**Shri Humayun Kabir:** Generally these are not for postgraduate colleges. Postgraduate colleges will come under the university scale. These scales have been framed keeping in view the existing circumstances. I agree with the hon. Member that the scale should be further increased, but this itself would be a great improvement on the existing position in the country.

**श्री सरजू पाण्डेय:** क्या सरकार को पता है कि बहुत से कालेज हैं जिनको सरकार सहायता देता है और जहाँ पर ग्राम तौर से मैनेजमेंट टीचर्स को तनखवाह कम देते हैं और रसोई ज्यादा की लिखाते हैं। इस सिलसिले में सरकार क्या कर रहे हैं ?

**Shri Humayun Kabir:** It is very difficult to give a reply to this question....

**अध्यक्ष महोदय :** इसमें माननीय सदस्य की सहायता की जरूरत है।

**Shri Tyagi:** Since education is a State subject, I would like to know how much is the corpus of the total grant given for this purpose and for how long has the Centre taken over the responsibility of giving this grant?

**Shri Humayun Kabir:** It is not a question of the Centre taking over; it is one of the obligations of the Centre under the Constitution to see that standards are maintained. Obviously standards cannot be maintained unless there are satisfied and able teachers. Therefore, it is not encroaching on the State subject at all. I will give the assistance given so far in the last three years for improving the salary scale of colleges teachers: 1960-61 Rs. 45.52 lakhs; 1961-62—Rs. 58.19 lakhs and 1962-63—Rs. 55.13 lakhs.

**Shri Kapur Singh:** Sir, the hon. Member had asked for the corpus of the grant and not the quantum of

the grant. The Minister has given us the quantum of the grant.

**Mr. Speaker:** But the hon. Member who put the question is satisfied.

**Shri Kapur Singh:** I would like to know the corpus; whether it was given in currency notes, coins, gold or silver.

**Mr. Speaker:** Probably what the hon. Member who put the question wanted to know has been answered.

**श्री तुलसी दास जाधव :** घाजकल कालेज चलना बहुत मुश्किल होता है। उसका बोर्डा होता है, उसको जूटाने के लिये बे बाहर से चंदे इत्यादि लेने की कोशिश करते हैं लेकिन पैसे उनको मिलते नहीं हैं। इसलिए शिक्षकों और प्रोफेसरों की पगार के अन्दर से वे बीसे काट लेते हैं और सिगनेचर पूरी पगार पर ले लेते हैं। क्या य; खबर सरकार को है ?

**अध्यक्ष महोदय :** यह इनफार्मेशन तो घाय सरकार को खुद दे रहे हैं। नैसर्ग क्वेश्चन।

#### Gauhati Refinery

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\*728. { **Shri P. C. Borooah:**  
**Shri Yajnik:**

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

(a) whether it is a fact that Gauhati Refinery has again run into difficulties and its crude oil processing capacity has gone down by 50 per cent;

(b) if so, the reasons thereof; and

(c) the action taken to improve and to work the refinery to its rated capacity?

The Minister of Mines and Fuel (**Shri Alagesan**): (a) No, Sir. The daily average throughout has been

maintained at or near the full-rated capacity since August, 1963.

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

**Shri P. C. Borooah:** May I know whether it is a fact that there has been a dispute between the Swiss and the Rumanian technicians who installed them finally about the responsibility for the frequent break-downs of the unit; if so, whether that dispute has been resolved?

**Shri Alagesan:** There has been no such dispute. It was the Rumanians who gave the specifications and the Swiss firm manufactured the equipments according to those specifications. When the Rumanians wanted certain modifications to be made in those things the Swiss manufacturing firm conformed to those changes and manufactured the equipments according to the modified specifications.

**Shri P. C. Borooah:** May I know what is the total loss suffered by the refinery by way of replacements and repairs and also because of the non-functioning of the refinery for the break-down period?

**Shri Alagesan:** Because of the non-functioning of the kerosene unit it is true the refinery was not able to work at its full rated capacity. Sometime ago there was a calculation made and it was estimated that the loss could have been in the region of Rs. 1.8 crores as a result of the non-functioning of the unit.

**Shri Hem Barua:** Is it not a fact that one of the reasons why this Gauhati refinery is facing crisis after crisis is that the Rumanian experts, who are not very much experienced in oil technology, made mistakes in the process of installing this refinery at Gauhati; if so may I know what steps the Government have taken to right the wrong?

**Shri Alagesan:** Sir, it is true because the kerosene unit was not functioning for quite sometime, the

refinery could not be run to full rated capacity, as I said. But since the second week of August a large team of Rumanian experts led by their Deputy Minister for Petroleum and Oil was there in Gauhati and they took all possible steps to set right the kerosene unit. It has been functioning now from the 25th of August.

**Shri Swell:** Is it a fact that the frequent break-downs of the Gauhati refinery are because of the inability of the Indian staff to maintain the refinery, and that too because of nepotism which has placed some people in position where they should not be?

**Shri Alagesan:** I should like to say that all those assumptions are not correct.

बो यपशाल सिंह : क्या यह सही है कि बैंगन न मिलने के कारण यह गिरावट आई थी, यदि हाँ, तो उनका क्या इंतजाम किया जा रहा है ?

**Shri Alagesan:** We have had a good wagon supply for some time now. In fact, the daily wagon supply has increased to 66 wagons and loading has been going on sufficiently well and there is no difficulty.

#### Master Plan for Delhi

\*739. **Shri Shiv Charan Gupta:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a High Power Committee under his Chairmanship has been appointed to consider the question of development of Metropolitan area as envisaged in the Master Plan for Delhi; and

(b) if so, the number of meetings of the Committee held and the decisions taken to ensure planned development of Delhi?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Yes, Sir.

(b) No meetings have so far been held

**Shri Shiv Charan Gupta:** In view of the importance of this area for the Master Plan of Delhi, what steps have Government taken to finalise the plans and also to carry out development in this area?

**The Minister of Home Affairs (Shri Nanda):** Some consultations are in progress. They have not been finalised.

**Shri Shiv Charan Gupta:** In view of the experience of the last one year, will Government consider the desirability of having one authority for planning and development of the metropolitan areas?

**Shri Nanda:** That is the purpose.

**श्री नन्द दशरथ :** दिल्ली की मास्टर प्लान को बने हुए काफी वर्ष हो चुके और इस पर काफी विचार विमर्श हो चुका है। मैं यह जानना चाहता हूँ कि स्वयम् गृह मंत्री जी की अध्यक्षता में जो कमेटी नियुक्त की गई है उसको बनाने का क्या उद्देश्य है। यानी क्या कार्य उनके संपूर्ण किया गया है?

**श्री नन्दा :** कुछ इलाके जो कि उन राज्यों में हैं वह इसके अन्दर शामिल हैं। इस लिये क्या करना चाहिये, इस के लिये उन की राय और मददगार जरूरी है।

**Shrimati Savitri Nigam:** What are the specific reasons for the slow progress in this very important work?

**Shri Nanda:** Because it concerns main views about it. Consultations are therefore necessary.

**श्री कृष्णदास :** मैं यह जानना चाहता हूँ कि इस कमेटी में कितने लोग हैं, और जनता में से भी अगर कुछ लोग लिये गये हैं तो उन के नाम क्या हैं?

**Shrimati Chandrashekhar:** The composition of the Board is as follows: The Minister of Home

Affairs, Government of India as Chairman, Minister of Health, Government of India as member, Minister of Works, Housing and Rehabilitation, Government of India Deputy Chairman of the Planning Commission, Chief Ministers of Uttar Pradesh and Punjab, and the Mayor of Delhi and the Chief Commissioner of Delhi as members.

**श्री कृष्णदास :** जनता में से कितने लोग लिये गये हैं?

**अध्यक्ष महोदय :** आप ने पब्लिक से पूछा था। उन्होंने मेम्बरों के नाम पढ़ दिये। सारे अफसर हैं।

**श्री प्रकाशवीर शास्त्री :** उत्तर प्रदेश और पंजाब की सरकारें जो अपने अपने राज्यों का भाग दिल्ली की मास्टर प्लान के लिये देने के लिये पहले सहमत नहीं थीं, मैं जानना चाहता हूँ कि क्या अब वे कुछ सहमत हो गई हैं? यदि हां, तो वह बात कहां तक आगे बढ़ी है?

**श्री नन्दा :** मैंने कहा कि इस में कुछ सलाह मशिवरा हो रहा है। उस की फाइनल पोजीशन इस वक्त मैं नहीं बतला सकता।

#### Regional Engineering Colleges

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 { Shri N. R. Laskar...  
 Shri P. Venkatasubbalah:  
 \*740. { Shri D. C. Sharma:  
 ... { Shri Onkar Lal Berwa:  
 Shri E. Madhusudan Rao:

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

(a) the number of Regional Engineering Colleges proposed to be opened in the country with foreign aid and collaboration during the remaining period of the Third Plan;

(b) in which States these colleges will be started; and

(c) the number of Regional Engineering Colleges which have already come up?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Four Regional Engineering Colleges are proposed to be started in Madras, Punjab, Rajasthan and Assam during the rest of the Plan period, but no foreign aid has so far been secured for them.

(c) Eleven.

Shri N. R. Laskar: Sir, while giving reply to Unstarred Question No. 2100 on 28th May 1982, the hon. Minister was pleased to tell us i.e. to this hon'ble House that the regional college for Assam was to be located at Silchar. May I know Sir, the positive steps that have been taken since then to establish this college there?

Shri Humayun Kabir: We have written to the Assam Government, informing them that the Eastern Regional Committee has suggested Silchar as a suitable location. We are waiting for the confirmation of the State Government.

Shri N. R. Laskar: In that case Sir, May I know by what time Government expect to get the confirmation about the establishment of this college?

Shri Humayun Kabir: This college is scheduled to start only in 1985 or 1986. Therefore, there is still time to make all the necessary arrangements.

Shri Basappa: The hon. Minister had stated that for the regional engineering college, near Mangalore, foreign aid will be received. What is the progress of this?

Shri Humayun Kabir: The Suratkal engineering college has been selected for assistance by the Canadian Government. They have offered teachers and also certain fellowships.

Dr. P. S. Deshmukh: The hon. Minister has been declaring his ideal to have an engineering college in

every district, besides regional colleges.

Mr. Speaker: In every district?

Dr. P. S. Deshmukh: Yes I would like to know as to what has happened to the college that was to be opened two years back in Amraoti and when it is likely to be opened.

Shri Humayun Kabir: It does not arise strictly out of this question because it refers to regional engineering colleges.

Mr. Speaker: It surprises me. Has the Government really made up its mind to start an engineering college in every district?

Shri Humayun Kabir: Ultimately that will be the aim.

Dr. P. S. Deshmukh: Yes, Sir, I am better informed.

Mr. Speaker: I admit my ignorance.

Shri Bhagwat Jha Azad: May I know whether the choice or selection of these four States is a part of any wider plan under which such colleges are likely to be opened in other parts of the country as well or whether they have just taken a fancy for these four States?

Shri Humayun Kabir: The hon. Member has forgotten that I have stated in this House before also that the aim is to have one regional engineering college in every State. These are the only four States which have not yet had these colleges established.

श्री श्रीवारलाल बेरवा: मैं जानना चाहता हूँ कि इन कालेजों को खोलने के लिये विदेशों ने जो सहायता दी है वह कितनी है और केन्द्रीय सरकार ने उस में कितना योग दिया है?

Shri Humayun Kabir: I have stated before also in this House that for these regional engineering colleges

100 per cent of the capital grant is given by the Government of India and the State Government provides the developed land. For recurring expenses they share them for the first five years. What will be the position after five years will be determined in due course.

**श्री प्रकाशवीर शास्त्री :** एक इंजीनियरिंग कालेज को खोलने के लिये आरम्भ में ६० लाख रु० की आवश्यकता होती है। यदि इसके लिये कोई व्यक्ति या संगठन बीस लाख रुपया दे दे, अपनी ओर से, तो राज्य और केन्द्रीय सरकार शेष भाग की पूर्ति कर देती है और उस कालेज को चलाती है। मैं जानना चाहता हूँ कि क्या कोई इस प्रकार का प्रपोजल बिजनोर से आया है? यदि हाँ, तो सरकार इसके बारे में क्या विचार कर रही है?

**Shri Humayun Kabir:** There is a scheme like that though that has been slightly modified. During the Second Plan we had what we called the 'open door' policy under which the Central Government paid 50 per cent if the State Government and a private organisation could find 50 per cent. In the Third Plan the Central Government will pay 25 per cent if a private organisation pays 50 per cent.

**Shri Ramachandra Ulaka:** What is the capacity of each of such engineering colleges which have so far been established in the country and whether Government have any proposals to increase its capacity during the remaining period of the Third Five Year Plan?

**Shri Humayun Kabir:** It is impossible to give the capacity of each college separately. The total admission this year will be of the order of 20,000.

**Shri Kapur Singh:** Is any indication available of the place at which this college in the Punjab is likely to be located?

**Shri Humayun Kabir:** In Punjab, I think, the place selected is Kurukshetra. I might say that in the case of the Punjab College, the college has in a sense started this year. We have permitted them to admit students in two other colleges and they will later be transferred to the Kurukshetra Regional College when that college is established.

**Shri Swell:** May I know whether in keeping with the policy decision that university education will be in a regional language education in these regional engineering colleges will be imparted through a regional language?

**Shri Humayun Kabir:** When the universities accept, as I hope they will do fairly soon, the Indian languages, these colleges will also be using Indian languages.

**Shri Vasudevan Nair:** Is the Government aware that there are complaints that even in the existing regional colleges proper representation at the time of admission is not given to the various States in the region; if so, is Government devising some formula at least for the coming colleges to see that proper representation is given to all the States in those regions?

**Shri Humayun Kabir:** The formula for the regional colleges has been laid down and accepted by all of them. 50 per cent of the seats are reserved for students from the State where the college is located; 30 per cent of the seats are reserved for students from that region and 20 per cent of the students are selected on an all-India basis.

#### "Carry Forward" Rule

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\*742. { **Shri S. M. Banerjee:**  
**Shri Shree Narayan Das:**  
**Shri Kachhavaia:**

Will the Minister of Home Affairs be pleased to state:

(a) whether his attention has been drawn to the judgment of the Supreme Court delivered on the 29th

August, 1963 declaring "carry forward rule 1955" giving the reservation of posts in the public services for members of the Backward Classes, as unconstitutional;

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

(c) the steps proposed to be taken to safeguard the interest of Scheduled Castes, Scheduled Tribes and other Backward Classes?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) to (c). The judgment of the Supreme Court has been received. Its implications are being examined. As soon as this examination is complete Government will decide the steps to be taken in the matter.

**Shri S. M. Banerjee:** I want to know the total number of Scheduled Castes, Scheduled Tribes and Backward Classes employees who are likely to suffer because of the Supreme Court judgment.

**Shrimati Chandrasekhar:** First of all, there are no Other Backward Classes that are involved in this Supreme Court judgment. Those Scheduled Castes and Scheduled Tribes officers who are supposed to be affected by this judgment will not be affected at all.

**Shri S. M. Banerjee:** I want to know the reaction of Government and whether they contemplate bringing in any legislation to undo this injustice.

**Shrimati Chandrasekhar:** The answer to the earlier question was clear enough.....

**Mr. Speaker:** Order, order. How can he say this? What the Supreme Court does cannot be called injustice. It is the law itself. What we have passed we are responsible for that. He should withdraw that.

**Shri S. M. Banerjee:** I withdraw that. But what is the reply?

**Mr. Speaker:** Is the Government proposing to do something in that matter so that the Scheduled Castes and Scheduled Tribes people do not suffer?

**Shrimati Chandrasekhar:** After we have completely examined the Supreme Court judgment we will see how we can safeguard the legitimate interests of the Scheduled Castes and Scheduled Tribes.

श्री कृष्णाय : मैं यह जानना चाहता हूँ कि सुप्रीम कोर्ट के निर्णय से देश में क्या प्रतिक्रिया हुई है, इस सम्बन्ध में सरकार ने कोई छानबीन की है ?

**Shrimati Chandrasekhar:** We are examining this.

**Shri Shree Narayan Das:** What are the important points made in this judgment and will a copy of the judgment be laid on the Table of the House for the use of Members?

**Shrimati Chandrasekhar:** I can read out the operative portion of the judgment of the Supreme Court if you permit me. It reads:—

"Having held that the 'carry forward' rule as modified in 1955 is unconstitutional the question which arises is as to the relief which we should grant to the petitioner. The counsel for the petitioner, Mr. Gopalakrishnan, made it clear that all that he wants is a declaration about the invalidity of the rule and that he hopes that the department concerned will implement the decision of this court properly. Indeed no further relief can be given to him because the persons who have been appointed and who may be affected by this decision have not been joined as respondents in this petition."

**Dr. L. M. Singhvi:** May I know whether it is a fact that the total accumulated reservation came to about

65 per cent of the Scheduled Castes in the case under reference and whether the Government have elicited the views of the department concerned in the matter of giving relief to which a reference is made in the operative part of the judgment read out by the hon. Minister just now?

**Shrimati Chandrasekhar:** There were about 42 vacancies which were carried over and that does constitute.. (Interruption). No, it is not. The appointments made were only 28.

**Mr. Speaker:** Shri Naik.

**Dr. L. M. Singhvi:** The second part of the question has not been answered.

**Shrimati Chandrasekhar:** It will be examined.

**Mr. Speaker:** Hon. Members themselves have felt that we cover fewer questions. Therefore no hon. Member should try to catch my eye more frequently than I can afford it to be caught. Shri Naik.

**Shri Maheswar Naik:** To what extent have candidates from all these three classes been able to be recruited or absorbed according to the quota fixed for those classes?

**Shrimati Chandrasekhar:** The reservation, as we all know, is 12½ per cent for the Scheduled Castes and 5 per cent for the Scheduled Tribes. If the quota reserved for the Scheduled Castes and Scheduled Tribes is not filled up, it is because suitable candidates in the number required are not coming forth.

#### Search of Film Studios in Bombay

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\*743. { **Dr. L. M. Singhvi:**  
           { **Shri Krishna Menon:**  
           { **Shri Balakrishna Wasnik:**  
           { **Shri E. Madhusudan Rao:**  
           { **Shri D. C. Sharma:**  
           { **Shri Prakash Vir Shastri:**  
           { **Shri D. D. Mantri:**

**Shrimati Renu Chakravartty:**  
**Shri S. M. Banerjee:**  
**Shri Daji:**  
**Shri Ram Sewak Yadav:**

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

(a) whether it is a fact that certain documents and papers have been recovered by Central Intelligence Bureau during the search of film studios and houses of certain film personalities in Bombay;

(b) if so, the names of those film personalities; and

(c) whether any cases have been registered against any of them in this connection?

**The Minister of Home Affairs (Shri Nanda):** (a) to (c). Certain raids and searches were carried out by the local police on the 31st August, 1963, at certain places in Bombay, as a result of certain disclosures made by one Azizul Islam who has been arrested and interrogated under suspicion of espionage activities.

The case is under investigation and it will not be appropriate to disclose any further information at this stage.

**Dr. L. M. Singhvi:** We would like your guidance in this matter as to why names of those involved in a case under investigation cannot be placed here. This is a matter of fact. We are not asking for any information which relates to the proceedings as such. All we want to know is the names. If as a result of an investigation it is found that these persons were unnecessarily involved, it would be perfectly all right. But these names are known to different people.

**Shri Nanda:** I would be in a position to say something more about this because since this answer had been framed I have been able to ascertain something further about the position there. I cannot give the whole infor-

mation because the investigation is still proceeding. But whatever I can, I am prepared to do. Several names were there. Regarding three names, we are definitely in a position to say that no incriminating evidence has been found. I shall give that information. They are: Bimal Roy, Rajbans Khanna Mohan Studio—these two names did not occur even originally but because those studios were searched the names cropped up—and also Dilip Kumar. No incriminating evidence has been found. (*Interruptions*)

**Shri Nath Pai:** Sir, the implication of the hon. Minister's reply is very clear that there is no incriminating evidence regarding these two names. It *prima facie* means that there is incriminating evidence against the names which have been mentioned in the press.

**Mr. Speaker:** It does not necessarily mean that. The investigation might have resulted in this finding that so far as these two or three names . . .

**Shri Nanda:** These three.

**Mr. Speaker:** So far as these three are concerned, there is no incriminating evidence.

**Shri Hem Barua:** On a point of order, Sir. When the hon. Minister for Home Affairs says that he is not in a position or he is not willing to give the details of this incident, may I submit that this incident . . .

**Mr. Speaker:** Is it a point of order or only a submission?

**Shri Hem Barua:** Point of order. Now, may I suggest this much to you, Sir, . . .

**Mr. Speaker:** Suggestion?

**Shri Hem Barua:** No, Sir.

**Mr. Speaker:** The hon. Member first said that it was a point of order; then there was a submission and now he suggests . . .

**Shri Hem Barua:** The point of order is submitted to you because I am very humble.

Sir, this particular thing does not form, or constitute, a part of the legal proceedings and the witnesses there know about it. The advocates appearing on both sides are taking up the matter; they know about it. The people of Bombay know about it, all the details and all that. It is only we who are denied the details. Under what authority, does the Home Minister deny this news to us? Therefore, I would beg of you to assert your authority and ask the Home Minister to give us the details.

**Mr. Speaker:** What information does he want which I might just concentrate upon?

**Shri Hem Barua:** We want all this, all the names, all the details, whether a transmitter was found, whether a Pakistani spy . . .

**Mr. Speaker:** Order, order. Now I have followed him. So far as the names are concerned, I am really doubtful whether they cannot be disclosed. So far as this question is concerned, whether it was lawful to search them, whether there was any incriminating evidence against them or not, that is quite a different question. But whose houses were searched.... (*Interruptions*) Order, order. There ought not be any objection so far as this fact is concerned and so far as other details are concerned. I think that cannot be disclosed so long as the investigation is going on.

**Shri Nanda:** Yes, Sir. In the first place I would like to make it clear that this is in two parts. That is, one arising directly out of the arrest of this gentleman, Azizul Islam, who was parading under other names. And there are cases against him under 420 IPC, 309 IPC and some other sections. That is for a court. Arising out of something which he said, there were searches made. The names are as follows. Mohan



pictures; Mahibub Productions Ltd.; Nasir Khan; Dilip Kumar; Anil Ramnath Lad; Manik Dhondopant Renge; Ayaz Peerbhoy.

**Dr. L. M. Singhvi:** As a matter of fact, I have not yet put the two supplementary questions to which I am entitled.

**Mr. Speaker:** He might put his second question now.

**Dr. L. M. Singhvi:** May I know whether any of these gentlemen mentioned by the hon. Minister are under detention, and if so, where they are detained, and whether it is a fact that these people are being proceeded against in Calcutta?

**Mr. Speaker:** Of what use would that be to the hon. Member to know where they are detained? He can ask whether they are detained. But of what use would it be for him to know where they are detained? That should not be asked for.

**Dr. L. M. Singhvi:** I want to know whether they are detained and whether they have been proceeded against in Calcutta.

**Mr. Speaker:** He can ask whether they are detained, and that is a relevant question. But where they are kept or where they are detained is another matter.

**Dr. L. M. Singhvi:** I wanted to know the venue of the proceedings.

**Mr. Speaker:** If he wants to interview any of them, he can go there and he might find them.

**Shri Nanda:** The case proper is this. As I said, let us differentiate. There are three persons under detention in that case, namely Azizul Islam, one Farooqi and one Mr. Mall. These are the three persons detained. Regarding the other things which arise out of it, there is no detention.

**श्री द्वारकादास मंत्री :** यह जो सर्वेज हुई है यह कलकत्ता पुलिस ने बम्बई पुलिस की मदद से की है और इस में प्रतिष्ठित लोगों की तलाशियां ली गई हैं तो ऐसी अवस्था में क्या भारत सरकार यह उचित नहीं समझती कि किसी उच्च अधिकारी के जरिए इस का इनवैस्टिगेशन हो ?

**अध्यक्ष महोदय :** य एक सुझाव होगा इससे ज्यादा और कुछ नहीं है ।

**श्री प्रकाशचंदर शास्त्री :** अजीजुल इस्लाम जो कि ए० के० मुर्ज्या बन कर कलकत्ते में रह रहा था उस ने किसी हिन्दू लड़की से विवाह किया है और इस विवाह को कराने में उन तीन व्यक्तियों में से किसी एक व्यक्ति का हाथ था, क्या सरकार को इसकी भी कोई जानकारी मिली है ?

**अध्यक्ष महोदय :** उसका इससे क्या ताल्लुक है ? अब शादी कहां की और उसको कराने वाले लोग कौन थे, उससे इसका क्या सम्बन्ध है ?

**Shri Bhagwat Jha Azad:** May I know whether these raids were made only on the statement of one Mr. Azizul Islam or whether there was corroborative evidence with Government for this, and whether Government have any principle to raid the house of any person, however high he may be, only on one man's statement or there should be corroborative evidence also for it?

**The Minister of Law (Shri A. K. Sen):** On a point of order. We cannot disclose this.

**Mr. Speaker:** Of course, this cannot be disclosed.

**Shri Bhagwat Jha Azad:** We want to know only one thing, whether on the statement of one man, the house of anybody, however high he may be, raided or there is corroborative evidence with Government. We do not want any other disclosure.

**Mr. Speaker:** No; that question cannot be raised, Shri Bhagwat Jha Azad would realise himself that it is the officer investigating who has to see whether the information that he has got is enough to proceed further or not. It may be only on one man's information; that also can be a basis .... (Interruptions) Order, order.

श्री रामसेवक यादव: अध्यक्ष महोदय  
बह सवाल बहुत महत्वपूर्ण और जरूरी है. . . .

अध्यक्ष महोदय: मैंने घड़ी की तरफ  
नहीं देखा था। अब और आगे इस पर नहीं  
चला जा सकता है।

**Shrimati Renu Chakravartty:** May I know whether these searches were carried out under the instructions of the Central Intelligence Bureau, and whether Azizul Islam just mentioned some names and automatically the searches took place?

**Shri Nanda:** The Central Intelligence Bureau or any machinery of the Central Government had nothing to do with it. These searches were carried out by the Bombay Police at the instance of the special branch of the Calcutta Police.

Some Hon. Members rose—

**Mr. Speaker:** Now, short notice question.

**Shri H. N. Mukerjee:** You have already given some indulgence over this question. . .

**Mr. Speaker:** I was wrong in doing so, and I should not be asked to drag the Question Hour further. I am very sorry that I was just attending to the question, and I forgot to look at the clock.

**Shri H. N. Mukerjee:** May I submit that there is no reason for you to conceive of this as something wrong, because you can at your discretion extend the Question Hour?

**Mr. Speaker:** I cannot, and I should not, ordinarily.

12 hrs.

#### SHORT NOTICE QUESTIONS

#### One-man Peace Mission to U.S.A. and U.S.S.R.

S. N. Q. No. 8 { Shri Tridib Kumar  
Chaudhuri;  
Shri M. L. Dwivedi:

Will the Prime Minister be pleased to state:

(a) whether his attention has been drawn to press reports emanating from Washington about the one-man peace mission undertaken by Shri Sudhir Ghose, M.P. for persuading the Governments of U.S.A. and U.S.S.R. to issue a joint appeal for a peaceful settlement between India and China with regard to the Himalayan border dispute;

(b) whether the terms of the proposed joint appeal are known to the Government of India; and

(c) the reactions of Government to the proposal?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):**  
(a) Yes.

(b) and (c). The suggestion made by Shri Sudhir Ghosh was on his own behalf and without any reference to Government. The details of this appeal are not known to Government. Apparently it was a general appeal to help in a peaceful settlement, without any details being mentioned. Any approach for a peaceful settlement is always welcome to Government provided it is in keeping with the honour and integrity of India.

**Shri Tridib Kumar Chaudhuri:** Has the attention of Government been drawn to a statement made by Shri Sudhir Ghose in Washington that this proposal has the support of the Congress Party, that is, the ruling party?

**Shri Tyagi:** No, no. Wrong.

**Shri Tridib Kumar Chaudhuri:** He is supposed to have conferred for 15 days with high US State Department officials and personalities such as...

**Mr. Speaker:** Order, order. I have always said that supplementaries should not be read out.

**Shri Tridib Kumar Chaudhuri:** I know. But this is also a very important question.

**Mr. Speaker:** I am allowing the question but it should not be that long.

**Shri Tridib Kumar Chaudhuri:** I am just finishing.

**Shri Harish Chandra Mathur:** He is quoting from papers.

**Mr. Speaker:** If it is being quoted, I would allow it.

**Shri Tridib Kumar Chaudhuri:** He met the Secretary of State, Mr. Rusk, the Defence Secretary, Mr. McNamara, the Foreign Relations Committee Chairman, Mr. Fulbright and others, and he conferred with them for 15 days. The impression that is naturally created is that the Congress Party at least is sponsoring this thing. Has it been made clear to Shri Ghose that this might, because he is a member of the ruling party, create misapprehensions in the minds both of our friends and of all concerned?

**Shri Jawaharlal Nehru:** I have not seen that particular statement, to which the hon. Member refers. But I know he went to Washington and stayed sometime there. He did not go, so far as I know, with any particular purpose, representing the Congress Party or the Government. But he has been there, he knows a large number of people there and he saw some of the high officials there. No doubt, he talked to them about various matters in which he was interested. Among those matters, probably this matter must have come up.

I have not myself met Shri Sudhir Ghose since his return yet. I do not

know the details of this at all. But owing to his contacts there, he meets many people whenever he goes there.

**Shri Tridib Kumar Chaudhuri:** May I know whether it is known to Government for which purpose Shri Sudhir Ghose went there, for which purpose foreign exchange was granted to him and whether there is any truth in the statement that he visited the United States in connection with the IDA and certain steel companies?

**Shri Jawaharlal Nehru:** As far as I know, no foreign exchange was given to him. . . .

**Some Hon. Members:** How did he manage to go there then?

**Shrimati Renu Chakravarty:** Invitation.

**Shri Ranga:** How do people go to Moscow sometimes? (Interruptions).

**Shri Jawaharlal Nehru:** Foreign exchange has not been given to many of these people who have gone to some conferences or to Moscow or elsewhere. I do not know—I speak from memory—if he went to attend some kind of a conference, and utilised his visit there to go to Washington and other places and to meet people.

**Shri Surendranath Dwivedy:** Is it a fact that the Government of India had sent instructions to the embassies in Washington and Moscow to help Shri Sudhir Ghose in his mission?

**Shri Jawaharlal Nehru:** I do not know of any instructions except that general instructions are always sent to help Members of Parliament and others who are there. Apart from that, I do not know. As for Shri Sudhir Ghose, I think his stay in Moscow was, probably on his way back, at the most for two days. I am not sure, but it was for a very short time.

श्री म० ला० द्विवेदी : श्री प्रधान मंत्री महोदय ने बताया कि श्री सुधीर घोष ने

पीस अपील के लिए जो बातचीत की है, वह अपने आप की है और उन को किसी ने इस सम्बन्ध में कहा नहीं था। मैं यह जानना चाहता हूँ कि क्या व भारत सरकार के केस को पूरी तरह से जानते हैं और जिस तरह से वह दोनों देशों से बातचीत करेंगे, क्या उस से हमारे देश का उद्देश्य पूरा हो सकेगा; यदि हाँ, तो क्या भारत सरकार ने इस सम्बन्ध में उन को ब्रीफ कर दिया है; यदि नहीं, तो इस से जो गलतफ़हमियाँ इस बारे में फैलेंगी, उन को दूर करने के लिए सरकार क्या प्रयत्न कर रही है।

**श्री जवाहरलाल नेहरू:** मैं इस बात का जवाब तो नहीं दे सकता हूँ कि वह कितना जानते हैं, लेकिन मुझे उन से मालूम हुआ है कि उन्होंने जानने की कोशिश बहुत की है और इस बारे में हमारे जो कागजात और पैम्पलेट्स वगैरह हैं, वे उन्होंने हम से मांगे थे। व उन को अपने साथ ले गये थे और उन्होंने उन को जरूर पढ़ा होगा।

**Shri Ranga:** Is it not a fact that there is nothing subversive or unpatriotic for any one, and especially a person of the eminence of Shri Sudhir Ghose, to go on a peace mission and interview the leaders of the other countries?

**Shri Jawaharlal Nehru:** It is not subversive for any one to function for good causes, but in this particular matter, he did not go on a peace mission. As far as I know, he went to a conference, I forget what it was, probably it was a Quakers' Conference or some such thing, and he utilised his visit to go to Washington and meet these gentlemen there.

**Shri H. N. Mukerjee:** In view of the fact that in the last session of Parliament considerable embarrassment was caused not only to Government but also to this House on account of press reports about certain people like Shri Patnaik and Shri Ghose himself masquerading in the United

States as authorised representatives of the Indian Government's views in regard to international matters, may I know if Government intends to prevent this sort of thing happening because in relation to international affairs statements are made by people over whom this House has no control because they are not employed in the Ministry, nor are they members of the Government?

**Shri Jawaharlal Nehru:** The hon. Member referred to Shri Patnaik. Shri Patnaik went definitely not only with our knowledge, but with our goodwill. So, it is no good bringing his name into the picture. We cannot prevent people who go—all kinds of people go there—except through the means of permission; the 'P' form or whatever it is. Where no foreign exchange is involved and there is apparently reason for their going there, we permit them to go. As I said, he was going to some conference. When he goes there, we cannot tell him whom to meet and whom not to meet, but as I just said, when he went there, he did approach our Ministry to get a lot of material for his information so that he might be well briefed on the subjects before us.

**Shri H. N. Mukerjee:** On a point of order. I wish to find out from you whether it is in order for Government to say, as the Prime Minister has just said, that a particular individual can go abroad and negotiate with other Governments in relation to external affairs, while that particular individual who publicises whatever work he is doing or not doing abroad is not answerable to this House on account of his not being neither a member of the Ministry or of the staff of the Ministry of External Affairs. The Prime Minister has just said that it is open to any individual to go with his knowledge and approval and consent and authorisation and negotiate on a basis more or less of State to State with representatives of foreign Governments.

**Shri Ranga:** Before you give your answer, I would like to put one query to you, if you would permit me. Under similar circumstances on another occasion Shri Dange went to Moscow and made some statement also, and the Prime Minister had to say that although he had gone to Moscow on some other work, they had certainly asked him to use his good offices with the Soviet Government. The Prime Minister and other Ministers said so. Even now, Shri Nambodripad has gone to Moscow, and from there he has gone to Peking. On what basis has he gone?

**Mr. Speaker:** I am very sorry that Members just shoot out whenever they like though I have always remonstrated against that. The only question was that a point of order has been raised whether it was legal, justified or according to the rules for a man to go there and I have to give a ruling on the point of order if that concerns this House or our own Rules or the Constitution not about the policies of the Government which they may follow. I cannot give that ruling there. So, there is no point of order. It is for the Government.

**Shri Nath Pai:** Apart from the case of cold war that we witnessed here just now. . . .

**Mr. Speaker:** There was shooting as well.

**Shri Nath Pai:** In view of Mr. Sudhir Ghose's claim as published in the *London Times* that both Mr. Khrushchev and Mr. Kennedy have reacted favourably to this proposal that they should generally guarantee the territorial integrity of India, may we know whether Government of India is interested in this? What is its reaction to this whole proposal?

**Shri Jawaharlal Nehru:** May I say first of all that Prof. Mukerjee's question is based on no correct facts at all? He is talking about negotiations. We have said that anybody can talk; there was no hint of negotiations. I said: if a person goes from here abroad

he meets people and he talks to them. It does not commit us in any way. I did not know that Shri Sudhir Ghose went and met high officials or the President or that he put forward this proposal or any proposal.... (Interruptions).

**Shri Nath Pai:** What about the second part of my question?

**Shrimati Renu Chakravartty:** They were agreed to see that there is peace in India.

**Mr. Speaker:** I have said that two persons should not stand simultaneously. At least the Members on the panel should not do that.

**Shrimati Renu Chakravartty:** You permitted me.

**Mr. Speaker:** I never permitted.

**Shri Nath Pai:** What is the Government's attitude? That is the second part of my question.

**Shri Jawaharlal Nehru:** We have no information of any kind about anybody agreeing to what he has said. I doubt very much—I do not know—that during his very brief stay in Moscow for a day or two he met Mr. Khrushchev. But I really do not understand how Mr. Mukerjee could raise a point of order as if we have sent somebody to negotiate. As a matter of fact if we had sent somebody, there cannot be a point of order on that.

**Shri Mukerjee:** It appears in the papers and we have to take notice of that. How can the Prime Minister get away with it when publicity is given to this matter? We want to know the truth of the matter.

**Mr. Speaker:** Would he take note of what appears in the papers in preference to what the Prime Minister says here in this House?

**Shri Mukerjee:** That is why we wanted to ascertain it from him.

**Mr. Speaker:** He has said it; Members should now feel satisfied.

**Shri Mukerjee:** But he says that we should have no misgivings. We have these misgivings. We want them clarified.

### I.A.C. Aircraft

**S.N.\*9. Shri Hari Vishnu Kamath:** Will the Minister of Transport be pleased to state:

(a) the number of occasions during the current year (since 1-1-63), and the number of occasions during the corresponding period of last year (1962), on which IAC aircraft reported mechanical or engine trouble when in flight and particularly fire warnings;

(b) the nature of action taken in each such case;

(c) in how many cases the same aircraft was commissioned for another flight without proper repair or overhauling; and

(d) the details of action taken on pilots' notes of caution on these IAC aircraft?

**The Deputy Minister in the Ministry of Transport (Shri Mohiuddin):** (a). During the current year (January to August), Indian Airlines Corporation's Viscounts reported engine trouble on 5 occasions and fire warnings on 3 occasions. The figures for the corresponding period in 1962 are 1 and 3 respectively. All the fire warnings were false. Information in regard to other types of aircraft is being collected and will be laid on the table of the Sabha, in due course. This is only about Viscounts.

(b) and (d). Necessary rectification action was taken in each case. A statement giving all these details is laid on the Table of the House, [Placed in the library, please See No. LT-1758] 63).

(c) Nil.

**Shri Hari Vishnu Kamath:** The statement laid on the Table is a catalogue of the misfortunes to which the IAC aircraft had been subjected

this year and during the corresponding period of last year. This year, it is double than that of last year. May I know whether the Government is agreeable to the constitution of a Committee of Parliament to be elected or nominated by you, and to be assisted by experts, to go into the question of deterioration in the maintenance of aircraft during the last few years?

**Shri Mohiuddin:** I assure the hon. Member that there is no deterioration. As far as the fire warnings are concerned, I have already stated that they were all false warnings, and they were due to some wrong contacts in the electric connections. The manufacturers were contacted; they have given modifications and all the modifications, as far as fire warning is concerned, have been carried out in all the 12 existing Viscounts.

As regards engine troubles, the full details have been given in the statement that has been laid on the table. Every case of engine trouble is fully examined not only by the IAC officers but also by the officers of the DGCA. As far as the assurance about engine trouble is concerned, we will certainly ask the IAC to examine more thoroughly the reasons for the increase, this year, in engine troubles.

**Shri Hari Vishnu Kamath:** Before I put my second question, may I seek your protection? Something has been said by the Minister about some false alarms. I do not understand; from the Minister's statement I cannot make out whether it is false or true, because in every case some repair was effected. Therefore, I do not see how the falsity arises. So, I seek your protection.

**Mr. Speaker:** Not falsity on the part of any human being; but on account of the wrong contact of wires, the alarm was given by the aircraft itself. There was some defect; that has been brought to the notice of the manufacturers. Probably he is being misled by that adjective 'false' (Interruptions).

**Shri Hari Vishnu Kamath:** Have any reports reached Government that some of these aircraft, when grounded at the airport itself, had developed engine trouble and had also sounded fire warnings but the fire fighting equipment at the airports on many occasions was inadequate, and it was by sheer luck that the fire was put out with the meagre equipment at their disposal, and if so, do the Government propose to equip all our airports with fire fighting apparatus and ports with fire fighting and other ancillary apparatus, and keep them in perfect trim?

**Shri Mohiuddin:** The hon. Member is going away from questions on engine trouble to fire fighting equipment. Increase in the fire fighting equipment is also under consideration, and I hope we will increase it. At the present moment they are quite sufficient, but still, we want an increase in the fire fighting equipment. We are trying to import them.

**Shri Hari Vishnu Kamath:** The Minister has not answered my question about the constitution of a Parliamentary Committee which I suggested.

**Mr. Speaker:** He was not agreeable; there was no need.

**Shri Hari Vishnu Kamath:** Did he say he was not agreeable even for the constitution of a committee to be appointed by you?

**Mr. Speaker:** Order, order. I am also not agreeable.

**Shri Hari Vishnu Kamath:** It is unfortunate.

**Shrimati Renu Chakravarty:** In view of the fact that the area which has one of the highest traffic—coming and going—is in the eastern zone and we are using the Dakotas which really are very outmoded and old, why is it that maintenance has to be done far away from the main base of the eastern zone, Calcutta, and may I know whether the entire question of maintenance of the IAC aircraft is

going to be looked into and enough personnel will be supplied for that purpose?

**Shri Mohiuddin:** The maintenance base for dakotas is at Calcutta. Only the maintenance for air-frame is done elsewhere. There is a big maintenance base at Calcutta and it is working very well.

## WRITTEN ANSWERS TO QUESTIONS

### Standard of Secondary Education

**\*729. Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) whether a proposal to set up an effective machinery to ensure a uniform standard of secondary education all over the country is under consideration; and

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

**The Minister incharge of the Ministry of Education (Shri Humayun Kabir):** (a) No, Sir.

(b) Does not arise.

### Scholarships for Research

**\*732. Shri Vishwa Nath Pandey:** Will the Minister of Education be pleased to state:

(a) whether the University Grants Commission has instituted a scheme to provide financial assistance to university and college teachers engaged in research or learned work in natural sciences, social science or humanities; and

(b) if so, the progress made so far?

**The Minister incharge Ministry of Education (Shri Humayun Kabir):** (a) Yes, Sir.

(b) The Selection Committees appointed to consider the applications

for grant for financial assistance to teachers under the scheme have since made their recommendations which are under consideration of the Commission.

### पूर्वी पाकिस्तान के विस्थापित व्यक्तियों का पुनर्वास

\*७३४. श्री विभूति मिश्र : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

\* (क) क्या यह सच है कि पूर्वी पाकिस्तान से आये हुये तथा बेतिया में रख गये विस्थापित व्यक्तियों के कुछ परिवारों को सरकार अब तक जमीन नहीं दे पाई है तथा उनका पुनर्वास नहीं कर पाई है ; और

(ख) यदि हां, तो ऐसे कितने परिवार हैं और उनका तुरन्त पुनर्वास करने के लिये क्या योजना बनाई जा रही है ?

शिक्षा मंत्रालय के भारसाधक शिक्षा मंत्री (श्री हुमायून कबीर) : (क) बिहार सरकार से प्राप्त सूचना के अनुसार, पात्र पाये गये विस्थापित व्यक्तियों को जमीन तथा अन्य स्वोकार्य अनुदान देकर उन्हें फिर से बसा दिया गया है ।

(ख) प्रश्न नहीं उठता ।

### War Service Benefit

\*736. { Shri Indrajit Gupta:  
Shri Jashvant Mehta:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that ex-servicemen who join civil departments after release from the armed forces are denied the benefit of their past services for determining their seniority for purposes of promotion;

(b) if so, the reasons for this discrimination; and

(c) whether there is any proposal for reserving some quota for promotion in all the cadres for such person-

nel as is done for Scheduled Castes and Scheduled Tribes?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis: (a) and (b). Ex-servicemen who join civil departments are governed by the same orders regarding seniority as are applicable to other civil Government servants. Under the existing orders on seniority issued on 22nd December, 1959, which are applicable to the main body of Government servants no benefit of past service is admissible to persons appointed to civil posts/services on or after the issue of those orders. No discrimination, so far as ex-servicemen are concerned, is, therefore, involved.

(c) No. Sir.

### Common Service Cadres for Union Territories

\*741. { 'Shri Pottekkatt:  
'Shri A. V. Raghavan:

Will the Minister of Home Affairs be pleased to state:

(a) whether any decision has been taken in the matter of constituting common service cadres for all the Union Territories; and

(b) if not, the reasons therefore?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis: (a) and (b). The possibility of forming a Joint I.A.S. and a Joint I.P.S. Cadre for all the Union territories is under examination.

### अखिल भारतीय वैज्ञानिक सेवा

\*७४४. श्री सिद्धेश्वर प्रसाद : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अखिल भारतीय वैज्ञानिक सेवा स्थापित करने का प्रस्ताव विचाराधीन है ;



(ख) यदि हां, तो प्रस्ताव की मुख्य बातें क्या हैं ; और

(ग) इस संबंध में अब तक क्या प्रगति हुई है ?

बैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्रो (श्री हुमायून कबिर) : (क) यह मामला साइंटिफिक पर्सोनल कमेटी के विचार के लिये सौंप दिया गया है।

(ख) और (ग) कमेटी को सिफारिशों का इंतजार किया जा रहा है।

#### Age concessions to Displaced Persons

\*745. **Shri H. N. Mukerjee**: Will the Minister of Home Affairs be pleased to state:

(a) whether the system of age relaxation for Displaced Persons appearing in competitive service examinations is to be withdrawn after the 31st December, 1963; and

(b) whether the representation of intending displaced person/candidates for continuation of the relaxation at least for a little longer has been considered?

**The Minister of State in the Ministry of Home Affairs (Shri Hajar-navis)**: (a) Yes, Sir.

(b) No such representation has been received.

#### Supreme Court Judgment in Dr. Pratap Singh Case

\*746. { **Shri Hari Vishnu Kamath**:  
**Shri D. D. Mantri**:

Will the Minister of Home Affairs be pleased to refer to the statement made by him in reply to the Call Attention Notice on the 6th September, 1963 and state:

(a) whether the judgment of the Supreme Court in Dr. Pratap Singh case has been fully and actively considered; and

(b) if so, the action proposed to be taken in the matter in accordance with the provision of Article 353(a) of the Constitution and/or otherwise?

**The Minister of Home Affairs (Shri Nanda)**: (a) and (b). The Government of Punjab were requested to send their comments on the judgment of the Supreme Court. Their comments have been received on the 14th September, 1963. The matter is under examination.

#### Indian Statistical Service

\*747. **Shri Rajagopala Rao**: Will the Minister of Home Affairs be pleased to state when the Indian Statistical Service will be finally constituted and the names of the officials constituting the Gazetted service?

**The Minister of State in the Ministry of Home Affairs (Shri Hajar-navis)**: Certain information in respect of officers selected for appointment to the Indian Statistical Service at the initial constitution has been called for from the Ministries in which the officers are at present employed. The initial constitution of the Service will be taken up as soon as the requisite information is received from all Ministries. Since the Service has not yet been constituted, it will not be in the public interest to disclose the names of the officials selected for the Service at present.

#### U.K. Government Scholarships

\*748. { **Shri Kapur Singh**:  
**Shri Buta Singh**:

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

(a) whether it is a fact that U.K. Government have announced on 5th September that Commonwealth Scholarships and fellowships will reach 500 in the next year;

(b) if so, the number of awards made to Indian students during the last three years, and how many such students are, at present, studying under these awards; and

(c) what procedure and tests our Government have adopted while

making recommendations for the awards?

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

(b) 112 Indian Scholars were awarded scholarships in the last three years. 92 Scholars are still continuing their studies in U.K.

(c) The Scholarships are advertised and a panel of names on the basis of merit is prepared by a Selection Committee set up for the purpose. The Candidates are finally selected by the Scholarships Commission in U.K.

#### Youth Vocational Centres

\*749. { Shri Yashpal Singh:  
Shri Sarjoo Pandey:  
Shri Onkar Lal Berwa:  
Shri P. K. Deo:  
Shri A. N. Vidyalankar:  
Shri Sidheshwar Prasad:

Will the Minister of Education be pleased to state:

(a) whether Government have decided to set up Youth Vocational Centres in the country;

(b) whether State Government have favoured the scheme; and

(c) the criteria for the setting up of such centres and when they will be started?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):** (a) and (b). Yes, Sir.

(c) The centres will be attached to suitable schools, which will be selected by State Governments. Depending upon the co-operation and enthusiasm of the State Governments, the first twenty centres are expected to be established with effect from 1st July, 1964.

#### Multipurpose Schools

\*750. { Shri P. R. Chakraverti:  
Shri P. C. Borooah:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Secondary Education Commission suggested the setting up of multipurpose schools to make secondary education complete in itself;

(b) how far the objectives have been achieved;

(c) whether it is a fact that professional men declined to be teachers in multipurpose schools and, consequently, vocational subjects were not properly taught; and

(d) if so, the steps proposed to be taken in the matter?

**The Minister in charge Ministry of Education (Shri Hamayun Kabir):** (a) The Commission did recommend the setting up of such schools in order to make secondary education more useful to the individual and the community.

(b) It is too early to give a definite judgement but the results are promising where schools have been well-staffed and well-equipped.

(c) Government are aware that such difficulties have arisen in many multipurpose schools.

(d) The Regional Colleges of Education set up by the National Council of Educational Research and Training have instituted special courses to train teachers of practical subjects. Efforts are being made to attract good teachers by improving the salary scales. Steps are also being taken to review the syllabus and provide better facilities for instructions of pupils.

**Higher Secondary Education**

- \*751. { Shri Bhagwat Jha Azad:  
 Shri Balkrishna Wastik:  
 Shri D. D. Mantri:  
 Shri Gulshan:  
 Shri Buta Singh:  
 Shri Sidheshwar Prasad:  
 Dr. L. M. Singhvi:  
 Shri Warior:  
 Shri Harish Chandra  
 Mathur:  
 Shri Bade:

Will the Minister of Education be pleased to state:

(a) whether higher secondary education has proved a failure;

(b) whether Government propose to strengthen the high school system; and

(c) the opinion of the State Education Secretaries' conference held at Delhi in the last week of June, 1963?

**The Minister in charge Ministry of Education (Shri Hamayun Kabir:**

(a) No, Sir.

(b) Government have continually under review measures for improving and strengthening education at the high school and other levels.

(c) The Conference did not express any opinion on the pattern of secondary education.

**Administrative Reforms**

- \*752. { Shri P. Venkatasubbaiah:  
 Shri Onkar Lal Berwa:  
 Shrimati Shashank Manjari:  
 Shri P. C. Borooah:  
 Shri Shree Narayan Das:  
 Shri Harish Chandra  
 Mathur:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Government propose to set up a high powered Commission to suggest administrative reforms in the Government;

(b) if so, the terms of reference of the Commission; and

(c) whether this Commission will suggest administrative reforms in State Governments also?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):**  
 (a) to (c). No precise proposals have yet been formulated. Before a final decision can be taken further consideration is necessary.

**Oil Pipe Lines**

- \*753. { Shri Indrajit Gupta:  
 Shri Yashpal Singh:

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

(a) whether an American firm—Messrs. Bechtel (Asia) Corporation—has been engaged for supervising construction work of the Haldia-Barauni and Gauhati-Siliguri oil pipe lines;

(b) if so, the fees chargeable by this firm; and

(c) whether supervisory engineers are not available in the country to do this work?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) M/s. Bechtel (Asia) Corporation have been appointed as engineer-manager for the Gauhati-Siliguri pipeline. A proposal to appoint Bechtel Corporation as Manager of construction for the Haldia-Barauni-Kanpur Pipeline is under examination.

(b) As regards the Gauhati-Siliguri pipeline, the fees payable to this firm are as follows:

	Rs. in lakhs
(i) fee for technical services rendered in U.S.A.	11.45
(ii) fee for technical services rendered in India	12.87
(iii) re-imburseable expenses according to actual expenditure incurred in India but subject to a ceiling of Rs. 7.31 lakhs.	

As regards the Haldia-Barauni-Kanpur pipeline, the terms are under negotiation.

(c) No, Sir.

#### Legislation for Removal of Judges

\*753-A. { Shri Hari Vishnu Kamath:  
Shri Yashpal Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to initiate Legislation in pursuance of Article 124(5) of the Constitution;

(b) if so, when; and

(c) if not, the reasons therefor?

**The Minister of Home Affairs (Shri Nanda):** (a) and (b). The matter is under consideration.

(c) Does not arise.

#### Shraven's Chit Fund Private Limited

\*755. Shri Yashpal Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that there was an incident of fire in the Head Office of Shraven's Chit Fund Private Limited at Lajpat Nagar, New Delhi;

(b) whether the Company was declared liquidated thereafter; and

(c) whether the cause of fire has been investigated and action taken against the management?

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

(a) Yes, Sir.

(b) No, Sir.

(c) The probable cause of the fire is supposed to be "dropped light". The police after investigation have filed a charge-sheet against the management and the matter is sub-judice.

#### New Building of Salarjung Museum

\*2074. { Shri Eswara Reddy:  
Shri E. Madhusudan Rao:

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

(a) when the new building of Salarjung Museum at Hyderabad will be completed;

(b) the cost of the proposed building; and

(c) the total daily income from the Museum at present?

**The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir):** (a) and (b). The first phase of the new building of the Salarjung Museum costing about Rs. 38.82 lakhs is expected to be completed by the end of July 1966.

(c) About Rs. 1,000.

#### Political Sufferers

\*2075. { Shri Ramachandra Ulaka:  
Shri Dhuleshwar Meena:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1201 on the 27th March, 1963 and state:

(a) whether the Orissa Government have sent any report regarding the pending applications of the political sufferers of Orissa;

(b) if so, the amount distributed by Government; and

(c) the total amount distributed to political sufferers of Orissa upto the end of July, 1963?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) Yes.

(b) Rs. 500 .

(c) Rs. 18,050

### Welfare of Scheduled Castes and Scheduled Tribes in Orissa

**2076. Shri Ramachandra Ulaka:** Will the Minister of Home Affairs be pleased to state:

(a) whether any amount was surrendered by Orissa Government as unspent in 1962-63 under the State and centrally sponsored schemes for

the welfare of Scheduled Castes and Scheduled Tribes of the State; and

(b) if so, the details thereof?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) Yes.

(b) The details are as given below:—

(Rs. in lakhs)

Category of Backward Classes	Central Sector			State Sector		
	Allocation 1962-63	Expenditure 1962-63	Shortfall (—) Excess (+)	Allocation 1962-63	Expenditure 1962-63	Shortfall (—) Excess (+)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Scheduled Tribes	40.27	38.30	(—) 1.97	54.94	48.97	(—) 5.97
Scheduled Castes	12.18	11.78	(—) 0.40	15.98	16.31	(+) 0.33
<b>TOTAL</b>	<b>52.45</b>	<b>50.08</b>	<b>(—) 2.37</b>	<b>70.92</b>	<b>65.28</b>	<b>(—) 5.64</b>

### Departmental Workshops in Utkal University

**2077. Shri Rama Chandra Mallick:** Will the Minister of Education be pleased to state:

(a) whether any grant or loan was given to the Utkal University by the University Grants Commission for developing and strengthening its departmental workshops during 1960-61 and 1961-62;

(b) if so, the amounts thereof; and

(c) the amount of grant or loan given or proposed to be given to the said University for the same purpose during 1963-64?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):** (a) and (b). There are no depart-

mental workshops in Utkal University. A grant of Rs. 5.299 was paid to the University in 1960-61 for the purchase of equipment to establish a Central Workshop to serve the needs of all its Departments. No grant was paid during 1961-62.

(c) Nil.

### Engineering College Building in Orissa

**2078. Shri Rama Chandra Mallick:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state the total amount of grant or loan given by the Central Government for construction of buildings for engineering colleges in Orissa during 1960-61, 1961-62 and 1962-63?

**The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir):**

(a)	Grants	1960-61	1961-62	1962-63
		Rs.	Rs.	Rs.
	Regional Engineering College, Rourkela	..	..	31,00,000
	college of Engineering, Burla	4,615	2,31,409	2,61,000
	TOTAL	4,615	231,409	33,61,000

## (b) Loans :

	Regional Engineering College, Rourkela	..	..	34,80,730
	College of Engineering, Burla	6,00,000	..	..
	TOTAL	6,00,000	..	34,80,730

**Engineering and Technical Education in Utkal University**

**2079. Shri Rama Chandra Mallick:**  
Will the Minister of Education be pleased to state:

(a) the total grant given to the Utkal University Grants Commission for the development of engineering and technological education during 1960-61 and 1961-62; and

(b) the total grant given or proposed to be given so far to the said University by the University Grants Commission for the same purpose during 1963-64?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):**

(a) and (b). Grants amounting to Rs. 4,615 and Rs. 2,31,409 were paid during 1960-61 and 1961-62 respectively. A sum of Rs. 1,98,457 is proposed to be paid during 1963-64.

**Essential Scientific Instruments of Utkal University**

**2080. Shri Rama Chandra Mallick:**  
Will the Minister of Education be pleased to state:

(a) whether any grant or loan has been given to the Utkal University by the University Grants Commission for purchase of essential scientific equipments during 1960-61 and 1961-62;

1256 (Ai) LSD—3.

(b) if so, the amounts thereof; and

(c) the total amount of grant or loan given or proposed to be given for the same purpose during 1963-64 to the Utkal University?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):**

(a) to (c). Grants amounting to Rs. 32,292 and Rs. 38,000 were given during 1960-61 and 1961-62 respectively. A sum of Rs. 60,000 is proposed to be provided in the revised budget estimates for 1963-64 for this purpose.

**Grants to Madras University**

**2081. Shri M. G. Thengondar:** Will the Minister of Education be pleased to state:

(a) the total financial grant given to the Madras University by the University Grants Commission during 1961-62 and 1962-63:

(b) the amount earmarked for 1963-64; and

(c) the main purposes for which the grant is given to the university?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):**

(a) 1961-62	Rs. 40,33,310
1962-63	Rs. 22,24,983

(b) No grants are earmarked by the Commission. Funds are released

depending upon the progress made by the University in the implementation of the various schemes.

(c) The grants have been given mainly for the following:—

- (i) Development of Post-Graduate Teaching in Humanities and Science.
- (ii) Revision of pay scales of Teachers.
- (iii) Fellowships and Scholarships.
- (iv) Development of Libraries.
- (iv) Development of Libraries.
- (vi) Construction of hostels.
- (vii) Development of Three-Year Degree Course.
- (viii) Development of Engineering and Technology.
- (ix) Construction of the Centenary Building.

#### Juvenile Delinquency

2082. { Shri Ram Harkh Yadav:  
Shri D. C. Sharma:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that juvenile delinquency is on the increase in the country;

(b) if so, the causes thereof; and

(c) the latest facts and figures about the same?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) Yes.

(b) The main causes responsible for the increase in juvenile delinquency are: (i) rapid industrialisation and urbanisation in the country resulting in acute housing problem, creation of slums and the environmental atmosphere of such localities; (ii) decline of the joint family system and the loosening of parental control over growing children with the result that they fall into unscrupulous hands and are exploited for purposes of unsocial activities; (iii) fading away of reli-

gious, spiritual and moral values; (iv) availability of cheap entertainment, obscene literature, horror comics, thrilling crime movies etc.

(c) The following are the numbers of juveniles apprehended during the years 1958-62:—

1958	29774
1959	47925
1960	49276
1961	53776
1962	53803

To deal with the problem various preventive and rehabilitative measures have been taken, such as, enforcement of Children's Act in the States and Union Territories, establishment of Children's Homes, creation of Juvenile Police Units, Juvenile Bureaux and opening of Boys Clubs etc. States are being given Central financial assistance for the establishment of juveniles' institutional services under Social Defence (Care) programme.

#### India International Centre, New Delhi

2083. **Shri Sezhiyan:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1003 on 20th March, 1963 and state:

(a) the cost of the imported material actually used in the construction of the India International Centre, New Delhi;

(b) the value of the imported goods lying unutilised;

(c) whether Government have issued any instructions for disposal of unused goods; and

(d) if so, the details thereof?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):**  
(a) Rs. 2,03,342.55 nP.

(b) to (d). The Government agreed to the disposal of surplus material

valued at Rs. 2,69,913.24 nP. by private negotiations to the best advantage of the India International Centre, New Delhi. The Centre was informed that in disposing of such surplus material through negotiations, preference should be given to non-profitable organisations like schools, colleges, hospitals or even to public institutions rather than to private parties. Most of the surplus material has since been disposed of.

#### National Foundation for Teachers Welfare

**2084. Shri Ram Harkh Yadav:** Will the Minister of Education be pleased to state the aid so far given to the National Foundation for Teachers' Welfare by the Government of India?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):** The Government of India have sanctioned a non-recurring grant of Rs. 5 lakhs to the Foundation, during 1962-63.

#### Iron Ore in Kozhikode

**2085. Shri A. V. Raghavan:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether there is any proposal to conduct geological investigation to locate iron ore in the Kozhikode District of Kerala;

(b) if so, when the work will commence; and

(c) whether there is any proposal to conduct similar surveys in any other districts of Kerala?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) No.

(b) Does not arise.

(c) Yes. It is proposed to examine the iron ore occurrences in Kasargod taluk in Cannanore district in the 1963-64 field season.

#### भारत सेवक समाज की सहायता

**२०८६. श्री रणजय सिंह :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सेवक समाज को शिविरों के संचालनार्थ जो आर्थिक सहायता शिक्षा मंत्रालय से मिला करती थी वह बहुत कम कर दी गयी है ;

(ख) क्या अब केवल परिवार नियोजन संबंधी शिविरों के लिये आर्थिक सहायता दी जायगी ;

(ग) यदि हाँ, तो प्रत्येक शिविर के लिये अधिक से अधिक कितनी राशि दी जायगी ; और

(घ) क्या किसी अन्य प्रकार के शिविर आयोजित करने के लिये भी आर्थिक सहायता दी जाती है ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून कबिर):** (क) कुछ कटौती की गई है ।

(ख) जो नहीं ।

(ग) प्रश्न नहीं उठता ।

(घ) श्रम और समाज सेवा शिविरों के लिये अनुदान दिये जाते हैं ।

#### Legal Aid to Scheduled Castes and Scheduled Tribes in Orissa

**2087. { Shri Dhuleshwar Meena:  
Shri Ramachandra Ulaka:**

Will the Minister of Home Affairs be pleased to state:

(a) whether legal aid has been given by the Government of Orissa to Scheduled Castes and Scheduled Tribes during 1962-63; and

(b) if so, the amount spent so far during the same period?



**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) Yes.

(b) Rs. 3,100.

### Coal Mines in Orissa

2088. { **Shri Dhuleshwar Meena:**  
**Shri Ramachandra Ulaka:**

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

(a) the number of coal mines in Orissa under the control of National Coal Development Corporation at present; and

(b) the number of coal mines in the State in the hands of private companies at present?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) The National Coal Development Corporation has five mines under their control in Orissa.

(b) Three coal mines are owned by private companies in Orissa.

### Scholarships Allotted to Technical Institutes

2089. { **Shri Dhuleshwar Meena:**  
**Shri Ramachandra Ulaka:**

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

(a) the number of merit-cum-means scholarships allotted to each technical institute in Orissa during 1962-63; and

(b) the amount proposed to be given to that State for the said purpose during 1963-64?

**The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir):** (a) In addition to the renewal of scholarships allotted previously, the number of fresh scholarships allotted to Technical Institutes in Orissa during 1962-63 under the

Merit-cum-Means scholarships scheme is as given below:—

Name of the Institute	No. of scholarships allotted
<b>I. Institutions for first Degree Courses</b>	
University College of Engineering, Burla	14
<b>II. Institutions for Diploma Courses</b>	
1. Jharasaguda School of Engineering, Jharasaguda	2
2. Orissa School of Engineering, Cuttack	5
3. Berhampore Engineering School, Berhampore	4
4. Orissa School of Mining Engineering, Keonjhar	2
5. Bhadrak School of Engineering, Bhadrak	3
6. Kendrapara School of Engineering, Kendrapara	2
<b>TOTAL</b>	<b>18</b>
<b>(b)</b>	
	<b>Rs.</b>
For Degree	42,300.00
For Diploma	16,050.00
<b>TOTAL</b>	<b>58,350.00</b>

### Pay Scales of Orissa College Teachers

2090. { **Shri Dhuleshwar Meena:**  
**Shri Ramachandra Ulaka:**

Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 2525 on the 5th June, 1962 and state:

(a) the names of affiliated colleges of the Utkal University, which received financial assistance from the University Grants Commission for improvement of pay scales of teachers during 1960-61 and 1961-62; and

(b) the amount granted to each college during the aforesaid period?

**The Minister in charge Ministry of Education (Shri Hamayun Kabir):** (a) and (b).

Name of the College	Grants paid	
	1960-61	1961-62
	Rs.	Rs.
(i) Christ College, Cuttack	27,479.59	10,480.08
(ii) Khalikote College, Bhrampur	50,850.14	
(iii) Bhadrak College Bhadrak	44,496.05	
(iv) Sundergarh College, Sundergarh		1,037.21

#### Loan for Studies Abroad

2091. { Shri Dhuleshwar Meena:  
Shri Ramachandra Ulaka:

Will the Minister of Education be pleased to state:

(a) the number of students who went to foreign countries for studies after taking loan from Government of India under the schemes administered by his Ministry during the first year of the Third Plan;

(b) the number of such students who belonged to Orissa; and

(c) the total amount given to each of the Orissa students during the same period?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):** (a) 4.

(b) Nil.

(c) Does not arise.

#### Microfilming of Rare Manuscripts

2092. Shri Shree Narayan Das: Will the Minister of Education be pleased to state:

(a) the number of important old and rare manuscripts which have been microfilmed during 1962 and 1963 by the unit of the National Archives of India; and

(b) whether the work is going on or has since been completed?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):** (a)

Year	No. of exposures
1962.	1,86,329
1963 (to date)	1,14,382

(b) The work of microfilming is a continuing process and the question of its completion does not arise.

#### इंजीनियरिंग शिक्षा

२०९३. श्री यशपाल सिंह : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सुझाव दिया गया है कि इंजीनियरिंग की शिक्षा में ग्रामूल परिवर्तन की आवश्यकता है ; और

(ख) यदि हां, तो सरकार इस सिलसिले में क्या करने जा रही है ?

**वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री (श्री हुसैन कबीर) :** (क) और (ख). जी नहीं, लेकिन अखिल भारतीय तकनीकी शिक्षा परिषद् की सिफारिशों पर, तकनीकी शिक्षा के पुनर्गठन और सुधार के लिये निम्नलिखित काम किये गये हैं :—

(१) पंचवर्षीय इंटेग्रेटेड डिग्री कोर्सों की शुरूआत जिनमें विज्ञान और गणित की मात्रा ज्यादा हो।

(२) दो साल के मान्टर डिग्री कोर्सों की शुरूआत।

(३) पोलिटेक्नीकों में दो साल के तकनीशियनों के कोर्सों की शुरुआत जिसमें उद्योग की और कार्यात्मक अभिविन्य से किया गया

**Amalgamation of Small Collieries**

**2094. Shri Bhagwat Jha Azad:** Will the Minister of Mines and Fuel be pleased to state:

(a) the response of the private colliery owners to Government's suggestion for voluntary amalgamation of the uneconomic and otherwise sick units; and

(b) whether some of them have agreed to the proposal?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) and (b). Out of 46 proposals approved by the Collieries Voluntary Amalgamation Committee for amalgamation and adjustment of boundaries, actual amalgamation has been effected in 31 cases upto the end of August, 1963.

**Sanskrit Conference**

**2095. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether the Sanskrit Conference organised by the U.P. Arya Pratinidhi Sabha in observance of its diamond Jubilee celebrations at Lucknow in May, 1963 urged the Union Government to make Sanskrit an associate language; and

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

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) Certain reports have appeared in newspapers to this effect.

(b) Government do not propose to take any action in the matter.

**Fire in Motia Khan, Delhi**

**2096. { Shri D. C. Sharma:  
Shri Raghunath Singh:**

Will the Minister of Home Affairs be pleased to state:

(a) whether a body died in a blaze which destroyed 43 jhuggies and damaged 17 workshops in Motia Khan, Delhi, on the 20th May, 1963;

(b) whether any enquiry was instituted into the cause of the fire; and

(c) if so, its findings?

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

(a) Yes.

(b) Yes.

(c) The inquiry revealed that the fire was caused accidentally by a spark from a tea-stall.

**हिन्दी का प्रयोग**

२०९७ { श्री भक्त दर्शन:  
श्री हेमराज:

क्या गृह-कार्य मंत्री २४ अप्रैल, १९६३ के अतारकित प्रश्न संख्या २२६८ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि जब से सरकारी कार्यालयों में सरकारी कामकाज में अंग्रेजी के साथ साथ हिन्दी का अधिकाधिक प्रयोग करने के कार्य की समीक्षा करने वाली विभागीय समिति नियुक्त की गई है तब से भारत सरकार के विभिन्न मंत्रालयों व अन्य कार्यालयों में हिन्दी के अधिकाधिक प्रयोग में क्या प्रगति हुई है?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरतबीस) : कमेटी का काम है केवल समन्वय स्थापित करना और प्रोग्राम को कार्यान्वित करने की जिम्मेवारी संबंधित मंत्रालयों की है। विभिन्न मंत्रालयों से जो रिपोर्टें मिली हैं उनसे मालूम होता है कि पिछले करीब एक साल के अन्दर प्रारम्भिक कार्यक्रम में तथा विभिन्न राजकीय प्रयोजनों के लिये हिन्दी के प्रयोग में प्रगति हुई है।

**National Coal Development Corporation**

**2098. Shrimati Savitri Nigam:** Will the Minister of Mines and Fuel be pleased to state:

(a) the steps taken by the National Coal Development Corporation for the welfare of workers; and

(b) the special amenities provided to workers since the formation of the Corporation?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) and (b). In accordance with the provisions of the Mines Act and other Statutory Rules, the Corporation has provided in its collieries such amenities as canteens, shelters, drinking water supply, first aid appliances, pithead baths and creches.

The Corporation also runs a number of hospitals and dispensaries with both indoor and out-door facilities. Houses have been constructed both for workers and other staff. Primary and Middle schools have been provided with the co-operation of the Mines Board. The Corporation is also giving financial assistance to some of the high schools run in areas where N.C.D.C.'s collieries are located. Arrangements have been made for transport for school-going children of workers at a nominal charge. Provision has also been made for recreational facilities and three community radio sets have been installed at suitable places. A number of co-operative stores have been established from where workers can get commodities of daily use at reasonable prices. These co-operative stores are given financial assistance in the form of loans and subsidies. Free electricity has been sanctioned to all workers drawing a pay upto Rs. 400 per month. A compassionate gratuity scheme has been introduced for the benefit of families and dependents of deceased workers.

#### Compensation for Acquired Lands

**2099. Shrimati Savitri Nigam:** Will the Minister of Mines and Fuel be pleased to state:

(a) the progress made in paying compensation to those whose lands have been acquired for mining and other purposes by the Ministry of Mines and Fuel in 1962-63;

(b) the compensation due for payment; and

(c) the number of applications still under consideration?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) to (c). The Ministry of Mines and Fuel did not acquire any land during 1962-63.

A statement giving the required information in respect of lands acquired for the Undertakings under this Ministry is laid on the Table of the House. [Placed in the Library, see No. LT-1759/63].

#### Welfare of Physically Handicapped Children

**2100. Shrimati Savitri Nigam:** Will the Minister of Education be pleased to state the amount of grants given to various voluntary organisations for the welfare of the blind, the deaf and dumb, the mentally retarded and the orthopaedically handicapped children during 1959-60, 1960-61 and 1961-62?

**The Minister incharge Ministry of Education (Shri Hamayun Kabir):** The following amounts have been given:—

Year	Amount given
1959-60.	Rs. 1,79,538
1960-61.	Rs. 5,73,958
1961-62.	Rs. 3,48,096

In addition to the above the Central Social Welfare Board have also given the following grants to the institutions for handicapped persons including children:—

1959-60	Rs. 2,10,100
1960-61	Rs. 1,91,950
1961-62	Rs. 8,46,100

#### Fire in National Physical Laboratory, New Delhi

**2101. Shri P. C. Borooah:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that on the 5th June, 1963 employees of the

National Physical Laboratory, New Delhi received burns in a fire that broke out in the heat and power section of the Laboratory; and

(b) if so, the cause of the fire?

**The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir):** (a) and (b). Yes, Sir. A Senior Laboratory Assistant of the Laboratory was setting up an experiment for calibration of pyrometer at low temperature. In this connection, he was preparing a low temperature bath with alcohol cooled by liquid air. During cooling and stirring, high static potential may have been generated and caused explosion and fire.

**विदेश भेजे गये अनुसूचित जाति के विद्यार्थी**

**२१०२. श्री बीरुपा :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) उनके मंत्रालय के अधीन योजनाओं के अन्तर्गत जनवरी, १९६० से जून, १९६३ तक अनुसूचित जाति के कितने हरिजन विद्यार्थियों को उच्च अध्ययन के लिये विदेश भजा गया ; और

(ख) वे किन-किन देशों को भेजे गये हैं और प्रत्येक देश को कितने विद्यार्थी भेजे गये हैं ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून कबिर) :** (क) चार ।

(ख) ब्रिटेन—२  
अमरीका—२

**दिल्ली के स्कूलों को मिले अनुदान**

**२१०३ { श्री सिद्धेश्वर प्रसाद :  
श्री प्र० रं० चक्रवर्ती :**

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान २२ जून, १९६३ के 'नवभारत टाइम्स' में प्रकाशित

उस समाचार की ओर गया है जिसमें यह बताया गया है कि दिल्ली के उच्च और उच्चतर विद्यालय कृत्रिम आंकड़ों दिखा कर सरकार से अनुदान की वसूली करते हैं ;

(ख) यदि हाँ, तो क्या सारी बात की पूरी तरह से जांच करा कर एक विवरण सभा पटल पर रखा जायेगा ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून कबिर) :** (क) जी, हाँ ।

(ख) यह समाचार, अनुदान के आधार के विषय में गलत सूचना और अनुत्तीर्ण छात्रों के अत्युचितपूर्ण आंकड़ों पर आधारित है ।

**दिल्ली के स्कूलों में दाखिला**

**२१०४ { श्री सिद्धेश्वर प्रसाद :  
श्री प्र० रं० चक्रवर्ती :**

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान इस बात की ओर गया है कि दिल्ली के स्कूलों में दाखिले के लिये उन स्कूलों के प्रबन्धकों को दान देने वाले अभिभावकों के बच्चों के नाम अन्य लोगों के बच्चों की अपेक्षा आमानी से दर्ज किये जाते हैं ;

(ख) यदि हाँ, तो क्या इसके औचित्य पर विचार कर लिया गया है ; और

(ग) क्या यह सरकारी अनुमति से किया जाता है ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून कबिर) :** (क) जी, हाँ, ऐसी कुछ शिकायतें सरकार के ध्यान में आई हैं ।

(ख) जी हाँ ।

(ग) जी, नहीं ।

**College of Leather Technology**

2105. **Shri P. K. Deo:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether ten lac rupees were sanctioned for the improvement of the College of Leather Technology in West Bengal;

(b) whether the amount has been utilised for the purpose; and

(c) if not the reasons thereof?

**The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir):** (a) A Scheme estimated to cost Rs. 10.76 lakhs non-recurring to be shared equally between the State and the Central Governments, Rs. 1.54 lakhs recurring to be shared equally between the State and the Central Governments for five years and Rs. 2.70 lakhs as loan for hostel buildings has been sanctioned.

(b) and (c). The scheme is being implemented in a properly phased manner. An amount of Rs. 4.91 lakhs has been spent upto 31st March, 1963.

**Country-wise Mineral Maps**

2106. { **Shri S. C. Samanta:**  
**Shri B. K. Das:**  
**Shri M. L. Dwivedi:**

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

(a) whether it is a fact that the Director-General of Geological Survey of India has prepared some country-wise mineral maps;

(b) if so, for which countries;

(c) whether they have been submitted to ECAFE;

(d) in what capacity those maps were prepared; and

(e) for what use these maps have been compiled?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) and (b). Under the aegis of the Economic Commission

for Asia and the Far East the Director General, Geological Survey of India has, in co-ordination with the Director, Geological Survey of Japan, compiled a draft Mineral Distribution Map of Asia and the Far East on the scale of 1:5 millions. This map is based on data furnished by the following member countries of ECAFE in the shape of mineral maps on a scale of 1:2 millions:—

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Afghanistan,	Japan,
Breunei,	Laos,
Burma,	Malaya,
Combodia,	North Borneo,
Ceylon,	Nepal,
Dutch New Guinea,	North Korea,
India,	Pakistan
Iran,	Philippines,
Indonesia,	Sarawak
South Korea,	Thailand,
Taiwan and	Vietnam.

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(c) The draft Mineral Distribution Map was submitted to ECAFE in April, 1963.

(d) The work was undertaken by the Director-General, Geological Survey of India in his capacity as the Co-ordinator for the Preparation of a Mineral Distribution Map of Asia and the Far East for the ECAFE.

(e) The Map will be the first of its kind for the ECAFE region and will provide useful scientific information of a fundamental nature. Such a presentation will also be of considerable utility in assessing the possibilities of the economic development of the ECAFE region.

**Immoral Trafficking in Delhi**

2107. { **Shrimati Savitri Nigam:**  
**Shri Mohan Swarup:**

Will the Minister of Home Affairs be pleased to state:

(a) whether there is any proposal to set up an enquiry committee to find out the extent to which the

Suppression of Immoral Trafficking in Women Act has been effective in Delhi; and

(b) whether it is also a fact that brothels are still being run in the G.B. Road area, Delhi?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) No, but an advisory committee consisting of non-officials advises the Chief Commissioner in this behalf.

(b) No.

#### Unidentified Dead Bodies in Delhi

**2108. Shrimati Savitri Nigam:** Will the Minister of Home Affairs be pleased to state the number of unidentified dead bodies found in the Capital in May and June, 1963?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** 25 (Twenty five).

#### Mysore High Court

**2109. Shri Sivamurthi Swamy:** Will the Minister of Home Affairs be pleased to state:

(a) the number of cases pending in the High Court of Mysore now; and

(b) the number out of them which have been heard but on which judgement has not been delivered so far?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) 7910 cases were pending as on 31st August, 1963.

(b) 10.

#### Loans for Studies Abroad

**2110. Shri Sivamurthi Swamy:** Will the Minister of Education be pleased to state the amount actually given to students in the shape of loans for study in our country and in foreign countries during 1961-62 and 1962-63 under the schemes administered by his Ministry?

**The Minister incharge Ministry of Education (Shri Humayun Kabir):**

#### Our Country

1961-62	}	Nil
and 1962-63		

#### Foreign countries

Rs.

1961-62	.	9,996
1962-63	.	17,567

#### मेधावी बच्चों की शिक्षा

**२१११. श्री सिद्धेश्वर प्रसाद:** क्या शिक्षा मंत्री य् बताने की कृपा करेंगे कि :

(क) केन्द्रीय शिक्षा अनुसंधान संस्थान या किसी अन्य संस्था या समिति के द्वारा मेधावी बच्चों की शिक्षा संबंधी समस्याओं का अध्ययन किया गया है ;

(ख) यदि हाँ, तो उस अध्ययन से क्या निष्कर्ष निकला ; और

(ग) मेधावी बच्चों की शिक्षा के प्रबन्ध के लिये अब तक सरकार ने क्या व्यवस्था की है ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून कबीर):** (क) से (ग). राष्ट्रीय शिक्षा अनुसंधान और प्रशिक्षण परिषद ने "प्राथमिक और माध्यमिक स्कूलों में मेधावी बच्चों की पहिचान और उनका प्रभाव क्षेत्र" नामक अध्ययन शुरू किया है। माध्यमिक स्कूल स्तर पर वैज्ञानिक निपुणता की पहिचान और प्रोत्साहन के लिये, परिषद ने दिल्ली में एक प्रायोगिक प्रायोजना भी शुरू की है। इस प्रायोगिक प्रायोजना की कार्यपद्धति से प्राप्त अनुभव के आधार पर, इस कार्यक्रम को विकसित करने का विचार है।

### Papers re. Constitution of India

2112. Dr. L. M. Singhvi: Will the Minister of Education be pleased to state:

(a) whether Government have taken any steps in the direction of acquiring for the National Archives the papers of (1) Dr. Rajendra Prasad, (2) Dr. Ambedkar, (3) Shri Alladi Krishnaswami Ayyar and (4) Shri K. M. Munshi in regard to the making of the Constitution of India;

(b) if so, with what result;

(c) what executive action is being taken for the acquisition of documents of national importance; and

(d) whether any legislation is proposed in the matter?

The Minister incharge Ministry of Education (Shri Humayun Kabir):

(a) and (b). Some informal talks had taken place regarding the acquisition of private papers of the late Dr. Rajendra Prasad but the matter could not be pursued further due to his pre-mature death. As regards Dr. Ambedkar's papers, a request was made to his widow for their transfer to the National Archives of India but no reply has so far been received from her. No action has been taken so far to acquire the papers of Sarvaswami Alladi Krishnaswami Ayyar and K. M. Munshi.

(c) No executive action is contemplated in the matter. Efforts to persuade the owners to part with their papers voluntarily are, however, made, whenever necessary.

(d) No, Sir.

### Extraction of Oil from Kuth

2113. Shri Hem Raj: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the progress made in the experiments being carried on for the extraction of oil from Kuth from Lahaul district of Punjab in the

National Chemical Laboratories, Poona;

(b) the uses for which its Khali (refuse) can be put; and

(c) whether any experiments have been made to that effect also?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Experiments for extraction of oil are underway.

(b) and (c). No experiments in this behalf have been carried out; but it may be useful for the Agarbathi industry.

मैला उड़ने के लिये ठेला गाड़ियां .

२११४. श्री मोहन नायक : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) उड़ीसा राज्य की कितनी नगर-पालिकाओं में मैला और गन्दगी ले जाने के लिये ठेला गाड़ियां काम में लायी जाती हैं ; और

(ख) इसके लिये केन्द्र सरकार ने अप्रैल, १९५७ से अप्रैल, १९६३ तक कुल कितना धन मंजूर किया ?

गृह-कार्य मंत्रालय में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) ३४ ।

	रु०
(ख) १९५७-५८	३६,०००
१९६०-६१	५५,०००
१९६१-६२	७७,०००
१९६२-६३	२,००,०००
योग	३,७१,०००



नेत्रहीन व्यक्तियों के लिए लायन्स क्लब

२११५. { श्री श्रीकारलाल बेरवा :  
श्रीमती शशांक मजरी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार देश भर में नेत्रहीन आदिमियों के लिये लायन्स क्लब बनाने पर विचार कर रही है ;

(ख) यदि हाँ, तो इस वक़्त सरकार की देख-रेख में कितने रोजगार केन्द्र चल रहे हैं ; और

(ग) उनमें कितने नेत्रहीन व्यक्ति काम कर रहे हैं ?

शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायुन कबीर) : (क) जी नहीं। 'लायन्स क्लब' व्यापारिक और व्यावसायिक व्यक्तियों द्वारा निजी क्षेत्र में स्थापित 'सर्विस क्लब' हैं।

(ख) और (ग). प्रश्न नहीं उठते।

विस्फोटक पदार्थों का पकड़ा जाना

२११६. { श्री श्रीकारलाल बेरवा :  
श्रीमती शशांक मजरी :

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

(क) क्या यह सच है कि १८ अगस्त, १९६३ को पुलिस ने जनपथ पर १५ टोन विस्फोटक पदार्थ एक दुकानदार से बरामद किये ;

(ख) यदि हाँ, तो इन दोनों में क्या क्या विस्फोटक वस्तुएँ थीं ;

(ग) यह विस्फोटक पदार्थ कितने मूल्य के थे ; और

(घ) उस दुकानदार के विरुद्ध सरकार ने क्या कार्यवाही की ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरतबीस) : (क) जी हाँ। १७ अगस्त, १९६३ को विस्फोटक पदार्थों की १५ गते की पेटियाँ बरामद की गई थीं।

(ख) प्रत्येक पेटि में पचास पचास गनकार्क पोटाशियम क्लोरेट तथा आर्सेनिक सल्फाईड के निश्चित मिश्रण के बरामद हुये, अर्थात् कुल मिलाकर ७५० गनकार्क।

(ग) पन्द्रह रुपये तथा

(घ) दुकानदार पर भारतीय विस्फोटक अधिनियम की धारा ६ के अधीन मुकदमा चलाया जा रहा है।

#### Training in Petroleum Technology

2117. { Shri Ramachandra Ulaka:  
Shri Dhuleshwar Meena:

Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 911 on the 17th April, 1963, and state:

(a) whether the expert committee have since considered the problem of expansion of training facilities in Petroleum Technology; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b) The recommendations of the Committee are awaited.

#### Design and Engineering Unit of C.S. & I.R.

2118. { Shri Ramachandra Ulaka:  
Shri Dhuleshwar Meena:

Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 905 on the 17th April, 1963 and state the latest progress made regarding the establishment of design and engineering unit

in the Council of Scientific and Industrial Research to assist in evaluating processes developed in national laboratories?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** The Design and Engineering Unit has been established and a nucleus staff recruited. The Unit has been functioning since last June and is at present handling eight Projects at various stages. One of the Projects has been nearly completed and a project report would be submitted shortly.

#### Panel for Section Officers

2119. { Shri Ramachandra Ulaka:  
Shri Dhuleshwar Meena:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 191 on the 10th November, 1962 and state:

(a) whether Government have since considered the advice of the U.P.S.C. regarding the panel of Section Officers; and

(b) if so, the result thereof?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) and (b). It has since been decided that list of left-overs of the 1959 and 1960 examinations to be included in the Select List for the Section Officers' Grade should be prepared in consultation with the Union Public Service Commission in batches every year, to the extent of requirements during the five year period specified in the Rules.

#### Banaras Hindu University

2120. **Shri A. T. Sarma:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that Banaras Hindu University has abolished the Ayurvedic Section from its curriculum and has approached Central Government for financial aid to open the Post-Graduate course; and

(b) if so, the financial aid proposed to be given for the same?

**The Minister in charge Ministry of Education (Shri Humayun Kabir):** (a) and (b). Consequent upon the conversion of the Banaras Hindu University Ayurvedic College into the College of Medical Sciences in July, 1960, the University stopped fresh admissions to the Ayurvedic course. A scheme for setting up a Research and Post-Graduate Training Centre in Ayurveda was approved by the Government and the Centre has started functioning from the current academic session. A non-recurring grant of Rupees two lakhs and a recurring grant of Rupees one lakh has been sanctioned during 1962-63.

#### Promotion of M.A., B.T. Teachers in Delhi Schools

2121. **Shri Surendranath Dwivedy:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 2148 on the 3rd September, 1962 and state:

(a) whether it is a fact that promotion of M.A., B.T. teachers in Delhi Schools has not been made so far;

(b) if so, the reasons therefor; and

(c) the number of promotions made very recently and the proportion of both trained graduate and language teachers in it?

**The Minister in charge Ministry of Education (Shri Humayun Kabir):** (a) No, Sir.

(b) Does not arise.

(c) Recently Thirty three ad-hoc promotions have been made to the posts of language teachers (Hindi) Grade I—all from the cadre of language teachers (Hindi) Grade II.

**Separate Pay Commission for Delhi Teachers**

2122. { **Shri Umanath:**  
**Shri S. M. Banerjee:**

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Delhi Teachers' Association have demanded a separate Pay Commission to go into the wages and working conditions of the teachers;

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

(c) when the Commission is likely to be appointed?

**The Minister incharge Ministry of Education (Shri Hamayan Kabir):**

(a) No, Sir.

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

**Diploma Course in Delhi Polytechnic**

2123. **Shri Shree Narayan Das:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the question of introducing a part-time separate diploma or a certificate course at the Delhi Polytechnic has been recently considered by Government; and

(b) if so, with what results.

**The Minister of Scientific Research and Cultural Affairs (Shri Hamayan Kabir):** (a) No, Sir.

(b) The question does not arise.

**Vaporising Oil**

2124. **Shri P. C. Borooah:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether the Noonmati Refinery has recently added a new product to

its normal range of production, namely, the vaporising oil; and

(b) if so, the quantity of the oil so far produced and the production capacity of the refinery for this new product?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) Yes.

(b) About 800 tonnes so far. The production capacity is upto 24,000 tonnes per annum.

**Survey of Loading Facilities**

2125. **Shri P. C. Borooah:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether his Ministry has set up a technical Committee to carry out a survey of loading facilities required for the movement of box wagons; and

(b) if so, the composition and precise terms of reference of the Committee?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) and (b). A Technical Cell consisting of a Mechanical Engineer from the Railways and a Mining Engineer has been set up in the Coal Controller's organisation. The function of this Cell is:

- (1) to survey the possibility of installation of bunkers or other mechanical loading arrangements at collieries;
- (2) to assess the financial implications of the above; and
- (3) to suggest a phased programme of installing such arrangement, keeping in view the availability of the neces-

### Bailladila Iron Ore Deposits

2126. { **Shri P. Kunhan:**  
**Shri P. C. Borooah:**

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

(a) whether a six-member Japanese survey team headed by Mr. Sadao Sugamata of Yawata Iron and Steel Company visited Madhya Pradesh for a study tour of Bailladila iron ore deposits in that State;

(b) if so, the result of their survey; and

(c) the action proposed to be taken to exploit these deposits in the light of those findings?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) Yes. A Japanese Survey Team visited Bailladila between the 29th May and 6th June 1963, on behalf of the Japanese Steel Industries which has already contracted to purchase iron ore from the deposits in this area.

(b) On conclusion of their visit to Bailladila, the Team submitted a report to the National Mineral Development Corporation Limited suggesting that—

(i) Ore bodies No. 5 and No. 14 in Bailladila should be developed for supply of iron ore to Japan; and

(ii) Ore body No. 10 in Bailladila may not be able to supply iron ore which the Japanese Steel Mills are contemplating to purchase.

(c) The suggestions of the Survey Team are presently being examined by the National Mineral Development Corporation Ltd. The Corporation is already preparing a project report for exploitation of the Ore body No. 14. The Corporation is also examining the possibilities of developing ore body No. 10 in such a way as to produce the ore conforming to the specifications laid down in the agreement with the Japanese.

### Campus Projects in Secondary Education

2127. **Shri Man Singh P. Patel:** Will the Minister of Education be pleased to state:

(a) whether campus projects in secondary education are continued in the current financial year; and

(b) the total provision for new schemes in the current year?

**The Minister in Charge Ministry of Education (Shri Hamayun Kabir):**

(a) Owing to the national emergency, no new projects have been approved during the current financial year but instalments of grants continue to be paid for projects that had been approved and undertaken before the emergency.

(b) Nil.

### Stenographers

2128. **Shri S. M. Banerjee:** Will the Minister of Home Affairs be pleased to state;

(a) whether Government have received representations against the decentralisation of Central Secretariat Stenographers' Service;

(b) whether it is also a fact that Government are contemplating to restore the centralised control of the service; and

(c) if so, when?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) None recently. The Government of India Stenographers Association had represented in the matter in 1961-62 and their representations were then considered

(b) No.

(c) Does not arise.

### Caching Classes for Scheduled Castes and Scheduled Tribes in Kerala

2129. **Shri P. Kunhan:** Will the Minister of Home Affairs be pleased to state:

(a) whether the Kerala Government have requested the Centre to

start coaching classes in Kerala University for the benefit of Scheduled Caste and Scheduled Tribe candidates appearing in the I.A.S. and I.P.S. examinations; and

(b) if so, the action taken thereon?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) No such proposal of the Kerala Government is before the Government of India.

(b) Does not arise.

#### Home Guards in Kerala

**2130. Shri P. Kunhan:** Will the Minister of Home Affairs be pleased to state:

(a) whether any special grant has been sanctioned to Kerala for the recruitment and maintenance of home guards in the State; and

(b) if so, the amount of grant so far given?

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

(b) Does not arise.

#### National Mineral Development Corporation

**2131. Shri P. Kunhan:** Will the Minister of Mines and Fuel be pleased to state:

(a) the sections of the National Mineral Development Corporation which have shifted to Faridabad and the date of shifting;

(b) whether Chairman's Office premises and the Guest House of the Corporation are still maintained at Pusa Road, New Delhi;

(c) if so, the reasons therefor; and

(d) the particulars of expenses incurred on maintenance of Chairman's premises and the Guest House separately?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) The various sec-

tions of the head office of the National Mineral Development Corporation Ltd., except a skeleton office, were shifted from New Delhi to Faridabad in three batches on the dates shown against each—

(i) Planning Division	22-4-1963
(ii) Purchase & Accounts	21-5-1963
(iii) Administration, establishment, Finance, Projects & Board Sections	27-5-1963

(b) The Chairman's office and the Guest House of the Corporation are being maintained at New Delhi.

(c) The Chairman has to be continuously in touch with the various Ministries and other offices of Government of India, particularly during the initial stages of the various projects entrusted to the Corporation. Accordingly, a skeleton office, with the Chairman and the Financial Controller and Chief Accounts Officer, with a minimal staff, is being maintained at New Delhi.

Regarding the Guest House, it has been found necessary to maintain it for the use of the Directors, Consultants, and officers of the various projects, etc. visiting Delhi in connection with the business of the Corporation, as difficulties were being experienced by them in securing suitable accommodation for their stay in Delhi.

(d) The building accommodates both the skeleton office and the guest house; the office is located on the ground floor and in the Brasati, while the Guest House is located on the first floor. In addition to the monthly rent of Rs. 700 per mensem for the whole building, the other expenditure is on common maintenance items like electricity, water, etc.

#### Staff of National Mineral Development Corporation

**2132. Shri P. Kunhan:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that ten officers of the National Mineral Deve-

lopment Corporation have been transferred and some investigation and enquiry is going on against them;

(b) if so, the reasons for their transfers and the details thereof; and

(c) since when the enquiry is going on?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) to (c). One officer of the Industrial Management Pool Cadre, on deputation to the National Mineral Development Corporation, was transferred in March 1963, pending inquiry into certain irregularities alleged to have been committed by him. Some of the allegations against the officer made in February 1962 have been enquired into, while others brought to light in November 1962 are pending investigation.

#### **Traffic Rules in Delhi**

**2133. Shri Karni Singhji:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that in spite of the tightening up of traffic rules in Delhi, a large number of loading vehicles go about day and night carrying long poles, steel bars and rails projecting from these vehicles without tying a red cloth or hanging a lantern and thus causing great hazard to the traffic on roads; and

(b) if so, the steps Government have taken or propose to take to eliminate this danger to the lives of the citizens?

**The Minister in Charge, Ministry of try of Home Affairs (Shri Hajarnavis):**

(a) Some cases of violation of traffic rules in this regard have been noticed.

(b) Prosecutions have been launched in such cases and strict vigilance to bring offenders to book is exercised.

#### **Rifle Training**

**2134. Shri Karni Singhji:** Will the Minister of Home Affairs be pleased to state the number of civilians trained in rifle shooting, State-wise,

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since the Chinese aggression in October, 1962?

**The Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** Requisite information is being collected from the States Administrations and will be laid on the Table of the House, when received.

#### **Central Social Welfare Board**

**2135. Dr. L. M. Singhvi:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Central Social Welfare Board has decided to extend its activities to the border areas in Ladakh;

(b) if so, the details of the welfare programme and the resources likely to be made available for the purpose;

(c) whether any programme has been drawn up for the purpose and approved by the Government of India; and

(d) if so, the salient features of the programme and the agencies and procedures through which it is proposed to be implemented?

**The Minister in charge, Ministry of Education (Shri Hamayun Kabir):**  
(a) Yes Sir.

(b) and (c). In order to exercise fare Extension Project Centres in the area. The expenditure involved is being worked out.

(c) The programme is being finalised under a scheme of the Central Social Welfare Board and no approval of the Government of India is required.

(d) Activities such as maternity services, balwadis, craft training and social education are proposed to be undertaken. The programme will be implemented through the sponsored Project Implementing Committee(s) under the direct control of the Jammu and Kashmir State Social Welfare Advisory Board.

### सर्वे आफ इंडिया ट्रेनिंग स्कूल

२१३६. श्री भक्त दर्शन : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि देहरादून स्थित सर्वे आफ इंडिया का प्रशिक्षण निदेशालय हाल में वहां से हैदराबाद (आन्ध्र प्रदेश) भेज दिया गया है ;

(ख) यदि हां, तो प्रशिक्षण निदेशालय को हैदराबाद किस आधार पर भेजा गया ; और

(ग) हैदराबाद में प्रशिक्षण निदेशालय के कर्मचारियों के रहने के लिये क्या प्रबंध किया गया है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्रालय में उप मंत्री (श्री० म० मो० दास) (क) जी हां ।

(ख) हैदराबाद में विस्तार और प्रशिक्षण के लिए अधिक अच्छी सुविधाएं हैं ।

(ग) कर्मचारियों ने अपने रहने के इंतजाम खुद किए हैं ।

### स्वतन्त्रता संग्राम के सैनिक

२१३७. श्री भक्त दर्शन : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि स्वतन्त्रता संग्राम के सैनिकों के जीवन चरित संग्रह प्रकाशित करने की एक योजना कुछ वर्ष पूर्व स्वीकार की गयी थी ;

(ख) यदि हां, तो उस योजना के अन्तर्गत प्रत्येक राज्य सरकार और संघ राज्य क्षेत्र को कितनी वित्तीय सहायता दी गई ;

(ग) प्रत्येक राज्य में अब तक इस विषय में कितनी प्रगति हुई है ; और

(घ) उक्त कार्य कब तक पूरा हो जाने की आशा है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री (श्री हुमायूँ कबिर) : (क) जी हां ।

(ख) से (घ). एक विवरण सभा पटल पर रखा जाता है । [पुस्तकालय में रखा गया, देखिये संख्या एल. टी. १७६०/६३]

### Delhi Traffic

2138. Shri Shree Narayan Das: Will the Minister of Home Affairs be pleased to state:

(a) whether road conditions in Delhi have improved in any appreciable manner after the recent drive for enforcement of traffic regulations; and

(b) if so, the latest position in this respect?

The Minister of State in the Ministry of Home Affairs (Shri Harjar-Navis): (a) and (b). Yes, Sir. Conditions of safety and road circulation have improved considerably.

### कोयला खानें

२१३८. श्री उटिया : क्या खान और ईंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीय कोयला विकास निगम ने शहडोल जिले (मध्य प्रदेश) में कितनी कोयला खानों का काम अपने हाथ में ले लिया है और वे कहां-कहां स्थित हैं ; और

(ख) प्रत्येक कोयला खान में कितना कोयला निकाला जा रहा है और उस पर कितना व्यय हो रहा है ?

खान और ईंधन मंत्री (श्री अलमेशान) : (क) और (ख) : तीसरी योजना काल में राष्ट्रीय कोयला विकास निगम लि ने मध्य

प्रदेश के शहडोल जिले में दो खानों को खोलने की योजना बनाई है। ये दो खानें इस प्रकार हैं :—

(१) बिजुरी रेलवे स्टेशन के पास अन्नपुर-चिरमिरी रेलवे लाइन पर बिजुरी नामक स्थान पर और (२) १५ तथा १८ मील-चिन्हों (mileposts) के बीच में अन्नपुर-चिरमिरी लाइन पर जमुना नामक स्थान पर बिजुरी परियोजना का प्रतिवर्ष में ०.३६ मिलियन टन उत्पादन करने का लक्ष्य है और इस पर लगभग दो करोड़ तथा ६ लाख रुपये कुल लागत आयेगी। तीसरी योजना के अन्त में जमुना परियोजना प्रति वर्ष में ०.५ मिलियन टन के उत्पादन का लक्ष्य रखती है तथा चौथी योजना के दौरान में प्रति वर्ष उत्पादन को एक मिलियन टन तक बढ़ाया जायेगा। इस परियोजना की कुल लागत लगभग ४ करोड़ और ८७ लाख रुपये होगी। फिलहाल ये दोनों परियोजनाएं निर्माण स्थिति में हैं।

### Crude Oil

**2130. Shrimati Renu Chakravartty:** Will the Minister of **Mines and Fuel** be pleased to refer to the reply given to Unstarred Question No. 617 on the 21st August, 1963 and state:

(a) whether Burma Oil Co. and Assam Oil Co. have guaranteed a dividend of nine per cent irrespective of the costs, outgoings and taxes;

(b) the steps Central Government have taken to check and see that these costs and outgoings are not excessive and unjustified; and

(c) how such control is exercised?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) The Second Supplemental Agreement dated 27-7-61 provides for the payment of a minimum dividend of 9 per cent to the shareholders in Oil India Limited (Government of India and Burmah Oil Co. have equal shareholdings) after payment of all taxes.

(b) and (c). In order to exercise control over the financial matters of the Company, the Government of India has appointed a senior officer as the Financial Director of the Co. The Managing Director is required to consult the Financial Director in all matters of financial policy and the Financial Director is responsible for advising the Managing Director and the Board of Directors on all matters where financial policies and considerations are involved. Further, on the Board of Directors of Oil India Ltd, the Government of India and Burmah Oil Co. have equal representation and in case a unanimous decision cannot be arrived at, the matter is referred to the two partners for settlement.

### "Ombudsman"

**2142. Shri Harish Chandra Mathur:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have examined the need and feasibility of appointing "Ombudsman" or Commissioner for Parliamentary Investigation; and

(b) whether any suggestions have been made in this regard?

**The Minister of State in the Ministry of Home Affairs (Shri Harjanavis):** (a) Yes, Sir Government have made a preliminary study.

(b) Yes, Sir.

### Judges of Supreme Court and High Courts

**2143. Shri Harish Chandra Mathur:** Will the Minister of **Home Affairs** be pleased to lay a statement on the Table showing:

(a) posts and emoluments on which retired judges of the Supreme Court and High Courts have been re-employed during the last five years; and

(b) the procedure adopted in the matter of such re-employment and whether Supreme Court is consulted?



**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) The information is being obtained and will be laid on the Table of the House.

(b) No formal procedure has been laid down with regard to re-employment of Supreme Court and High Courts Judges except that with a view to co-ordination, all the Ministries were requested that the Ministry of Home Affairs may be referred to, before an approach is made to a retired High Court Judge with a view to re-employment.

#### **Extension of Government Office Hours**

**2144. Dr. L. M. Singhvi:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government have made any study of the advantages and benefits of the extension of office hours effected after the Emergency;

(b) if so, whether a statement would be laid on the Table giving a resume of the data and the conclusions; and

(c) if not, whether it is proposed to undertake such a study?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) to (c). No study as such has been made; but extended working hours have increased the output and resulted in some economy.

#### **दिल्ली पब्लिक लाइब्रेरी**

**२१४५. श्री कछवाय :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि क्या सरकार ने दिल्ली पब्लिक लाइब्रेरी के डायरेक्टर और डिप्टी डायरेक्टर की नियुक्ति, वेतन और पदोन्नति संबंधी सेवा नियम बना लिये हैं ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायूँ कबिर) :** जी, हाँ।

#### **कलात्मक वस्तु क्रय समिति**

**२१४६. श्री कछवाय :** क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) आर्ट पव्चेंज कमेटी ने पिछले तीन वर्षों में कितने मूल्य का कला संबंधी सामान खरीदा ;

(ख) कमेटी यह खरीद व्यक्तियों या संस्थाओं से करती है; और

(ग) ऐसे सामान की कीमत निर्धारित करने के क्या नियम हैं ?

**वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री (श्री हुमायूँ कबिर) :** (क) आर्ट परचेज कमेटी कोई खरीद नहीं करती पर उसकी सिफारिशों पर नेशनल म्यूजियम ने २१,३६,४०९ रुपये और नेशनल गैलरी आफ़ मोडर्न आर्ट ने २,६४,४२६ रुपये की चीजें खरीदीं।

(ख) दोनों स्रोतों से।

(ग) इसका कोई निश्चित नियम नहीं है। किसी चीज की कीमत तै करने के लिए कमेटियां बाजार की हालत, उस चीज के पुरातत्व और दुर्लभता जैसी बातों को ध्यान में रखती हैं।

#### **शंकर अन्तर्राष्ट्रीय बाल प्रतियोगिता**

**२१४७. श्री कछवाय :** क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) शंकर अन्तर्राष्ट्रीय बाल प्रतियोगिता समिति द्वारा बनाई गई योजनाओं पर सरकार ने पिछले २ वर्षों में कितना धन खर्च किया ; और

(ख) इसमें से श्री शंकर को कितना धन दिया गया ?

**वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री (श्री हुमायून् कबिर):** (क) २,१०,००० रुपए ।

(ख) कुछ नहीं ।

**तिब्बती शरणार्थियों के लिए सांस्कृतिक योजनाएँ**

**२१४८. श्री कछवाय :** क्या वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में तिब्बती शरणार्थियों के लिए सरकार ने क्या-क्या सांस्कृतिक योजनाएँ बनाई हैं ;

(ख) उन पर कब से अमल हुआ है ; और

(ग) उन पर अब तक कितना धन खर्च हुआ है ?

**वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य मंत्री (श्री हुमायून् कबिर) :** (क) भारत में तिब्बती शरणार्थियों के लिए निम्नलिखित सांस्कृतिक योजनाएँ बनाई गयी हैं :—

- (i) ११ तिब्बती शिक्षित लामाओं को विश्वविद्यालयों और उच्च शिक्षा इंस्टीट्यूटों में अनुसंधान करने के लिए प्रति व्यक्ति ३०० रुपए प्रतिमास की फेलोशिपें ।
- (ii) डिग्री स्तर की शिक्षा पूरी करने के लिए २५ तिब्बती लामा छात्रों को प्रति व्यक्ति १०० रुपए प्रतिमास की छात्रवृत्तियाँ ।
- (iii) ग्रन्थों तिब्बतन कल्चुरल ड्रामा ट्रूप, मंसूरी और तिब्बतन रिफ्यूजीज कल्चुरल एण्ड ड्रामेटिक इंस्टीट्यूट, धर्मशाला को ईक्विपमेंट ग्रांट ।

(iv) ले में स्कूल आफ़ वुड्रिस्ट फिलासफी की स्थापना ।

(v) त्सेचू आफ़रिंग असोसिएशन कलिपोंग को लाइब्रेरी हाल और स्कूल भवन के निर्माण के लिए सहायताएँ अनुदान ।

(vi) सिक्किम में शेद और दुब्दह केन्द्रों के निर्माण के लिए सहायता अनुदान ।

(vii) तिब्बती संस्कृति के संरक्षण और प्रचार तथा तिब्बती रिफ्यूजियों के बच्चों को शिक्षा की सुविधाएँ देने के लिए शिमला, मसूरी, दार्जिलिंग और डलहौजी में तिब्बतन स्कूल्स सोसायटी के जरिए तिब्बतन होम्स फाउंडेशन की स्थापना ।

(ख) १९५६-६० में पिम्बपी शरणार्थियों के आने के समय से ।

(ग) अब तक करीब २६,६०,८७२ रुपए खर्च किए गए हैं ।

#### Directorate of Education, Delhi

**2149. Shri Kachhavaia:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Directorate of Education, Delhi is still recruiting the staff of various categories though it has surplus staff; and

(b) if so, the reasons therefor?

**The Minister in charge of Ministry of Education (Shri Hamayun Kabir):** (a) and (b). There is no surplus staff under the Directorate of Education, Delhi. Recruitment of staff of various categories has been or is being made against available vacant posts.

### Staff of Jagirdars of Rajasthan

2150. **Shri Kashi Ram Gupta:** Will the Minister of Home Affairs be pleased to state:

(a) whether at the time of resumption of Jagirs the Rajasthan Government with the concurrence of the Government of India, guaranteed that the staff employed by the then Jagirdars, would be absorbed into State Services;

(b) if so, whether Government are aware that a large number of such personnel are still not absorbed in various State services; and

(c) if so, the action proposed to be taken by Government in the matter?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) It was decided by the Government of Rajasthan that employees of resumed jagirs who were found suitable for Government service and who were below 55 years in age would be absorbed in service. The concurrence of the Government of India was not necessary to this decision.

(b) and (c). It is for the State Government to consider these questions.

### Abolition of U.D.C. Grade

2151. **Shri Umanath:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Government have taken some decision on the demand of the Central Government Clerks' Union regarding the abolition of Upper Division Clerk's grade and promotion of all existing Upper Division Clerks as Assistants; and

(b) if so, the decision taken thereon?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) and (b). The matter is under consideration.

### कारतूसों और बन्दूकों का पकड़ा जाना

२१५२. { श्री श्रीकार लाल बेरवा :  
श्रीमती शशांक मंजरी :

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

(क) क्या यह सच है कि कालिम्पोंग के निकट तिस्ता पुल की चौकी पर नियुक्त भारतीय पुलिस ने ५०० कारतूस तथा कुछ बन्दूकें पकड़ीं ;

(ख) यदि हां, तो क्या मामले की जांच की गई है ; और

(ग) उसका क्या परिणाम रहा ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरतबीस) : (क) से (ग) अपेक्षित सूचना राज्य सरकार से मांगी गई है, और प्राप्त होते ही सभा पटल पर रख दी जायगी ।

### उच्च न्यायालय के न्यायाधीश

२१५३. श्री प्रकाशवीर शास्त्री : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि गत ५ वर्षों में सेशन जजों के पदों से सेवानिवृत्त होने के बाद कितने व्यक्तियों को उच्च न्यायालयों का न्यायाधीश नियुक्त किया गया ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरतबीस) : दस ।

### Acquisition of Land in Assam by Oil India Ltd.

2154. **Shri P. C. Borooah:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether the attention of Government has been drawn to the fact that the Oil India Limited are acquiring land in Assam for drilling forcibly without proper negotiations causing undue harassment to the owners of land;

(b) the steps Government have taken to prevent such harassment; and

(c) whether Government have authorised the Oil India Limited to acquire land by private negotiations?

**The Minister of Mines and Fuel (Shri Alagesan):** (a) No complaints of forcible acquisition of land by Oil India Limited without negotiations have been brought to Government's attention. Government's attention was, however, drawn to some complaints against the procedure for acquisition of land being followed by the District Authorities.

(b) In order to prevent harassment to land owners, Oil India Limited has been advised to indicate their proposals to acquire land to the State Revenue Authorities sufficiently in advance. The State Government was also requested to take suitable steps to prevent hardships to land owners arising out of acquisition of land.

(c) Oil India Limited being an autonomous Organisation is competent to decide whether acquisition of land should be by private negotiations; therefore the question of Government authorising Oil India Limited in such matters does not arise.

#### **House Building Cooperative Societies**

**2155. Shri Sivamurthi Swami:** Will the Minister of Home Affairs be pleased to state:

(a) whether any premium has been charged from the House Building Cooperative Societies in Delhi;

(b) if so, the names of the societies from whom charged and the rate at which charged;

(c) whether premium has also been charged from such cooperative societies who owned land in Delhi and whose land was acquired and again given to them; and

(d) if so, the reason for charging the premium from such societies?

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** (a) and (b). The conditions under which land is allotted to House Building Cooperative Societies in Delhi have been detailed in the statement laid on the Table of the House on the 23rd March, 1961, in response to the notice under Rule 197 from Shri P. G. Deb regarding allotment of acquired land in Delhi. In accordance therewith the premium that should be charged from a House Building Cooperative Society for land allotted to it will be—

(a) if undeveloped land is allotted the premium will be the cost of acquisition plus additional charge at half the normal rates and ground rent at Re. 1 per annum for the first 10 years and thereafter at 2½% of the premium subject to revision after every 30 years; and

(b) where developed land is allotted, the premium will be the reserve price being the cost of acquisition and development plus the additional charge at normal rates and ground rent at Re.1/- per annum for a period of 5 years and thereafter at 2½% of the premium subject to revision after every 30 years.

A list of the Societies who have paid premium is laid on the table of the House. [*Placed in the library, See No. LT-1761/63*].

(c) and (d). Premium is charged from all cooperative societies at the rates mentioned above including societies from whom land has been acquired. Compensation for land acquired from the societies is paid separately in accordance with the provisions of the Land Acquisition Act, 1894, under which land is being acquired for the planned development of Delhi.

**हिन्दी में उच्च शिक्षा के लिये छात्रवृत्तियाँ**

२१५६. श्री इ० मधुसूदन राव : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार ने वर्ष १९६३-६४ में हिन्दी में उच्च शिक्षा प्राप्त करने के लिये अहिन्दी भाषी राज्यों के विद्यार्थियों के लिये कोई छात्रवृत्तियाँ मंजूर मंजूर की हैं ;

(ख) यदि हाँ, तो उन राज्यों के नाम क्या हैं और कितने छात्रों को छात्रवृत्तियाँ दी गई हैं ; और

(ग) छात्रवृत्तियाँ देने का क्या मापदण्ड रखा गया है ?

**शिक्षा मंत्रालय का भारसाधक मंत्री (श्री हुमायून् कबिर) :** (क) १९६३-६४ के दौरान २२० छात्रवृत्तियाँ देने का प्रस्ताव है ।

(ख) प्रश्न नहीं उठता ।

(ग) उम्मीदवारों का चुनाव उनके राज्य अथवा संघीय प्रशासन के लिए निर्धारित कोटे के आधार पर किया जाएगा । जो उम्मीदवार नौकरी में हैं और जिनके नाम राज्य सरकारों द्वारा भेजे जायेंगे उन्हें प्राथमिकता दी जाएगी । अन्य उम्मीदवारों को उनका शैक्षणिक योग्यता के आधार पर चुना जायेगा

**अन्तर्राष्ट्रीय बहिर शिक्षा कांग्रेस**

२१५७. श्री इ० मधुसूदन राव : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत ने वाशिंगटन में हुई बहिर शिक्षा सम्बन्धी अन्तर्राष्ट्रीय कांग्रेस में भाग लिया था ;

(ख) यदि हाँ, तो ३६३ कांग्रेस में कितने प्रतिनिधि भेजे गये थे और उनकी राज्यवार संख्या क्या थी ; और

(ग) उक्त कांग्रेस में अन्य कौन-कौन से देशों ने भाग लिया ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून् कबिर) :** (क) जी, हाँ ।

(ख) भारतीय दूतावास, वाशिंगटन के एक अधिकारी ने कांग्रेस में एक प्रेक्षक के रूप में भाग लिया ।

(ग) सूचना उपलब्ध नहीं है ।

**अध्यापकों की आर्थिक स्थिति**

२१५८. श्री इ० मधुसूदन राव : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार अध्यापकों की आर्थिक स्थिति सुधारने के लिये कोई व्यवहारिक कार्यवाही करने पर विचार कर रही है ; और

(ख) यदि हाँ, तो उक्त कार्यवाही कब तक की जायेगी ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून् कबिर) :** (क) कुछ कार्रवाई की जा चुकी है और कुछ पर विचार किया जा रहा है ।

(ख) यह बताना संभव नहीं कि जो बातें विचारारधीन हैं उन्हें कब तक अन्तिम रूप दे दिया जाएगा ।

**अहिन्दी भाषी राज्यों के लिये हिन्दी की पुस्तकें**

२१५९. श्री इ० मधुसूदन राव : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि केन्द्रीय सरकार ने अहिन्दी भाषी राज्यों में हिन्दी की पुस्तकें बांटने के लिये राज्यवार कितनी राशि नियत की है ?

**शिक्षा मंत्रालय के भारसाधक मंत्री (श्री हुमायून् कबिर) :** तीसरी पंच वर्षीय योजना की अवधि के लिए १५.०० लाख रुपये और १९६३-६४ वर्ष के लिए २.०० लाख रुपये । राज्यवार कोई राशि नियत नहीं की जाती है ।

**Development of Telugu Language**

**2160. Shri E. Madhusudan Rao:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the financial assistance given by the Central Government to the Government of Andhra Pradesh for the development of Telugu language during the Second Plan period and during the current Plan period so far; and

(b) the details thereof?

**The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir):** (a) and (b).

*Second Plan*

Publications	Amount
	Rs.
Directory of Museums in India	1,000

*Third Plan*  
(upto 31st March, 1963)

1. Directory of Museums in India.	}	37,491
2. Towards Universal Man		
3. The Way We Live		
4. Glimpses of Buddhism		
5. Telugu-Telugu dictionary	}	
TOTAL	.	38,491

**I.A.S. and other Allied Services Examination, 1962**

**2161. Shri Maniyanagan:** Will the Minister of Home Affairs be pleased to state:

(a) the number of candidates who were declared successful at the I.A.S. and other Allied Services examination held in October, 1962, medically examined and appointed so far; and

(b) the number of persons still to be appointed?

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

(a) and (b). The information is given below:

No. of candidates declared successful	No. of candidates medically examined	No. of candidates appointed so far	No. of candidates still to be appointed
374	318	299	59

**12.26 hrs.**

**CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE**

(i) **REPORTED KILLING OF SIX MEMBERS OF SECURITY FORCES BY NAGA HOSTILES**

**Shri Vishram Prasad (Lalganj):** Sir, I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The reported killing of 6 members of the security forces by the Naga hostiles in the Sema area of Nagaland".

**The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** At about 8.30 A.M. on the 9th September, 1963 a road protection party of the security forces was fired upon by a group of about 25 hostile Nagas armed with one LMG, rifles and sten guns at a place approximately six miles south of Mokokchung. Our troops returned the fire and then searched the area without, however, being able to make contact with the hostiles.

**Casualties:** Security Forces—4 other ranks killed.

**Hostile Nagas**—not known; presumably nil, as there is no report of any bodies recovered.

**Arms lost:** .303 rifle 1.

Bayonet 1.

.303 ammunition 50 rounds.

Hand grenades 2.

[Shri Jawaharlal Nehru]

The security forces have been carrying out intensive operational action against the underground hostiles and have inflicted on them casualties in killed, wounded and captured; have captured their arms, destroyed their hide-outs and have kept them continually on the run. The hostiles attempt retaliation on the security forces whenever they can.

A road protection party proceeding to take up its position is not an aggressive patrol. Its routes to and from its position are more or less limited and, therefore, known. A road protection party is, therefore, particularly vulnerable to ambush since its known movements permit the hostiles to plan the ambush. In the intensive operations being conducted by the security forces, such incidents are likely to occur. Deterioration of the situation cannot, therefore, be judged from such incidents.

On the other hand, the movements of patrols are not known. They have, because of the element of surprise, been invariably successful whenever they have encountered hostile Naga groups and inflicted heavy casualties on the hostiles and captured a substantial number of them.

The Chief Executive Councillor of Nagaland is now in Delhi to discuss future plans for restoration of peace in Nagaland by more effective enforcement of law and order.

**Shri Vishram Prasad:** May I know whether our security forces were not supplied with full arms and ammunition and the arms and ammunition found with the hostiles belong either to China or Pakistan?

**Shri Jawaharlal Nehru:** As far as I have been able to understand the hon. Member, obviously our forces are supplied with their full complement of arms. As for the hostiles, they have occasionally had some arms which appear to have come from outside sources. A number of them went to

Pakistan and came back and Nagaland. It is quite possible that some arms were brought by them from Pakistan and were used by them.

**Shri Nath Pai (Rajapur):** Is it a fact that contrary to Government's claims, of late there has been an intensification and increase in the activities of hostiles and may I know whether this increase and intensification of their activities is due to assistance they are supposed to be receiving from unfriendly neighbours? May I also know whether Government visualise that in the near future, we will be able to liquidate this Naga menace?

**Shri Jawaharlal Nehru:** I do not think it would be quite correct to say that there is intensification of activities on the part of the hostiles. As I have stated in my major reply, they are really being pushed out from their hide-outs and other places. As a result, some groups of them carry out these ambushes. They may have obtained some arms from outside sources, chiefly from Pakistan as a group of them did go to Pakistan and manage to come back and, I believe, they did bring some kind of arms from there.

As for the other thing—the hon. Member asked when we shall complete this—I am afraid I can fix no date, but we are proceeding with our plans both to meet these hostiles and the development plans and, possibly early next year, of elections.

**Shri Hari Vishnu Kamath (Hoshangabad):** Considering, Sir, the hostile activity not merely by the hostile Nagas but also by Pakistan that are increasing on the eastern zone of our country . . .

**Mr. Speaker:** Now we are considering only the Nagas.

**Shri Hari Vishnu Kamath:** . . . does the Prime Minister recollect what he said many years ago, in inspiring ex-

hortation that he made many years ago: "success often comes to those who dare and act; it seldom goes to the timid", and does he still hold to that view of life; if so, does he propose to stop discussing and protesting, and start acting, and acting sternly?

**Mr. Speaker:** A good advice.

**Shri Hari Vishnu Kamath:** I want to know whether he still holds that view. He said so himself. I think the Prime Minister is willing to reply.

**Mr. Speaker:** Even if he is prepared to reply, I would not allow him to do so.

**Shri Hari Vishnu Kamath:** What is wrong in that, Sir?

**Mr. Speaker:** Will he kindly resume his seat—Shri Banerjee.

**Shri Hari Vishnu Kamath:** Then it becomes difficult to put questions. Could you tell us what is wrong with it?

**Mr. Speaker:** I will tell him when he comes to me.

**Shri Hari Vishnu Kamath:** Why not here, Sir? The question has been put in the House. At this rate it becomes difficult to put questions.

**Shri S. M. Banerjee (Kanpur):** I would like to know whether it is a fact that these Naga hostiles are still in contact with Mr. Phizo who is directing the whole affair and whether the Naga hostiles got encouragement after the Parliamentary Secretary met Mr. Phizo in London?

**Shri Jawaharlal Nehru:** I have not quite followed the question.

**Mr. Speaker:** He wants to know whether the Naga hostiles got encouragement after the Parliamentary Secretary had gone to London and stayed with Mr. Phizo.

**Shri Jawaharlal Nehru:** I think this mention of my Parliamentary Secre-

tary in this connection is wholly unjustified. In fact, the Parliamentary Secretary's visit, if anything, would have had a contrary result to some extent. With regard to the first part of the question, I cannot say whether they are in touch in any way with Mr. Phizo. Might be, occasionally they are able to do it, but I can say with some assurance that Mr. Phizo's word does not go very far now with the Naga hostiles.

**Shri Daji (Indore):** In view of these considerable developments and ambushes, we would like to know what is the net effect of our amnesty offer and how it is working? Is it having some results or not?

**Shri Jawaharlal Nehru:** We gave a detailed statement the other day in answer to a question. I think it has worked, not in a big way as we hoped, but it has worked. But the main thing is that it has had a certain effect there, a psychological effect. It has rather annoyed and upset the hostiles—the mere fact of the offer—and they have gone all out to prevent people from taking advantage of it.

श्री राम सेवक वादव (बाराबंकी) :  
नागा भारत माता की सन्तमन हों चाहे विद्रोही  
में जानना चाहंगा कि क्या उन पर इस बात  
की प्रतिक्रिया हुई है कि भारत ने उन को दबाने  
के लिये हवाई जहाजों का इस्तेमाल बमबर्षा  
के लिये किया और चीनी हमलावरों के खिलाफ  
नहीं किया । क्या इसी प्रतिक्रिया के फलस्वरूप  
सब चीजें बढ़ रही हैं ?

**प्रध्यक्ष महोदय :** यह क्या सवाल है ?

**Dr. L. M. Singhvi (Jodhpur):** We would like to know whether you propose to permit a discussion on the flood situation.

**Mr. Speaker:** Order, order. That is a different matter. Let me dispose of the business on hand.

**Shri Hem Barua (Gauhati):** Before that, may I submit that the par-



[Shri Hem Barua]

ticular reference by Shri Yadav about the dropping of bombs on the Naga hostiles, on the basis of which Rev. Michael Scot and Shri Phizo are carrying on their false propaganda abroad, that is just not done. Therefore, I think it would be better if it is expunged from the proceedings. Or, alternatively, the Prime Minister can say that it is not done.

**Mr. Speaker:** Order order.

(ii) FIRING BY PAKISTANI TROOPS AT LATITILLA

**Mr. Speaker:** I have received fresh notice from Shri Hem Barua and Shri S. M. Banerjee of an adjournment motion and from Dr. Singhvi, Shri Braj Raj Singh, Shri U. M. Trivedi and some others a calling attention notice on the same continued firing on the Karimganj border. Since we have dealt with that question yesterday, I would not have mentioned it here. But I wanted to know whether there have been some fresh information received by the Prime Minister about the situation in the border which he would like to convey to the House.

**Dr. L. M. Singhvi:** The press says so.

**Mr. Speaker:** Yes, the press report says that there have been fresh assaults.

**Shri Hem Barua:** Sir, may I submit a few words?

**Mr. Speaker:** No, no. Normally, I would not have admitted, because it has been dealt with yesterday. I only wanted to know from the Prime Minister whether any fresh information was available.

**Shri Jawaharlal Nehru:** Yes, Sir. A further telegram was received from the Assam Government today morning, from which it appears that intermittent firing by Pakistani forces continued in several areas in Latitilla group of villages, as on September 15 and 16, by rifles and light machine

guns. No fresh casualties have been reported from our side. Our border patrols replied to the firings from the Pakistan troops. Reports have also been received that Pakistanis are renewing and repairing the bunkers and constructing fresh posts opposite to our border posts, at Harinagar and Chandinagar. The Deputy Commissioner, Cachar, has visited the areas of firing with police and other officials. Local officials are arranging for such relief and assistance as necessary there. We are awaiting an assessment from our brigade commander in regard to the seriousness of the situation in that area.

Our High Commissioner in Pakistan has received our instructions to take this matter up strongly with the Government of Pakistan. He has also been requested to try and elicit a decision from Pakistan to the proposals made by us some time ago for a fresh demarcation of the area. We made this suggestion with the belief that a permanent solution of the problem of the disputed areas lies in early and final demarcation. Pakistan has not replied to our proposals, despite several reminders.

**Mr. Speaker:** Shri Hem Barua.

**Dr. L. M. Singhvi:** There is one thing that I would like to know.

**Mr. Speaker:** Only one member at a time.

**Dr. L. M. Singhvi:** Sir, I am not asking a question.

**Mr. Speaker:** I will give him an opportunity. I have called Shri Hem Barua.

**Shri Hem Barua:** From the statement of the Prime Minister it is evident that the situation on the Assam-East Pakistan border is very serious and very grave. They have built bunkers, they are using machine guns and they have injured as many as four Indian up till now, during these three

days, and what the Prime Minister said yesterday when he made the statement of the floor of this House was about the incident of the first case. But, on the other hand, Pakistani riflemen have not stopped firing up till now, and we are told by the press notes of the Assam Government that our people, our security men, who are returning the fire, are doing it only in minimum quantities. They have not taken it up very seriously up till now.

**Mr. Speaker:** What is the question?

**Shri Hem Barua:** Sir, it is very important.

**Shri Hari Vishnu Kamath:** Go on.

**Mr. Speaker:** Now he should come to what he wants to know.

**Shri Hem Barua:** The Pakistanis have hoisted their national flag.

**Mr. Speaker:** The whole story cannot be gone into again at this stage. He should come straight to the question, if he wants to put it.

**Shri Hem Barua:** No, no. May I point out . . .

**Mr. Speaker:** I am very sorry. Shri Hem Barua should realise that this cannot become a practice that as soon as an opportunity has come for putting a question, a detailed and elaborate elucidation should be given every time. It cannot be tolerated every time.

**Shri Hem Barua:** Sir, it pains me also to say that I often feel, rightly or wrongly, that you are not at all sympathetic to our people living in the border areas (*Interruptions*).

**Shri Raghunath Singh (Varanasi):** It is most objectionable.

**Mr. Speaker:** Order, order. I am very sorry that I have also been involved in this and that I am not sympathetic towards the people living on the border.

**Shri Raghunath Singh:** It should be expunged.

**Mr. Speaker:** There ought to be some limit to the observations that hon. Members make in this House.

**Shri Hem Barua:** I have been feeling like that.

**Mr. Speaker:** If really he feels like that, I am very sorry. That is all that I can say. But I cannot allow him to go on any further in this manner.

**Shri Hem Barua:** May I submit . . .

**Mr. Speaker:** Now he would not.

**Shri Hem Barua:** It is about your ruling.

**Mr. Speaker:** I have not given any ruling.

**Shri Hem Barua:** About your comments. May I submit that rightly or wrongly I said, that was my impression? I did not have any mind to cast aspersion on you. I shall be the last man to do that. If you are distressed, I am very, very sorry. Now... (*Interruption*).

**Mr. Speaker:** Nothing now.

**Shri Hem Barua:** I might ask a question.

**Mr. Speaker:** We will see it afterwards; nothing now. He will kindly resume his seat.

**Shri Hem Barua:** But then you said that you will allow me to ask a question. In the meanwhile this thing cropped up.

**Mr. Speaker:** If he goes on flouting my direction, he cannot have an opportunity and I would not recognise him. If he obeys then certainly he will have every opportunity. Whatever is due to him shall be given to him.

**Shri Hem Barua:** I did not have the opportunity. Now you say that if I obey you, I shall have an opportunity.

[Shri Hem Barua]

You might do anything but I submit that the trouble is that I am concerned with this particular matter and I want to place it before you and before the House. But at the same time you come with your rulings, judgments, comments and all that and there are these people to support you by shouting and all that.

**Shri Raghunath Singh:** There is no question of supporting him . . . *(Interruption)*.

**Mr. Speaker:** I will ask the Leader of the House just to take note of the situation. If the leaders of groups cannot control their members, certainly I shall have to consider them as individuals.

**Shri Hem Barua:** It is not a matter of control.

**Mr. Speaker:** Does his leader think that all this is justified?

**Shri Surendranath Dwivedy (Kendrapara):** Since you have made a reference. I think, it is better that we realise in the House itself it is not possible for the leader of any party to control his members. It is for you to do that.

**An Hon. Member:** Why?

**Shri Surendranath Dwivedy:** I am not here to control Members. If he departs from the Party's policy, if he goes beyond the Party's discipline, certainly the leader has to take notice. But it must be understood that every hon. Member here belonging to my Party is perfectly within his rights to function within the limits of the rights and privileges that he has in the House as a Member and it is for you to do as you think proper.

**Mr. Speaker:** Does he think that he has acted within the precincts that the Party requires of him?

**Shri Surendranath Dwivedy:** We bow to your ruling and judgment,

whatever it is; but sometimes Members are emotionally exercised on certain matters and, I think, you have been very patient at times to tolerate that. It may be a matter of that nature.

**Mr. Speaker:** That leniency of mine, the fact that I have tolerated that for some time, might be a mistake; but I told him twice or thrice that he should obey, that he should sit down and that I will give him an opportunity. But then he flouts my directions and stands up, and casts aspersions and goes on speaking.

**Shri Surendranath Dwivedy:** For that he expressed regret.... *(Interruption)*.

**Shri Nath Pal (Rajapur):** He was pleading with you.

**Mr. Speaker:** Even after expressing regret, he repeated the same attitude.

**Shri Hem Barua:** No. I just reminded you that I am receiving telegrams and letters.

**Mr. Speaker:** Now order, order. Shri Banerjee.

**Shri S. M. Banerjee:** Shri Chaliha, the Chief Minister of Assam, who was here, held a Cabinet meeting when he went back. It has come out in the newspapers. He pointed out that Pakistan of late had been setting up aggressive preparations, like heavy reinforcements on the border, construction of bunkers and digging trenches along the borders of Latitilla-Dumba-bari area in flagrant violation of the existing agreement and the ground rules. So, I want to know whether this entire question which, according to the Chief Minister of Assam, is really explosive was discussed here and what instructions were issued to the Chief Minister to safeguard the interests of those who are on the border.

**Shri Jawaharlal Nehru:** The question was discussed with the Chief Minister of Assam. The instructions were that any such activity on the part of Pakistan should be countered, first of all, as it is by the forces there, the armed Police and other forces roundabout, and as soon as an opportunity comes to send their further forces there.

**Mr. Speaker:** Shri Hem Barua — Shri Nath Pai.

**Shri Hem Barua:** May I stand up?

**Mr. Speaker:** I called him but he did not stand up. Now I have called Shri Nath Pai.

**Shri Nath Pai:** In view of the growing truculence of Pakistan in the context of the rumbling of what is called a joint defence pact between Pindi and Peking, may we know, apart from what the hon. Prime Minister has said, whether Government is seized of the seriousness of the situation and is alive since it may be that it may be a prelude to something more serious on the part of Pakistan?

**Shri Tyagi (Dehra Dun):** Of course, we are alive.

**Shri Jawaharlal Nehru:** The fact that firing goes on on our border is serious. But I would submit that, as I said yesterday, this firing should be seen in its context. In spite of days and days of firing and tens of thousands of bullets being shot, the casualties are remarkably few. They are astoundingly few.

**Shri Hari Vishnu Kamath:** On which side? On both sides?

**Shri Jawaharlal Nehru:** On both sides. They are remarkably few. There is no casualty on this occasion at all. It seems to mean that this is done more to upset the nerves of the people on the other side of the border and elsewhere, to excite them and keep a feeling of tension there. But,

of course, this has to be met and should be met. We have put it in the hands of our military and other folk there whose responsibility it is. The military normally do not rush up when there is a little firing. It is for them to judge when and what action to take.

**Shri Hari Vishnu Kamath:** They return the fire?

**Shri Jawaharlal Nehru:** Of course, they return the fire. What I mean by 'rushing up' is large numbers of military. They have to decide when and where to send them. The local people there have to return the fire, of course. It is important and it should be dealt with; but I do not think it will help us to give it much more seriousness than it deserves.

**Shri Nath Pai:** We welcome the statement, but do not let us be told then, when it is too late, that we were taken unawares and suddenly, as it happened in the case of China. That is the only plea.

**Mr. Speaker:** Yesterday a statement was made by the hon. Minister of Irrigation. Some questions may have to be asked on that; so, I will take it up at 5 o'clock.

**Dr. L. M. Singhvi:** I wanted to ask some questions on this. When I rose you said that you will give me an opportunity.

**Mr. Speaker:** It had been dealt with yesterday.

**Dr. L. M. Singhvi:** No, on this matter. When I rose you said that you will give me an opportunity.

**Mr. Speaker:** I had said just in the beginning that this question had been dealt with yesterday and there was no need of admitting any further adjournment motions or 'calling attention' notices because we had dealt with it only yesterday. I only wanted to see whether any further information had been received. If Shri Trivedi wants to ask a question, I will allow him.

**Shri U. M. Trivedi** (Mandsaur): I always bow to what you say. Here I have felt it very pertinent to ask one question. The hon. Prime Minister has just now said that there are very few casualties on both sides.

**Shri Hem Barua**: There are no casualties on the other side.

**Shri U. M. Trivedi**: Whatever it may be. I have yet to come across a single report in the press which indicates or shows that we have been able to inflict any casualties on the other side.

**Shri Hem Barua**: Not a single one.

**Shri U. M. Trivedi**: Not once. I would, therefore, like to know this and it will satisfy the public mind. The public feels that the casualties are always on our side and we are the persons who are always oppressed and we simply run away. We are killed and we have absolutely nothing to do. Therefore, I would like to know if there are really any casualties on the other side and how many there are.

**Shri Jawaharlal Nehru**: Many statements have been made in this House giving the number of casualties on this side and on the other side. About this particular occasion, I cannot give the figure. Naturally, it is easier to find out the casualties on your side than on the other side unless you march your forces and capture the dead and the wounded. It is difficult to say that. I do not know. In this particular case, there were no casualties on our side. There has been none except for the last few days two or three casualties occurred on our side. On the other side they may have occurred. But that can only be found out by the evidence of the people on the other side.

**Dr. L. M. Singhvi**: Before I put a small question, I would like to submit to you that because of the threat of breach of peace on our borders being a continuing one and because there is no fresh and detailed information as yet available, you might

direct the Government to apprise this House of the situation on the last day or the day before last when the House is to adjourn *sine die*. This is a matter which is causing perhaps more than due concern and I think it would be right that the country is taken into confidence.

**Mr. Speaker**: I will request the Prime Minister to give any additional information that he might receive. Shri Hem Barua, I called him, but he did not stand up. Was he excited then?

**Shri Hem Barua**: I might be excited Sir,....

**Dr. L. M. Singhvi**: I suppose I was in possession of the floor.

**Mr. Speaker**: I had informed him that I will ask the Prime Minister to give any additional information that he might receive by that time.

**Dr. L. M. Singhvi**: That was by way of suggestion. I wanted to know if the Prime Minister considers that the purpose of this unceasing firing is to unnerve the people on our side, what is being done to soothe the nerves of the people on our side and restore their morale in terms of propaganda, in terms of administrative action and in terms of diplomatic action, particularly the first two things?

**Shri Jawaharlal Nehru**: Certainly, Sir, as you were pleased to observe, I shall give any further information that I receive.

**Mr. Speaker**: Is there anything being done to soothe the feelings of the people on this side by propaganda or other things so that they might not lose their moral, so that they might maintain their morale?

**Shri Jawaharlal Nehru**: I can't give details of that. The local authorities surely are looking after that.

**Public Importance**

My own information is that their morale is pretty good.

**Shri Hem Barua:** There has been not a single casualty....

**Some Hon. Members** rose—

**Mr. Speaker:** Those who were not singnatories cannot have the opportunity.

**Shri Hem Barua:** There has not been a single casualty so far as Pakistan side is concerned. Is it not a fact that this is due to the fact that the Pakistan Government, Pakistan is have evacuated the population, I mean, from the border before resorting to firing against us? If so, may I know whether we have also instructed the Assam Government to evacuate all the population from the border and keep the area safe for firing operations?

**Shri Jawaharlal Nehru:** I do not know that the Pakistan Government has evacuated its population from that border. Sometimes they have. I do not know.

**Mr. Speaker:** It was in some press.

**Shri Jawaharlal Nehru:** May be. I would personally not advise the Assam Government to evacuate our people. That is one of the particular things which decrease the morale and frightens people—some measures of that type.

**Shri Hari Vishnu Kamath:** May I make a request? Would you kindly direct the Government, the Prime Minister, to make a statement, during the next three or four days of the session, on the border situation every morning?

**Mr. Speaker:** On the last day, he will make that statement.

12.54 hrs.

RE, INCORRECT REPORTING OF  
PROCEEDINGS BY A NEWSPAPER

**Mr. Speaker:** Shri Ram Sewak Yadav has written to me this. He might take one minute.

1256 (Ai) LSD.—5

**श्री रामसेवक यादव (बाराबंकी) :**  
अध्यक्ष महोदय ....

अध्यक्ष महोदय : आज को देर है, मैं कहे देता हूं। श्री रामसेवक यादव ने मुझे यह लिखा था कि जब डा० राम मनोहर लोहिया ने प्राइम मिनिस्टर से कहा कि वे हिन्दी में जवाब दें तो उसकी रिपोर्ट जो "इंडियन एक्सप्रेस" अखबार में निकली उसमें यह कहा गया कि डा० राम मनोहर लोहिया ने यह कहा कि वे हिन्दी के सिवाय और किसी जवान में न बोलें और सिर्फ हिन्दी में ही वह जवाब दें, यह ठीक है न ?

**श्री रामसेवक यादव :** उन्होंने मातृभाषा में जवाब देने के लिए कहा था। डा० राम मनोहर लोहिया ने मातृभाषा शब्द का प्रयोग किया था, शब्द "हिन्दी" का प्रयोग उन्होंने नहीं किया था।

**अध्यक्ष महोदय :** ठीक है लेकिन जो "इंडियन एक्सप्रेस" में खबर निकली उसमें यह कहा गया कि उन्होंने कहा था कि वह हिन्दी के सिवाय और किसी जवान में जवाब न दें। इस शिकायत के आने पर कि अखबार ने मातृभाषा के शब्द के स्थान पर हिन्दी लिख दिया है जब कि डा० साहब ने मातृभाषा शब्द का प्रयोग किया था, इंडियन एक्सप्रेस को लिखा गया। उन्होंने जवाब दिया कि हम आमतौर पर डिस्पैशनेट रिपोर्टिंग करते हैं और मातृभाषा शब्द के बजाय जो हिन्दी शब्द लिख दिया गया और इस तरह जो गलती हो गयी उसको हम रिप्रेट करते हैं। मैंने इसको काफी समझा और इससे ज्यादा और कुछ करने की जरूरत नहीं है।

**श्री रामसेवक यादव :** एक निवेदन करना चाहता था.....

**अध्यक्ष महोदय :** अब क्या बाकी रहता है ? उन्होंने रिप्रेट जाहिर कर तो दिया है।

**श्री रामसेवक यादव :** यह तो ठीक है और मैं अपनी शिकायत वापिस लेता हूं।

[श्री रामसेवक यादव]

निवेदन सिर्फ यह है कि इस चीज को सिर्फ इसलिए रखा गया कि इसका प्रचार आमतौर से होता है, हमारे साथों के खिलाफ भी और हम अन्य सदस्यों के खिलाफ भी कि हम लोग हिन्दी को लादना चाहते हैं और यदि उसका जवाब न दिया जाये तो उसका बुरा असर भारत पर और खासतौर पर दक्षिण वालों पर पड़ता है कि हम जबरदस्ती हिन्दी लादना चाहते हैं और हमारे मित्र डी० एम० के० के लोगों पर इस तरह के गलत प्रचार का गलत असर पड़ता है, इसलिए मैंने यह चीज साफ करनी चाही थी कि उन्होंने हिन्दी नहीं अपितु मातृभाषा में उनसे बोलने का आग्रह किया था और उनके उस अनुरोध का माननीय सदस्यों पर असर भी अच्छा पड़ा था। और उन्होंने इसके लिए तालियां भी बजाई थीं लेकिन उसकी रिपोर्ट अखबार में गलत छपी और अगर उसका निराकरण न किया जाता तो उसका असर गलत पड़ता। अब चूँकि संबंधित अखबार ने माफी मांग ली है इसलिए मैं अपने सवाल को वापिस लेता हूँ।

**Mr. Speaker:** Papers laid on the Table, Mr. Alagesan.

**The Minister of Mines and Fuel (Shri Alagesan):** Sir, I beg to lay...

**डा० राम मनोहर लोहिया (फर्रुखागढ़):**  
अध्यक्ष महोदय, मैं हमेशा बोलता हूँ कि प्रधान मंत्री को कोई हक नहीं है कि वे यहाँ अंग्रेजी में बोलें। मैं कभी नहीं कहता कि वह और कुछ न बोलें, मैं तो यही कहता हूँ कि जो भी बोलें लेकिन अंग्रेजी न बोलें।

**अध्यक्ष महोदय:** अब आप बैठ जाइये।

**Mr. Speaker:** Papers laid on the Table, Mr. Alagesan.

**Shri Karni Singhji (Bikaner):**  
Could we put some questions on yesterday's statement?

**Mr. Speaker:** I have just said that at 5 O'clock I will allow the Members to put questions on the statement that was made by the Minister of Irrigation and Power.

15.56 hrs.

# PAPERS LAID ON THE TABLE

## COAL BEARING AREAS AMENDMENT RULES AND NOTIFICATION UNDER MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT

**The Minister of Mines and Fuel (Shri Alagesan):** I beg to lay on the Table a copy each of the following papers:—

- (i) The Coal Bearing Areas (Acquisition and Development) Amendment Rules, 1963 published in Notification No. S.O. 2569 dated the 7th September, 1963, under sub-section (3) of section 27 of the Coal Bearing Areas (Acquisition and Development) Act, 1957. [Placed in Library. See No. LT-1737/63].
- (ii) Notification No. G.S.R. 1451 dated the 7th September, 1963 under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, making certain amendments in the Second Schedule to the said Act. [Placed in Library, See No. LT-1748/63].

## ARMS RULES AND FIFTH REPORT OF THE COMMISSIONER OF LINGUISTIC MINORITIES

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** On behalf of Shri Hajar-navis, I beg to lay on the Table a copy each of the following paper:—

- (i) The Arms (Fourth Amendment) Rules, 1963 published in Notification No. G.S.R. 1377 dated the 24th August, 1963, under sub-section (3) of section 44 of the Arms Act, 1959. [Placed in Library. See No. LT-1739/63.]
- (ii) Fifth Report of the Commissioner of Linguistic Minorities for the period 1st January to 31st December, 1962, under

6789 Report of Committee BHADRA 27, 1885 (SAKA) Drugs and Cosmetics 6790  
on Private Members' Bill and Resolution (Amendment) Bill  
article 350B(2) of the Constitu-  
tion. [Placed in Library,  
See No. LT-1740/63].

Twenty-sixth Report of the Commit-  
tee on Private Members' Bills and Re-  
solutions.  
12.57 hrs.

**REGISTRATION OF ELECTORS (AMEND-  
MENT) RULES AND CONDUCT OF ELEC-  
TIONS (AMENDMENT) RULES**

**DRUGS AND COSMETICS (AMEND-  
MENT) BILL—contd.**

**The Deputy Minister in the Minis-  
try of Law (Shri Bibudhendra Misra):**  
I beg to lay on the Table a copy each  
of the following Notifications:

**Mr. Speaker:** The House will now  
take up further consideration of the  
following motion moved by Dr. Sushila  
Nayar on the 12th September, 1963,  
namely:

(i) The Registration of Electors  
(Amendment) Rules, 1963  
published in Notification No.  
S.O. 2577 dated the 6th Sep-  
tember, 1963 under sub-  
section (3) of section 28 of  
the Representation of the  
People Act, 1950. [Placed in  
Library. See No. LT- 1741/  
63].

"That this House concurs in the  
recommendation of Rajya Sabha  
that the House do join in the Joint  
Committee of the Houses on the  
Bill further to amend the Drugs  
and Cosmetics Act, 1940, made in  
the motion adopted by Rajya  
Sabha at its sitting held on the  
28th August, 1963, and communi-  
cated to this House on the 2nd  
September, 1963, and resolves that  
the following 20 members of Lok  
Sabha be nominated to serve on  
the said Joint Committee, namely,  
Dr. R. Banerji, Shri Tridib Kumar  
Chaudhuri, Dr. P. D. Gaitonde,  
Shri Shiv Charan Gupta, Shri Hari  
Vishnu Kamath, Shri Lahri Singh,  
Shri Braj Behari Mehrotra, Dr.  
G. S. Melkote, Shri R. R. Morarka,  
Shri V. C. Parashar, Dr. D. S.  
Raju, Shri Shivram Rango Rane,  
Dr. Saradish Roy, Shri A. T.  
Sarma, Dr. Sarojini Mahishi, Shri-  
mati Jayaben Shah, Shri Krishna-  
pal Singh, Dr. P. Srinivasan, Shri  
Nagendra Prasad Yadav, and Dr.  
Sushila Nayar."

(ii) The Conduct of Elections  
(Amendment) Rules, 1963  
published in Notification No.  
S.O. 2578 dated the 6th Sep-  
tember, 1963, under sub-  
section (3) of section 169 of the  
Representation of the People  
Act, 1951. [Placed in Library,  
See No. LT-1742/63].

Shri K. K. Verma to continue his  
speech.

**MESSAGE FROM RAJYA SABHA**

**Secretary:** Sir, I have to report the  
following message received from the  
Secretary of Rajya Sabha:—

"In accordance with the provi-  
sions of rule 125 of the Rules of  
Procedure and Conduct of Business  
in the Rajya Sabha, I am directed  
to inform the Lok Sabha that the  
Rajya Sabha, at its sitting held on  
the 16th September, 1963, agreed  
without any amendment to the  
Dramatic Performances (Delhi Repeal)  
Bill, 1963, which was passed by the  
Lok Sabha at its sitting held on the  
14th August, 1963."

**Shri Hari Vishnu Kamath (Hoshan-  
gabad):** How much time remains for  
this?

**Mr. Speaker:** 40 minutes remain.

**REPORT OF COMMITTEE ON PRI-  
VATE MEMBERS' BILLS AND RE-  
SOLUTIONS**

**TWENTY-SIXTH REPORT**

**Shri S. V. Krishnamoorthy Rao**  
(Shimoga): I beg to present the

श्री कु० कृ० वर्मा (मुल्तानपुर) : अध्यक्ष  
महोदय, मैं इस विधेयक की कुछ बातें पहले  
ही निवेदन कर चुका हूँ। इस विधेयक की  
धारा १५ में कई वस्तुओं के ज्वट करने की  
बात रखी गई है। उस में अशुद्ध दवाएँ ले जाने



[श्री कुं० कृ० वर्मा]

के लिए जो जानवर या मोटर, ट्रक या दूसरी गाड़ियों का प्रयोग होगा, उन्हें भी जन्तु करने की बात इस विधेयक में रखी गई है। मैं समझता हूँ कि शुद्ध दवाएँ और जिन औजारों से वह बनाई जाती हैं या जो बर्तन उन में प्रयोग किये जाते हैं उन का जन्तु करना तो खैर ठीक ही है लेकिन ज्वाइंट कमेटी को इस बात पर विचार करना होगा कि गाड़ियों का या जानवरों का जन्तु करना कहाँ तक उचित होगा? ऐसा तो नहीं है कि यह ज़रूरत से ज्यादा दंड समझा जायगा।

सन् १९६० में एक संशोधक-विधेयक इस माननीय सदन के सम्मुख लाया गया था। उस समय यह मांग की गई थी कि आयुर्वेदिक और यूनानी दवाओं पर भी नियंत्रण होना चाहिए। उस समय सरकार की ओर से आश्वासन दिया गया था कि भविष्य में इस के लिए भी प्रयत्न किया जायेगा, क्योंकि एक दिक्कत थी कि यह कानून्कट सबजक्ट है और इस विषय पर राज्य सरकारों का भी अधिकार है। सरकार की ओर से यह कहा गया था कि राज्य सरकारों से परामर्श करने के बाद ऐसा संशोधक-विधेयक लाया जायेगा। मुझे इस बात का हर्ष है कि उस वक्त सरकार ने जो वचन दिया था, उस की इस विधेयक के द्वारा पूर्ति होती है।

13 hrs.

हम आयुर्वेदिक और यूनानी दवाओं पर जो नियंत्रण करने जा रहे हैं, मैं समझता हूँ कि उस से हमारी प्राचीन चिकित्सा-पद्धतियों की उन्नति होगी, जिन की अंग्रेजी जमाने में कम कद्र हो गई थी और जिन पर से बहुत से लोगों का विश्वास उठ गया था। अगर इस से शुद्ध आयुर्वेदिक और यूनानी दवायें हमारी जनता को मिलने लगती हैं और उन से उन को लाभ होता है, तो उन दवाओं पर उन की श्रद्धा और विश्वास बढ़ेगा। जाहिर है कि ये दवायें सस्ती होती हैं। इसलिए हम उन के द्वारा अधिक से

अधिक जनता की चिकित्सा कर सकेंगे और इस प्रकार हमारी गरीब और साधारण जनता का स्वास्थ्य बढ़ेगा।

मेरा यह निजी विश्वास है कि वास्तव में आयुर्वेदिक और यूनानी दवायें हमारे देश के लिए ज्यादा उपयोगी हैं। जो रोग हमारे देशवासियों को होते हैं, उन को जड़ से उखाड़ने में वही दवायें कारगर होती हैं। ऐलोपैथी इस में इतनी कारगर नहीं होती है। वह सिर्फ मर्ज को दबा देती है।

जैसा कि मैं ने अभी कहा है, इस विधेयक के लाने से आयुर्वेदिक और यूनानी पद्धतियों की उन्नति होगी और यह हमारे राष्ट्र के लिए एक अच्छी बात है। मैं समझता हूँ कि यह विधेयक हमें समाज-कल्याण की ओर ले जाता है, लेकिन मेरी समझ में केवल दंड-व्यवस्था से ही पूरा कल्याण नहीं होगा। इस का कारण यह है कि बहुत सी बातों पर हम ने नियंत्रण किया है, कंट्रोल किया है, लेकिन हम देखते हैं कि बावजूद इस के कि हम ने इस के लिए दंड-व्यवस्था की है, उन में चोर-बाजारी मिटती नहीं है, उन में भ्रष्टाचार होता रहता है और उन को हम पूरी तरह से मिटा नहीं सके हैं। अगर हमें वाकई इस बात की फ़िक्र है और हमारी सरकार यह चाहती है कि हमारी आम जनता को, साधारण जनता को, सभी लोगों को, शुद्ध दवायें मिलें, तो मैं समझता हूँ कि हम दवाओं को किस तरह से तैयार करें, उन का वितरण किस तरह से हो, इस के लिए हमें कुछ न कुछ रचनात्मक कदम उठाना पड़ेगा। मैं तो यह समझता हूँ कि इतना ही काफ़ी नहीं होगा, बल्कि हमें दवाओं की कीमतों पर भी नियंत्रण करना होगा।

हम सभी लोग यह जानते हैं कि इस समय जो निजी कारख़ाने दवायें वगैरह बनाते हैं, उन में मुनाफ़ाखोरी की भी नीयत रहती है और मुनाफ़ाखोरी की नीयत

होने की वजह से दवाओं में केवल मिलावट ही नहीं होती है, बल्कि वे दवायें काफी महंगी बेची जाती हैं, जिस को वजह से हमारी साधारण और गरीब जनता उन्हें खरीद नहीं पाती और अपनी चिकित्सा ठीक तौर से नहीं कर पाती। अमरीका में भी यह मर्ज है और वहाँ इस बात की अब काफी शिकायत हो रही है कि निजी कारखानों को मुनाफ़ाखोरी की नीयत होने के कारण दवायें महंगी होती जा रही हैं। अगर हम चाहते हैं कि हमारे यहां की जनता का स्वास्थ्य अच्छा हो, वह अपने मज का ठीक ठीक इलाज कर सके और ऐसा न हो कि महंगी दवाओं की वजह से वह उन्हें खरीद न सके, अपने रोग का इलाज न कर सके और वह एड़ियां रगड़ रगड़ कर मरे—जो कि एक कल्याणकारी राज्य के लिए शोभनीय नहीं होता है—, तो मैं यह निवेदन करना चाहता हूँ कि हमारे पास सिवाये इस के और कोई तरीका नहीं है कि हम दवायें बनाने के उद्योग का राष्ट्रीयकरण करें।

अगर हम इस उद्योग का राष्ट्रीयकरण करते हैं, तो उस में मुनाफ़ाखोरी की कोई बात सरकार की तरफ से नहीं होगी और इस प्रकार दवाओं का दाम कम होगा और शुद्ध दवायें साधारण और गरीब जनता को कम कीमत पर मिल सकेंगी। हमने पैन्सिलिन बनाने के कारखाने का राष्ट्रीयकरण किया। इस के अतिरिक्त सिन्थेटिक इंग्रज, ग्लैंडुलर प्राइक्ट्स, मेडिसनल प्लांट्स प्रोडक्ट्स, सर्जिकल इंस्ट्रुमेंट्स एंड एप्लायेंसिज का भी हम ने राष्ट्रीयकरण किया और सभी लोगों को इस बात का अनुभव है कि ये चीजें काफी सस्ती मिल रही हैं। इसलिये मुझे आशा है कि जो ज्वॉयंट सिलेक्ट कमेटी बनने जा रही है, वह इन बातों पर विचार करेगी और ऐसी व्यवस्था की जायगी, जिस से हम शुद्ध दवायें कम कीमत पर पा सकें, ताकि हमारी जनता का स्वास्थ्य अच्छा हो।

**श्रीमती शशांक मंजरी (पालामऊ) :**  
श्रीमान्, इस विधेयक की बहुत आवश्यकता

थी। अभी तक यूनानी और आयुर्वेदिक औषधियों के बनाने पर कोई नियंत्रण नहीं था और अच्छी दवायें मिलना मुश्किल होता जा रहा था। हमारे देश में अधिकतर गरीब जनता उन औषधियों को इस्तेमाल करती है। यूनानी और आयुर्वेदिक औषधियां लाभ भी बहुत पहुंचाती हैं। इसलिये यह आवश्यक है कि शुद्ध और सस्ती दवायें लोगों को मिल सकें। मैं यह भी कहना चाहती हूँ कि दवाइयां बनाने के कारखानों की निगरानी के लिए योग्य इंस्पेक्टर रखे जायें, जो खुद बैठें और जो कारखानों की निगरानी करने के अलावा उन को दवाइयां बनाने की विधियां भी बता सकें। जब दवा बन जायें और उस को पैक कर दिया जाय तो बाद में उस पर मुहर भी लगाई जानी चाहिये। जो दवा बनाने वाला या उस को बेचने वाला कोई भूल करे, उस को कड़ा दण्ड दिया जाना चाहिये।

दूसरी बात मैं यह कहना चाहती हूँ कि इस कानून के अन्दर जो दण्ड रखा गया है वह कम है। उस को बढ़ाया जाना चाहिए।

मैं यह भी कहना चाहती हूँ कि सारे हिन्दुस्तान के बैठों के प्रतिनिधियों की एक सभा बनाई जाए जिस से इस विषय में गवर्नमेंट समय समय पर परामर्श करती रहे और उन से इस कार्य में सहायता लेती रहे।

आप जो आज मिलावट पर प्रतिबन्ध लगा रहे हैं, वह ठीक है। लेकिन गवर्नमेंट ने पंद्रह साल से आज तक डाल्टा घी के अन्दर रंग मिलाने के लिए कोई कदम नहीं उठाया है। क्या गवर्नमेंट के पास इस क्षेत्र में वैज्ञानिक अनुसन्धान करने वाला कोई नहीं है? मैं चाहती हूँ कि जल्दी से जल्दी रंग मिलाने के लिये कोशिश आप करें।

मेरी समझ में यह नहीं आता है कि रंग मिलाने में सरकार के रास्ते में अड़चन

[श्रीमती शशांक मंजरी]

क्या है। मैं समझती हूँ कि डाल्डा की एजेंसियाँ आज बड़े बड़े सेठ साहूकारों के हाथों में हैं जो कांग्रेस को इलैक्शन के दिनों में चन्दा देते हैं। इसी कारण से देरी हो रही है।

सरकार दूसरों से तो यह कहती है कि मिलावट मत करो लेकिन खुद सोने में ताम्बा, धी में डाल्डा, दूध में पाउडर और शहद में गुड़ मिलाती है।

श्री रघुनाथ सिंह (वाराणसी) : तब तो ज़हर हो जायगी।

श्रीमती शशांक मंजरी : यह चीज़ नहीं होनी चाहिये और हमारे देसी दवाइयाँ जो बनाने वाले हैं, उन को शुद्ध चीज़ें मिलनी चाहियें।

तीसरी बात मैं यह कहना चाहती हूँ कि जिस तरह से देसी दवाओं पर आप प्रतिबन्ध लगा रहे हैं, उसी तरह से आप बाज़ार में, फुट पाय पर जो दवायें बेचते हैं, उन पर भी प्रतिबन्ध लगायें। कोई चाक मिट्टी को दाँत का मंजन बना कर, कोई इमली के बीज को बिच्छू की दवा और कोई जड़ी बूटी को साँप के कटे की दवा बता कर बेच देते हैं। इस तरह से वे लोग जनता को ठग लेते हैं। मैं जानना चाहती हूँ कि इस बारे में सरकार ने क्या कदम उठाये हैं।

श्री बड़े : (खारगोन) : अध्यक्ष महोदय, ड्रग्स एंड कास्मेटिक्स (एमेंडमेंट) बिल जो आया है, इस के लिए मैं शासन को बधाई देता हूँ। कुछ क्लॉज़िज़ पर मेरी आपत्ति है और मैं चाहता हूँ कि ज्वायंट सिलैक्ट कमेटी उन आपत्तियों पर विचार करे।

जहाँ तक बोर्ड की स्थापना का सम्बन्ध है, उस के बारे में मुझे यह कहना है कि यहाँ आयुर्वेद वालों का एक सम्मेलन हुआ था और वहाँ की तरफ से एक अपना बोर्ड

बना हुआ है और उस बोर्ड में से प्रतिनिधि इस में लिये जाने चाहियें। इस में लिखा हुआ है

"one person to be elected by the Central Council of Ayurvedic Research."

मेरा कहना यह है कि आयुर्वेद वालों की जो सभा यहाँ हुई थी और जो बहुत बड़ी सभा थी, उन्होंने भी अपना एक बोर्ड बनाया है और हर साल वे अपना प्रेजिडेंट और सैक्रेटरी वगैरह चुनते हैं, उस आयुर्वेदिक बोर्ड से अगर किसी व्यक्ति को लिया जाय तो मैं समझता हूँ कि शासन का जो उद्देश्य है, वह पूरा हो जायेगा।

आप ने इस बिल में आयुर्वेद और यूनानी पर प्रतिबन्ध लगाया है। इस के जो आवश्यक एंड रीज़न्स हैं, उन में आप ने लिखा है :—

"There is a growing tendency on the part of certain manufacturers to market preparations containing partly modern drugs and partly ayurvedic or unani drugs under names which simulate ayurvedic or unani preparations, thus making it difficult to exercise control over them under the Drugs and Cosmetics Act, 1940".

इस के साथ ही साथ यह भी लिखा हुआ है गोल्ड, मस्क, पर्ल, सैफरन आदि को ले कर मिलावट होती है। मैं समझता हूँ कि अभी भी जो आप का एक्ट है और जो एलोपैथी पर लागू होता है, उस के अन्दर जितनी गड़बड़ियाँ होती हैं, उन को भी आप नहीं रोक पाये हैं। कलकत्ता से हम ने देखा है कि डिसटिल्ड ट्यूब्स आई थीं, वे खराब पाई गईं और उन को ज्वट कर लिया गया। उस के बाद क्या एक्शन लिया गया, उस का क्या रिजल्ट निकला, हमें मालूम नहीं है। इसी

तरह से पैनिमिलीन में से मक्खियां निकली हैं और इस के इंजेक्शन देने से लोगों की मौतें तक हो गई हैं। इस तरह का जो खराब असर इस का होता है, उस को भी आप अभी तक रोक नहीं पाये हैं। हमें इस के बारे में अभी तक भी आप की तरफ से कोई डिटेल्स नहीं दी गई हैं कि उस के बारे में क्या आप ने किया है। अब आप इस कानून को कड़ा बना रहे हैं और स को आयुर्वेद और यूनानी पर भी लागू करने जा रहे हैं। आप जब इन पर कंट्रोल लगाते हैं, तो आपको यह भी देखना चाहिये, कि इसका परिणाम क्या होगा। आज आप देखें कि देहातों में, गांवों में एलोपैथी की दवाइयां नहीं मिलती हैं और आयुर्वेद और यूनानी की ही दवाइयां मिलती हैं। कुछ अच्छी अच्छी फर्मे भी हैं, जिन की तरफ से अच्छी अच्छी दवायें बनाई जाती हैं, जैसे वैद्यनाथ फार्मसी है, गुरुकुल कांगड़ी है, अंडू फार्मसी है। उनकी जो चीजें होती हैं व स्टैंडर्ड की होती है। इन चीजों का वैद्य लोग उपयोग करते हैं। आप डाक्टर दे नहीं सकते हैं। आप कहते हैं कि ३६,००० के पीछे एक डाक्टर हिन्दुस्तान में है। डाक्टर भी आप नहीं दे सकते हैं। मध्य प्रदेश में एक हजार डाक्टरों की कमी है। और अगर वैद्य भी नहीं होंगे तो लोगों का क्या हाल होगा, क्या इस का भी आपने विचार किया है। गांवों में ऐसे भी वैद्य होते हैं, जो अपने ही घर में दवायें बनाते हैं, चूर्ण इत्यादि बनाते हैं और लोगों का इलाज करते हैं। उन पर आप कैसे कंट्रोल करेंगे? ऐक्ट बना देना तो आसान है लेकिन उसको इम्प्लेमेंट करना बहुत मुश्किल होता है। क्या आप ने कभी सोचा है कि इस तरह के ऐक्ट को कैसे आप लागू करेंगे? क्या इंस्पेक्टरों के द्वारा भ्रष्टाचार शुरू नहीं हो जाएगा? आपका यह मंशा हगिज नहीं हो सकता है कि इस तरह का कानून बने जिससे भ्रष्टाचार शुरू हो। लेकिन आप देखेंगे कि इसका नतीजा क्या होगा। इस तरह का कानून बना कर आप गांवों में, देहातों में लोगों को उन दवाओं से भी वंचित रखना चाहते हैं

जो वैद्य लोग घरों में बना लिया करते हैं। ये जो सब चीजें हैं, इन पर आपने विचार किया हो, ऐसा दिखाई नहीं देता है। एलोपैथी के डाक्टर आप दे नहीं सकते हैं। लेकिन जो बाप दादाओं के जमाने से वैद्यकी करते आए हैं, घरों में दवायें बनाते आये हैं, उनका इससे क्या हाल होगा, यह भी क्या आपने कभी सोचा है? उनके द्वारा बनाई गई दवाओं का अगर एनेलेसिस होना शुरू हो गया, उनकी दवाओं के बारे में अगर इसकी जांच शुरू हो गई कि वे शुद्ध हैं या नहीं तो गांवों में मुसीबत आ जाएगी, आपत्ति आ जाएगी। आप कानून तो विदेशों को देख कर बना देते हैं लेकिन, यहां पर क्या परिस्थितियां हैं, उनका स्थाल नहीं करते हैं। फारेन कंट्रीज में अच्छे अच्छे डाक्टरों की सुविधायें लोगों को मिलती हैं, जो यहां नहीं है। यहां पर आप अच्छे डाक्टर नहीं देते हैं, अच्छे वैद्य नहीं देते हैं। ये जो सब चीजें हैं, इनकी ओर भी आपका ध्यान जाना चाहिये।

दूसरी आपत्ति मेरी पनिशमेंट के बारे में है। दस साल की मैक्सिमम सजा आपने इस में रख दी है। आपने मैजिस्ट्रेट के भी हाथ बांध दिये हैं यह कह कर कि नाट लैस बैन टू ईयर्स पनिशमेंट ही शुः गिव। यह जरूरी कर दिया गया है। जुरिस्पुडेंस में इस प्रकार के जो ऐक्ट्स होते हैं, उनको खराब माना गया है। मैजिस्ट्रेट के हाथ इस तरह से नहीं बांधे जा सकते हैं। एमेंडमेंट में आपने लिखा है:—

“(a) under a clause (a) of section 27 is again convicted of an offence under that clause, shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to ten years and shall also be liable to fine.”

इस प्रकार से उसके हाथ बांध देना ठीक नहीं है। अगर कोई इंस्पेक्टर किसी से एक हजार रुपया देने को कहता है और वह

[श्री बड़े]

आदमी दे नहीं सकता है तो वह इंस्पेक्टर उस आदमी की सीधे कोर्ट से दो साल की सजा दिलवा देगा। मेरा कहना है कि कानून में जो लूपहोल होते हैं, जो डिफिक्ट होते हैं, उन की तरफ भी आपका ध्यान जाना चाहिये। कानूनी बातों की तरफ ही केवल आपका ध्यान है। ज्वाइंट कमेटी इस पर विचार करे। १० वर्ष का इम्प्रिजनमेंट करने का अधिकार तो सेशन्ज जज को होता है। इस को आप ने काग्निजेबल बनाया है या नहीं, यह भी मालम नहीं होता है। रिगरस इम्प्रिजनमेंट होने से वह काग्निजेबल हो जाता है। लोकल एक्ट से भी यह काग्निजेबल होता है। इस के साथ साथ सेशन्स कोर्ट में ही यह ट्रायल हो सकता है। यह बेलेबल है या नहीं, इस का भी कोई प्राविजन इस में नहीं है। इस तरह का डिफिक्टव कानून आप को नहीं बनाना चाहिये। दूसरी बात इस के बारे में यह है कि आखिर इस को बेलेबल क्यों नहीं बनाया गया। पता नहीं यह काग्निजेबल है या नहीं। इस को नानकाग्निजुबल अगर करना था तो वह भी आप ने नहीं बनाया। सेशन्स ट्रायल इस का होना चाहिये, इस प्रकार का भी कोई प्राविजन नहीं है। यदि यहां पर वकील हों तो उन को मैं सैटिस्फाई कर सकता हूं कि यह बिल्कुल गलत कानून बनाया जा रहा है।

इसी तरह से आगे देखिए। वह ट्रायल बाई फर्स्ट क्लास मजिस्ट्रेट है। ट्रायल बाई फर्स्ट क्लास मजिस्ट्रेट कहने के बाद फिर टैन इमर्स इम्प्रिजनमेंट कैसे हो सकता है? क्योंकि फर्स्ट क्लास मजिस्ट्रेट दस वर्ष का इम्प्रिजनमेंट दे ही नहीं सकता। इसलिये वह इस को सेशन्स कोर्ट में भेजेगा। इस के लिये माननीय श्री रघुनाथ सिंह क्या जवाब देंगे, यह मुझे मालूम नहीं। अगर उन को कानून का ज्ञान है तो वे इस का जवाब दें। ट्रायल बाई फर्स्ट क्लास मजिस्ट्रेट और टैन इमर्स इम्प्रिजनमेंट यह दोनों साथ साथ कैसे चल सकते हैं?

मुझे तीसरी आपत्ति यह है कि आप ने होमियोपैथी को इस में नहीं लिया। आप ने यूनानी को लिया, हकीम को लिया, वैद्य को लिया, लेकिन होमियोपैथी को नहीं लिया। मैंने देखा है कि पंजाब से यह लिख कर आया है कि "संड रूपोज ५०, यू विल गेट दि सर्टिफिकेट"। अगर कोई ५० रु० भेज देता है तो उस के साथ डाक्टर का सर्टिफिकेट आ जाता है कि यह होमियोपैथी है। वह आर० एम० पी० यानी रजिस्टर्ड मैडिकल प्रैक्टिशनर लिखता है। मैं ने पूछा कि मैंने एल० एम० पी० देखा है इसी तरह की दूसरी चीजें भी देखी हैं लेकिन यह आर० एम० पी० क्या होता है? मैंने पूछा कि यह आर० का टाइल कैसे आ गया तो उस आदमी ने कहा कि मैं रजिस्टर्ड मैडिकल प्रैक्टिशनर हूं। होमियोपैथी के सर्टिफिकेट वाला हूं, मैं ने ५० रु० भेजे हैं और सर्टिफिकेट लिया है। डा० मुक्तानां एक होमियोपैथ डाक्टर हैं उन के नीचे पढ़ रहा हूं और मैडिसिन देता हूं। जो इस चीज का उपयोग करते थे उन पर इस कानून का कंट्रोल क्या है? जिन को कैंक्स कहते हैं उन पर क्या कंट्रोल है? कोई कंट्रोल नहीं है। जो मेडिसिन्स तैयार होती हैं उन पर कंट्रोल है, डाक्टर्स पर कंट्रोल नहीं है, होमियोपैथ्स पर कंट्रोल नहीं, कैंक्स पर कंट्रोल नहीं। इसी प्रकार से होमियोपैथिक मेडिसिन्स पर भी कंट्रोल होना चाहिये।

फैमिली प्लैनिंग के बारे में कहते हैं कि एनोपैथिक का उपयोग करते हैं। फैमिली प्लैनिंग की बहुत सी यूनानी और आयुर्वेदिक की दवायें हैं। उन पर भी सरकार को ध्यान रखना चाहिये। हिन्दुस्तान में ८०, ९० करोड़ रु० की या इस से भी ज्यादा की मेडिसिन्स तैयार होती हैं। इस में कोशिश यह करनी चाहिये कि फैमिली प्लैनिंग के वास्ते जो दवायें बाहर से मंगाई जाती हैं उन के बजाय आयुर्वेदिक और यूनानी का प्रयोग किया जाये। आज सरकार

इस की कोशिश क्यों नहीं करती है ? इस पर भी विचार करना चाहिये ।

मैंने जिन बातों की तरफ आप का विशेष ध्यान दिलाया है उन में से एक तो बोर्ड है, दूसरे सजा देने के बारे में, तीसरी आपत्ति मुझे जो है, जिस की ओर मैं ज्वारेंट कमेटी का ध्यान आकर्षित करना चाहूँगा, वह है **बर्डन आफ प्रूफ** के बारे में । सेक्शन १८ में लिखा है :

"Provided that nothing contained in this section shall render any such person liable to any punishment provided in that Chapter if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence".

यह **बर्डन आफ प्रूफ** की बात भी गलत है । जब अपराधी कटघरे में आता है तो वह इन्फोर्मेट समझा जाता है, वह निरपराध समझा जाता है । लेकिन इस में आप ने प्रेज्यूम कर लिया है कि वह अपराधी है और उस को साबित करना है कि वह निरपराध है। **बर्डन आफ प्रूफ** का धीरे धीरे इस तरह पर उपयोग करना गलत है इस कानून में ।

इस के साथ ही आप ने कहा है कि सब कुछ जन्त कर लिया जायेगा यह क्या है ? सब गाड़ियां और उस के साथ अगर कोई कन्वेयन्स होगी, कोई पैकेज होगा या अगर उस चीज के वास्ते कोई गाड़ी उपयोग में लाई गयी होगी तो वह गाड़ी, कन्वेयन्स, यानी हाथ गाड़ी भी, आप जन्त कर लेंगे । इस तरह का कानून बनाना ठीक नहीं है । फारेस्ट ऐक्ट में इस तरह का कानून था । उस पर भी हाई कोर्ट्स ने बड़े स्ट्रिकचर्स पास किये हैं कि इस तरह का कानून बनाना ठीक नहीं है। जो आक्सी दवायें ले जाता है जब तक उसे नालेज न हो कि वह ऐडल्टरेटेड फूड या

ऐडल्टरेटेड मेडिसन ले जा रहा है तब तक आप किस तरह से उस की कन्वेयन्स को जन्त कर सकते हैं? बोट हो, हाथगाड़ी हो, कोई कन्वेयन्स हो, उस का जन्त करना ठीक नहीं है । यह जो प्राविजन है यह भी गलत है । इस पर ज्वारेंट कमेटी विचार करे । बाकी जो प्राविजन्स हैं उन सब के खिलाफ यह जाता है ।

**श्री रघुनाथ सिंह :** अध्यक्ष महोदय, इस विधेयक का हर एक तरफ से स्वागत होगा और मुख्यतया इसलिये स्वागत होगा कि जैसा स्टेटमेंट आफ आम्बेक्ट्स ऐंड रीजन्स में दिया है :

"The Udupa Committee's report discloses that costly raw-materials such as gold, musk, pearl, saffron, etc., which are component ingredients in the various Ayurvedic and Unani preparations, are either not used or substituted by imitation products."

उन औषधियों का प्रयोग कुछ भी नहीं होता है। स्वर्ण सिन्दूर खरीदने जायें बाजार में तो आप को स्वर्ण सिन्दूर नहीं प्राप्त होगा । दाम तो उतना ही चार्ज करेंगे लेकिन ताम्र भस्म देंगे । इसी प्रकार से अगर मकरध्वज खरीदने जायें तो, जैसा मेरे भाई श्री बड़े ने कहा है, उन्होंने तीन चार औषधालयों के नाम लिये हैं, वैद्यनाथ है, काशी विश्व-विद्यालय है, अलेम्बिक है, झंडू है, एक ही दवा मकरध्वज है लेकिन एक जगह ८ ६० तोला, दूसरी जगह ५ ६० तोला, तीसरी जगह ३ ६० तोला और कहीं पर १२ ६० तोला है । उस के इन्प्रीडिएन्ट्स एक ही हैं, स्वर्ण का प्रयोग उसमें जरूर होता है, उस में सल्फर होता है, एक ही तरह का नुस्खा है आयुर्वेदिक का तब फिर क्या कारण है कि वही दवा एक जगह पर ३ ६० तोला है, दूसरी जगह पर ४ ६० तोला है और तीसरी जगह पर १२ ६० तोला है ? इस प्रकार की चीजों को रोकने की अत्यन्त आवश्यकता है ।

दूसरी बात मैं यह कहना चाहता हूँ कि खाने की चीजों, जैसे शरबतों, को ताज़ा। उन की बोतलों पर लिखा है शरबत केवड़ा, शरबत चन्दन और आप से दाम चन्दन

और केवड़ा के चार्ज किये जाते हैं, लेकिन आपको जो शरबत मिलता है उसमें चन्दन और केवड़ा का सेंट पड़ा होता है। इसलिये मेरा सुझाव है कि ऐसी चीजों के लेबिल पर लिखना चाहिये कि "सेंटेड शरबत केवड़ा" आदि। अभी तो हम दाम देते हैं असली चीज के और हमको मिलती है नकली चीज। यह न होना चाहिये।

इसी तरह से गुग्गुल की बात है। यह आयुर्वेद की बड़ी अच्छी दवा है और इसका बहुत लोग उपयोग करते हैं। लेकिन जितने भी बड़े बड़े कारखाने इस को बनाते हैं उनके बनाये योगराज का एक पैटर्न नहीं है। इस वास्ते मैं डाक्टर साहब से कहूंगा कि जब यह बिल ज्वाइंट सिलेक्ट कमेटी में जाये तो इस बात पर भी विचार हो कि जो विभिन्न कारखाने जैसे अलेम्बिक, और हिन्दू यूनीवरसिटी का कारखाना—जहाँ आप गयी थीं और उस विभाग को खोला है—आदि जो दवा बनाये वह एक तरह की हो और जो आदमी बाजार में दवा लेने जाये उसको जेनरल चीज मिले। यह न होना चाहिये कि दाम तो लिया जाये अच्छी चीज का और दी जाये नकली चीज।

हमारे बहुत से भाइयों ने एक खास बात और उठायी है और खास तौर से लाइयर क्लास वालों ने बिल में लिखा है कि जो सजा दी जायें वह दो साल से कम न हो। इसमें लिखा है :

"Shall not be less than two years"

मुझे डर है कि इसका एब्यूज होगा। ऐसा करके तो आप मजिस्ट्रेट या जज के हाथ बांध देते हैं। हो सकता है कि एक गरीब आदमी जो खड़िया डाल कर ट्युपेस्ट बनाता है और उसको फुट पाथ पर बेचता है, वह इस कानून में पकड़ा जाये। उसको इस काम से दो तीन रुपया से ज्यादा नहीं मिलता। वह अपने लिये वकील नहीं कर सकेगा और

न मुकदमे की पैरवी कर सकेगा। तो ऐसे आदमी को भी मजिस्ट्रेट को दो साल की सजा देनी होगी क्योंकि आपने उस के हाथ बांध दिये हैं। दुनिया में ऐसे कानून बहुत कम हैं कि जज को इसके लिये बाध्य किया जाये कि वह इससे कम सजा न दे। तो मेरा सुझाव है कि इस क्लॉज को हटाया जाये और इसमें से ये शब्द "Shall not be less than two years" निकाल दिये जायें। दस साल की जो मैक्सिमम सजा रखी है वह ठीक है पर मजिस्ट्रेट के हाथ इस तरह नहीं बांधने चाहियें। आपको एक उदाहरण दूँ। दफा ३९६ में डकैती के केस आते हैं। इनमें ६ महीने की भी सजा दी जाती है, एक साल, दो साल की सजा भी दी जाती है और फांसी भी दी जाती है क्योंकि इसमें खून भी होते हैं। लेकिन अगर यह कहा जाय कि ३९६ के केस में फांसी से कम सजा न दी जाये तो यह ज्यादाती हो जायेगी और इस तरह से कानून का बहुत एब्यूज होगा। तो मेरा निवेदन है कि जब यह विधेयक सिलेक्ट कमेटी के सामने जायें तो डाक्टर साहब इस पर खास कर ध्यान दें।

मैं उनसे यह भी निवेदन करना चाहता हूँ कि आयुर्वेदिक और यूनानी औषधियों में मिलावट के बारे में तरह तरह की धारणायें हैं। तो मेरा सुझाव है सरकार कोई ऐसी फर्म खोले जिसमें आयुर्वेदिक और यूनानी दवायें तैयार हों, ताकि वे शुद्ध रूप में और उचित कीमत पर जनता को मिल सकें।

इन थोड़े से शब्दों के साथ मैं डाक्टर साहब को धन्यवाद देता हूँ कि वे ऐसा सुन्दर विधेयक लायी हैं।

13.35 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

The Minister of Health (Dr. Sushila Nayar): Mr. Deputy-Speaker, I am grateful to the hon. Members for their support.



श्री कछवाय (देवास) : मैं माननीय मन्त्राणी जी से प्रार्थना करूंगा कि वे इस बहस का उत्तर हिन्दी में दें क्योंकि अधिकतर सदस्य हिन्दी में बोलते हैं।

डा० सुशीला नायर : मैं डिप्टी स्पीकर महोदय के ख्याल से अंग्रेजी में बोल रही थी।

मैं इस सदन के सदस्यों की बहुत आभारी हूँ कि उन्होंने इतनी दिलचस्पी के साथ इस विधेयक पर अपने अपने विचार व्यक्त किए और सदन के दोनों तरफ से सदस्यों ने इस विधेयक का स्वागत किया है।

यह विधेयक नया तो नहीं है। इस विधेयक में पुराने कानून को सुधारने की कुछ कोशिश की गयी है।

मुझे एक दो बातों पर कुछ आश्चर्य हुआ। दो तीन माननीय सदस्यों ने इस बात का विरोध किया कि इसमें कम से कम सजा दो साल की रखी गयी है। जो पुराना कानून है उसमें भी दो साल की सजा मौजूद है, लेकिन देखा यह गया कि करीब-करीब किसी को भी वह सजा दी नहीं गयी। थोड़े बहुत जुरमाने कर दिए जाते हैं। और इस सदन में और राज्य सभा में भी अनेक बार माननीय सदस्यों ने इस पर असन्तोष प्रकट किया है और चिन्ता प्रकट की है कि जुरमाने से कोई लाभ नहीं होता। लोभ मिलावट के लिए जुरमाना दे देते हैं और फिर जो इस जुरमाने को देने में खर्चा हुआ है उसको पूरा करने के लिए और अधिक मिलावट करते हैं। तो सदन की इस भावना को सामने रखते हुए यह तरमीम रखी गयी है कि कम से कम दो साल की सजा की जाए। अगर कोई इस कानून की पकड़ में आ जाता है और गुनहगार साबित हो जाता है तो उसको सचमुच ऐसी सजा दी जाए जो डराने वाली हो, और जिसके भय से लोग ऐसा काम करने से हिचकें और पीछे हटें। माननीय सदस्यों के जो भी विचार हैं वे सिलेक्ट कमेटी

के सामने तो जाएंगे ही, लेकिन मैं यहां यह बताने की कोशिश कर रही हूँ कि हमने इसमें कम से कम सजा की धारा क्यों रखी।

इसी प्रकार कहा गया है कि जो भ्राममी दो चार रुपये कमाता है उसको अगर जेलखाना करेंगे या उस पर ज्यादा जुरमाना करेंगे तो कैसे चलेगा। इस सम्बन्ध में मैं यह कहना चाहती हूँ कि इस दो चार रुपए कमाने वाले को इस तरह की दवा बेचने देने की इजाजत देने को क्या आवश्यकता है। दवा आखिर में ऐसी चीज है जिसका जीवन और मृत्यु से सम्बन्ध है। मैं बहुत अदब से कहना चाहती हूँ कि कभी तो माननीय सदस्य इतने आवेश में आ जाते हैं कि दवा में मिलावट करने वाले को चौराहे पर खड़ा करके कोड़े लगाने की सजा तजवीज करते हैं, उनकी निगाह में जेलखाने की सजा भी काफी नहीं है। दूसरी तरफ हम भावना में आ जाते हैं कि किस तरह आप एक गरीब भ्राममी को इतनी सजा देंगे, कैसे उसके ऊपर इतना जुरमाना करेंगे, कैसे आप उसे जेलखाने भेजेंगे इत्यादि। तो समझने की बात यह है कि क्या दवा का धंधा रोटी कमाने के लिए किसी गरीब भ्राममी के हाथ में रखना उचित है। हम यह काम उसी के पास रहने दे सकते हैं जिसमें दवा बनाने की योग्यता हो, जिसके पास उनको बनाने के साधन हों और दवा बनाने के बाद उसको टेस्ट करने के साधन हों, दवा बेचना है तो उसके स्टोरेज के उपयुक्त साधन हों। ऐसे भ्राममियों के हाथ में यह काम रहना चाहिए। तो मेरा नम्र निवेदन है कि हमको इसमें इस बात पर ज्यादा जोर देना चाहिए कि हमको अच्छी दवा मिले बनिस्वत इसके कि छोटे या गरीब भ्राममी इस काम को अपनी रोटी कमाने का साधन बना सकें।

कुछ माननीय सदस्यों ने जिक्र किया कि कुछ लोगों ने डिस्टिल्ड वाटर बना कर

कलकत्ते में या किसी और जगह बेचा और उससे बहुत नुकसान हुआ। वह इसी तरह हुआ कि कुछ गरीब लोगों ने सोचा कि चलो यह बहुत अच्छा तरीका है चार पैसे कमाने का। रोटी बनाने के बाद स्टोव पर डिस्टिल्ड वाटर तैयार कर लो और उसको ट्यूब में बन्द करके बेच दो। उससे कितने लोगों को नुकसान हुआ और कितनों की जानें गयीं इसका ठीक अन्दाजा नहीं है। लेकिन यह चीज पकड़ में इस तरह आयी कि ये एम्प्यूल बहुत सस्ते दामों में बिक रहे थे, इतने सस्ते दामों में कि जो उचित साधन रखने वाले लोग हैं वे इस को इतने सस्ते दामों पर बना कर नहीं बेच सकते थे। तब यह चीज पकड़ में आयी।

इसी प्रकार कुछ माननीय सदस्यों की ओर से कहा गया है कि जो हमने वारंटो क्लोज निकालने की बात की है वह ठीक नहीं किया। उनका कहना है कि जो रिटेलर, होलसेलर से खरीद कर लाता है और बेचता है उसका क्या कुसूर है अगर यह वह दवा खराब निकले तो। इसमें हुआ यह कि कई कैसेज में जब दवा खराब पायी गयी तो बेचने वाले ने कहा कि मैं बनाने वाला नहीं हूँ, बनाने वाला तो फलां आदमी है, आप उसको तलाश कीजिए, मेरा कोई कुसूर नहीं है। लेकिन जब उसको तलाश करने जाते हैं तो देखते हैं कि न कोई ऐसे नाम का आदमी है न कोई फर्म है। अब आप किसको पकड़ेंगे? इसलिए ऐसा सोचा गया कि जो कोई दवा खरीदता है और खरीद कर बेचना चाहता है जनता को, उसका यह धर्म है कि वह उनसे दवा खरीदे जो अच्छे माने हुए दवा बनाने वाले हैं, न कि उनसे जो कि रसोई घर में बैठ कर डिस्टिल्ड वाटर बना लेते हैं और उसको पांच नए पैसे में बेच देते हैं। ऐसे लोगों से जरा सस्ते दामों पर खरीद कर बेचने से नफ़ा ज्यादा होने की उम्मीद होती है। इसलिए वह गलत जगह से चीजें खरीद कर ले आता है लेकिन जब पकड़ होती है तो कहता है कि मैं तो बेगुनाह हूँ। लेकिन

क्या कमी यह भी सोचा गया है कि जिस बेचारे को उस खराब और अशुद्ध दवा से नुकसान हुआ वह किस को पूछे और वह किस के पास जाय? इसलिये यह दफ़ा रक्खी गई है कि जो खरीद कर लाता है और बेचता है उस का यह धर्म है कि वह सही जगह से, ठीक जगह से जो बनी हुई दवा है खरीदे और बेचे।

श्री गांधी ने कहा कि जो दवा स्वतः रक्खी हुई त्रिगड़ जाती है, विटामिन वगैरह, उस के ऊपर सजा न हो। अब उन की यह बात मुनासिब बात नहीं है। अगर दवा का स्टोरेज ठीक नहीं होगा, ठीक तरीके से उसको नहीं रक्खेंगे, समय से ज्यादा असें तक उस को रख लेने से उसकी शक्ति कम हो जायेगी तो क्या जो ग्राहक है वह उस खराब दवा को खरीद ले और सरकार ग्राहक की उस से रक्षा न करे? ग्राहक को खराब दवाई से रक्षा न की जाय, यह कोई ठीक बात तो नहीं होगी। इसलिए इस किस्म की मांग करना कि स्वतः खराब हो जाने वाली दवा बेचने के लिए दवाफरोशों को दंड न दिया जाये मुनासिब नहीं।

सदन में कहा गया कि आयुर्वेदिक और यूनानी ड्रग्स को तो आपने इस विधेयक में शामिल कर दिया है लेकिन आपने इस में होम्योपैथिक दवाइयों को शामिल नहीं किया है तो मैं उनको बतलाना चाहती हूँ कि होम्योपैथिक ड्रग्स तो पहले से ही शामिल हैं। अलबत्ता यूनानी और आयुर्वेदिक दवाइयां उसमें शामिल नहीं थीं इसलिए अब यह कानून उन के ऊपर भी लागू किया जा रहा है।

एक माननीय सदस्य ने कहा कि देहातों में जो दवा बनायेंगे अपने बीमारों के लिए, तो उन के ऊपर भी या यह कानून लगायेंगे? मेरा कहना यह है कि जो वैद्य या हकीम अपने बीमारों के लिए खुद अपने घर में दवा तैयार करता है उस के ऊपर यह कानून लगाने की बात नहीं है। लेकिन जो बड़ो-बड़ी फर्म्स हैं, जो फैक्टरीज लगा कर दवाएं बना और बेच

[डा० सुशीला नायर]

रहे हैं, लाखों रुपये की दवाइएँ बनाते हैं और बचते हैं उन के ऊपर यह कानून लगाने की बात है। जैसा कई एक माननीय सदस्यों ने कहा कि आज आयुर्वेद की दवाओं के मामले में बड़ी भारी मिलावट होती है तो इस मिलावट को रोकने के लिए इस कानून में आवश्यक संशोधन किया जा रहा है। अब मिलावट का यह हाल है कि एस्पिरिन वगैरह में कुछ थोड़ी सी डाल दी शंखभस्म और उस का नाम रख दिया श्वेतचूर्ण। वे आज किसी की पकड़ में नहीं आ सकते क्योंकि नाम आयुर्वेद का दे दिया है। तो इस किस्म की बातें जो होती हैं उन को सधती के साथ रोकने की आवश्यकता है। वड़े-वड़े वैद्यों ने भी कहा है कि यह होना चाहिए। उडप्पा कमेटी ने भी यही कहा है। इस सदन ने भी कहा है और इस सदन की एस्टिमेट्स कमेटी ने भी कहा है। इसलिए आयुर्वेद और यूनानी दवाओं पर यह कानून एक मर्यादित तरीके से लगाने की बात है।

कुछ माननीय सदस्यों ने कहा है कि दवाओं का स्टैंडर्डाइजेशन होना चाहिए। इस के लिए पहले से ही एक छोटी कमेटी नियुक्त की जा चुकी है। कई जगह रिसर्च हो रहा है, अनुसन्धान हो रहा है और विशेषज्ञ इस काम को कर रहे हैं ताकि इन दवाओं का स्टैंडर्डाइजेशन हो सके। किस दवा में क्या चीज़ कितनी होनी चाहिए, इसका मापदण्ड हमारे पास मौजूद रहे।

एक मुझाब माननीय सदस्यों द्वारा यह भी दिया गया कि हमको दवा शुद्ध मिले, इसके लिये सरकार स्वयं आयुर्वेदिक और यूनानी दवाएँ बनाना शुरू करे। कई ने यह कहा कि सारी की सारी ड्रग्स इंडस्ट्री का नेशनलाइजेशन होना चाहिए। श्रीमन्, जो चार नये कारखाने दवाएँ बनाने के लग रहे हैं, जब इनमें दवा बनने लगेगी तो, करीब ८० प्रतिशत दवा सरकारी कारखानों में ही बनेगी, थोड़ी सी सिर्फ बाहर रह जायेगी।

जहां तक आयुर्वेदिक और यूनानी दवाओं को बनाने का सवाल है चंद एक अच्छे कारखाने हैं जहां यह दवाएँ बन रही हैं। अब देखने का सवाल है कि इन दवाओं को उनसे बनवाया जाये या कहीं और बनाया जाये। माननीय सदस्य का जो सुझाव है कि वह इस विधेयक से कोई सम्बन्ध नहीं रखता है लेकिन वैसे इस पर विचार किया जा सकता है।

कुछ माननीय सदस्यों ने कहा कि जो मिलावट वाली दवा बनायेंगे उनकी कार, गाड़ी वगैरह सब जब्त कर लेना यह कहां की बात है? अब सवाल यह है कि जो मिलावट वाली दवा बनाते हैं, गन्दी दवा बनाते हैं, उनके उस दवा को बनाने के साधनों को जब्त करने और उस दवा को ले जाने का जो साधन है उसको भी पकड़ लेने की बात इसमें इसलिए रखी गई है ताकि ऐसा गन्दा काम करने वालों को भय हो, इस तरीके से दूसरों की जान के साथ खिलवाड़ करके जो पैसा बनाना चाहते हैं, उनको शर्म महसूस हो, उनको ऐसा करते हुए हिचकिचाहट हो क्योंकि ऐसा करने से उनको बहुत नुकसान हो सकता है। कानून में इस तरह की व्यवस्था कोई नई चीज़ नहीं है। इस किस्म की धाराएं दूसरे कानूनों में भी मौजूद हैं।

फिर यह कहा गया कि ऐंटीबायोटिक्स वगैरह लोग ज्यादा लेते हैं इसको रोकना चाहिए। हेल्थ एजुकेशन करनी चाहिए। इस में कोई शंका नहीं है कि स्वास्थ्य शिक्षा बहुत आवश्यक है और यह लोगों को दी जानी चाहिए। हम यह काम कर भी रहे हैं और उस को और ज्यादा बढ़ाने की भी कोशिश की जा रही है।

कुछ माननीय सदस्यों ने कहा कि आयुर्वेद में जो अच्छी अच्छी दवाएँ मिलती हैं उन तमाम को ले कर आप अपनी फार्मकोपीया में क्यों दाखिल नहीं कर लेते? किसी ने यह भी कहा कि हम ब्रिटिश फार्मकोपीया इस्तेमाल करते

हैं, हमें अपनी फार्मकोपीया बनानी चाहिए। हमारी अपनी फार्मकोपीया होनी चाहिए। मैं उन सदस्य को बतलाना चाहूंगी कि हमारी अपनी फार्मकोपीया काफी दिनों से बन चुकी है और हम कई अपने यहां की दवाएं उसमें दाखिल भी कर चुके हैं। आयुर्वेदिक दवाएं लेकर, उनका एनालिसिस कर के, उनको टेस्ट कर के उन्हें हमारे फार्मकोपिया में डाला गया है। अभी जो नया फार्मकोपिया बना है, उसमें भी कई एक, तीन-चार ऐसी दवाएं अभी-अभी डाली गई हैं जैसे जटामंसी है और दूसरी कुछ और दवाएं हैं। यह सिलसिला चालू है। जैसे-जैसे नई दवा मिलती है उसको हम टेस्ट कर लेते हैं, उसका असर समझ लेते हैं और उसके बाद हम उसको फार्मकोपिया में दाखिल कर लेते हैं।

कई माननीय सदस्यों ने यह शिकायत की कि ब्रैक्स को क्यों नहीं रोकते हैं। उन को रोकने की आवश्यकता है मैं इससे बिल्कुल सहमत हूं। स्वास्थ्य मंत्रालय ने इस बारे में एक विधेयक बना कर भेजा था राज्य सरकारों को, कुछ राज्य सरकारों ने वह विधेयक अपने यहां पास भी किया है लेकिन उस पर और तबज्जह देने की जरूरत है और कड़ाई से कानून पालन करने की आवश्यकता है।

कुछ माननीय सदस्यों ने यह कहा कि आप यह कड़ा कानून तो बना रही हैं लेकिन कानून का अमल ठीक तरीके से होना चाहिए, यह आवश्यक है। मैं इसको बिल्कुल मानती हूं। कानून तभी लाभदायक साबित हो सकता है जब कि उस के ऊपर सही प्रकार से अमल भी हो और अमल करने के लिए जो साधन चाहिए वह साधन भी मौजूद हों। इस तरफ हम तबज्जह दे रहे हैं और राज्य सरकारों की भी तबज्जह दिला रहे हैं। उनको कई एक पत्र बगैरह भी इस बारे में लिखे हैं और अभी जो हमारी सेंट्रल हैलथ कौंसिल की नवम्बर में मीटिंग होगी उसमें भी इस बारे में और चर्चा होने जा रही है।

**श्री बड़े :** इस संशोधक विधेयक की धारा ३ के अनुसार जो बोर्ड बनने जा रहा है उस में वैद्यों को रखना चाहिए।

**डा० सुशीला नायर :** बोर्ड में वैद्यों को रखा गया है। यह सोचा गया है कि आयुर्वेदिक रिसर्च का जो काम कर रहे हैं वे उस में ज्यादा उपयोगी सिद्ध होंगे और इसलिए उनको इस में रखा गया है। इस के अलावा जो बड़ी बड़ी दवाएं बनाने वाली फारमसीज हैं उन के प्रतिनिधियों को भी रखने की बात है। मेरा ख्याल है कि उस में कठिनाई नहीं होनी चाहिए।

श्रीमन्, इस के अलावा इस समय तो इस विधेयक को खाली ज्वाएंट कमेटी के सुपुर्द करने की बात है। इस विधेयक को कोई हम पारित तो कर नहीं रहे हैं इसलिए और अधिक समय सदन का लेना मुझे आवश्यक नहीं लगता है। मैं फिर से इस सदन का धन्यवाद करती हूं कि उन्होंने इतनी दिलचस्पी से इस बहस में हिस्सा लिया और चारों तरफ से इस विधेयक का स्वागत किया है। मैं सदन को आश्वासन देना चाहती हूं कि उन्होंने जो विचार प्रकट किये हैं, ज्वाएंट कमेटी, उन सब पर विचार कर के आखिरी फैसला करेगी और वह सदन के सामने आयेगा।

**Mr. Deputy-Speaker:** The question is:

"That this House concurs in the recommendation of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill further to amend the Drugs and Cosmetics Act, 1940, made in the motion adopted by Rajya Sabha at its sitting held on the 28th August, 1963, and Communicated to this House on the 2nd September, 1963, and resolves that the following 20 members of Lok Sabha be nominated to serve on the said Joint Committee, namely: Dr. R. Banerji, Shri Tridib Kumar Chaudhuri, Dr. P. D. Gai'onde,

[Mr. Deputy-Speaker]

Shri Shiv Charan Gupta, Shri Hari Vishnu Kamath, Shri Lahri Singh, Shri Braj Behari Mehrotra, Dr. G. S. Melkote, Shri R. R. Morarka, Shri V. C. Parashar, Dr. D. S. Raju, Shri Shivrang Rango Rane, Dr. Saradish Roy, Shri A. T. Sarma, Dr. Sarojini Mahishi, Shrimati Jayaben Shah, Shri Krishnapal Singh, Dr. P. Srinivasan, Shri Nagendra Prasad Yadav, and Dr. Sushila Nayar."

*The motion was adopted.*

13.51 hrs.

# MOTION RE: ALLOTMENT OF TIME

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** I beg to move:

"That this House agrees to an allotment of 5 hours for discussion on the motion to refer the Constitution (Seventeenth Amendment) Bill, 1963, to a Joint Committee of the Houses."

The Business Advisory Committee did not come to any decision because of our differences there and it was suggested that ultimately the House has to decide about this allotment of time. Accordingly, I am moving this motion.

**Mr. Deputy-Speaker:** Motion moved.

"That this House agrees to an allotment of 5 hours for discussion on the motion to refer the Constitution (Seventeenth Amendment) Bill, 1963, to a Joint Committee of the Houses."

**Shrimati Lakshmikanthamma (Khammam):** In the list of 30 Members who are going to be appointed to the Joint Committee, there is not a single lady Member. I am sure there are eminent lady Members in this

House who can contribute effectively to the deliberations of the Committee. So, at least in future, whenever such committees are formed, I submit there should be some lady Members.

**Shri Ranga (Chittoor):** Sir, I am surprised at the height of irresponsibility on the part of the Government that they should have thought of making this proposition that only 5 hours should be allotted for the discussion of such an important Bill which affects the interests of fifty million peasant families in this country and who constitute a majority of our total population. They contribute more than 50 per cent of our national wealth every year and their interests are to be jeopardised. Their interests are to be affected anyhow; whether we agree to the Bill or not this concerns the interests of all those people. This Bill also has got attached to it a big tail of more than 120 State Acts as well as Central Acts. All these things are coming up for discussion before the House. Whether the House would be pleased to circulate the Bill...

**Mr. Deputy-Speaker:** This motion is for referring the Bill to a Joint Committee.

**Shri Ranga:** I have given notice of a circulation motion.

**Mr. Deputy-Speaker:** At the moment, we are considering the allotment of time.

**Shri Ranga:** Supposing by any mischance this Bill is to be committed to a Joint Committee in spite of our wishes that it should be sent only for circulation, the principle would have been accepted by the House. That is a very serious decision that would be taken by the House.

Before the House is called upon to take such a serious and important decision in regard to this matter re-

garding the progress of this Bill, surely the House should be given adequate opportunity to express itself and to discuss threadbare every aspect of this Bill, which affects, as I said, the interests of the majority of the people according to us very harmfully and according to them very usefully; whichever way it may be, it affects very seriously indeed their interests, their property rights, self-employment and the rest of it.

Therefore, as I said, I have expressed my surprise as well as my shock at the irresponsible manner in which the Government has come forward with this proposition. Our representative on the BAC had suggested that barring these two half-days for transaction of non-official business, 4 days at least in the week should be allotted to this. After all, surely this is as important as the other motions the House has discussed for which we have given that much time. We have given so much more time for ordinary things. First of all, on the advice of the BAC, one day is allotted. Afterwards the House agrees to carry it on for two days, and for some motions which cannot claim to be one-fourth or even one-tenth as important as this, they have given more than two days. Then, how does my hon. friend, the Minister of Parliamentary Affairs, who has had experience of this Parliament along with me for ever so many years, justify this proposal that he has placed before the House? I am extremely sorry for him that he has been forced to do this very unparliamentary thing.

**Shri Bade (Khargone):** At least two days should be allotted for this, because everybody wants to speak on this.

**श्री विश्राम प्रसाद (लालगंज) :** मैं कहना चाहता हूँ कि जैसा यह बिल है और जैसी इस की इम्पोर्टेंस है, उस के लिहाज से यह टाइम कम है और इस पर कम से कम दस घंटे बहस होनी चाहिए ।

1256 (Ai) LSD—6.

**Shri Lahri Singh (Rohtak):** I am of the opinion that this Bill which seeks to amend the Constitution is likely to affect not only ordinary land-owners but agricultural labourers, artisans and tenants. Not only that; it is going to make a declaration that all the 144 Acts cannot be touched by any court, not even by the Supreme Court under articles 14, 19 and 31. So, all the security and fundamental rights given for the protection of property are being taken away slowly and slowly. This is the final amendment which will take away all the rights of the land-owners agricultural labourers, tenants and artisans. Without going into details, I would submit that because the Bill affects so many people, it should be discussed at least for 10 hours.

**श्री गौरी शंकर काकड़ (फतेहपुर) :**  
उपाध्यक्ष महोदय, जैसा कि अभी कहा गया है, यह विधेयक बहुत महत्वपूर्ण है । उस के मैरिट्स पर न जा कर मैं यह निवेदन करूँगा कि इसके लिए कम से कम दस घंटे का समय दिया जाये और सब माननीय सदस्य इस बात का समर्थन करें । जो रूलिंग पार्टी के माननीय सदस्य हैं, वे भी दस घंटे के लिए सहमत हो जायें, ऐसा मेरा निवेदन है ।

**Shri A. K. Gopalan (Kasergod):** I completely disagree with Mr. Ranga. As far as the importance of this Bill is concerned, we support. . .

**Shri Ranga:** Oh! Oh!

**Shri A. K. Gopalan:** Don't say "Oh! Oh!". Try to hear what I say with patience.

It is a very important Bill and it should have been brought even before. Those who support this Bill also will have to show how important this Bill is and how it should be implemented. So, I think just a little more time will be necessary.

**Mr. Deputy-Speaker:** We can extend it by 1 hour always.

**Some Hon. Members:** It should be 10 hours.

**Shri Lahri Singh:** The time for the non-official business may be allotted to this.

**Shri Satya Narayan Sinha:** Because the Bill is so important, it is being referred to a Joint Committee. As my hon. friend, Mr. Ranga, rightly said, both of us are perhaps the oldest Members in this House. I know that in the past controversial matters have been discussed for 2, 3 or 4 days even. But hardly could my hon. friend cite an example where we have allowed 2 or 3 days or 10 or 12 hours for a Bill which is being referred to a Joint Committee or Select Committee. This matter, as I said before, was discussed threadbare in the BAC. Of course, the party to which my hon. friend belongs refused to be associated with the Joint Committee because they are certainly opposed to this Bill. But other parties' representatives are there on the Joint Committee. The general convention is that hon. Members who are on the Select Committee are not generally called upon to speak. Those who are on the committee will say whatever they have and give their advice in the committee. But they must get the benefit of the advice of Members of their own parties who are not on the Committee.

14 hrs.

**Shri Ranga:** We have six people to speak.

**Shri Satya Narayan Sinha:** I do not know if all of them would be allowed to speak. It is for the Chair to decide; I do not come in the way. Within the time allotted the Chair can call upon an hon. Member to speak. I think, Sir, as I have suggested in my motion, five hours is quite reasonable for friends like Shri Ranga and others who feel very strongly about it. So far as my hon. friend Gopalan and also others on our side, they will have a good say in the committee. We must only hear

what those who oppose it have to say. So far as the importance of the Bill is concerned, it is an admitted thing and we need not labour much on it. I think those who are opposing it will have enough time if five hours are given.

**Shri A. K. Gopalan:** I have some other points. I want to very strongly criticise the Government on some other points. Because I support the Bill that does not mean that I completely support everything. What has been done after this Bill was introduced is something contrary to this Bill. That is also a thing on which I want to speak. So there must be some more time allotted for this discussion.

**Shri Satya Narayan Sinha:** The hon. Member is a member of the Joint Committee.

**Shri A. K. Gopalan:** I only say that some more time and not five hours should be given for this discussion.

**Mr. Deputy-Speaker:** Will six hours do?

**Shri Gauri Shankar Kakkar:** Sir, I beg to move:

"That the time allotted for discussion on the motion to refer the Constitution (Seventeenth Amendment) Bill, 1963, to a Joint Committee of the Houses, be enhanced to ten hours."

**Shri Hari Vishnu Kamath:** Mr. Deputy-Speaker, I invite your attention to rules 287 to 290 dealing with the Business Advisory Committee. I understand from my own colleague who was in the Committee that this matter was brought up before the Committee, but the Committee did not agree with regard to the time. There were suggestion made in the Committee that more than 5 hours, 10 hours or 15 hours, should be given for this. Under Rule 290 the Committee was bound to tell the House what transpired at that meeting.

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**Mr. Deputy-Speaker:** The hon. Member was not present here. In fact, the Minister was replying to a short discussion that we had.

**Shri Sinhasan Singh** (Gorakhpur): In this connection, Sir, may I submit.....

**Mr. Deputy-Speaker:** No. The hon. Minister has already replied. Do you want me to put to vote the amendment moved by Shri Kakkar?

**Some Hon. Members:** Yes.

**Mr. Deputy-Speaker:** The question is:

"That the time allotted for discussion on the motion to refer the Constitution (Seventeenth Amendment) Bill, 1963, to a Joint Committee of the Houses, be enhanced to ten hours."

Those in favour may say 'Aye'.

**Some Hon. Members:** 'Aye'.

**Mr. Deputy-Speaker:** Those against may say 'No'.

**Several hon. Members:** No.

**Mr. Deputy-Speaker:** The 'Noes' have it.

**Some hon. Members:** The 'Ayes' have it.

**Mr. Deputy-Speaker:** Do you want a division?

**Some hon. Members:** Yes.

**Shri Bade:** It is not fair on the part of the hon. Minister to force us to have a division on this point.

**Mr. Deputy-Speaker:** I think we may agree to six hours.

**Shri Hari Vishnu Kamath** (Hoshangabad): It should be 8 hours plus the Minister's reply.

**Shri Lahri Singh:** Let it be 8 hours then.

**Mr. Deputy-Speaker:** Let it be 6 hours and I shall see as the discussion goes on. It is in the discretion of the Chair to extend the time if necessary.

**Shri Satya Narayan Sinha:** I do not like such things to be put to a vote of the House. I am prepared to accept 7 hours for this discussion.

**Shri Ranga** (Chittoor): I do not agree. You may put it to vote.

**Mr. Deputy-Speaker:** I shall now put the motion to the vote of the House. The question is:

"That this House agrees to an allotment of 7 hours for discussion on the motion to refer the Constitution (Seventeenth Amendment) Bill, 1963, to a Joint Committee of the Houses."

*The motion was adopted.*

**Shri Hari Vishnu Kamath:** Plus time for the Minister's reply.

**The Minister of Law** (Shri A. K. Sen): No, no; I shall not take much time for my reply.

**An Hon. Member:** Take some time.

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14.05 hrs.

THE CONSTITUTION (SEVENTEENTH AMENDMENT) BILL

**The Minister of Law** (Shri A. K. Sen): Mr. Deputy-Speaker, Sir, I beg to move:

"That the Bill further to amend the Constitution of India be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely:—

Shri S. V. Krishnamoorthy Rao, Shri Bibhuti Mishra, Shri Sachindra Chaudhuri, Shri Surendranath Dwivedy, Shri A. K. Gopalan, Shri Kashi Ram



[Shri A. K. Sen]

Gupta, Shri Ansar Harvani, Shri Harish Chandra Heda, Shri Hem Raj, Shri Ajit Prasad Jain, Shri S. Kandappan, Shri Cherian J. Kappen, Shri L. D. Kotoki, Shri Lalit Sen, Shri Harekrushna Mahatab, Shri Jaswant-raj Mehta, Shri Bibudhendra Misra, Shri Purushottamdas R. Patel, Shri T. A. Patil, Shri A. V. Raghavan, Shri Raghunath Singh, Chowdhry Ram Sewak, Shri Bhola Raut, Dr. L. M. Singhvi, Shri M. P. Swamy, Shri U. M. Trivedi, Shri Radhelal Vyas, Shri Bal-krishna Wasnik, Shri Ram Sewak Yadav, and Shri Asoke K. Sen

and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

Sir, the object of this Bill has been set out in the object clause fairly precisely, and I have no doubt that it is quite clear to the hon. Members why it has been thought necessary to bring in this Bill. Two recent decisions of the Kerala High Court and the recent decision of the Supreme Court have emphasised the necessity

of changing the definition of the expression "estate" as occurs after article 31A of the Constitution. When the amendment was made to article 31A it was not thought that the expression "estate" as defined in 31A(2) could lead to any equivocation in the matter and that many important proprietary interests, though technically or legally they may be ryotwari interests, would not be covered by land acquisition laws or reform laws whose object was to extinguish proprietary interests or ryotwari interests in the nature of proprietary interests and also to impose ceilings in holdings in the matter of holdings of land.

The recent decision of the Supreme Court in the cases mentioned in the object clause as also the two Kerala cases have shown that in the State of Kerala alone there may be doubts as to the validity of land reform laws which would apply to the entire State or intended to apply to the entire State appears to be difficult to apply because of the peculiar nature of tenures there, so that in some parts of Kerala many of the inamdhari rights would appear to be immune from acquisition under article 31A and yet would not be protected by the 9th Schedule. The same difficulty arises also under certain Bombay laws relating to land reforms. The purpose is quite clear.

It is a basic principle of our land policy that we shall not allow any large proprietary interest to continue. In fact, most of the ryotwari interests which are in the nature of proprietary interests have been extinguished in the rest of India, and then it is to be further followed by imposition of ceiling on holding, the object being to see that almost every peasant who tills the land owns the land he tills. Because, it is felt that unless the peasant has a sense of ownership he cannot be an effective tiller he cannot be an effective producer; and agriculture cannot possibly achieve

the improvement or increase in productivity which we want so much to bring about, unless the tiller is given the ownership of the land he tills. The vast changes in agriculture which Japan has witnessed since the war, its vast productivity and efficiency and techniques and other improvements, notwithstanding the fact that Japanese land is fragmented and subdivided as much as ours, is mainly due to the sense of ownership of the peasant. I think the minimum holding which was imposed under the occupation regime in Japan was seven acres per head. That is the first great change that the Japanese peasant experienced first after the war, namely, that no one had the right to own more than seven acres. As a result of that, I think nearly 90 per cent. of the Japanese peasantry today own lands which they cultivate. And the record of Japanese agriculture, following that great event is a great testimony to the fact which we have been trying to reach, and which we have been trying to produce, by bringing about these revolutionary changes in our land holdings. And that revolutionary change is this, that the same tiller becomes the great producer if he has a feeling and an assurance that the land is his.

In a country where land is scarce, where the pressure of the population is extremely heavy and it is not possible to distribute land to every tiller or permit every tiller to keep his present ownership it is absolutely essential that we accept the same pattern of land holdings and tenure holdings all over the country by extinguishing vast interests in land ownership and in rent-receiving interests and allow a ceiling to be imposed on the holding of land, depending upon the availability of the land, population to be catered and other factors peculiar to every locality and State.

This pattern has been successfully followed, though undoubtedly there have been evasions, particularly in the matter of ceilings, but we have

now encountered the difficulty, not only in the matter of the acquisition of these interests, but on the very pattern which we have been following, for the purpose of imposing ceiling in holdings appears to be very much under legal question, because of the interpretation which the courts are seeking to put with regard to the question of "family", the reasonableness which follows from the pattern of distribution which particular State laws seem to follow etc. For instance, in the Keral Act itself, the whole pattern of holding and the imposition of ceilings has been completely thrown overboard by the recent decisions on the ground that the "family" has been defined arbitrarily and, therefore, the system of ceiling which has been imposed was inconsistent with both articles 14 and 19, apart from the larger question of not being protected by either articles 31A or 31.

We have tried to cure this position, as we must, because it is a fundamental question. I know, Professor Ranga questions the very fundamental principle which we have accepted for our system of land-owning and land ceiling. He does not accept this idea of abolishing the vast proprietary interests in land and imposing ceilings on land holdings and, naturally, he has his reasons for that. But, these two things, taken together form the very core and essence of our land policy. If we accept that, as invariably we must, then we must change the law because of these decisions which have come into existence since the last amendment of the Constitution, of articles 31A and 31B.

We have sought to do it in two ways; first of all, by changing the definition of "estate" so as to cover those larger interests which have not been held as estates under the recent Kerala Act and also under the last judgment of the Supreme Court. Secondly, the mere alteration of the definition of the expression "estate" in article 31A would not cure the questions which have arisen, chal-

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lenging the validity of the provisions of our land reform laws concerning ceilings imposed on the holdings by individual tillers or owners. That is a separate question altogether and very serious questions have been raised, and doubts have been expressed, which have made us cautious as to our competence constitutionally of imposing ceilings in the way in which we have sought to do it. Because of the rather rigid views on the question taken by some courts, we cannot afford to take risks on such fundamental questions of economic and social planning, which form the very basis of our planning. Therefore, we cannot afford to keep this uncertain, so that each single legislation may be challenged, each single acquisition may be challenged, each single ceiling challenged and, later on, the whole thing is thrown over-board. Therefore, we have put 143 laws in the Ninth Schedule. The purpose is not for the purpose of making acquisition possible—that would have been possible by changing the definition of the term “estate”—but for the purpose of enabling those provisions which allow ceilings to be imposed to vest the right for that and the rent receiving interests in the States. That is an important question, concerning the distribution of land, taking away the surplus land from those who have land and vesting them in those who have none or who have very little land. That is the purpose.

I agree that it is a serious problem. The seriousness is not because we are introducing any new principle, but the seriousness is because we find that the laws which we thought were going to be completely immune from challenge, possibly not clearly foreseen at that time, were challenged and challenged successfully. In fact, many things cannot be foreseen either by Parliament, or by others however astute they may be, legally or otherwise. New problem often arise. For instance, the whole redistribution of States under the Re-

organisation of States had created new difficulties for Kerala, for Bombay and for Gujerat, difficulties which were not foreseen when the last amendments on this question were made by this Parliament. Therefore, it is a serious question, not because we are seeking to introduce a new principle in our economic and social planning, but because we find that what we have done in the past to give effect to what we accepted as the very basis of our planning, is not going to be achieved with the laws which we had devised for ourselves, and that further changes are necessary in the Constitution. To that extent, it may be called a serious matter, but I certainly do not accept the suggestion, if such a suggestion is forthcoming, that we are seeking to introduce any new principle. This principle was accepted before the Constitution, after the Constitution and after the amendment of article 31A and 31B. It is an established, invariable, fixed and inflexible principle of our economic and social planning that land shall be distributed fairly so as to achieve the result which will enable almost every tiller to possess the land which he tills for himself, according to the ceiling imposed.

**Shri Hari Vishnu Kamath** (Hoshangabad): Has that been done so far?

**Shri A. K. Sen:** We are in the process of doing it. It has been done in many places. But, as I have said, there have been evasions. Ceilings have been imposed almost in all the States and now they are proceeding fairly vigorously except in places where they have been challenged. Again, we have to meet the challenge. But after these laws are put on the Ninth Schedule it will be safe completely because they cover all the States and both these matters of acquisition and distribution by imposition of ceilings. I, therefore, do not want to take up any more of the time of this House to elaborate the principles which are so well known to the House.

We may differ as to the method by which we want to achieve it. These are questions which the Joint Committee has to consider whether we may not shorten the list which we have put in; but if there is a scope we might. If there is the slightest doubt, we are not going to do it just to make it look nice. We are not going to take even an iota of risk in this vital matter.

**Shri Bade (Khargone):** As you have just now said, because the ceiling Act is challenged, it is included in the Ninth Schedule. But why are other Acts, for example, relating to land revenue in Madhya Pradesh, also included? That is our difficulty.

**Shri A. K. Sen:** If it is proved in the Joint Committee—we cannot discuss it here; as you know, that is the purpose of the Joint Committee—that any Act has been put in just as a matter of decoration, we shall certainly not insist on its inclusion. But it has to be proved that any particular piece of legislation has been introduced in the proposed Ninth Schedule only as a piece of decoration.

श्री क० ना० तिवारी (बगहा) : मैं एक क्लेरिफिकेशन चाहता हूँ। जो सीलिंग के बाद जमीन लेंगे उसका कम्पेन्सेशन देने की क्या रेट होगी ?

**Mr. Deputy-Speaker:** Order, order.

**An Hon. Member:** Let him understand it.

**Mr. Deputy-Speaker:** I will first place the motion before the House.

**Shri Bade:** It is included in his speech. Let us understand it.

**Shri K. N. Tiwary:** What will be the rate of compensation for the land which the Government will take from persons who hold land beyond a particular ceiling?

श्री प्र० कु० सेन : इसका फैसला होगा विभिन्न भाइनों द्वारा जो कि विभिन्न राज्यों में जाएं या पास किए जाएं ।

**Shri Lahri Singh (Rohtak):** May I ask one question?

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Constitution of India be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely Shri Bibhuti Mishra, Shri Sachindra Chaudhuri, Shri Surendranath Dwivedy, Shri A. K. Gopalan, Shri Kashi Ram Gupta, Shri Ansar Harvani, Shri Harish Chandra Heda, Shri Hem Raj, Shri Ajit Prasad Jain, Shri S. Kandappan, Shri Cherian J. Kappen, Shri L. D. Kotaki, Shri Lalit Sen, Shri Harekrishna Mahatab, Shri Jaswantaraj Mehta, Shri Bibudhendrar Misra, Shri Purushottamdas R. Patel, Shri T. A. Patil, Shri A. V. Raghavan, Shri Raghunath Singh, Chowdhry Ram Sewak, Shri S. V. Krishnamoorthy Rao, Shri Bhola Raut, Dr. L. M. Singhvi, Shri M. P. Swamy, Shri U. M. Trivedi, Shri Radhelal Vyas, Shri Balakrishna Wasnik, Shri Ram Sewak Yadav, and Shri Asoke K. Sen and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee

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and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

**Shri Ranga (Chittoor):** I have my own motion. I move:

**Mr. Deputy-Speaker:** I shall take it as moved.

**Shri Hari Vishnu Kamath:** Let it be moved formally.

**Shri Ranga:** I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th February, 1964."

**Mr. Deputy-Speaker:** There are two other motions. Shri Lahri Singh's motion is the same as Professor Ranga's. So, it is barred.

**Shri Lahri Singh:** I move it.

**Mr. Deputy-Speaker:** It is the same as Professor Ranga's; so it is barred. Then there is one by Shri Sreekantan Nair.

**Shri N. Sreekantan Nair (Quilon):** I do not move it.

**Mr. Deputy-Speaker:** Both the motions are now before the House. Shri Ranga.

**Shri Ranga:** Sir, I consider this day to be the beginning of the long, dreary, black day for the Indian peasants in this country. I am sorry, the Government has thought it fit to draft this Bill, get it introduced and now proceed to rush it to the Joint Committee. It is typical of the non-chalant attitude of the Government that the hon. Law Minister should not have helped his colleague, the hon. Minister of Parliamentary Affairs, to agree even to the very moderate motion moved by one of our hon. friends from the Opposition in regard to the hours for discussion of this. It is also typical of

this Government's anxiety to liquidate the peasantry in this country.

**Shri Nambiar (Tiruchirapalli):** Liquidate the peasantry?

**Shri Kapur Singh (Ludhiana):** Yes, liquidate the peasantry.

**Shri Narasimha Reddy (Rajampet):** Absolutely.

**An Hon. Member:** Peasantry or landlords?

**Shri Ranga:** The hon. Law Minister did not think it necessary to refer.....

**Shri Nambiar:** Where are they to go?

**Shri Ranga:**...even in this very short Bill, as it is, with only three clauses, to the very important item here, that is, item (ii) of sub-clause (a) of clause 2, which says:—

"any land held under ryotwari settlement"

nor did he refer to item (iii) which reads:

"any land held or let for purposes of agriculture or for purposes ancillary thereto, including waste land, forest land, land for pasture and sites of buildings and other structures occupied by cultivators of land, agricultural labourers and village artisans".

This Bill comprehends within its mischief all classes of people, all cadres of people who live in our rural areas not to speak of a section of the urban masses also who happen to own some land in villages all round the cities. The hon. Law Minister had no justification to offer for these two very important clauses in this Bill. Supposing, he drops

these two clauses and confines himself only to that particular proposition of ceiling, the attitude of the House might have been different. But ceiling is only one of the many things that the Government seeks to bring within the mischief of this Bill.

My hon. friend said that the Supreme Court has raised several objections and has created so many doubts in the minds of many law-givers, like himself and others, who are in the Government.

**Shri A. K. Sen:** You are the law-giver.

**Shri Ranga:** You are the giver and I am only the receiver. What can I do? Then, there are the other Ministers and Ministries all over the country. Look at these words he used in regard to fixed, inflexible, invariable and some other principle of their land policy. Therefore they are anxious to push this Bill through this Parliament.

What is it that this Bill seeks to do? It is not an ordinary Bill. It is a Constitution (Amendment) Bill. Already on another occasion my hon. friend, Shri P. K. Deo, has created an opportunity for this House to express itself as to the unholy manner in which this Government has been amending the Constitution so frequently and so often during the past 16 years and has dealt with the Constitution as if it is only an ordinary law. Indeed many of the ordinary laws have fared much better than the poor Constitution. When we take our oath in this House as Members of this House we swear by and to remain loyal to this Constitution. And who is more disloyal to this Constitution than the Government themselves? It is only through a kind of legal fiction that they choose to change the character of their own mother so that she continues to be the mother; only she does not happen to be the original mother that had given birth to these babies. This is the way in which they have been dealing with our Constitution

in such an unceremonious and contemptuous manner. We have been protesting against it—a number of Members from different parties. My hon. friend, Shri P. K. Deo, has brought that motion before this House.

It is wrong for the Government to consider their land policy which they have conceived with the aid of the Planning Commission to be of greater sacredness, of greater inflexibility and of greater fixity than the Constitution itself. They will have to answer before the bar of public opinion in this country in regard to this particular matter.

Secondly, this Constitution in regard to this particular group of clauses 30, 31, 31A has had a very chequered career. Every time the Supreme Court found any of these laws to be defective, to be violative of the Constitution and its spirit the Government did not hesitate to come forward to this House with an amendment Bill in order to change the Constitution and in that way answered the Supreme Court, as it were. They may not say straightway "this is what we are doing, you may do whatever you like"; they have not said that; but it amounts to that. And therefore they do not want to benefit themselves from the wisdom of the Supreme Court, nor do they want to benefit themselves from the wisdom of the fathers of the Constitution or even from the principles that are already enshrined in this Constitution.

And what is it they are doing, Sir? They think they have a policy. That policy, they think, comes within the four corners of the Directive Principles. And the Directive Principles cannot be enforced in the courts. They themselves have stated it so in the Constitution in article 37. Surely more important than the Directive Principles are the Fundamental Rights of the people. They are enshrined there in a separate chapter, 3 and there is a separate clause there, article 32, which empowers any citi-

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zen in this country anywhere to raise the question of the legality, the constitutionality of any one of the laws that are passed either here or there in the States and seek the protection of the Supreme Court. And those Fundamental Rights are being set at nought in preference to what they consider to be the principles which they think, in their own judgment, flow from the Directive Principles of the Constitution. This, I think, is a very unfair way of dealing with the Constitution, and also a very reactionary approach towards the Constitution.

Now, coming to the question about the reason why they want these amendments—I question the very necessity for this Bill—they have themselves published the report about the working of the Third Five Year Plan only this year, March 1963, placed in our hands much later. And they have a chapter, Chapter XVIII, on Land Reforms. They have given copious information for State after State, for all the States. Except in the case of Kerala, in all other cases they have themselves stated that the Ceiling Acts are being enforced, are being implemented. Statistics are being collected in certain areas as to how much is available, to whom it is to be granted and so on. In certain other areas even distribution is taking place. If they are keen only about ceilings and have no other ulterior motives in regard to this particular Bill, surely, Sir, there is not that urgency, there is not that need to come forward with this Bill.

True, I have been opposed to ceilings. Why? I have many reasons, but I need not go into all that, because I cannot afford the time. One thing I will tell you, they themselves, the Prime Minister himself was not willing to extend the principle of the ceiling even to salaried employees of the Government, not to speak of other classes of people in the country. He said: how would it ever be possible to get experts and

experienced people for less than Rs. 2,500 a month? Whereas, in the case of agriculturists the utmost, the maximum they have been good enough and liberal enough to agree to be the ceiling income for those very few people who are fortunate enough to have that much land which could yield that income, is Rs. 500 and not more. It is Rs. 500 per mensem for agriculturist, but in the case of the salaried employees they thought that Rs. 2,500 was not enough. They were not prepared to impose any ceiling on the government employees on the salaried employees, not to speak of all other non-agricultural classes. That alone is enough, Sir, to condemn this Government as being a discriminatory government, and a government which is opposed to the agricultural interests. For such reasons we have opposed this.

Nevertheless we have passed all this legislation all over India. Is it not their duty to have the patience and the legal conscience to re-examine their own ceiling legislation in all these various States and to so reshape it wherever it is necessary as to bring it within the four corners of this Constitution? Instead of that, as lazy people, as revolutionaries and reactionaries are, as people who are absolutely irresponsible and bureaucratic-minded, they do not want to give any other consideration to any of this legislation but simply put it in the wardrobe, lock it up with double lock and then say, "It is part of the Constitution, therefore you who are Members of Parliament who took the oath here and all other people who join in these representatives institutions have no right whatsoever to question it because it is part of the Constitution". Now, this is an extraordinary thing. It is something like the old grandmother putting whatever money that belongs to her son in some kind of a locker and then saying "this belongs to God, nobody should touch it". And what does she do with it? She goes on using it and giving it away to whomsoever she likes, in a partial way, just

as this Government wants to do with the landed properties.

Then I come to the other question, how did they use this power that has been given to them, that they themselves have taken, in regard to ceilings. Did they have a uniform rule? No. Did they fix it in any sensible way? No. Did they even accept the suggestions made by the Planning Commission in regard to certain classes of people? No. They did it in whichever way they liked, in such an arbitrary manner that in certain areas temple lands have been included while in certain other areas they have been exempted, in certain places lands owned by factories have been exempted while in other places they have been included, in certain areas they have calculated on an individual basis while in certain other areas they have calculated on the basis of families. There is no principle at all. They talk of principles. They have just this principle of behaving and acting in an unprincipled manner.

I think—I speak subject to correction—the Supreme Court has not raised any objection to the principle of ceiling. On how that particular ceiling is to be implemented they seem to have raised an objection. On the question how much of compensation is to be paid, on the quantum of compensation they have raised an objection. And why did they raise it? Because, the principle which they had adopted earlier in clause 31A in regard to estates is not fair, cannot be applied, cannot be extended to the ceiling legislation also. For a very good reason. There it was intended for all intermediaries, functionless people who were created by the earlier Governments and whose function has lapsed or whose function has been terminated by this Government. They were rent collectors. Therefore they had to be sent out of their function and they did not have, it was felt by the Government, the same kind of right, the same magnitude of right for compensation as the ordinary people who

own properties, landed as well as other types of properties. Therefore, they took for themselves the power to fix a tapering scale of compensation for them. The Supreme Court raised objection even in regard to that when the Bihar and other legislation came before them. Then Parliament took the opportunity of amending the Constitution and brought in clause 31A, and in that way they saved that particular policy of the Government. But when it comes to ceiling, these peasants are not estatedars, these are not zamidars or talukdars or jagirdars they are mere tenants, also peasant proprietors.

Now, you might say—Sir, I hope I will be allowed to take sufficient time to cover my points.

**Mr. Deputy-Speaker:** Normally twenty to twentyfive minutes.

**Shri Ranga:** I wanted two and a half hours for myself, and you fixed the time for this discussion at seven hours at your own pleasure. I do not know how I can accommodate myself within that time.

**Mr. Deputy-Speaker:** Seven hours for all parties.

**Shri Ranga:** I will try my best.

Now, these peasants are not talukdars; they are not intermediaries. They own their lands. In regard to them, the Government wanted to fix the ceiling which I should consider to be discriminatory, one-sided. The Supreme Court did not raise any objection in regard to that. But Government wanted to take away their surplus land over and above the ceiling. Therefore, they said that the quantum of compensation that they are fixing was not reasonable. It should be just; it should be reasonable; it should be as good as a market price and, surely, they should not be treated in any way worse than those others whose lands would be taken compulsorily by the Government under the Land Acquisition Act



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where they have got to be paid an average of market price over a particular period of years, specified period of years, plus a solatium amounting 15 per cent. Surely, it should be within the power of the Government, within the capacity of the Government to so amend their own ceiling legislation as to accommodate this particular principle which has been reiterated by the Supreme Court. I am saying 'reiterated' because it has been there since 1890 ever since the other legislation was passed and it has been enshrined in our own national tradition that nobody's property should be taken away without paying proper compensation, just compensation And therefore they have done it. Why is it that the Government does not want to do this much of justice to themselves, as well as to the people of this country?

Now, I come to the question of the ryotwari holdings. I wrote a letter to the Prime Minister drawing his attention to the injustice of bringing the ryotwari peasants within the mischief of his Bill. He was good enough to send to me, after two weeks time that he gave to his advisers, a note prepared by his advisers with the authority of the Deputy Chairman of the Planning Commission. And what do they say? They say that already in Gujarat and Maharashtra and also in Punjab, ryotwari holdings also had been brought within the definition of the estate; therefore, there is nothing wrong in bringing all the ryotwari peasants all over India within the mischief of that particular definition. Now, this is a very arbitrary and bureaucratic way of looking at things and an irresponsible way also. It is befitting only a dictator, not a democratic Government.

First of all, my friends who are in Gujarat have advised me that it is not applicable to Gujarat ryotwari land holdings. Their holdings are treated, recognised, by the Government as well as the public as their

property just as the holdings of our ryotwari system in the whole of South India and other places also. Similarly, in the parts of Orissa and in the whole of Maharashtra, everywhere, ryotwari landholder has been recognised by the High Courts, by the Supreme Court as well as the Government themselves till now to be the owners of their lands. They have the right to bequeath. . . .

**An Hon. Member:** He is sleeping.

**Shri Ranga:** It does not matter. They have the right to bequeath, to sell, to inherit and to pass on to. . . .

**Shri Kapur Singh:** He is not interested.

**Shri Ranga:** It does not matter. They are perfectly the owners of the land.

**Shri Hari Vishnu Kamath:** The Minister is sleeping or meditating?

**Shri Ranga:** It does not matter. It will all go into the records. Why bother about his listening to us. Even if he listens to us, he is not going to be a free man to do what we want him to do. Don't disturb him.

**Shri Kapur Singh:** It is a discourtesy that the Minister should go on sleeping when points are being made here against the Bill which he has introduced.

**An Hon. Member:** He is not sleeping.

**Shri A. K. Sen:** When I reply, I shall convince the hon. Members that I have heard every word of it.

**Shri Hari Vishnu Kamath:** He was meditating, not sleeping!

**Shri Ranga:** I hope he will pay me the courtesy of recognising that I have not complained about his way of sitting. Whether he is sleeping or listening to me, I do not bother. I

told you, Sir. But the only thing is, your presence is there. That is more than enough.

**Shri Hari Vishnu Kamath:** He can hear better with eyes shut.

**Shri A. K. Sen:** I always listen to the Hon. Member with eyes shut so that I can hear him better.

**Mr. Deputy Speaker:** So that he can hear him with greater concentration.

**Shri Ranga:** Greater concentration? Whatever it is, whether he has gone into *Sahopasana* or *Shirshopasana*, it is not my concern. I am concerned with this Bill. I am concerned with the Government which is behind this Bill and the evil forces that are behind this Bill. Therefore, it is my duty to appeal to these forces to be a little more sensible than they have shown themselves by introducing this Bill.

So far as the ryotwari holders are concerned, they are the owners of their lands and they have been recognised as such. They are cultivators themselves; they are their own employees; they are their own employers; they are self-employed people. The land belongs to them. And how many of them are very rich people? Government have the information in regard to the ceiling legislation as to what percentage of these ryotwari land-holders are *pattadars* and have been found to be possessing more than the ceiling. They have the statistics. It is not more than 3 per cent, anyway, in any State and those people are being dealt with by the ceiling legislation. As compared to other people they are smaller people. Their income is not more than Rs. 500 per month and even those people are to be harmed by this legislation. How are they going to be dealt with? They are to be treated as *estatedars*. What is the consequence? Once a person comes to be treated as an *estatedar*, the moment he is declared to be an

*estatedar* or the owner of the estate, all penalties that have visited the zamindars, talukdars, jagirdars, all those people, will come to visit these unfortunate people also. Their land can be acquired and they want to take that power by this Bill. Their land can be acquired compulsorily by the Government either for the use of the Government or for the use of cooperative farms or for the use of any other class of people, even individuals, according to the wishes of not only this Government but also the State Government and all its agents right down to the zila parishads and the village panchayats also. Their lands can be acquired compulsorily which means the peasants need not have to agree. The peasants will have to be helpless spectators. All that the Government has got to do or what it may propose to do is simply to pass an order that in such and such an area so much of such land is going to be acquired. And how do they acquire it? For what purpose? For public purpose, they say. What is that public purpose? They have themselves defined it here in article 31(2). But that definition does not hold good for them. The Supreme Court also came to their rescue and the Law Commission also wants to come to their rescue and their planners are anxious to see that this definition of 'public purpose' is widened as much as possible so that even the head of the panchayat board or zila parishad would be able to say that such and such land is necessary for such and such a purpose or even a managing director of a factory who is able to convince the local collector or the local secretary of the land revenue department would be able to say that such and such land should be acquired. And that becomes the 'public purpose'. Why? Because it subserves their plan purposes. Everything that is contained in their Plan is supposed to be the public purpose and that is expected to be an inflexible thing, a fixed thing, an invariable thing. Therefore it must take precedence over everything. That is their public purpose. Can the Government say that cooperative farming will not

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come within that purpose, the land being given to any factory will not come within that purpose and the land being given to any particular favourite of their own will not come within that for some particular purpose or other? Because the Plan purpose is, as wide as the width of this country and as long as the length of this country, because its arms spread all over like those of *Kartaveeryarjuna*, therefore 'public purpose' becomes a nebulous thing. It becomes the sweet will and pleasure of the local Minister and the revenue board and all the other officers and also these so-called non-official agents who are now being brought into power at the head of all these various organisations to decide for what purpose do they want to acquire the land compulsorily? Having acquired it, what is it that they want to pay to them? They do not want to pay according to the Land Acquisition Act at all. They want to be free to pay whatever they like—yes, according to law. The local laws are there. They have given us a precis of the 123 Acts that have been already passed in so many places. It is only twice as much as the land revenue for what they call waste land. Nevertheless, that land is there, to be developed by the owner. Then, it comes to four times, six times and from that the maximum sometimes runs upto 20 times, sometimes upto 30 times. Therefore, what would be paid to the peasants will depend upon the sweet will of the local land revenue commissioner whom they will appoint, or a tribunal, and the tribunal will decide according to the manner in which his pockets are lined and his palm is oiled. If he is satisfied then it will be ten times; otherwise, it will be only twice. And in how many years' time would the amount be given? Not straightway on the spot: no, not at all, but only in instalments, and the instalments also in bonds. Then, there is 'his wonderful inflation which will convert Rs. 100 of today to something worthless or only Rs. 10 in another ten years' time; and for ten

years or twenty years, the man has got to go on waiting. Again, in how many instalments? That also depends upon the bribe that the man would be giving or the good-will of the officer who is concerned. And this is the power that they want to take, in order to take away the lands belonging to the ryotwari peasants.

Now, how has this Bill arisen? It has arisen from the genius of our friends the Communists in Kerala. Of course, they said they wanted to do a good thing, and that was in regard to the zamindari tenants; there, they are called the *jenmam* tenants or something like that. For them, they wanted the land in the same way as we wanted the land for all the other zamindari tenants all over India. Therefore, they were passing that legislation. But whether they knew it or not—I am inclined to think that they knew it—they included in it those ryotwari peasants also who happened to go, unfortunately for them, into the Kerala State because of the merger of a small portion of Kasargode; only about 2500 persons or so were there. My hon. friend Shri A. K. Gopalan would give the details later on. In order to help those *jenmam* tenants, they brought those ryotwari peasants also into that legislation, and they got that Bill passed there. It was held up here by the President. In the meanwhile, they went out of power. Then, the Congress people came into power, and they passed the very same Bill, out of repentance. I should think, because they had sent out the Communist Government there by non-violent violence, and so, they wanted to save their conscience by accepting their Bill. So, they fathered their baby; that baby was later on struck down by the Supreme Court. The Supreme Court did not raise objection over so many other things, in that Bill, but they certainly raised objection over this, thanks to the genius and splendid pleading of Mr. Nambiar, a namesake of my hon. friend Shri Nambiar here in this

House; I am referring to Mr. Nambiar who is an eminent jurist and who pleaded for peasants and then, the Supreme Court was able to see reason there that these ryotwari people had been brought in wrongly, and, therefore, they said that the measure should be struck down.

Instead of amending that Bill suitably, what has this Government done? They wanted to oblige our Communist friends over there. And in fact, but they are themselves going that communist way, and they think that this is an excellent way. They think, 'why have all this bother?' as the Law Minister himself has said, of having to go and wait and see whether the Supreme Court would accept this or would not accept that Act. And they further thought 'Let us put the whole lot of these 123 Acts passed by all these legislatures' either when they were asleep or when they were awake, or when they were half-awake, in the Ninth Schedule as the Law Minister has been awake during this debate. Thus they passed those Acts, and our Government want to put the whole lot into the safe custody of the Constitution and make them a part and parcel of the Constitution.

That does not redound to the legal acumen or the legal conscience or the political commonsense or the sense of responsibility of this Government. And yet they have done this. This is a communist way of approach and nothing else.

Now, what would be the consequences of this legislation? About 65 million peasant families are going to be affected. There will be insecurity in their minds, and for years and years they will suffer from this insecurity, because they will not know when their lands are likely to be taken away at the dictates of the village panchayats or parishads or State legislatures.

Or course, it may be said that the State legislatures are also representative, and, therefore, they are not going

to be so irresponsible and so they would not pass any such laws. But I ask: Have they not passed all these irresponsible laws and have they not passed so many of these lawless laws? In the same way, they would do also in the future. Have they not done it in such a manner in Bengal? In Bengal, whereas the market price was Rs. 200, the price that was to be fixed for the peasant was only a small sum, and even the small figure was not being paid to the peasants. And when an appeal was made to the Prime Minister, he appealed to the local Chief Minister, and the local Chief Minister said 'We are completely safeguarded by article 31A; so, you need not bother at all. Why do you worry at all unnecessarily?'. This is the fate of the Bengali landowners and the And-owning tenants there. And the same is the position of all other people also; I have given you just one instance only. Therefore, we cannot trust ourselves to the tender mercies of the State legislatures.

Now, why are the Government so very keen, and so very persistent with this Bill, in spite of my plea that they should not go ahead with it during this emergency? They themselves have stated that during this emergency everything that we do should have a defence slant. Is it a defence slant to sow insecurity in the minds and hearts of crores of people? Is this the manner in which you want to train our people in order to offer a united front against the Chinese, by threatening the security of their land-holdings? And what are these land-holdings? They are not mere houses. If you do not have a house, you can go and take shelter under a tree or in a choultry. But this is land which provides them employment, which saves them from social degradation, which assures them of economic independence, which has saved them and their forefathers, and which also assures their children of continuity of their employment as well as their freedom and independence. It is in this sphere that Govern-

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ment want to create this atmosphere of insecurity. And I charge them with irresponsibility in their duty towards our Motherland in this emergency.

And here was a Minister speaking only the other day. And he said:

"Our approach to agriculture must always be predominantly farmer-oriented. The crux of agriculture is the farmer everywhere and in all cases, and the crux of prosperous agriculture is the persuaded and contented farmer."

Is this the manner that you are going to persuade him by objecting to our having a ten-hour debate here and by coming down only to seven hours? Is this the manner in which my hon. friend wants to persuade them, by not referring to the two most important, the two most dangerously important, clauses here in this Bill, and by not agreeing to my proposition that it should be sent out for circulation, and by not agreeing to my appeal that they should not proceed with this during this emergency? I am aghast at the manner in which this Government want to deal with the single largest interest, socially, politically and economically, and I wish to warn Government that the peasants are not going to take this thing lying down in the same docile manner in which they had been accepting things all this time.

All over India, in some States, more, and in some States, fewer, peasants have begun to awaken themselves, and nearly 68,000 of these peasants have sent their petitions to the Secretary to the Lok Sabha, protesting against this Bill and asking that this Bill should be dropped. It would not have any affection, and it might not make any appeal to these friends opposite. Sir, 1967 is coming, and I wish to remind them that in 1967 they have got to go with this Bill and with this Act, and indeed, this unholy addition to the Constitution. I shall leave it at that.

On an important thing like this, should they not be able to see from their own election manifesto whether really the people have given them a mandate in regard to this matter when last time they had gone to the polls? You have gone to the polls, I have gone to the polls, and all of us have gone to the polls. Did you or did anyone of us give any kind of an inkling to the ordinary masses in the country that this kind of an insecurity was likely to be created as to the security and stability of their property? We have not done that. If we are to be a democracy, then, is it not our duty, and the duty of this Government to wait until after next elections, before they possibly can rush through this legislation? Give an opportunity to those people, explain things to them, and tell them all about the Bill and get their consent. By all means, if they agree, if they want to commit political suicide or social or economic suicide, then that is another matter.

In conclusion, I wish to refer to one or two points that may be raised by some of our friends. In fact, it has become fashionable for some of these friends to say that we of the Swatantra party are a reactionary party. I wish to say that whoever wish to support this measure and the threat that is implied in it and the threat that is going to be hurled at the crores and crores of these peasants, the self-employed peasants of this country, are not only reactionaries but fascists and communist-minded people.

15 hrs.

What has happened? My hon. friend himself said that it is necessary that peasants should be assured of their ownership of land, if they are to be encouraged to produce more and more. He gave the excellent example of small holders and their achievements in Japan. I wonder whether he was really aware of the clauses of this Bill. He was making out a case for myself and my peasant proprietors. Peasant pro-

prietors he certainly wanted to have. Let him know what the peasant proprietors want in this country. Let him have the courage, let the Government have the courage to go with this Bill and face our peasant proprietors as voters and then let him come back, let the Government come back, and then we shall see what happens.

Therefore, it is time that here in this country we realised one thing. Whoever opposes peasant proprietorship, and those who own their own lands, who are cultivating their own lands, who are producing all this wealth that we want in this country—nearly 50 per cent of the total wealth of the community—more and more production in all spheres, those who oppose these people would themselves be fascist and communist-minded, not others.

China has made experiments with what are called communes. Our friend and comrade, Khrushchev, called it ultra-leftism, deviationism and adventurism, because they in Russia had made their experiments and then gave them up. Only the other day, the erstwhile Food Minister was giving information as to how in Poland, in Czechoslovakia, in Yugoslavia, Rumania, Bulgaria and all the other communist and satellite countries as well as in Russia, the communist were obliged to yield to the sacred passion of peasants for owning land. They did not give it as ownership, but they certainly yielded from half an acre to two acres. I have myself seen those kitchen farms in Soviet Russia. This Government is publishing small pamphlets encouraging these educated ladies, fashionable ladies—I have seen their pictures also—they are fashionable—to take to kitchen gardening. While they want kitchen gardens in towns, they want to destroy the holdings there. That is what Soviet Russia has done. That is her own bitter experience. Today the agricultural production in Russia is lagging behind because of these wrong experiments that they have been carrying on, due to the hopelessly anti-peasant attitude and policies that the

have pursued during the last 45 years. Is our country also to be forced to go through the same fire of suffering and struggle and sacrifice? And sacrifice at whose cost? At the cost of the peasant masses

Therefore, I wish to warn this Government that if they are really keen on this, and if their intention is that this Bill should be passed as it is now, let them agree to go to the people, to make an appeal to them. Let us go and face the people, both of us, both sides, and then we shall see how they will fare.

In conclusion, I wish to say that our party dissociates itself entirely from this Bill. That is why we have refused to go into the Joint Committee. That is why we are asking for circulation of the Bill. It is not at all fair that the Bill should be proceeded with in the way it is sought to be. Even parliamentary convention demands that a Bill like this, to which 124 other Acts have been tagged on, should be circulated among lawyers, peasant organisations, of which I am the head, and some other organisations that the other friends also have developed, other organisations and forums that Dr. Deshmukh has developed all over the country. This Bill should have been given the widest publicity among these people. They have not done that.

Under the circumstances, they have no moral right to go ahead with this Bill. If they were to do so, it is my duty, it is our duty, to resist it. It is the duty of our party and the Kisan Sammelan of which I happen to be the head, it will be our sacred duty, out of devotion to this Constitution itself, to resist this measure through all parliamentary means in this House and through every other legitimate means which would be open to us in this country.

**Shri A. K. Gopalan (Kasergod):** I thank you for giving me an opportunity to support this Bill. Though I support this Bill and welcome it and I

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also say that the Government showed some boldness, in spite of opposition from the vested interests and the landlords, to bring forward this Bill, I have very strong criticism to offer about certain aspects, not of the Bill, but of the way in which certain other things had been done to nullify and scuttle the very purpose of this Bill—which I will deal with afterwards.

As far as this Bill is concerned, it has nothing to do with communism and socialism.

**Shri Ranga:** Oh, oh.

**Shri A. K. Gopalan:** Even before I begin my speech, Shri Ranga has started saying 'Oh, oh'.

**Shri Ranga:** Excuse me; I am not interrupting him.

**Shri A. K. Gopalan:** It has nothing to do with communism or socialism, but it has something to do with feudalism and landlordism. That is the reason for the Swatantra Party's attitude towards this Bill. I can understand Shri Ranga's feelings. If I had been in the Swatantra Party, I would also have supported him and okayed what he has said. A party of Maharajas and Maharanis, landlords and zamindars, will certainly oppose a Bill of this character, because they have a class interest. As I have also a class interest they have a class interest and I am not all opposed to Shri Ranga opposing this Bill.

As far as the object of the Bill is concerned, and why it should be implemented, I am only sorry that it came very late. We have already got the First Five Year Plan, the Second Five Year Plan and the Third Five Year Plan; we have also certain directive principles of State policy accepted by the Constitution. It has been said first of all by Shri Ranga that we are changing the Constitution. He asked why we should change the Constitution now and then. If the Constitution is for the welfare of the people, and if anything comes in the way of that wel-

fare, certainly the Constitution has to be changed. The Constitution was framed at a time when we had not accepted the concept of socialism. That being so, certainly many changes will have to be made in the Constitution or else there will be nothing between the Constitution and the concept of socialism that we have accepted and the legislation that we are going to enact to implement that.

I want to point out that certain directive principles of State policy have been accepted by the Constitution and this Bill is only implementing those principles, especially those concerning the ownership and control of the material resources of the community which have to be so distributed as best to subserve the common good. If anybody who is the owner of land has got less than the ceiling fixed, his land will never be touched. He may be an artisan, he may be a poor peasant. What is contemplated here? There is a ceiling fixed. If in a State they say that the ceiling is 100 acres, holdings below that ceiling will never be taken. When I heard Shri Ranga, I thought that if this Bill is passed, the man who has got 2 acres will have that land snatched away from him, that ownership of land will absolutely not be there and the poor people will suffer. But that is not so. There are three principles accepted by the Planning Commission, with which I will deal later. They are ceiling, security of tenure and reduction of rent. So this Bill is not against the Constitution; it is implementing the directive principles of the Constitution which say that the ownership and control of the material resources of the community should be so distributed as best to subserve the common good, and that the operation of the economic system should not result in concentration of the means of production to the common detriment. If there is no land reform, if the landlords and others are allowed to have concentration of land, lakhs and lakhs of acres in the country will come under their ownership and con-

trol and then 80 per cent, the peasant population and agricultural labourers, will have no land and their purchasing power will not increase.

As far as industrialisation is concerned, it is very important that when we are going to develop industries in the country, the purchasing power of 80 per cent of the people must be increased. So here we are only implementing certain directive principles, namely, that wealth should not be concentrated in the hands of a few and that the material resources of the community are so distributed as to subserve the common good of the people. It is on the basis of the directive principles of State policy enshrined in the Constitution that the Planning Commission has proposed land reforms which Government are trying to implement. The reforms proposed, the ceiling and the implementation of the ceiling are not to our satisfaction. There are defects and loopholes in them, but I shall not go into them now. In spite of all that, it is good that Government have passed certain legislations and they want to implement them.

The second important point that I want to stress is that when we have accepted the concept of socialism, certainly changes will have to be made not only in the shape of land reforms. We have seen that in respect of labour legislation also, we have had to change the Constitution in order to achieve the desired end. The only question is whether the change is for the welfare of the people.

In the case of the present Bill, I may point out that the Supreme Court in their judgment have very clearly stated that it is a technical thing. So, some changes have to be made. Their judgment reads as under:

"Therefore, when the Constitution came into force, the ryotwari pattadars of South Canara were in the same position as the ryotwari pattadars of the rest of the State of Madras. Further, as the Act of

1908 was in force in South Canara also, though there may not be many estates as defined in that Act in this area, it follows that in this area also the word "estate" would have the same meaning as in the Act of 1908 and therefore ryotwari pattadars and their lands would not be covered by the word "estate". Further, there can be no question of seeking for a local equivalent so far as this part of the State of Kerala which has come to it from the former State of Madras is concerned. We are therefore of opinion that lands held by ryotwari pattadars in this part which has come to the State of Kerala by virtue of the States Recorganisation Act from the State of Madras are not estates within the meaning of Art. 31A(2) (a) of the Constitution and therefore the Act is not protected under Art 31A(1) from attack under Arts. 14, 19 and 31 of the Constitution.

There are several kinds of land tenures in India. In Kerala, for example, there are the Paravaga and the Pandaravaga lands. The Supreme Court has held that they do not come under Article 31A. So, if the definition of the word "estate" excludes so many kinds of land in the country, certainly that has to be changed.

Shri Ranga objected to the proposed sub-clause (a) (iii) in clause (2) of article 31A of the Constitution, which reads:

"(iii) any land held or let for purposes of agriculture or for purposes ancillary thereto, including waste land, forest land, land for pasture and sites of buildings and other structures occupied by cultivators of land, agricultural labourers and village artisans."

I do not know about the other parts of India, but in Kerala even today there are thousands and lakhs of acres of forest lands and waste lands in the hands of the landlords. If these lands do not come within the definition of



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the word "estate", the purpose of having a ceiling will not be achieved.

So, since certain land tenures in the country do not come within the present definition of the word "estate", it is necessary to change it. For instance, the Kerala High Court held that the ryotwari pattadars of Kasargod would not come under Article 31A. In the case of both Malabar and Travancore portions of Kerala, the court held the lands in question did not come under Article 31A. It is only in the Cochin part this applies because no landlord from there has gone to court as in the case of Malabar and Travancore. Because of this, the Kerala Agrarian Act could not be implemented.

The main question is: do you stand for a reconstruction of the landlord-tenant structure so as to create peasant proprietorships, or do you want to hold up the progressive land policy of the Government? Do you stand for freedom to litigate and maintain landlordism, or do you stand for insurance against judicial interdicts on land legislation, without which a socialist society is impossible?

It is necessary that all the Acts mentioned in the schedule should remain there. For want of that, in Kerala, for example, the Act that was passed in 1957 could not be implemented even in 1963, because so many landlords went to the court and prevented its implementation. Government might have passed the legislation with very good intentions, but if it can be questioned by the landed interests once on the basis of certain provisions of the Constitution, and again on the basis of certain other provisions of the Constitution, the land reform legislation can never be implemented.

Therefore, those who are for the reconstruction of the landlord-tenant structure so as to create peasant proprietorships will support this Bill; those who are opposed to it will naturally oppose this Bill. Those who want an insurance against judicial interdicts on land legislation will sup-

port his Bill, while those who stand for freedom to litigate and maintain landlordism will oppose this Bill.

The third important thing to which Shri Ranga referred is the fundamental right of the individual. In the name of the fundamental right of the individual, are we to permit the blocking of fundamental changes in the land ownership system without which all land reform will be a futility? We want a change in the land system, and naturally we have to impose a ceiling. I would like to know what Shri Ranga means by the fundamental right of the people. What does "people" mean? Do landlords come within the purview of this term? The fundamental right of the landlord is that he must continue to own all the land in his possession. The fundamental right of an agricultural labourer is that he must have at least an acre of land in his possession which he can cultivate and improve. So, when you say fundamental rights of the people, you really refer to the right of certain sections of the people to own all the lands in their possession, which is against the directive principles of the Constitution, against the policy that has been accepted by all the Five Year Plans. Such a fundamental right cannot be allowed as it is to the detriment of the country as a whole. Those who oppose planning and the Directive Principles of our Constitution will question the principles of this Bill. It is of great importance that there is a sense of certainty in legislative enactments. After the Judgment of the Supreme Court and the High Courts, this certainty was not there and the peasant will say that even if you pass a legislation, where is the guarantee that it will be implemented and even if it is implemented, if a landlord or some vested interests take the case to the court, there is no question of safety or implementation of the land reforms. That happened in Kerala when they accepted the principles of the Planning Commission about land reform legislation. From 1957 to 1963 they have waited and in 1963 they find out that whatever legis-

lation had been passed had been struck off and new legislations have to come. Now, what are these land reform policies? We have the First Plan, the Second Plan and the Third Plan. In every one of them, they say that certain policies must be implemented. This policy has been accepted by the Government. It says here:

"The future of land ownership and cultivation constitutes perhaps the most fundamental issue in national development. To a large extent the pattern of economic and social organisation will depend upon the manner in which the land problem is resolved. Sooner or later, the principles and objectives of policy for land cannot but influence policy in other sectors as well . . . . From the social aspect, which is not less important than the economic, a policy for land may be considered adequate in the measure in which, now and in the coming years, it reduces disparities in wealth and income, eliminates exploitation, provides security for tenant and worker and, finally promises equality of status and opportunity to different sections of the rural population."

If one does not want equality and if land is deprived from certain sections of the people, they will say: we do not agree to this.

The land policy has been accepted by the Planning Commission. That has to be implemented. There has to be a wider social and economic outlay. It has to be applied in some measure to every part of the economy. From the social aspect it is not less important.

One of the principles of land policy is ceiling: a man should not have land more than a certain number of acres. It is decided by the State and there are disparities in the ceilings fixed by different States. If you say there is ceiling, there will not be a single piece of land. In 1957 when the Kerala Bill was passed, it was said: any transfer

of land after the passing of the Bill will not be recognised. But when the President returned the Bill, lands sold even after six months of the passing of the Bill were excluded. A chance was given for people to give *dhan* or do things like that. So that, now there is no question of getting land above the ceiling in many places. When you pass legislation you give notice to the landlord: next year we are passing legislation that you cannot have more than 50 acres. With such a clear notice, the landlord who still keeps his thousands of acres of lands is only mad. Certainly he will sell his land or transfer, he will see that his lands are not taken away by Government. At a meeting of the land reform panel of the Planning Commission during the period of the Second Plan the difficulties and loopholes in this matter were gone into fully and I do not want to go into that question.

The next question asked is: why are there so many changes? The Statement of Objects and Reasons of the Constitution (Fourth Amendment) Bill shows why again and again you will have to change the Constitution if you want to implement land reform policy. Article 31A has been amended by the Constitution (Fourth Amendment) Act, 1955. The object of this amendment is to take out not only laws relating to abolition of Zamindari but also other items of agrarian and social welfare legislation, which affect proprietary rights, altogether from the purview of articles 14, 19 and 21. The object is thus explained in the Statement of Objects and Reasons:

"It will be recalled that the zamindari abolition laws which came first in our programme of social welfare legislation were attacked by the interests affected mainly with reference to articles 14, 19 and 31, and that in order to put an end to the dilatory and wasteful litigation and place these laws above challenge in the courts, articles 31A and 31B and the Ninth Scheduled were enacted by the

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Constitution (First Amendment) Act. Subsequent judicial decisions interpreting articles 14, 19 and 31 have raised serious difficulties in the way of the Union and the States putting through other and equally important social welfare legislation on the desired lines, e.g., the following:—

There had been certain difficulties. It says:

“While the abolition of zamindars and the numerous intermediaries between the State and the tiller of the soil has been achieved for the most part, our next objectives in land reform are the fixing of limits to the extent of limits to agricultural land that may be owned or occupied by any person, the disposal of any land held in excess of the prescribed maximum and the modification of the rights of land owners and tenants in agricultural holdings.”

If these changes had to be made, then some amendments were necessary; that was why the Fourth Amendment Bill was brought forward.

So, as far this Bill is concerned, the definition of the ‘Estate’ as well as the inclusion in the Ninth Schedule of all those Acts, not only the Kerala Agrarian Relations Act but all the other Acts, is perfectly correct. If that is not done like that, what will happen? There is the example of what happened in Kerala and other places. It can never be implemented because those who were affected by this will go to the court and there will be litigation.

I now come to the next point, which is a very important one. The object of this Bill is mainly to see that the definition of the word ‘estate’ is made to cover other lands also. The Kerala Agrarian Relations Act was struck down by the Supreme Court and the High Court also restricted its scope. The object was to see that the definition of the word ‘estate’ included

ryotwari and other lands that were not then included, and also to include the Kerala Agrarian Relations Act in the Ninth Schedule. We are discussing this Bill which wants to include both these items. Then the Central Government has given permission for the Kerala Government to discuss a new Bill. Why should there be a new Bill? When we are discussing in this Bill that the Kerala Agrarian Relations Act should be included, why should there be a new Bill there?

There is a certain principle accepted by the Planning Commission, that is, once legislation had been enacted, any amendments should aim primarily in eliminating deficiencies and facilitating the implementation rather than introducing fundamental changes in the principles underlying the legislation. In this context, the most important issue for consideration is the transfers of land on the part of landowners subject to a ceiling. On the whole, it would be correct to say that in recent years transfers of land have tended to defeat the aims of the legislation for ceiling and to reduce its impact on the rural economy. I very strongly object to one thing. I can understand the amendment to the Act, but what I cannot understand is this: while we are discussing her the inclusion of the Kerala Agrarian Relations Act in the Ninth Schedule and the removal of the obstructions that had been there, at the same time, in the gazette a new Bill is published by the Kerala Government, and it is said that they are going to discuss it. What is the object of that? Is there any difference? You can have a new Bill if there are fundamental changes as far as policies are concerned. Is there a fundamental change as far as policies are concerned? The argument given is that there are certain deficiencies and that there are certain defects in the Kerala Agrarian Relations Act. If there are defects you can have an amendment if the Kerala Agrarian Relations Act is put in the Schedule, and then, if any State Government

wants either to repeal it or to amend it, they have got the right to do it.

As far as the Kerala Agrarian Relations Act is concerned, certain things had been implemented. In answer to a question on the floor of this House, it was answered that by the end of August 1962, 1,02,768 applications were filed under these provisions to the land tribunals, out of which 23,227 applications were disposed of and fair rent determined in respect of 2,589 applications under section 16. So, there had been a certain implementation. More than a lakh of people went to the land tribunals and sought a reduction of rent. About 27,000 people got a reduction. They spent from Rs. 500 to Rs. 1,000 or more to get it implemented and to go to the land tribunals. All these things had been done. I want the Law Minister to tell us what will happen to all this. I want to know whether it will be affected by the new Act; If the implementation according to the Kerala Agrarian Relations Act will be affected by the new Bill, then certainly hereafter, even if a new Bill is passed, the peasant will say, "There is no question of implementing it, because even after implementation other things may happen. It may be changed and again we will have to go to the court." So, I want an answer from the Law Minister. If the new Bill affects the people who have spent large sums of money and who have got some relief as far as the implementation of the Act is concerned, then certainly we will have to object very strongly and fight against it.

Secondly, what is the harm, if there is some amendment, if we wait? Why this hurry of legislation? That means there is a conspiracy between the Centre and the State Government. 'I will go on with the inclusion of the Kerala Agrarian Relations Act in the Schedule and you go on with the new Bill and then we can have a compromise. We can say a new Bill is passed and the Kerala Act should not be there.' That is hypocrisy. That is not cor-

rect. If the Kerala Government wants an amendment to the Act, it can be done and every State has got a right to do it. The State Government has to say we are discussing it so that the impediments in its way can be removed and the Kerala Agrarian Relations Act can be put in the Schedule, and then they can ask for a change. I am not a lawyer, but I do not know what will happen if that is done simultaneously. Simultaneously, we say that the Kerala Agrarian Relations Act should be struck down; and the Kerala Agrarian Relations Act which the Parliament is discussing should not be there, because a new Bill is passed. We are bringing a new child, as Shri Ranga said, instead of the old one, there may be a new child. So, when the new Bill is passed the Kerala Agrarian Relations Act should not be there.

We are not against any amendment. If any State Government wants an amendment, it can amend any legislation. But I want to know whether that is a new Bill or an amending Bill. If it is not an amending Bill, then certainly whatever has been done under the Kerala Agrarian Relations Act will go and lakhs of peasants will suffer. I say this is very bad. I do not know. As I understand it, I know that it is a new Bill. I want to know why this new Bill was hurriedly permitted. What is the object? I do not want to mention names, but I know that some Ministers have said, "What can we do, when the State does something like this? How can the State have a new Bill?" According to the accepted principle of the Planning Commission, there may be amendments, but there cannot be a new Bill, and by having a new Bill, it takes away not only those benefits which the peasants have obtained but also sets a new tradition, so to say, namely, whenever Parliament wants to do something, then the State can also proceed. There may be only one reason: the Communist Government had passed the Kerala Agrarian Relations Act and so that should not be there, though the same clause may be there.

[Shri A. K. Gopalan]

I was supporting this Bill, to bring the amendment to the Constitution. But, at the same time, I want to know one thing from the Law Minister. The Kerala Agrarian Relations Act was passed. It is not their fault. They are not responsible for passing the legislation. Once the legislation was passed, the peasants went to the tribunal and they got some relief. They spent some money. Do you want them again to go to the tribunals and spend money? They will never go for implementation of it; that will be the result. And the State has brought in a new Bill. I do not know whether the Centre has given its blessing to it. In the papers we read that the Revenue Minister from the State came here and got the Centre's blessing and that of the Planning Commission and others to have this new Bill. It is very bad. It is a very bad precedent, when they bring in the new Bill in order to support the land reform legislation. I never thought that the Central Government and the Planning Commission would have done this. If they have done this, I protest against it very strongly.... With that protest, I also request the Law Minister to realise the difficulty: lakhs of peasants who have spent whatever they had got had secured some relief. That should not be washed away. If that is washed away, this amendment of the Constitution will be nothing except to save the face and help the State Government.

**Shri Karuthiruman** (Gobichettipalayam): Mr. Deputy-Speaker, Sir, before the Constitution (Seventeenth) Amendment Bill is referred to the Joint Committee, we are here to offer certain suggestions to be considered by the Joint Committee. The definition of the word 'estate' covers all the lands held by inams, jagirs and ryotwari. The ryotwari system is quite different from that of inam lands or jagirdari lands. Peasant proprietorship is like that of an assessee. The inamdars and jagirdars pay quit rent and they enjoy the land. There is no personal responsibility. They can spend anything

on the land, inam or jagirs. But as far as ryotwari system is concerned, it is one of the best forms of peasant proprietorship in our country. The peasant spends a lot, and the peasants are directly responsible for the Government to pay the kist. This has been there from time immemorial since the ryotwari system came into existence.

Here, the aim of the Constitution is to establish a welfare State. The establishment of a welfare State means that all the categories of people and all types of welfare should be looked into. So far as this is concerned, our agricultural peasant proprietorship should be taken into consideration and it should be seen that they do not suffer by this. In every State, they have got land laws and tenancy legislation.

Here my concern is to see that proper compensation is given to a tenant, landlord or land-owner. I am afraid there are chances of this Constitution (Seventeenth Amendment) Bill being misused. In a ryotwari system, the small land-owner purchases his land at a very high price. It varies from Rs. 2000 to Rs. 10,000 per acre. Supposing by our land ceiling or tenancy legislation, compensation has to be given. If it is based on the kist or tax that they are paying, it is most unreasonable and unjustifiable. So, my suggestion to the Joint Committee is to see that proper compensation is given to even an ordinary ryot.

I may give an instance. In my constituency, when the Lower Bhawani project was constructed, ryots have been given compensation for the land they have lost due to the construction of that dam. Government have fixed the compensation at about Rs. 300 per acre for that dry land, taking into consideration that ordinary dry land will cost only about Rs. 200. But the rich people who have gone to the courts have got compensation of Rs. 1500 to Rs. 2000 per acre. The poor people who could not go to the courts

and who were at the mercy of the Government got only about Rs. 300, but the rich people who are court-birds got Rs. 2000. It is most unreasonable. So, according to this Bill, suppose it is construed that "estate" covers *inamdars*, *jagirdars* or *ryotwari*. I submit a clear distinction should be made between them, because in the *ryotwari* system, the peasant proprietorship is the best proprietorship. I can understand the Law Minister's argument that land should be with the tiller. It is true that only the tiller knows the value of the land and unless he is secure with his land, he cannot produce more.

As far as land ceiling is concerned, we have put a ceiling of Rs. 3600, according to the Planning Commission. Having fixed this ceiling, if any land is to be taken away from a landlord or tenant, reasonable compensation should be paid. The main part of it is that we should see that proper compensation is paid to the poor and middle-class people or the landlord, whoever he may be, because we have not fixed any ceiling on urban income. We have fixed a ceiling only on agricultural income. In a Welfare State, we should see that ordinary agriculturists are given due compensation. A small land-owner looks after his land properly. If he does not till his land properly, the land is not the loser, but the poor peasant is the loser. So, also, if he does not care for the welfare of the people, the people are not the losers; only the king is the loser. I may quote Kamban here:

*"Vaiyagam muzhuvadhū ore  
vari nan ombum, ore chāiyēna  
katthu inidhu arasu chaigiran."*

"Chai" means a land, less than an acre in extent. A poor peasant who owns a little land, less than an acre, is so careful in tilling that land that he observes proper agricultural practices and by giving his maximum attention to the land, he is benefited most. So also, if our administration

is to be very successful, the welfare of the ordinary peasants should be looked into properly.

I would request the hon. Law Minister and the Joint Committee to see that proper compensation is paid. Proper compensation means that the market price of the land should be given. Whether it is peasant proprietorship or tenancy or any other thing which is going to be taken away, it is only the market price which should be given as compensation. It has been guaranteed in the Constitution that property can be taken only after giving due compensation. This point should be considered by the Joint Committee. So, compensation at the market price should be paid to any land that is taken over in any form.

**Shri Man Singh P. Patel (Mehsana):** Mr. Deputy-Speaker, I am surprised to hear the arguments of my learned friend, my predecessor, giving a further explanation of the word "estate" wherein the *ryotwari* system also is being included. A fear is being created that a small holder, holding below a particular acreage of land, will also be indirectly hit either by the amending legislation or by the new enactment by including these 124 Acts in the Ninth Schedule or in future, by different types of legislation, their lands will be acquired, and proper compensation may not be given. As I understand, in four or five States, the existing land tenure Acts had already defined the word "estate" wherein they have included *ryotwari* system. But as the remaining States have a different definition of the word "estate", it has become necessary for the Government to see that, if the land reforms are to be carried ahead and implemented scrupulously according to our policy and if the cultivators and peasants who own the land and till the land are to be really benefited, the definition needs to be revised, as given in the amending Bill.

Prof. Ranga said he was speaking in the name of 65 millions of agricul-

[Shri Man Sinh P. Patel]

turists in the country. Really it was shocking to me. I can understand him speaking as Leader of the Swatantra Party, because they represent a class of feudal landlords with vested interests and this amending Bill will indirectly hurt them. But he said he was speaking in the name of peasants who are likely to be hurt by this amending Bill, according to him.

There were previously two amendments of the Constitution in 1951 and 1955 wherein all the existing Acts in different States were being covered. Now, a doubt was created that wherever the word "estate" was not properly defined in the existing land revenue Acts of certain States, if there was a legislation either on ceiling or rationalising the existing tenure system, then it was declared to be unconstitutional and avoid, as it happened in the case of the Kerala Agrarian Relations Act. As a precautionary measure, all existing Acts up-to-date are being included in the Ninth Schedule. If any other enactment which should be included in this has not been included by the mistake of the State Governments, or if any enactment which does not deserve to be included has been included, that should be set right by the Joint Select Committee. I have no objection to that. But simply because the word "estate" is to be further amplified or it is to be extended to the ryotwari system, it cannot be presumed that it is going to create hardship to the peasantry.

15.50 hrs.

[MR. SPEAKER in the Chair]

Now, Sir, we are concerned with the land policy of the country as a whole. It has to be implemented according to the directive principles. The Planning Commission has given the directive that whoever may be holding land beyond a particular acreage or earn an income of more than Rs. 3,600, then the price of that

land to be handed over to the tenants will be rationalised. It is argued by my hon. friend, Shri Ranga, that this rationalisation of price beyond a certain acreage will hurt the poor peasants. It may be 12 acres, 16 acres or any number of acres, but in any case the rationalisation of price does not start up to a minimum and that minimum is not likely to hurt the country as a whole. That minimum is an income of Rs. 3,600 to an individual. As we know, according to the census of agricultural holdings in this country, 82 per cent of the agriculturists hold below 5 acres of land, and at the rate of income that is derived in this country from land it can never be contemplated that there will be a clear income of Rs. 3,600 from any land below 12 acres or 16 acres. So the question of acquiring the land of a person who owns below 12 acres or 16 acres and having an income of above Rs. 3,600 will never arise and I do not think the price to be paid will be ever less than the market price.

It cannot be contemplated that there will be a legislation in one State or another which will indirectly acquire by a special legislation on land reform two acres or 5 acres of land. Therefore, all these arguments and the fears raised about the word "estate" being further amplified by this amending Bill whereby it includes "any land held or let for purposes of agriculture or for purposes ancillary thereto, including waste land, forest land, land for pasture and sites of buildings and other structures occupied by cultivators of land, agricultural labourers and village artisans", are not correct.

It has been, Sir, further argued that if these Acts are not included in the Ninth Schedule at this time the implementation of certain Acts will be delayed for a number of years. My hon. friend, Shri Gopaln has explained about the implementation of the Agrarian Relations Act for nearly four years from 1960 and how a new

Act is coming there. If any doubt is left out, the people who are owning large lands and who are landlords will never allow the implementation of the land policy of this country. Therefore, if there is any lacuna in the amending Bill whereby an existing Act is not included simply because of the mistake of the State Government not to pursue it or to insist on it, or if there is any lacuna, as it has been said about the Kerala Act that it has got to be included in the Ninth Schedule and a new Act is likely to come up, or any other Act which due to some mistake or otherwise has been struck down by the Supreme Court or some other court and deserves to be included or deleted, it could be done by the Select Committee.

With these remarks, I say that the further explanation that is contemplated in this Bill for the word "estate" is in no way a hardship to the peasantry and, therefore, I recommend this Bill to the Joint Committee.

**Shri A. S. Alva (Mangalore):** Mr. Speaker, Sir, as far as this amending Bill is concerned, on principle there cannot be any objection. What Professor Ranga said, that this will be a blow to the peasant proprietorship, is not at all correct. On the other hand, this protects the peasants, whether they are proprietor cultivators or only cultivators.

But there are certain things which have to be looked into, especially the persons who are owning lands under the *ryotwari* system. The previous speaker was not justified in saying that these *ryotwari* owners or proprietors will not be hit by this amendment. What has actually happened in the Kerala Agrarian Relations Act which was struck down by the Supreme Court is this: A portion of South Kanara which was in Madras, a particular taluk, has gone to Kerala. There the system is the same as in the other part of South Kanara district which has merged in

Mysore State, and is governed by the *ryotwari* system. The Supreme Court held that as far as lands under the *ryotwari* system are concerned they will not come under the definition of "estate" and as such for those lands compensation to be paid must be the market value. So that Act was struck down for that reason and was followed by the Full Bench decision of the Kerala High Court.

As far as the Schedule is concerned, we have got a number of Acts which have been included. Here I would just point out the difficulty of *ryotwari* owners of lands especially in the portion of Mysore State, the district of South Kanara. That is a peculiar system—of course, it is there in some other districts also—whereby the people who are actually owning but not cultivating even one acre, two acres or even three acres of land are also affected by this Act. Their lands also will be acquired and given to the tenants. Generally, when we consider land reforms it is certainly to see that zamindars, inamdars and other big landlords who actually did not pay for the lands but who happen to be there on account of certain circumstances are liquidated. When the British were conquering, they gave portions of lands to certain persons out of which they asked them to pay a certain annual amount for the upkeep of the land, for keeping certain soldiers and similar services. So the zamindars were liquidated and they were given only compensation which was determined by the legislature itself without going to any court of law. But as far as *ryotwari* landlords are concerned they are practically small tenants themselves formerly and who have thereafter acquired proprietorship. The inequity will be made clear when I say that people in the *ryotwari* areas have actually paid very high prices for acquiring proprietorship of their lands. If one had acquired some property in some town with his small saving that will not be hit by this Act whereas if he has put his money in two or three acres of culti-



[Shri A. S. Alva]

valuable land he will be hit by this definition, and he will be asked to take the amount which is to be determined by the legislature and which is much below the market value and the actual price which he has paid.

Now, in matters like this he must be paid a fair compensation like the compensation under the Land Acquisition Act. As I said, the particular area that I am referring to, the district of South Kanara, was a part of Madras State. One of the Acts which applies to it is item 103 as now been sought to be included in the Ninth Schedule. In 103 there is protection given to the tenants and a fair rent is also fixed under item 104 so much so the rent has been very much reduced than formerly. Now because it has been included in the Mysore State it comes under the Mysore Land Reforms Act of 1961—item 118—whereby the compensation payable is a multiple of the reduced rent which practically comes to one-third or one-fourth of the price they have paid for the land. To this extent, it is absolutely necessary that the Select Committee should go into these matters because, after all, the application of land reforms in different States should be on different lines without causing undue hardship and need must be uniform in all States.

Then, there is another difficulty from which the people of this particular district and also the people of Kasargode in Kerala suffer. Because, till recently, they were governed by the Marumakkattayam and Aliyasanthana systems of law which have been confided some years back. As a matter of fact, the Aliyasanthana Act, which relates to the matriarchal system, came into force only in 1949. Before that, there was no division or partition in a family, so much so that these families consisting of 100 or 200 members were owning these lands jointly. Actually, if there is partition of such lands, each member of the family would get only one or two acres, and

even they would be hit by this Bill. So, my submission is that the Select Committee should go into these things and see that all the Acts are not included in the Schedule. I know about this particular Act in force in my State. There may be other similar Acts in other States which affect small proprietors. So, those matters should be looked into and exemptions made in suitable cases by the Select Committee.

16 hrs.

As far as the amendment as such is concerned, nobody can take exception to it. There is no point in saying that there is some sanctity attached to the Constitution and it should not be changed. It is true that some guarantees are given by the Constitution, but they should be understood in changed circumstances whenever found necessary. As such, there cannot be any objection to the Bill on that score. I would request the Law Minister to see that poor proprietors of small lands are not deprived of their lands without being paid adequate compensation. With these words, I support the Bill.

श्री लहरी सिंह : साहबे सदर, यह जो अमेंडमेंट लाया गया है इससे यह जाहिर होता है कि इसमें छोटे पीजेंट प्रोपराइटर्स और बड़े प्रोपराइटर्स में कोई तमीज नहीं की गई है। इसका असर छोटे मजदूरों पर और आर्टिजन्स तक पर होगा क्योंकि इसमें मकानों की साइट्स को और उन जमीनों को जिन पर कल्टीवेटर काबिज हैं भी शामिल किया गया है। मैं नहीं समझ पाया कि इसका मकसद क्या है। इसमें एस्टेट की एक अलग से डेफीनीशन की गई है, हालांकि सिवाय कुछ स्टेट्स के सब में एस्टेट की डेफीनीशन कर दी गई है और इस डेफीनीशन में सब तरह की जमीन को शामिल कर लिया गया है, यहां तक कि पास्चर लैंड को शामिल कर दिया गया

है। ऐसा करने से तो देहात की सारी इकानमी खत्म हो जाएगी। इसमें वेस्ट लैंड, फारेस्ट लैंड सब कुछ शामिल किया जा रहा है। मेरी समझ में इसका मकसद नहीं आया कि ऐसा किस तरह की सोसाइटी बनाने के लिये किया जा रहा है।

जो इस के बारे में सोरिश की गई उससे जाहिर है कि कहते कुछ हैं और अमल कुछ और करते हैं। इसमें साइट्स फार विल्डिग्स ऐंड अदर स्ट्रक्चर्स आकुपाईड वाई कल्टीवेटर्स तक शामिल हैं। यानी जो कल्टीवेटर्स की मकानात की साइट्स हैं और जो जमीन एग्रीकल्चरल लेबरर्स के पास है उसको भी इसमें शामिल किया गया है। इससे मालूम होता है कि इसको लाने का असली मकसद कुछ और ही है। यह बात नहीं है कि इसको सुप्रीम कोर्ट के जजमेंट की वजह से लाया गया है जिसमें रयतवारी वगैरह आ जाती है। इसका मकसद यह मालूम होता है कि पीजेंट प्रोपराइटर को आहिस्ता आहिस्ता खत्म कर दिया जाए इसके बारे में गोल्ड स्मिथ ने कहा है :

When bold peasantry their country's pride,  
When once destroyed can never be supplied.

मैं आपको पंजाब की मिसाल दूँ। वहाँ कोई बड़े जमींदार नहीं थे। लोगों ने हिम्मत करके जमीनों को तोड़ा और खुद काश्त की। वे पीजेंट प्रोपराइटर थे। लेकिन इन सोशलिस्ट पटर्न की सोसाइटी बनाने वालों ने हम लोगों पर भी जिनके पास अपनी खुद काश्त के कुछ एकड़ थे उन पर भी सीलिंग लगा दी। और हमारे यहाँ कोई इंटरमीजियरी भी नहीं है फिर भी आप विधान के खिलाफ यह कानून हमारे लिए ला रहे हैं। एक तरफ तो आप दुनिया में नारा लगाते हैं कि हम अपने विधान के पालन हैं, विधान में हमारी

वेबिक पालिसी दी हुई है, लेकिन दूसरी तरफ उसको ठुकराते हैं। विधान के मुताबिक एस्टेट के म्ताल्लिक जो १४४ कानून स्टेट गवर्नमेंट्स ने बनाए हैं उनके खिलाफ सुप्रीम कोर्ट भी कोई फैसला नहीं दे सकती। विधान की दफा १३, १४, १६ और ३१ में हमको हमारे अधिकारों की गारंटी दी गई है।

मैं यह अर्ज करना चाहता हूँ कि जिस रोज अंग्रेज यहाँ से गया तो उसके जाने के बाद लोगों को कहा गया और कांस्टीट्यूट अमेम्बली ने करार दिया कि हमारे देश में सावरिन डिमाक्रेटिक रिपबलिक कायम की जाएगी। लोग यह सुन कर बहुत खुश हुए कि देश में सावरिन डिमाक्रेटिक रिपबलिक कायम होगी। लेकिन सावरिन डिमाक्रेटिक रिपबलिक के मानी क्या हैं। डिमाक्रेमी के मानी हैं कि परसन और प्रापर्टी को गारंटी दी जाए। विधान में धारा १३, १४, १६ और ३१ में हमारे फंडामेंटल राइट्स की गारंटी दी गई है। विधान में कहा गया है कि कोई अदालत इन राइट्स के खिलाफ फैसला नहीं दे सकती। धारा १४ में ईक्वालिटी बिफोर ला है, धारा १६ में प्रापर्टी एक्वायर करने का और डिसपोज आफ करने का अधिकार दिया गया है। जिस वक्त विधान बनाया गया था तो उसमें यह रखा गया था कि अगर शिड्यूल्ड ट्राइब्स के लिये या ऐसे ही किसी काम के लिये जरूरत हो तो जमीन ली जा सकेगी, लेकिन धारा ३१ में यह दिया गया था कि उसका वाजिब मुआवजा देना होगा। जब ये चीजें डिक्लेयर की गयीं तो लोग खुश हुए क्योंकि उनका खयाल था कि इसी तरह से डिमाक्रेसी चलायी जाएगी।

हमारा विधान बनाने के पीछे बड़े बड़े दिमाग थे जैसे स्वर्गीय सरदार पटेल डा० राजेन्द्र प्रसाद और डाक्टर अम्बेडकर। उस वक्त सारे जरिस्ट्स ने मिल कर कहा था कि हम कम्प्युनिस्ट फार्म आफ

[ श्री लहरी सिंह ]

गवर्नमेंट या डिक्टेटरशिप नहीं लाना चाहते। हम तो डिमाक्रेसी चलायेंगे। उस वक्त कहा गया था कि हमारी डिमाक्रेसी में राइट्स आफ प्रापर्टी की और फंडामेंटल राइट्स की हिफाजत की जाएगी। हमको यह सारी गारंटी दी गई थी। आपका विधान २६ नवम्बर, १९४६ को बना और इस १३ साल में उसके आप १६ अमेंडमेंट कर चुके हैं और यह १७वां अमेंडमेंट करने जा रहे हैं। किसी एकट में भी इतनी जल्दी जल्दी अमेंडमेंट नहीं किए जाते। लेकिन यह बहाना यहां बनाया गया है कि साहब सोशलिस्ट पैटर्न की सोसाइटी कायम की जाएगी। यह सोसाइटी किसके लिये कायम की जाएगी? कैपीटलिस्ट के लिये नहीं क्योंकि उस के पास तो प्रेस है, उसके पास गवर्नमेंट को खुश करने के लिये पैसा है और भी चीजें हैं। मरे कौन? एक जमीन का मालिक जिस के ऊपर सोशलिस्ट सोसाइटी को तेज कर दिया गया है। एक कारखाने वाला चाहे जितनी मिलें खोल सकता है, उसके लिए कोई रुकावट नहीं है। लेकिन हमारे पास अगर ३० स्टैंडर्ड एकड़ से फालतू जमीन हो तो हम से ले ली जाएगी चाहे हमारे दस लड़के हों तो यह है सोशलिस्ट पैटर्न आफ सोसाइटी। मैं अर्ज करना चाहता हूं कि जिन पीजेंट प्रोपराइटर्स पर इस कानून का असर पड़ेगा उन्हीं के लड़कों ने हमेशा देश की रक्षा की है। आप हिन्दुस्तान की तारीख उठा कर देख लें कैपीटलिस्ट लोगों के लड़के इस काम के लिये आगे नहीं आते, और आते भी हैं तो करनल, जनरल बनने के लिए लेकिन वास्तव में देश की रक्षा इन पीजेंट प्रोपराइटर्स के लड़के ही करते हैं। ये कड़ी धूप में और बारिश में खेती में काम करके अनाज पैदा करते हैं। हमारे मंत्री साहब बहस करते हैं कि जापान में यह होता है, वह होता है, तो मुझे हंसी

आती है। मैंने यहां उन काश्तकारों के बारे में सवाल किया था जिनके पास अनइकानमिक होल्डिंग है उनको गवर्नमेंट मदद नहीं करती पर अमरीका को अनाज मंगाने के लिये रुपया देती है। हमारे लिए डीप ट्यूब वैल्स का इन्तिजाम नहीं किया जाता, हमें सस्ते भाव पर पानी देने का इन्तिजाम नहीं किया जाता, हमें जबह किया जा रहा है। आज एग्रीकल्चरिस्ट और कैपीटलिस्ट के बीच में डिस्टिक्शन किया जा रहा है। आज कैपीटलिस्ट्स के पास जो कारखाने हैं, जो चीजें हैं उनको टच नहीं किया जाता क्योंकि उनके पास जबान है, उनके पास प्रेस है, लेकिन बेचारा किसान बेजबान है, उसमें इन्तिफाक नहीं है और वह तकरीबन इल्लिटरेट और इग्नोरेंट है। इसीलिए उसकी गरदन आज काटी जा रही है।

साहबे सदर, मैं अर्ज करूँ कि जब यह कानून बनाये यह सारे १६, १४ वगैरह, उस वक्त यह ठीक है कि वह बड़े पीजेंट प्रोपराइटर्स हैं जो बड़े लैंडलार्ड्स हैं जो गभी काश्त नहीं करते ये अंग्रेजों के जमाने में गदर के वक्त में अंग्रेजों के प्रति वफादार रहने के लिये बतौर इनाम के उनको जमीनों और गांव मिले थे, ऐसे बड़े लैंडलार्ड्स के बारे में आप जस्टीफाई हो सकते हैं लेकिन जो खुद काश्त करने वाले थे उन के लिये आप ने क्या किया; आप ने १६ (५) क्लाज में यह दिया कि शॉइपूड ट्राइब्स के लिये या पब्लिक इंटरस्ट के लिये ले लो। लेकिन साथ में ३१ के अन्दर दिया कि कम्पेंसेशन देना पड़ेगा बगैर कम्पेंसेशन के आपने बहुत से कानून बनवा दिये। जब उन के खिलाफ सुप्रीम कोर्ट में सुनवाई हुई तो सुप्रीम कोर्ट ने वहां यह फैसला दे दिया कि बगैर मुआविजा दिये जमीनें वगैरह नहीं ली जा सकती हैं। इसके लिये सरकार ने ३१-ए दफ्ता बना दी

कि १३, १४, १६ और ३१ दफा को अगर कोई बॉयड करे तो ३१-ए की रू से वह बॉयड नहीं हो सकेंगे। ३१ ए में एक दूसरा अमेंडमेंट कर दिया गया और वह यह कि कोई भी अदालत मुआविजे के सवाल को टच नहीं कर सकती है। मुआविजे के मैजिस्ट्रेट को कोई कोर्ट टच नहीं कर सकता है। जो भी गवर्नमेंट मुआविजा मूकरी कर देगी वह फाइनल होगा। इसका नतीजा यह हुआ कि गवर्नमेंट ने सन् १९४६ में जनता को जो फंडामेंटल राइट्स की ताकत दी थी उन बुनियादी अधिकारों को ३१-ए ला कर फर के नीचे पामाल कर दिया। यह साफ कह दिया गया कि मैंने आप कम्पेंसेशन के बारे में कोई कोर्ट अथवा सुप्रीम कोर्ट टच नहीं कर सकता है। मुआविजा सम्बन्धी सवाल अदालत की पावर के बाहर कर दिया गया। इसके लिए ३१-ए दफा पास कर दी। चाहे १३ हो, १४ हो, १६ हो कोई भी हो, अगर वह विधान के खिलाफ होगी तो भी इस ३१-ए की रू से बॉयड नहीं मानी जायेगी। एक तरफ तो आप संविधान में फंडामेंटल राइट्स रखते हैं और दूसरी तरफ यह चीज रखते हैं कि भले ही उन कानूनों में चाहे कोई खराबी हो लेकिन ३१-ए के कारण किसी कोर्ट को इसका हक हासिल नहीं है कि वह उनको गैरकानूनी घोषित कर दे। अब आप ही बतलाइये कि वह गवर्नमेंट जो सोशलिस्टिक पैटन का ढांचा कायम करने का दावा करती हो वह एक तरफ तो जैसा कि डा० लोहिया ने कहा कैपिटलिस्ट क्लास को पैदा कर रही है, लोहिया साहब ने जैसा बतलाया कि पुंजीपति ५० लाख बन चुके हैं और दूसरी तरफ गरीब और गरीब हो रहे हों और उनको भूखें मरने की नीबत पेश आ रही हो, उनका वह दावा कहां तक सही है? एक तरफ तो आप संविधान में मूलभूत और बुनियादी अधिकारों की बात करते हैं लेकिन दूसरी तरफ ३१-ए से यह प्रोवाइड

कर देते हैं कि चाहे १४, १६, ३१ वगैरह में कितनी ही खराबी हो, लेकिन उस क्लाज को टच नहीं किया जायेगा। अब भला यह कैसा इंसाफ है? यह क्या डेमोक्रेसी हुई जिम्मा कि आप आये रोज़ दम भरते रहते हैं? यह तो डेमोक्रेसी नहीं बल्कि डिक्टेटरशिप हुई। काम तानाशाही का करेंगे और दम भरेंगे डेमोक्रेसी का। डेमोक्रेसी कहीं इस तरह से चला करती है?

आप सोशलिस्टिक पैटन कायम करने का जो दावा करते हैं वह महज एक धोखा है और बहानेबाजी है। दरअसल आप कम्युनिस्ट टेंडेंसी की शकल में चन रहे हैं। इस तरह से आप एक गरीब काश्तकार को, आर्टिजन लेबरर को मारना चाहते हैं यह बहाना करके कि हम सीनिंग रख कर सोशलिस्टिक पैटन कायम करने जा रहे हैं।

मैं इस बारे में पंजाब की एक मिमान हाउस के सामने रखना चाहता हूँ। पंजाब में एक किसान के पास ५० स्टैंडर्ड एकड़ जमीन है। उसके पांच लड़के हैं। १०, १० एकड़ पर पांचों लड़के अलहदा अलहदा काश्त कर रहे हैं। उनसे आप ३० स्टैंडर्ड एकड़ के नाम पर कहते हैं कि ३० स्टैंडर्ड एकड़ ले लो, तो क्या होगा? उन पांचों लड़कों से सब से दो, दो एकड़ लिया जायेगा। अब वह कहाँ अपनी फरियाद ले कर जायेंगे? उनकी क्या हालत बनेगी और वह किस तरह से उस हालत में जिदा रह सकेंगे? बात आप प्रजातंत्र और डेमोक्रेसी की करते हैं लेकिन आपने शैड्यूल नम्बर ६ को अमेंड करके जो १४४ एक्ट्स थे और जो कि प्लानिंग के इशारे पर और सोशलिस्टिक पैटन का बहाना ले कर गलत तरीके पर बनाये गये थे और जो कि कोर्ट की नज़र में बॉयड होते थे, उन सब को आपने शैड्यूल अमेंड करके बॉयड होने से

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बचा लिया है और उन पर मुहर लगा दी कि उन के बारे में सुप्रीम कोर्ट या कोई भी कोर्ट टच नहीं कर सकेगा। यह आपका इंसान है? कांस्टीट्यूशन में आपने जो फंडामेंटल राइट्स इस देश के नागरिकों को प्रदान किये थे उनको इस तरह से कानून में संशोधन करके आप डिफाई कर रहे हैं। गरीब आदिमियों की जमीनें खोस ली हैं, मुजारे खराब हो रहे हैं और वह अदालत में उसके विरुद्ध चाराजोई नहीं कर सकते क्योंकि आपने ६ जैडयूल को अमंड करके देश भर में जो १४४ कानून बन चुके हैं, आपटर इंडिपेंडेंस स्टेट्स में जो १४४ कानून बनाये हैं, उनको कोई भी अदालत टच नहीं कर सकेगी। यह फंडामेंटल राइट्स की आप काश्तकारों के लिये गारन्टी कर रहे हैं? पंजाब जैसे राज्य में जहां से कि आपको फौज वगैरह में लम्बे तगड़े जवान मिलते हैं उनको इस तरह से खत्म कर रहे हैं। लोग परेशान हो कर मुझसे पूछते हैं कि चौधरी साहब आखिर यह हो क्या रहा है? पंजाब गवर्नमेंट जो इस तरह से हमारी जमीनें खोस ले रही है तो क्या सेंट्रल गवर्नमेंट सो रही है? मैंने कहा कि सेंट्रल गवर्नमेंट एक आइडिऑलिस्टिक टोकि में चल रही है। उसको इसकी पर्वाह नहीं है कि हमारे लड़के और मुजारे किस तरह से मर रहे हैं और परेशान हो रहे हैं। सुप्रीम कोर्ट ने हालांकि साफ कह दिया कि यह कानून वायड है, खराब है तो हमारी प्रजातंत्र का दम भरने वाली सरकार ने सोशलिस्टिक पैटर्न और प्लानिंग का बहाना लेकर कानून में ऐसा संशोधन कर दिया कि यह मामला अदालत के दखल का ही नहीं रह गया है और इस तरह से मुजारों को खत्म किया जा रहा है। आज हालत यह हो रही है कि गरीब और भी ज्यादा गरीब होता जा रहा है। अब लोग कम्युनिस्ट नहीं बनेंगे तो क्या बनेंगे? अब हम ने कोई टाटा या बिड़ला

को पालना है? हम ने क्या किसी पूंजीपति को पालना है कि हम आपको सलाम करें और आपकी राय लें? आपकी हिफाजत करने वाले ज्यादातर वह लड़के और मुजारे ही हैं। अब यह क्या इंसान है कि हमारे गरीब लोग दिल्ली बाजार में मारे मारे फिरें, भूखों मरें और पूंजीपति लोग मजे से आलीशान इमारतों में बैठ कर मीज उड़ायें? यह भी कोई इंसान है कि हम गरीब काश्तकार और मुजारों को इस तरह से तबाह किया जाय, मारा जाय? हमारे भाई भतीजे और घर वाले लड़ाख में बर्फ में मोर्चा जमाए पड़ें हैं और उन के बच्चे और आश्रित लोग जो कि पीछे यहां पर हों उनसे इस तरह से उनकी जमीनें खोस जा रही हैं। आज वह रोते हैं और आप सोच सकते हैं कि जब उन के घरवालों की चिट्ठी उन जवानों के पास जाती होगी कि हमें पीछे यहां इस तरह से तबाह कर दिया गया है तो उनके दिल पर क्या बीतती होगी?

अब जमीन की जो सीलिंग हम करने चले हैं तो उन के पास है ही कितनी? ३० स्टैंडर्ड एकड़ की सीलिंग आपने फिक्स की है अब उस के पांच छः लड़के हैं तो उनका क्या बनेगा? आज वह बेजार रोते हैं। मेरा कहना है कि सरकार अपनी इस आइडिऑलिस्टिक टोकि को छोड़े। अगर आपका इरादा हमें सात या आठ आने देने का है तो सब के साथ वही बर्ताव आपको करना चाहिये। लैंट वेयर बी फेयर ट्रायल टु एचोबडी। यह क्या कि एक क्लास ऊंचे जा रही है और दूसरे को आप इतने कुचले डाल रहे हैं? मुझे मालूम है कि एक बड़े कैपिटलिस्ट हैं जो कि आये साल मिलें खड़ी कर रहे हैं। उन के पास इतना धन हो गया है कि आये साल वह नई मिलें खड़ी करते जा रहे हैं। क्या आप हमें उनका पल्लेदार बनाना चाह रहे हैं? या यह चाहते हैं कि हम उनके कारखाने में लेबरर्स की शक्ल में जाकर उनके हाथ

जोड़ें ? इस तरह का बर्ताव कर के हम से आप यह उम्मीद करते हैं कि हम तलवार धारण करें। आजकल के हालत में क्या हम इतने ताकतवर हो सकते हैं कि तलवार उठा सकें ? मेरा कहना है कि हम उतने ताकतवर नहीं हो सकते हैं। पंजाब का आदमी इसलिये नहीं कि वह कोई बड़े जमींदार होते थे, बल्कि इसलिए कि वह खुद खेती करता था, मशक्कत करता था अपनी जमीन से पैदा करता था और वह आपको बैस्ट बर्फोलोड, बैस्ट गायें और बैस्ट नीजवान फौज के लिये दे रहा था, इस तरह से सीलिंग कर देने से उसकी हालत बड़ी अबतर होने वाली है और उन का वह हिस्सा और पार्ट जो कि आज वह प्ले कर रहे हैं, कायम नहीं रह सकेगा। इतिहास इस बात का गवाह है कि हुमायूँ कामरान और अपने दूसरे भाइयों से इसलिए हारा कि क्योंकि उसके भाइयों ने पंजाब से अपने जवान फौज में इकट्ठे किये थे। आज पंजाब स्टेट को आप इस तरह से खत्म कर रहे हैं।

आज यह कांस्टीट्यूशन का सत्तरहवां अमेंडमेंट बिल लाकर फंडामेंटल राइट्स को आप खत्म कर रहे हैं। जिन कानूनों को सुप्रीम कोर्ट ने वॉयड करार दे दिया है उन को आप नवें शैड्यूल को अमेंड करके यह प्रोवाइड कर रहे हैं कि जितने भी स्टेट्स ने १४४ कानून बनाये वह सब ठीक माने जायेंगे और अदालत में उनको चुनौती नहीं नहीं दी जा सकेगी। अब स्पीकरसाहब, यह बात कैसी चलेगी ? यह पोजीशन कैसे बनेगी ? इस तरह का अमेंडमेंट लाकर संविधान के साथ मच्छेल किया जा रहा है और उसको रद्दी की टोकरी में फेंका जा रहा है। एक तरफ यह विधान कहता है कि नागरिकों को फंडामेंटल राइट्स मिलेंगे और दूसरी तरफ उनको आप इस तरह से अमेंडमेंट लाकर नलिफ्राई कर देते हैं। दरअसल मालूम यह होता है कि कांस्टीट्यूशन में हमने जो

फंडामेंटल राइट्स रखे थे वे महज हाथी के दांत दिखाने के थे। वह अमल में लाने के लिए हमने नहीं रखे थे। अमल में लाने यह जा रहे हैं कि ६ शैड्यूल में उन तमाम १४४ एक्ट्स को जिनको कि तमाम स्टेट्स ने पास किया था उनको वॉयड होने से रोक दिया है और उन के विरुद्ध सुनवाई के लिए सुप्रीम कोर्ट या किसी भी अदालत का दरवाजा बंद कर दिया गया है। यह डेमोक्रेसी नहीं चल रही है बल्कि दरहकीकत डिक्टेटोरशिप चल रही है। डेमोक्रेसी को जिंदा रखने के लिए कोर्ट्स आवश्यक होते हैं जो कि गवर्नमेंट और ऐग्जीक्यूटिव ऐक्शन अगर बेजा हो तो उस पर चैक रखते हैं। लेकिन आप ने इस को पास कर के कोर्ट्स को पावर बिलकुल खत्म कर दी है। उसके अंदर आपने यह प्रोवाइड कर दिया है कि मुआवजे के बारे में कोर्ट बोल नहीं सकते। उसके बारे में सुप्रीम कोर्ट डिसाइड नहीं कर सकता। अब शरीब जनता के पास सिविल लिटिगेशन ही एक रास्ता रहता है जहां कि वह ऐग्जीक्यूटिव ऐक्शन के विरुद्ध अदालत का दरवाजा खट-खटा सकती है और इंसाफ़ की पुकार कर सकती है लेकिन वह दरवाजा भी आपने इस तौर पर बंद कर दिया है। अब वह जायें तो कहां जायें। अब जैसा कि मुगलों के जमाने में होता था कि लोग बाग़ दरबारे मुगलिया में अपनी फरियाद लेकर पहुंचते थे और अपनी रोते गाते थे और होता यह था कि किसी की सुन ली जाती थी तो किसी की नहीं सुनी जाती थी, ठीक वही हालत आप हमारी कर रहे हैं।

यह ठीक है कि जमीन पब्लिक इंटरैस्ट में है ऐसा कह कर आप उसे एक्वायर कर सकते हैं लेकिन कानून में यह भी तो साफ़ दिया हुआ है कि उसका जायज मुआविजा मिलना चाहिये। अब कोर्ट डिसाइड कर सकता है कि मुआविजा ठीक दिया गया या नहीं, फरियादा मुआवजे के सवाल को लेकर कोर्ट में जा सकता था लेकिन आपने सन् ५५

[श्री लहरी सिंह]

के अन्दर अमेंडमेंट ला कर इस कोर्ट के परव्यू के बाहर कर दिया। आपने यह प्रोवाइड कर दिया कि मुआविजा तो हम देंगे लेकिन उस को डिटरमिन करने का जो प्रोसेस होगा, उसको देने का जो एक उमूल होगा वह हम बनायेंगे लेकिन कोई भी अदालत उसको टच नहीं कर सकेगी। अब सरकार क्या उनको मुआविजा देगी इस बारे में एक अलफ़ाज भी उस में नहीं लिखा है। मुआविजा क्या दिया जायेगा? जीरो दिया जायेगा। उस में फ़कत यह कह दिया है कि हां हम तुम्हें बटाई दे देंगे। ६ महीने के बाद तुम आकर ले लेना। उस एक्ट के बारे में कानून बन रहा है पंजाब सिक्योरिटी लैंड टैन्थोर एक्ट। मैं और स्टेट्स के ऐक्ट्स से तो ज्यादा वाक्फ़ नहीं और उनको ज्यादा नहीं पढ़ सका। इस पर मोहर लगा दी है हम ने, चाहे यह कितना ही भी ख़राब हो। कितना भी संविधान के खिलाफ़ हो। कोई कम्पेंसेशन हो या न हो, तुम बोल नहीं सकते, तुम को हक़ हासिल नहीं है। क्या यह इन्साफ़ है? क्या ये डेमोक्रेसी के प्रिंसिपल्स हैं? यहां पर बड़े जोर से कहा जा रहा है कि हम डेमोक्रेसी को कायम करना चाहते हैं। मैं नहीं समझता कि ये डेमोक्रेसी के तरीके हैं।

सोशललिस्ट पैटर्न के मानी ये हैं कि धन-दौलत की डिस्ट्रिब्यूशन को ठीक कराया जाये। बड़े बड़े बैंक्स को नेशनलाइज़ करो। मैं इस बारे में कोई कम्प्यूनिस्ट व्यूज़ का नहीं हूं, लेकिन मैं कहना चाहता हूं कि लाइफ़ इन्शोरेंस का जो रुपया था उस में कुछ आदिमियों का हिस्सा था। उसको नेशनलाइज़ कर दिया गया। लेकिन बैंकों में तो आम पब्लिक का रुपया डिपॉजिट होता है। आप उन बैंकों को क्यों न नेशनलाइज़ करो, जिस से आप को अस्सी करोड़ रुपया सालाना मिल सकता है? लेकिन आप

उन को टच करने के लिए तैयार नहीं है, क्योंकि वहां पर सोशललिस्ट पैटर्न के माने और हो जाते हैं। आप उनको टच नहीं करना चाहते। लेकिन आप एक गरीब आदमी, दो चार एकड़ के मालिक, की नाक रगड़ना चाहते हो। उस को कहते हो कि तुम को ख़त्म करेंगे। मैं फिर गोल्डस्मिथ की इस बात को रिपीट करना चाहता हूं कि अगर बोल्ट पैज़न्टी को ख़त्म कर दिया जायेगा, तो फिर इस मुल्क का काम नहीं चलेगा। आखिर बहादुर आदमी भी वही होते हैं, जो रात-दिन मुशक़त करते हैं जो रात के वक़्त जागते हैं जो लाठी लेकर जंगल में घूमते हैं जो डरते नहीं हैं। कोई पैदाइशी बहादुर घर में पैदा नहीं होते हैं। मां के पेट से नहीं होते हैं। इस में प्रोफेशन बड़ा पार्ट प्ले करता है। जिसका प्रोफेशन सख़्त होगा, वह आदमी भी तगड़ा होगा।

जैसा कि मैंने पहले कहा है बैंकों को नेशनलाइज़ करो जिन के पास हज़ार एमाउंट है। बैंक वाले रुपया कहां ले जाते हैं? आप ने डालमिया केस के बारे में पढ़ा कि वे लोग उस रुपये का कारखानों में लगाते हैं यह नहीं कि पब्लिक के लिए दे दें। किसानों, क्लर्कों और दूसरे छ़ांटे और गरीब लोगों पर कम्पलसरी डिपॉजिट स्कीम लागू की जाती है जो कि भूख मर रहा है। हालांकि बैंकों का रुपया, जो कि डिपॉजिट की शक़ल में हम लोग देते हैं कुछ फैमिलीज के पास रहता है, लेकिन फिर भी बैंकों को नेशनलाइज़ नहीं किया जाता है। आप के पड़ोस में बर्मा ने बैंकों को नेशनलाइज़ किया। कोई जुल्म नहीं किया। सोशललिस्ट पैटर्न के मानी ये हैं कि धन-दौलत को इस तरह तक्सीम करो कि सबके हिस्से बराबर बराबर आ जाये। यह न हो कि एक तो बड़ा लखपति

हो, एक को ग्रामदनी तीन लाख रुपये महीना हो और एक के पास सात या पंद्रह आने आते हों ।

इसी तरह से कारखानों को भी रेगुलेट करो और ग्रायल फ्रैक्टरीज और पेट्रोल के काम को भी रेगुलेट करो । लेकिन उन को तो टच नहीं करना है, क्योंकि—हालांकि मेरे मुख से यह कहना शोभा नहीं देता—वे बहुत बड़े हैं, उन का रूसूख बड़ा है, उन की ताकत बड़ी है, उन का प्रैस बड़ा है, उन के आदमी बड़े हैं । आप उन को टच नहीं कर सकते । एम्बैसेडर कार को पार्टिशन से पहले दो हजार में खरीदने वाला कोई नहीं था, लेकिन आज उम मोटर का सोलह हजार रुपया दिया जाता है । कौन देता है ? पब्लिक दे रही है और वह सब रुपया बड़े बड़े कैपिटलिस्ट्स के पास जा रहा है ।

हम इस हाउस के लीडर को दैलकम करेंगे, हम खुश होंगे, अगर वह इतने बोलू होंगे कि बैंकों का नेशनलाइज कर दें, लेकिन वह इतने बोलू नहीं हाते हैं और हम को मार रहे हैं । या तो उन का खयाल है कि ये खेती करने वाले अडियल हैं, इलैक्शन में हैंकी-पैकी कर लेते हैं और हमारी बहुत सी बातें नहीं मानते हैं । कोई न कोई बात तह में है । सोशलिस्ट पैटर्न का तो सिर्फ बहाना है । अगर साशलिस्ट पैटर्न लाना है, तो लॉ मिनिस्टर और प्राइम मिनिस्टर बोलबली कहें कि हमने इस मुल्क में इन्क्लाब लाना है और हम ने धन-दोलत का ठीक तरह से तक्सीम करना है । एक तो यहां पर ऐश करे चार-मंजिला मकान में और एक बेचारा गरीब मरता रहे, क्या यह सोशलिस्ट पैटर्न है ? इस बहाने से तुम पेजेंट प्रोप्राइटर्ज को भी खत्म कर रहे हो, यह एमेंडमेंट ला कर एग्रोकल्चरल लेबरर्ज और आर्टिस्न्ज को भी खत्म कर रहे हो ।

अध्यक्ष महोदय : माननीय दस्य बहुत पुराने पार्लियामेंटेरियन हैं और मिनिस्टर भी रहे हैं । वह जानते हैं कि .

श्री लहरी सिंह : मैं मिनिस्टर ज्यादा रहा । तब बोलने की जरूरत नहीं पड़ी । यहां आ कर बोलने की जरूरत पड़ी ।

अध्यक्ष महोदय : . . . यह कायदा नहीं है कि पार्लियामेंट में मिनिस्टर को सीधे एड्रेस कर के “तुम” कहा जाये ।

Shri Lahri Singh: I am extremely sorry. I shall address you hereafter.

मैं जनाब के थू मिनिस्टर साहब को पूछना चाहता हूं कि इस एमेंडमेंट में जो यह कहा गया है: ‘sites of buildings and other structures occupied by cultivators of land, agricultural labourers and village artisans’, यह क्या चीज है । पंजाब में और हर एक जगह “एस्टेट” की डेफिनीशन है । यह क्या चीज है इस की तह में । आप पब्लिक को किस तरह सेटिसफाई करोगे ।

मैं ज्यादा वक्त न लेते हुए यह अर्ज करना चाहता हूं कि सरकार जरा सीधा हो कर चलना संखे । इन टेढ़ी-मेढ़ी बातों में पब्लिक नहीं आने आने वाली है । आप सोशलिस्ट पैटर्न करो, हम राजी हैं । सब के साथ बराबरी का बर्ताव करो । आप ने बड़ों बड़ों को जमीनें ले लीं । कह दिया कि जो बड़े लोग काश्त नहीं कर सकते, उन की जमीनें ले लीं । लेकिन जितने बड़े जमींदार थे, उन के बराबर ही कैपिटलिस्ट्स भी थे । उन को छुआ कहां गया ।

मैं कहना चाहता हूं कि यह विधान बनाया है बड़े बड़े लॉर्ड आदमियों और बड़े बड़े जूरिस्ट्स ने । क्या जरूरत पड़ी कि इस विधान में फंडामेंटल राइट्स के जरिये प्रापर्टी के लिए जो गारण्टी दी गई थी, उस को खत्म किया जा रहा है, उस को वैंस्ट-पेपर वास्केट में फंका जा



[श्री लहरी सिंह]

रहा है और उन फंडमेंटल राइट्स को इग्नोर किया जा रहा है। बहाना रिफार्मज का किया जा रहा है। कहा जा रहा है कि हम जापान की तरह बनाना चाहते हैं। अगर हिम्मत है, तो जापान की तरह बनाओ। हम खुश होंगे। लेकिन साथ ही दूसरे पहलुओं को भी देखो, सब के साथ एक सा बर्ताव करो, ऐसा न करो कि एक के साथ एक बर्ताव और दूसरे के साथ दूसरा बर्ताव किया जाये। मिनिस्टर साहब फरमाते हैं कि हम लार्ज प्रोप्राइटर्ज को खत्म करना चाहते हैं। कहां है लार्ज प्रोप्राइटर्ज? सीलिंग क्या है? अगर आपने वहां पर ट्यूबवैल सिस्टम दे रखा हो, कदम कदम पर पानी दे रखा हो, तब तो आप कह सकते हो। कौन दे सकता है ४४ हजार, ५० हजार, ६० हजार रुपया?

एक अमरीकन से मेरी बात हुई। मैंने उस से पूछा कि तुम्हारी जमीन बैंकिश थी, तुम ने उस का क्या इन्तजाम किया। उस ने कहा कि हम ने डोप ट्यूबवैल खोदे एक एक लाख फीट पर और आज पानी ही पानी है। आप जमींदार को लैक्चर देते हो कि जापान की तरह चलो, लेकिन वहां पर पानी नहीं है। जहां पानी है, वहां आप के ईरिगेशन सिस्टम के डिफेक्ट से, ड्रेंज की वजह से, इतना पानी आ चुका है कि वह खत्म हो रहा है। आप ड्रेंज का इन्तजाम न कराये, बैरन लैंडज को पानी आप न दें और लैक्चर यह पिलाये कि हम बड़ा सोशलिस्ट पैटर्न कायम करने जा रहे हैं।

मैं चाहता हूँ कि गवर्नमेंट इन बहानों को छोड़ कर स्ट्रेट वे में चले, ताकि पब्लिक भी समझे और छोटे छोटे आदमी भी समझें कि सोशलिस्ट पैटर्न के मानी ये हैं कि डिस्ट्रिब्यूशन आफ वेल्थ किस शकल में होना चाहिए और यह धोखा नहीं होना चाहिए।

श्री सुभद्रा प्रसाद (मुजफ्फरनगर) : अध्यक्ष महोदय, इस बिल पर एक बड़ा

एतराज यह किया गया है कि हमारा जो कांस्टीट्यूशन बहुत बड़े जूरिस्ट्स ने बनाया था, उस को सोलह मर्तबा तरमीम किया जा चुका है और अब सत्रहवीं मर्तबा तरमीम किया जा रहा है। यह कांस्टीट्यूशन एक आबजेक्टिव हासिल करने के लिए बनाया गया था, इस मुल्क में डेमोक्रेसी चलाने के लिए बनाया गया था। कोई डेमोक्रेसी उस हालत में नहीं चल सकती है, जब एक तरफ बहुत अमीर आदमी हों और दूसरी तरफ बहुत गरीब आदमी हों। यहां ८५ परसेंट के करीब ऐसे किसान हैं, जिन के पास पांच एकड़ से कम जमीन है। यह कहना बिल्कुल गलत है कि विधान में यह संशोधन करने से किसानों का नुक्सान होगा। हां, उन आदमियों का जरूर नुक्सान होगा, जिन के पास बड़ी जमींदारी है, जिन के पास काश्त की बहुत बड़ी जमान है।

अगर इस मुल्क में खुशहाली न हो, तो यहां डेमोक्रेसी नहीं चल सकती है। यह भी कहा गया कि सरदार पटेल और डा० राजेन्द्र प्रसाद के सामने यह कांस्टीट्यूशन बना। ठीक है। लेकिन उन्हीं के नेतृत्व में १९३१ में कांग्रेस ने एक तहरीक चलाई थी कि लगान कम किये जायें और उन्हीं के नेतृत्व में यू० पं० में लैंड रिफार्मज का एक बुनियाद कायम की गई थी, जब कि जमींदारी एवालिशन के विषय में एक कमेटी बनाई गई थी। उस समय यह सिद्धांत मान लिया गया कि काश्तकार और सरकार के दरमियान में इन्टरम डिजरीज नहीं रहेंगे और काश्तकार अपनी जमीन का खुद मालिक होगा। अगर कांस्टीट्यूशन इस बात में बाधक है, अगर सुप्रीम कोर्ट या हाई कोर्ट का कोई फैसला होता है जो कि हमारा जो मुद्दा है, हमारा जो मकसद है, उसको पूरा नहीं होने देता है तो हमारी सरकार उस सूरत में बिल्कुल हक जानिब है कि वह संविधान में तरमीम करे और इस गज से करे कि इस मुल्क में खुशहाली हो, बड़ी तादाद में जो लैंडलेस लैबरज हैं, उन के

पास भी जमीन हो, जो बहुत छोटे किसान हैं, उनके पास भी जमीन हो।

इस बिल को पेश करते हुए, सिलैक्ट कमेटी के सुपुर्द करने की तहरीक पेश करते हुए आन्डरेबल ला मिनिस्टर ने दो कारण बतलाये हैं। पहला यह बतलाया है कि कुछ सूबों में कुछ जमीनें ऐसी हैं जो कि स्टेट की डेफीनीशन में नहीं आती हैं, इसलिए स्टेट की डेफीनीशन को वह तबदील करना चाहते हैं ताकि जो जमींदारों की, ऐबसेंटी लैंडलार्ड्स जमीनें हैं, जो किसानों की जमीनें हैं, वे उस डेफीनीशन में आ जायें। दूसरे उन्होंने यह बताया है कि सीलिंग जब लगाई जाए तो उस सीलिंग को कहीं चैलेंज न किया जा सके।

मैं पूछना चाहता हूँ कि कितने आदमी हैं जिन के पास ५०-५० या १००-१०० या ५००-५०० एकड़ जमीनें हैं और जिन का वे ठीक तरीके से इंतजाम भी नहीं कर सकते हैं? थोड़ी देर के लिए अगर मान लिया जाए कि वे मुतासिब तरीके से इंतजाम भी कर सकते हैं तो भी क्या यह उचित होगा कि ८५ परसेंट तो ऐसे आदमी हों जिनके पास पांच एकड़ से भी कम जमीनें हों और १५ परसेंट ऐसे हों जिन के पास बड़ी जबर्दस्त जमींदारियां हों। मैं समझता हूँ कि जो हमारी कांस्टीट्यूशन की डायरेक्टिव पालिसी है और साथ ही साथ अपने प्लान में हम ने जो लैंड रिफार्म की पालिसी बनाई है, उसको पूरा करने के लिये यह बहुत जरूरी है कि इस तरह का संशोधन किया जाए जो आज प्रस्तावित किया गया है।

एक बात गौर तलब है। इस में १२१ के करीब एकट्स को नवें श्रेड्यूल में शामिल करने का मुझाब दिया गया है। जो कारण है वह तो यह है कि इंटरमीडियरीज न रहें और दूसरा यह है कि लैंड सीलिंग हो। लेकिन उन एकट्स में ऐसे प्राविजन भी हो सकते हैं जो किसी कानून की किसी धारा के खिलाफ हों या जस्टिस के खिलाफ हों। इसलिए मेरा मुझा सिलैक्ट कमेटी से यह है कि वह हर

एक को गौर से देखे और बताये कि फिलवाका जो दो आब्जेक्ट्स हमारे सामने हैं, उनको पूरा करने के लिए कितने कानूनों को इस में नवें श्रेड्यूल में शामिल करना जरूरी है। केवल उन्हीं कानूनों को इस में शामिल किया जाना चाहिये।

**श्री बड़ें :** यह रयोटबारी कानून भी इस में ले लिया है।

**श्री सुमत प्रसाद :** सिलैक्ट कमेटी इसको एग्जमिन करेगी कि कौन से कानून ऐसे हैं, जिन को सीलिंग लगाने की गर्ज से शामिल करना जरूरी है या इंटरमिडियरीज को खत्म करने की गर्ज से शामिल करना जरूरी है।

इस सदन में कम्पेंसेशन को ले कर काफी चर्चा की गई है। जहां तक कम्पेंसेशन का ताल्लुक है, उस पर चर्चा करना यहां बेमानी है। यह चीज तो जब स्टेट्स में बिल पेश होंगे, उनमें होगी। यह तो एनेबलिंग मेयूर है ताकि सीलिंग लगाई जा सके और इंटरमिडियरीज को खत्म किया जा सके और एस्टेट्स को ले कर, उनका मुआवजा दे कर, छोटे किसानों को, जमीनें दी जा सकें या उन लोगों को दी जा सकें, जिन के पास जमीनें बिल्कुल नहीं हैं।

जहां तक मार्किट रेट की बात है, अगर उस हिसाब से जमीनें ली जायें तो कभी भी जमींदारी एबालिशन नहीं हो सकता है। हिस्ट्री को अगर ट्रेस किया जाए तो पता चलेगा कि एग्रिकलचरल लैंड्स की जो कीमतें बढ़ी हैं, वे कई कारणों से बढ़ी हैं, सोशल कारणों से बढ़ी हैं, पोलिटिकल कारणों से बढ़ी हैं, या दूसरे कंसिड्रेशन इस में आ जाते हैं। हर ऐसी बात नहीं है कि जो जमीन के मालिक थे, उन्होंने पुरुषार्थ से, पैसा लगा कर जमीनों का डिवेलेपमेंट किया है . . .

**श्री रामेश्वरानन्द (करनाल) :** ऐसे ही हो जाता है क्या ?

**श्री सुमत प्रसाद :** पचास वर्ष पहले जो जमीन की कीमत थी वह आज ....

**अध्यक्ष महोदय :** कुछ खड़े हो कर और कुछ बैठ कर बात नहीं की जाती है ।

**श्री रामेश्वरानन्द :** खड़े हो कर कह देता हूँ । वैसे ही अनुकूल हो जाती है क्या ? डबैसे हो अगर हो जाती है तो उन्होंने भी कर रखी होगी ।

**श्री सुमत प्रसाद :** जिस जमीन की पचास बरस पहले जो कीमत थी उसका मुकाबला आप करें उस सूरत में कि उसके मालिक ने कोई डिवेलपमेंट नहीं किया है, कोई पुरुषार्थ नहीं किया है और अब कितनी उसकी कीमत बढ़ गई है ....

**श्री रामेश्वरानन्द :** खेती बाड़ी जो करते हैं, वे वैसे नहीं रहे जैसे पहले थे । दुनिया भी पहले जैसी नहीं रही । किसान बहुत मेहनत करता है ।

**श्री सुमत प्रसाद :** यह जो बिल है, यह उनके हित में है । इस में कोई बात ऐसी नहीं है जो कांस्टिट्यूशन की स्पिरिट के खिलाफ जाती हो या जो हम ने लैंड रिफार्म पालिसी बनाई है, उसके खिलाफ जाती हो । उस पालिसी को पूरा करने के लिए और गरीब किसानों की हालत को बेहतर बनाने के लिए, उनको खुशहाल बनाने के लिये यह जरूरी है कि केरल हाई कोर्ट तथा सुप्रीम कोर्ट के फैसलों की वजह से जो अड़चन पैदा हो गई है उसको दूर किया जाए । हमारा जो मकसद है, वह पूरा होना चाहिए । हमारी जो पालिसी है, उसको कार्यान्वित करने के लिए अगर किसी कानून में संशोधन करने की आवश्यकता महसूस होती है, तो वह किया जाना चाहिये ।

**Shri Maniyangadan (Kottayam):**  
Sir, much was said about the sanctity of the Constitution and also of the

Fundamental Rights. I am not very happy and I am sure the Government also will not be very happy in bringing amendments to the Constitution very often. But the fundamental principles of our Constitution have been laid down in the Directive Principles. Reference was made to article 39(c) of the Constitution; I do not want to repeat that. Now, if these principles of the Constitution could not be implemented, it is necessary that the Constitution has to be amended. It is not because this Parliament has declared that we have in view the socialist pattern of society but because our Constitution has laid down certain fundamental principles. Land reform is an important problem as India is an agricultural country. It has both social and economic aspects. Even before attaining Independence Congress Party had declared what its agrarian policy will be. There is the Karachi Resolution of the Congress. Again in 1947, an agrarian reforms committee was set up by Congress with late Mr. Kumarappa as Chairman; Prof. Ranga was its member. I do not want to go into the report of that committee but that lays down the principles of agrarian reform that should be adopted. I submit that there is no deviation hitherto made by the Central or the State Governments from the principles laid down in that report.

Shri Ranga has of course changed his views and we have only to be sorry for him. As regards the principles laid down by the Planning Commission, it was stated here that the Supreme Court judgment and the high court judgment have said much against these various Governments or the Kerala Government or the land reform policies of the Government. That is not a fact. They have accepted the basic principles of land reform laid down by the Planning Commission.

I may be permitted to read a certain portion of the judgment of the Supreme Court in the case of Puru-

sothaman Namboodiri *versus* the State of Kerala:

"It is well known that the Constitution (First Amendment) Act of 1951 was made in order to validate the acquisition of zamindari estates and the abolition of permanent settlement. The acquisition of zamindari rights and the abolition of permanent settlement, however, was only the first step in the matter of agrarian reform which the Constitution-makers had in mind.... After the zamindari abolition legislation was thus passed, the Constitution-makers thought of enabling the State legislatures to take the next step in the matter of agrarian reform. As subsequent legislation passed by several States shows, the next step which was intended to be taken in the matter of agrarian reform was to put a ceiling on the extent of individual holding of agricultural land. The inevitable consequence of putting a ceiling on individual occupation or ownership of such agricultural land was to provide for the acquisition of land held in excess of the prescribed maximum for distribution among the tillers of the soil."

This is said by the Supreme Court as a salutary principle. In this judgment, they considered certain lands in the erstwhile Cochin State of Kerala, called *puravaka* and *pan-daravaka*, and they held that those lands come within the definition of the term 'estate'. But in another judgment by the same Bench of the Supreme Court, in the case of *Kunhi-koman versus the State of Kerala*, they found on technical grounds that ryotwari lands do not come within the definition of the term 'estate' as defined in article 31A (2) (a) of the Constitution, because the protection provided for legislation under that article was not applicable to those lands. They went to the question of fundamental rights under the Constitution and said there are certain points of discrimination and other things.

Now, the question is whether these fundamental rights guaranteed in the Constitution are for perpetuating the feudal system or whether they are for perpetuating absentee-landlordism. My submission is, the Supreme Court does not hold that view, but the law has to be interpreted as it is, and though not directly, there is a hint that it has to be amended. It is in this background that we have to look to the present amending Bill. My submission is, nothing can be said against the amendment now proposed.

Subsequently, the Kerala High Court also on the same ground declared that certain lands in the Travancore area do not come within the term 'estate'. So, my submission is there is no escape from amending the Constitution. The mere fact that certain lands come under a particular system of tenures is no reason that the agrarian reforms should not be made applicable to these lands. All agricultural lands must come within the reforms that are attempted to be implemented by the Government. It must also be done according to the declared policies of the Planning Commission. So, I whole-heartedly support the amendment of article 31A.

Prof. Ranga said something about the ceiling on income of other sections of the people. My submission is that land reform legislations are not intended for putting a ceiling on income. It is only a social and economic measure. Lands which could not be expanded and which are the means of production must be distributed equitably amongst the people. That is the only object.

Mr. Gopalan was referring to the Kerala Agrarian Reforms Act. Prof. Ranga said that this amendment proposed by the Government is because of the communists. That is not a fact. The Kerala Government also—the Government which came after the communist government—wanted its scope to be widened. I do not know what are the provisions that are

[Shri Maniyangadan]

contained in the present Bill that the Kerala Legislature is going to discuss. I have not found that Bill. Mr. Gopalan referred to certain difficulties that may arise. I think provision will be made to get over them. I agree that if the judgments or findings of land tribunals under the Agrarian Relations Act of 1961 are of no use and the process is to be gone through again by the tenants, that would really be a hard thing. I think some provision could be made in the Bill that is under discussion. I do not know what provisions are going to be made

Regarding the tenants' rights also, I do not think there is any right which and vested in them and which is being taken away. Of course, these are the main objections. But he said that the Act could be amended. What I am afraid of is, after the passing of this Bill by which this Act of 1961 is included in the Ninth Schedule, if an amending Act is subsequently passed, I do not know whether it will have that protection which the Constitution gives to the present Act. That would be a later Act. I do not know.

**Shri N. Sreekantan Nair** (Quilon): Why not amend it instead of bringing a new Act?

**Shri Maniyangadan**: I would come to that. This leads me to the question of the Kerala Agrarian Relations Act now in force in Kerala. I may submit that that is the most unscientific Act that one can conceive of. That Act was passed when the communist party was in power. Then it was sent to the President for his assent. While it was pending before the President, the Government had to go and when the next Government came, the President sent back the Act with certain suggestions of amendment. The then Government wanted to make certain amendments.

**Shri N. Sreekantan Nair**: It was the present Government.

**Mr. Speaker**: Order, order.

**Shri N. Sreekantan Nair**: I am trying to elucidate the facts, so that the House may not be misled.

**Mr. Speaker**: He may be just following him; he shall have ample opportunity.

**Shri Maniyangadan**: For the information of my friend, it was not the present Government. It was a coalition government at that time. Now it is Congress Government. That Government wanted to make certain amendments more. But unfortunately the position of law was that the then legislature could not consider any other amendment other than those suggested by the President. So, it was passed. When the question of implementation came hundreds of cases were filed in the courts and because of that, the ceiling provisions of that Act could not be implemented. That is how this happened.

My friend asked why the Act could not be amended. In the Agrarian Relations Act in Kerala, the ceiling fixed is 15 acres of double crop nilam or cocoanut garden. I may submit that in Kerala due to the fertility of the land and due to the terrain and for various other reasons, 1 acre of cocoanut garden in one particular area will fetch an income which even 5 or 6 acres of cocoanut garden in another part of the State will not fetch. Similarly with regard to paddy lands and other plantations. So if a ceiling is to be put as 15 acres that will create a lot of confusion. Therefore, this was very seriously objected to at that time, but they were not prepared to accept that proposition. I do not think my hon. friend Shri Srikantan Nair will take exception to this statement which I am making.

Then again, Sir, exception from ceiling was sought for certain other varieties of land also. Now they have exempted only coffee, rubber, tea and cardamom. Pepper, arecanut and coconut plantations were also sought

to be exempted from the provisions of the ceiling. Here again, I may refer to the judgment of the Supreme Court which deal *in extenso* the principles laid down by the Planning Commission. There it is said:

"This brings us to a consideration of the reasons which may have impelled the legislature to treat plantations as a class differently from other lands. The objective of land reform including the imposition of ceiling on land holdings is to remove all impediments which arise from the agrarian structure inherited from the past in order to increase agricultural production, and to create conditions for evolving as speedily as possible an agrarian economy with a high level of efficiency and productivity. It is with this object in view that ceiling on land holdings has been imposed in various States. Even so, it is recognised that some exemptions will have to be granted from the ceiling in order that production may not suffer. This was considered in the Second Five Year Plan at page 196 and three main factors were taken into account in deciding upon exemptions from the ceiling, namely—"

I will read only one of them—

"(5) efficiently managed farms which consist of compact blocks, on which heavy investment of permanent structural improvements have been made and whose break-up is likely to lead to a fall in production."

Based on this principle they deal with pepper and arecanut in this judgment. Since cocconut plantation was not a question at issue before them they have not dealt with that. They refer to the Central Cocconut Committee's decision. They refer to several other authorities. They have referred to Farm Bulletin No. 55 relating to pepper cultivation in India issued by the Farm Information Unit,

Directorate of Extension, Ministry of Food and Agriculture. They have referred to so many authorities on agriculture, and they have come to the conclusion that efficiently managed pepper and arecanut estates where large investments have been made if broken up would definitely lessen production and that will affect the economy of the country. Since my time is limited I am not going to read this judgment. I only refer the House to the majority judgment in *Qunhikoman vs State of Kerala* of the Supreme Court. So this was another objection.

Then again, *kayal* land was said to be exempted—the *kayal* land of Kuttanad area. There is a peculiar sort of cultivation which does not exist anywhere else in India. In the backwaters where the water is 5 feet to 8 feet deep is the place where cultivation of paddy is done. There, bunds are put up, water is pumped out and cultivation goes on. Extensive areas are brought within these bunds. If that land is parcelled out, I submit, it would mean the death-knell of paddy production in Kerala State. So many grounds were given as objection to this legislation but they would not agree.

**Shri Nambiar:** This problem will crop up in Kerala at any time a land legislation is brought forward. It is not something transitional which will be removed after some time.

**Shri Maniyangadan:** My information is that the view of the present Kerala Government is that the present Act of 1961 could not be amended to suit the purposes of Kerala and only a new Bill could be drafted and passed. I also understand that they are trying to get it passed as early as possible. Then, the Planning Commission and the Government of India can go into it. I do not know whether the Select Committee will get an opportunity to do that.

**Mr. Speaker:** He should conclude now.

**Shri Maniyanagan:** Sir, I will require two or three minutes more.

As I was pointing out, these principles which I have mentioned have been incorporated in the land reforms in almost all the other States. For example, in the enactments of Madras, Mysore, Tripura and other States the ceiling fixed is in terms of standard acres. So, my submission is, if these reforms are necessary and the present Act could not be amended and a new legislation is necessary, I believe it will come in time before the Joint Committee, or at least before the report of the Joint Committee comes before the Parliament.

Here I may refer to another Act for the information of the Government. There was one Act for the abolition of Jenmikaram and that was also struck down by the court on the ground of violation of fundamental rights guaranteed by the Constitution. I would suggest that the reasons for that also may be looked into and, if necessary, that Act may also be included in the Schedule.

One word about the exemptions. Both this Act and, maybe, the proposed new Act also exempts Government lands. I have no objection to the exclusion of Government lands. But, in Kerala, even now there are vast areas of land occupied by people which come under the category of Government lands. These lands were allowed to be occupied by peasants. In fact, peasants were encouraged to occupy these lands. I am specially referring to the lands in the eastern region of that State. Thousands of persons are in occupation of that land. In 1956 or 1957 Government ordered that their occupation may be regularised and the lands may be registered in their names. Subsequently, that order was cancelled, and I do not know why these lands are not allowed to be owned by these people. My information is that Government wants to evict these people who come within these project areas. I think this is a dubious

method. I most humbly submit that crores and crores of rupees have been spent by these peasants on these lands. So, if they are to be evicted from that area, adequate compensation has to be given to them, even though they are occupying only Government land. If that is not done, I submit, the people will lose their faith in the *bona fides* of the Government, in so far as its land reform policies are concerned. So, this aspect of the matter must be taken into consideration both by the Planning Commission and the Government before they come to a decision.

One more word about compensation.

17 hrs.

**Mr. Speaker:** Now he should conclude.

**Shri Maniyanagan:** Much was said about compensation but I would like to draw a distinction between land and investment on land. I refer to this because in Kerala it is not ordinary land where annual cultivations are done and crops taken. It is mostly hilly areas or other areas where permanent plantations have been put up. Clearing of the land was done, terracing was done and the plants were put up. Then, for a coconut plant to come into yielding stage it will take 10 to 15 years; similarly, arecanut and other plantations. Most of the land there is in the shape of gardens with mixed plantation. I am not pleading for land where paddy is cultivated or where millet is cultivated.

**Mr. Speaker:** He must conclude now.

**Shri Maniyanagan:** With this sentence, I will conclude. For that compensation may be given as decided by Government. But as regards plantations, they must be considered as investment just like in an industry and whole compensation paid for that.

17.02 hrs.

## FLOOD SITUATION IN THE COUNTRY

**Mr. Speaker:** Now the House will take up the statement of the hon. Minister of Irrigation and Power. Shri Yadav.

**श्री राम सेवक यादव (बाराबंकी) :** एक मुझाव के द्वारा मैं आपसे कुछ निवेदन करना चाहता हूँ। यह जो बाढ़ की समस्या है, यह पूरे देश की है और इस में लाखों एकड़ भूमि . . .

**अध्यक्ष महोदय :** यह मैंने देखा है . . .

**श्री राम सेवक यादव :** एक निवेदन है एक मुझाव के जरिये कि कल से हम लोग एक घंटा अधिक बैठ जायें और इस तरह से २१ तारीख तक हम को तीन घंटे मिल जायेंगे

**अध्यक्ष महोदय :** अभी बैठेंगे ३०-३५ मिनट। आप सवाल करें।

**श्री राम सेवक यादव :** बहुत महत्वपूर्ण विषय है . . .

**अध्यक्ष महोदय :** सवाल करने की मैं इजाजत दे दंगा . . .

**श्री योगेन्द्र झा (मधुबनी) :** बिहार, उत्तर प्रदेश, दिल्ली आदि सभी प्रान्तों में बाढ़ की समस्या एक बड़ी समस्या है . . .

**अध्यक्ष महोदय :** जो वक्त है, वह सब बंटा हुआ है। मैं ने इसको देख लिया है। इसलिये आपको वक्त नहीं मिल सकेगा। मैं अभी वक्त देने को तैयार हूँ। आप सवाल करें।

**श्री राम सेवक यादव :** बहुत वाला यह प्रश्न है। सवाल से क्या निकलेगा ?

मैं चाहता हूँ कि दो तीन सवाल करने की आज्ञा आप दे दें।

**अध्यक्ष महोदय :** नाम बहुत अधिक है। दो तीन मिनट ले लें और दो क्वश्चन कर लें।

**श्री राम सेवक यादव :** बाढ़ जैसी समस्या की वजह से हर साल लाखों एकड़ फसल नष्ट होती है, हजारों जानवर मरते हैं, लाखों की सम्पत्ति नष्ट होती है, सैकड़ों आदिमियों की जानें जाती हैं। प्रधान मंत्री ने कहा था कई बार कि इस समस्या को हम लड़ाई के स्तर पर हल करेंगे। मैं जानना चाहता हूँ कि क्या केन्द्र के पास बाढ़ को रोकने के लिये कोई योजना है, यदि है तो कौन सी और कहाँ तक उस पर अमल हुआ है ?

**श्री प० ला० बाबूपाल (गंगानगर) :** मैं माननीय मंत्री से यह जानना चाहता हूँ . .

**अध्यक्ष महोदय :** मैंने अभी आपको तो नहीं बताया है।

If the hon. Minister tries to reply every question as it is asked, probably that would be better.

**The Minister of Irrigation and Power (Dr. K. L. Rao) :** I thought, the hon. Member will ask both the questions and I can answer them together.

**श्री राम सेवक यादव :** दूसरा प्रश्न मेरा यह है कि माननीय मंत्री जी ने जो बयान दिया है उससे ऐसा लगता है कि जो सहायता उत्तर प्रदेश आदि राज्यों को बाढ़ पीड़ित लोगों के लिये दी गई है वह बिल्कुल नाकाफी है, उससे कोई काम नहीं चल सकता है। मैं जानना चाहता हूँ कि क्या केन्द्रीय सरकार के पास बाढ़ से पीड़ित लोगों को सहायता पहुंचाने के लिये कोई योजना है, कोई खास कदम केन्द्रीय सरकार ने उठाये हैं कोई खास सहायता राज्यों को दी है, यदि



[श्री राम सेवक यादव]

दी है तो कितनी राशि दी है और कहां के कहां लिए दी है ?

**Mr. Speaker:** The help that has been given by the State Government is inadequate. Is the Central Government also going to supplement that from its own resources?

**Dr. K. L. Rao:** I should submit that floods are essential for the fertility of the soil and for the water requirements of the nation. What we are trying to see is that excessive flood effects or damages must be avoided. The problem is being tackled. It should be remembered that before 1954 there was no central flood management. It is since 1954 that this subject is being tackled at the Centre and a large amount of work has been done. The gaugings of the rivers have been taken and lots of surveys and data has been collected. Now we know the size of the problem. We have also been spending quite a considerable amount of money every year for tackling this problem. But at the same time it must be noted that it is not possible to effect complete protection against the floods as such—hundred per cent. protection. It is not possible and it is not done anywhere in the world. All that we try to do is to prevent as much damage as possible, firstly, to human lives and cattle and, secondly, to the fields. This year, I must say, by and large, we have not had much of damage. I am taking the country as a whole. There have been some difficult situations as we are experiencing in Delhi itself. In some other places like the Eastern U.P. also, we had a difficult flood situation as also in Assam. It is our earnest desire and earnest effort to try to evolve some method by which the suffering will be reduced to as great an extent as possible. But it is impossible to state categorically that the floods will be completely eliminated. It is not possible. I may give a simple illustration of Shahdara. The trouble in Shahdara is not at all due to any flood

of any river or canal. What happened was that there was an intensive rainfall which was of the order of 12½ inches in one day, that is to say, half the rainfall at Delhi for the whole year. When that intensive rainfall came, it was impossible to protect any kind of locality especially a low pocket like Shahdara. Probably some hon. Members will put more questions and then I will give more information on the subject. What I want to say is, while it is the intention of the Government to provide as much protection from the floods as possible—and that is what we are doing—at the same time there are also some limitations to these flood control techniques.

Then, as regards the assistance, I agree with the hon. Member that the assistance is not as much as it should be. But as far as it is possible, whenever the States require any assistance, the Centre is trying to give more and more assistance and also to give as much money as possible within the framework of our finances. In any particular case, if any hardship is brought to the notice of the Central Government, every assistance will be given.

**श्री प० ला० बारूपाल :** राजस्थान सरकार ने इस घघ्घर नदी की बाढ़ को रोकने के लिए बहुत अर्सा हुआ एक योजना आपके पास भेजी थी । उस योजना पर अभी तक कोई अमल नहीं किया गया है । इसका कारण क्या है ? इसके कारण विनाशकारी बाढ़ हर साल आती है और लाखों करोड़ों की फसल व सम्पत्ति नष्ट हो जाती है ।

**Mr. Speaker:** Rajasthan has sent a project for flood control since a long time....

**Dr. K. L. Rao:** I thought you were allowing him to put another question.

**Mr. Speaker:** He is putting only one question.

**Dr. K. L. Rao:** Good. This is about the Ghaggar river. I have explained at length in the statement about Ghaggar. I had personally inspected that area both on the 13th and 14th. It is one of our very difficult problems because Ghaggar is a river which has no outlet. Ghaggar takes off near Solan in Punjab and then it runs across Punjab and goes over to Rajasthan and gets dried up or gets just spread over in the sand dunes of Rajasthan somewhere about Suratgarh. Now, in the olden days, it was all right. In fact, the water coming from this Ghaggar river was such a small quantity that a railway line had been constructed, at the beginning of this century, in the bed of the river itself without any trouble. But now, in the recent times, because more canal systems have been developed, there is a larger amount of water in the river. Naturally, the problem has arisen. Ghaggar people are resenting, people of Rajasthan are resenting, that so much amount of water must not be let down. Therefore, the Rajasthan Government had submitted a scheme. That scheme by itself would not have been of much help. And I am very happy to submit—I have submitted it in my statement—that a very good solution has been found for this and that is if we can construct a canal a link canal, from Ottu Weir in Punjab and take the water into Rajasthan canal, then not only a complete solution for this problem would have been found, but also we would be using the Ghaggar water, which is at the moment creating havoc, for our irrigation purposes—it will be a great benefit to the country. This new scheme is being investigated and I hope that it will be possible for us to make a start on this as also on a modified portion of the scheme that has been submitted by the Rajasthan Government.

**Shri Karni Singhji (Bikaner):** My question also relates to the Ghaggar floods. On the 10th March, 1961, I had tabled a calling-attention-notice, that is, almost two and a half years ago, and the Minister had replied that

there were two schemes before Government, a short-term scheme and a long-term scheme.

The statement made by the hon. Minister has been very exhaustive, and we seem to be quite satisfied. The only question that I wish to ask of the hon. Minister is this. What steps do Government propose to take to prevent the floods coming again during the coming winter months? Our experience during the last four years has been that the floods come almost twice a year and destroy both the *rabi* and the *kharif* crops. We expect these heavy floods again in December-January-February. Would the hon. Minister tell us what steps he proposes to take?

**Dr. K. L. Rao:** What the hon. Member said was quite correct. I must also pay my very sincere tribute to the hon. Member for his great interest on this subject, and he has often talked to me about this.

It is not possible to execute the schemes in one year. The cost of the two schemes that we are going to take up in order to overcome this difficulty of the Ghaggar is still to be estimated, but I think that it will come to somewhere in the neighbourhood of Rs. 6 to Rs. 8 crores. There will be some difficulty in convincing the Planning Commission and the Finance Ministry to give us finance immediately. But still, I think, that in view of the fact that the Ghaggar control is very important for the development of the Rajasthan canal system, provided we get the funds, we may be able to do some effective work within two years. I am afraid that next year, we have got to tide over as at present.

**Mr. Speaker:** Shri Bagri. The hon. Member is not here. Then, Shri Prakash Vir Shastri. He is also not here.

**Shri Labri Singh (Rohtak):** I have read the statement laid on the Table by the hon. Minister. Firstly, it has been mentioned that the flooding in

[Shri Lahri Singh]

the Punjab, and particularly, in the Rohtak district where about fifty villages are now inundated with water has been caused because the diversion drain which was meant to divert water from drain No. 8 was not completed. Secondly, it has been mentioned that the other drain taking water from the Najafgarh lake to the Jamuna river has also not been completed or desilted or it was not in order. These are the two causes which have been mentioned. Is the hon. Minister in a position to assure the House that in order to avoid future flooding, the construction of the diversion drain will be completed by next year, and also whether the drain taking water from the Najafgarh lake would be completed by next time? The hon. Minister may give the assurance also, but before he answers, I would also like to know whether he has consulted the Punjab Government in this respect or not.

**Dr. K. L. Rao:** What the hon. Member said was of very great importance, because the one drain that is giving trouble both to Punjab and to Delhi is this drain No. 8, and definitely, the earlier we control this, the better it will be for both the areas, and we can then divert our attention to more difficult problems elsewhere.

The hon. Member is quite correct when he says that both these works must be completed, that is, diversion drain for drain No. 8 and also the Najafgarh drain must be completed as early as possible. My hon. friend wants an assurance in this respect. If the hon. Member can get the necessary finance sanctioned, I can assure this House that we shall do both these things in one year. It is a question of the limitation of finance. I shall make enquiries from the Punjab Government whether they can do this drain No. 8 diversion this year, but probably they may also have difficulties of finance. But I am pretty certain that these will be completed in two years. I do not know how far we shall be able to do these within one year; of course, the

difficulty is not from the physical point of view; from the physical point of view, we can do both these works in one year, but it is only a question of finding the finances from our resources. At any rate, every effort will be made to see that both the works are completed as early as possible.

**Mr. Speaker:** Shri Kapur Singh.

**Shri Lahri Singh:** I want to put the second question.

**Mr. Speaker:** He had already joined the two.

**Shri Lahri Singh:** There is another very important question—a very short question.

The maintenance of the Najafgarh lake and the drain taking water from the lake to the river is done by the Delhi administration. May I ask whether the management or maintenance of this drain and this lake can be entrusted to the Punjab Government, because they are the real persons concerned in this, but the Punjab Administration is not now interested in it?

**Dr. K. L. Rao:** Once you have the Najafgarh drain carrying 3,000 cusecs discharge, then nobody will want the management of it because it will be a very effective drain; the problem will cease to exist. But as the hon. Member said, we shall try to find out and see at that stage whether the management of this can be entrusted to the Punjab Government. I will explore that possibility.

**Shri Kapur Singh (Ludhiana):** Since devastating floods have become almost regular annuals in the Punjab State, what excuse have they got for holding up so far the completion of numerous drainage channels, and whether the Government of India propose to issue any direction in this behalf to the State Government under article 353 in view of the emergency prevailing?

**Dr. K. L. Rao:** I think the Punjab Government is doing very good work.

far better work than that done in many other States. I had been there.

**Shri Kapur Singh:** The excavation of drain in my village has not been completed for the last 8 years. It is village Khajabaju. Let him make a note of it.

**Dr. K. L. Rao:** I am saying in a general way—I do not know of the particular place referred to by the hon. Member—I have seen that the Punjab Government is doing very good work. I had been there recently.

**Mr. Speaker:** Whatever good work might have been done elsewhere, whether that particular village had been attended to, is the question.

**Dr. K. L. Rao:** I wish the hon. Member had given me an indication of what he wanted to ask earlier; I would have studied it further. I was referring in a general way to the good work they are doing. For example, in connection with the Ghaggar, they are putting in diversion canals and taking the water both into the Yamuna and the Sutlej.

**Mr. Speaker:** The other thing will also be looked into.

**Shri Kapur Singh:** Under article 353, do Government propose to issue directions in view of the emergency prevailing?

**Dr. K. L. Rao:** As I said, the work the State is doing is so good that there is no necessity to issue any directions in that manner. They are not saying that they do not want to do any work.

**Shri Kapur Singh:** What about Khajabaju?

**Shri Buta Singh (Moga):** The statement laid on the Table relates only to the period from the third week of August to the 10th of September. Everybody knows that the heavy rains of the 15th September have claimed 5 lives here in Delhi, 21 in the Punjab, and about 98 villages have been badly

affected in the Sonapat sub-division alone. Is the Minister in a position to give us some information about the damage caused by the latest heavy rains, of the 15th?

**Dr. K. L. Rao:** I am afraid it will not be possible to get that information as yet, because the condition of flooding is still there. I suppose the hon. Members is referring to the Rohtak district. If that be the case, the position is like this, the Jahazgarh Jheel is full of water and as long as it is so, it will not be possible to drain away the rural areas of Rohtak district. From the Jahazgarh Jheel, water can be let into the Najafgarh Jheel, but the Najafgarh drain must be at a lower level than the Najafgarh Jheel. Unfortunately, due to the condition of heavy local rainfall—we are watching it every hour—and the restricted waterway available in the Najafgarh drain—the water level in the Najafgarh drain is  $1\frac{1}{2}$  ft. higher than that at the Najafgarh Jheel,—we are not able to open the regulator and allow the water to go away, because if we opened the regulator, the water would go further into Punjab territory. We are watching it very carefully. We are trying to remove all the obstructions in the Najafgarh drain, and if we are successful, and there be no further rains, it may be possible to do something in the next three or four days.

**Dr. L. M. Singhvi (Jodhpur):** Before I put some questions, I should certainly like to congratulate the Minister on the very competent and comprehensive statement before us, which has obviated the need for any detailed discussion. At the same time, I should like to say that perhaps the Minister has also fallen into a bureaucratic trap in not admitting very openly the record of ineptitude, delays, lack of advance planning and co-ordination in the matter.

**Mr. Speaker:** He may put his question and take him out of the trap of bureaucracy now.

**Dr. L. M. Singhvi:** I will try my best, and I hope I will succeed. I would like to know whenever the Minister, after a review of this problem, has come to the conclusion that, as a matter of fact, flood control schemes have, in the past, been greatly delayed, and if that is so, what is being done, particularly to expedite and accelerate these schemes and to secure better planning and better co-ordination. This is my general question. I will ask my specific question after he has answered this. I am reserving my right to put a specific question which may arise out of his answer.

**Mr. Speaker:** Should his general question cover all the schemes in the whole of India? Members are asking questions about their particular areas and specific schemes. He may also put such a specific question.

**Dr. L. M. Singhvi:** If I want to ask a question on his reply he would now make, I should be permitted.

**Mr. Speaker:** It is not a regular discussion. Since we have little time, I am requesting him to put a specific question.

**Dr. L. M. Singhvi:** If that is your pleasure, my second question would be in respect of Gaggar floods. I would like to know whether during his trip to these areas the Minister found that there was lack of advance planning and anticipation of these floods, and that it was due to this that large areas were brought under water in the State farm which cannot now be cultivated during this year according to the admission contained in the statement. If that is so, I would like to know whether he has decided on any priorities among the various measures he says maybe necessary to be taken up in order to relieve the flood situation from time to time, and whether any time-table has been fixed.

**Dr. K. L. Rao:** About the first question, I do not know what exact point the hon. Member was making. If any specific advice is given, I shall

be very happy to take it up and do something in regard to that matter.

In regard to Gaggar, there are two works that have to be done. One is diversion into the sand dunes west of Suratgarh, and the second is construction of a link canal from Ottu to Rajasthan Canal. Any one of these, when completed, will give great relief, and I hope we will make a start in that direction soon and it will be possible to show some effective results in the course of two years.

With regard to the Suratgarh farm, I do not know how it was selected. It is indeed a very rich area and very suitable from all directions, except for the fact that this water trouble is there. Probably at the time of selection water there was not so much. I do not know the exact basis on which it was selected, but after two years it will be free of water.

**Dr. L. M. Singhvi:** He asked for specific instances and therefore has not answered the first question. They are contained in the statement itself. I would like to draw his attention to the fact that it appears that the Najafgarh drain has not been completed in time, that it appears that the flood control of the Yamuna has not been attempted expeditiously enough, that it appears from his own statement that flood control measures were not taken before it was decided to locate the largest State farm in the country at Suratgarh. If this is so, what is the cause, and what action has been taken to avoid this?

**Mr. Speaker:** About Najafgarh, already much water has flowed under it. Other things he might answer.

**Dr. L. M. Singhvi:** A little too much!

**Dr. K. L. Rao:** I still do not follow the hon. Member's arguments. About the Najafgarh drain, as I said, it is a very sad thing it was not done. It was sanctioned somewhere in 1960, and

if it had been completed, we would not have to spend time now in discussing about the problem. I do not know why it has been delayed, probably for want of funds. Most of these things are held up for want of funds.

**Dr. L. M. Singhvi:** Let him give a specific answer.

**Dr. K. L. Rao:** Maybe it was due to want of funds. At any rate hereafter it will be my earnest endeavour to see that some of the most important projects are taken up. It is not possible to find money all at once for every work. We should try to see that the most important works like the Najafgarh drain are done; it is very important; though it is small, it is to carry only 3000 cusecs, a very small quantity, but it is capable of doing a lot of mischief. It will be our earnest endeavour to see that some of these bottlenecks are removed.

**Mr. Speaker:** Shri Lakshmi Narayan Bhanja Deo—absent. Shri S. Patil.

**श्री डे० शि० पाटिल :** (यवतमाल) : मेरा सवाल महाराष्ट्र स्टेट में खास कर विदर्भ और मराठवाड़ा में पनगंगा और असवती नदियों को गाढ़ से जो स्थिति पैदा हो गई है उसके सम्बन्ध में है ।

मेरा सवाल यह है कि भारत सरकार ने जो बाढ़ प्रतिबन्धक योजना बनायी है उसके अनुसार बाढ़ प्रतिबन्धक के लिये महाराष्ट्र सरकार ने क्या भारत सरकार के पास अरनी, डिगरस और पुसद आदि गांवों की बाढ़ से रक्षा के लिये कोई योजना भेजी है, और यदि भेजी है तो उसके लिये भारत सरकार ने कितना रुपया दिया है ?

**अध्यक्ष महोदय :** आपने तो ऐसी मुश्किल हिन्दी बोली है कि इंटरप्रीटर भी न समझ सके । मेरे भी समझ में नहीं आयी ।

**श्री रामेश्वरानन्द (करनाल) :** हिन्दी का ध्यान नहीं है । मुझे दुःख होता

है इस बात को देख कर सदन में ऐसे मंत्री हैं जो देश की भाषा को नहीं समझ सकते ।

**अध्यक्ष महोदय :** लेकिन अफसोस इस बात का है कि आपको यह दुःख इतनी मर्तवा होता है कि इसका आदर नहीं किया जा सकता ।

**Shri Deorao S. Patil:** My question is whether the Maharashtra Government requested the Central Government for assistance to protect Arni, Digras and Pusad and other villages from floods in Penganga and Arunavati rivers and if so whether any amount has been sanctioned?

**Mr. Speaker:** Something about Maharashtra.

**Dr. K. L. Rao:** I have not received any of the scheme mentioned by the hon. Member. I tried to find out about floods in Maharashtra and I contacted that Government and I received this information yesterday that there was no serious or emergent situation in that State.

**Mr. Speaker:** Shri Yogendra Jha; this is a departure this; this should not be taken as a precedent.

**श्री योगेन्द्र झा (मधुबनी) :** कोसी का पश्चिमी तटबन्ध जो कि नेपाल की सीमा में डलवा के पास है टूट गया है । उसके सम्बन्ध में मैं यह जानना चाहता हूँ कि क्या इसके टूटने का कारण यह नहीं था कि जो ओरिजिनल एलाईनमेंट था उसके हिसाब से तटबन्ध नहीं बनाया गया ? और मैं सिंचाई मंत्री महोदय से यह भी जानना चाहता हूँ कि क्या यह सच है कि पिछले साल जब वहां तटबन्ध को खतरा पैदा हुआ था तो कोसी योजना के कर्मचारियों ने योजना अधिकारियों को इसकी सूचना दी थी लेकिन सूचना के अनुसार योजना अधिकारियों ने काम नहीं किया और खतरा पैदा होने दिया और

[ श्री योगेन्द्र झा ]

इस वजह से फिर उस पर १५ लाख रुपया खर्च करके उसकी मरम्मत करवानी पड़ी ?

**Dr. K. L. Rao:** It is true that some Members have expressed concern about this; it was known that the river was attacking at that place. Unfortunately, we could not get land for constructing the alignment which was originally decided upon and it is only now that the Nepalese Government is considering to give land for the construction of this embankment. I must say that at Dhalwa we have lost some embankment but it has not resulted in any damage this year.

श्री योगेन्द्र झा : उनके बयान से एक बात . . . . .

अध्यक्ष महोदय : उनके बयान से और भी निकलेगा और जब आप और सवाल पूछेंगे तो उससे और निकलेगा । आप बैठ जायें ।

श्री योगेन्द्र झा : एक बात . . . . .

अध्यक्ष महोदय : आर्डर, आर्डर । श्री बड़े ।

श्री बड़े : अभी जब मैं मथुरा से यहां आया तो सड़क पर पानी भरा हुआ था और मकान गिरे हुए थे । पिछले साल भी नर्मदा में फ्लड बहुत आए थे । तब मैंने सवाल पूछा था कि क्या शासन के पास कोई स्कीम है जिसके जबाब में शासन की तरफ से कहा गया था कि नर्मदा फ्लड के बारे में विचार करने के लिये कमेटी नियुक्त की गई है । मैं जानना चाहता हूं कि क्या शासन इमिडिएट रिलीफ कोई देना चाहता है, मेंटेनेंस एलाउन्स उनको देने वाला है जो फ्लड पीड़ित हैं और क्या शासन के पास ऐसी कोई स्कीम है कि बाढ़ के बाद ऐसे मकान बना दिये जायें जो गिरें नहीं बाढ़

में ? पहले इस तरह की योजनायें बना करती थीं ।

**Dr. K. L. Rao:** I am afraid Uttar Pradesh Government has not sent us any scheme for flood control in the area that the hon. Member has mentioned. As regards the Narmada floods, when we take up the construction of Poonasa dam which I hope will start this year, it will be able to completely control the floods on the Narmada.

**Shri Bade (Khargone):** My question is whether there is any immediate relief by giving maintenance allowance to the sufferers. That has not been answered.

अध्यक्ष महोदय : वही बात बतलाना नहीं चाहते हैं क्योंकि फाइनेंस का सवाल आता है ।

**Shri S. M. Banerjee (Kanpur):** In some of the districts of Uttar Pradesh, both eastern and western, floods have become a sort of chronic disease. They have a master plan to control floods but they could not implement it. Therefore, may I know whether the Central Government has given some financial aid to Uttar Pradesh for implementing the master plan there?

**Dr. K. L. Rao:** About Uttar Pradesh, the flood problem in the eastern districts is a very difficult one. Though some sort of a plan has been drawn up, I would not call it a complete solution of the problem. I am still not satisfied with the plan that we have drawn up so far in regard to the flood problem in the eastern parts of Uttar Pradesh. Of course, one way of solving the flood problem in that area is by constructing a dam, but unfortunately, the dam site is in Nepal. It takes a long time for negotiations and for our being able to do anything in that respect.

The other one, the Nepal bund, is also in Nepal. If we construct the bund, quite a large amount of flood damage can be prevented in eastern Uttar Pradesh. But it is in Nepal. The other day I had the privilege of talking to His Majesty the King of Nepal. He said that he is visiting the Poona Research Station on the 7th October to see the models, and I am sure if he can get convinced he will give the approval for the land acquisition for the Nepal bund. If that is done, quite a large amount of damage to eastern Uttar Pradesh would be avoided. Nevertheless, I would still say that the problem of flood control in Uttar Pradesh still baffles our attempts to find a solution so far.

श्री ओंकार लाल बेरवा (कोटा) :  
चम्बल नदी की बाढ़ के कारण गांवों के  
अन्दर पानी आ जाता है और उन को

हर साल खाली करना पड़ता है। बाढ़  
के कारण सारे शहर में पानी भर जाता है।  
क्या उसका भी कोई इंतजाम शासन की  
ओर से किया गया है ?

**Dr. K. L. Rao:** As far as Chambal is concerned, there is no more flood on the Chambal because we have constructed the dam which will completely control the water. But, nevertheless, if the hon. Member has got any specific problem in any particular locality, I will be glad if he sends me a note about the problem, and I will try to get assistance for that.

17.34 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the September 19, 1963/Bhadra 28, 1885 (Saka).*



Wednesday, September 18, 1963/Bhadrā 27, 1835 (Saka)

# ORAL ANSWERS TO QUESTIONS

COLUMNS

6657-6708

S.Q.No.	Subject	
728	Drilling operations	6657-60
730	Drug for blood pressure	666-63
731	Economy Committee	6663-70
733	All-India Education Service	6670-73
735	Brick kilns in Delhi	6673-76
737	Pay-scales of college teachers	6676-80
738	Gauhati Refinery	6680-82
739	Master Plan for Delhi	6682-84
740	Regional Engineering Colleges	6684-88
742	"Carry forward" Rule	6688-91
743	Search of film studies in Bombay	6691-98

## S.N.Q. No.

8	One-man Peace Mission to U.S.A. and U.S.S.R.	6698-6705
9	I.A.C. Aircraft	6705-08

# WRITTEN ANSWERS TO QUESTIONS

6708-70

## S.Q.No.

729	Standard of Secondary Education	6708
732	Scholarships for research	6708-09
734	Rehabilitation of displaced persons from East Pakistan	6709
736	War service benefits	6709-10
741	Common service Cadres for Union Territories	6710
744	All-India Service of Scientists	6710-11
745	Age concessions to displaced persons	6711
746	Supreme Court Judgment in Dr. Pratap Singh Case	6711-12
747	Indian Statistical Service	6712
748	U.K. Government Scholarships	6712-13
749	Youth Vocational Centres	6713
750	Multipurpose schools	6714
751	Higher Secondary Education	6715
752	Administrative reforms	6715-16
753	Oil pipe lines	6716-17
753-A	Legislation for removal of Judges	6717
755	Shravan's Chit Fund Private Ltd.	6717

# WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2074	New building of Salarjung Museum	6718
2075	Political sufferers	6718
2076	Welfare of S.C.s and S.Ts. in Orissa	6719
2077	Departmental Workshops in Utkal University	6719-20
2078	Engineering College building in Orissa	6720-21
2079	Engineering and technical education in Utkal University	6721
2080	Essential Scientific Instruments of Utkal University	6721-22
2081	Grants to Madras University	6722-23
2082	Juvenile delinquency	6723-24
2083	India International Centre, New Delhi	6724-25
2084	National Foundation for Teachers' Welfare	6725
2085	Iron ore in Kozhikode	6725
2086	Aid to Bharat Sewak Samaj	6726
2087	Legal aid to S.Cs. and S.Ts. in Orissa	6726-27
2088	Coal mines in Orissa	6727
2089	Scholarships allotted to Technical Institutes	6727-28
2090	Pay scales of Orissa College teachers	6728-29
2091	Loan for studies abroad	6729
2092	Microfilming of rare manuscripts	6729-30
2093	Engineering education	6730
2094	Amalgamation of small collieries	6731
2095	Sanskrit Conference	6731
2096	Fire in Motia Khan, Delhi	6731-32
2097	Use of Hindi	6732
2098	National Coal Development Corporation	6732-33
2099	Compensation for acquired lands	6633-34
2100	Welfare of physically handicapped children	6734
2101	Fire in National Physical Laboratory, New Delhi	6734-35
2102	Scheduled Caste students sent abroad	6735

WRITTEN ANSWERS TO  
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2103	Grants obtained by schools in Delhi	6735-36
2104	Admission in Delhi Schools	6736
2105	College of Leather Technology	6737
2106	Country-wise mineral maps	6737-38
2107	Immoral trafficking in Delhi	6738-39
2108	Unidentified dead bodies in Delhi	6739
2109	Mysore High Court	6739
2110	Loans for studies abroad	6739-40
2111	Education of gifted children	6740
2112	Papers re: Constitution of India	6741
2113	Extraction of oil from Kuth	6741-42
2114	Wheel barrows for removing night soil	6742
2115	Lions Clubs for the blind	6743
2116	Recovery of explosives	6743-44
2117	Training in Petroleum Technology	6744
2118	Design and Engineering Unit of C.S. & I.R.	6744-45
2119	Panel for Section Officers	6745
2120	Banaras Hindu University	6745-46
2121	Promotion of M.A., B.T. teachers in Delhi schools	6746
2122	Separate Pay Commission for Delhi teachers	6747
2123	Diploma Course in Delhi Polytechnic	6747
2124	Vaporising oil	6747-48
2125	Survey of loading facilities	6748
2126	Bailladila Iron Ore Deposits	6749
2127	Campus Projects in Secondary Education	6750
2128	Stenographers	6750
2129	Coaching classes for S.Cs. and S.Ts. in Kerala	6750-51
2130	Home Guards in Kerala	6751
2131	National Mineral Development Corporation	6751-52

WRITTEN ANSWERS TO  
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2132	Staff of National Mineral Development Corporation	6752-53
2133	Traffic Rules in Delhi	6753
2134	Rifle training	6753-54
2135	Central Social Welfare Board	6754
2136	Survey of India Training School	6755
2137	Fighters of freedom struggle	6755-56
2138	Delhi traffic	6756
2139	Coal mines	6756-57
2140	Crude oil	6757-58
2142	"Ombudsman"	6758
2143	Judges of Supreme Court and High Courts	6758-59
2144	Extension of Government Office Hours	6759
2145	Delhi Public Library	6759
2146	Art Purchase Committee	6760
2147	Shankar's International Children's Competition	6760-61
2148	Cultural Schemes for Tibetan refugees	6761-62
2149	Directorate of Education, Delhi	6762
2150	Staff of Jagirdars of Rajasthan	6763
2151	Abolition of U.D.C. Grade	6763
2152	Seizure of cartridges and guns	6764
2153	High Court Judges	6764
2154	Acquisition of land in Assam by Oil India Ltd.	6764-65
2155	House Building Co-operative Societies	6765-66
2156	Scholarships for Higher Education in Hindi	6767
2157	International Congress on Education of the Deaf	6767-68
2158	Financial Condition of teachers	6768
2159	Hindi books for non-Hindi speaking States	6768
2160	Development of Telugu language	6769
2161	I.A.S. and other Allied Services Examination 1962	6769-70

# CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

COLUMNS

6770-85

- (i) Shri Vishram Prasad called the attention of the Prime Minister to the reported killing of six members of the Security Forces by the Naga hostiles in the same area of Nagaland.

The Prime Minister (Shri Jawaharlal Nehru) made a statement in regard thereto.

- (ii) In response to a Calling Attention Notice By Dr. L. M. Singhvi, Sri Brij Raj Singh, Shri U.M. Trivedi and some other members and an Adjournment Motion by Shri Hem Barua and Shri S.M. Banerjee re. firing by Pakistani troops at Latitilla, the Prime Minister (Shri Jawaharlal Nehru) made a statement covering further information received by him in regard thereto from Assam Government.

# PAPERS LAID ON THE TABLE 6788-88

- (1) A copy each of the following papers:—

- (i) The Coal Bearing Areas (Acquisition and Development) Amendment Rules, 1963, published in Notification No. S.O. 2569 dated the 7th September, 1963, under sub-section (3) of section 27 of the Coal Bearing Areas (Acquisition and Development) Act, 1957.
- (ii) Notification No. G.S.R. 1451 dated the 7th September, 1963 under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957, making certain amendments in the Second Schedule to the said Act.

- (2) A copy each of the following papers:—

- (i) The Arms (Fourth Amendment) Rules, 1963 published in Notification No. G.S.R. 1377 dated the 24th August, 1963, under

# PAPERS LAID ON THE TABLE—contd.

COLUMNS

sub-section (3) of section 44 of the Arms Act, 1959 .

- (ii) Fifth Report of the Commissioner of Linguistic Minorities for the period 1st January to 31st December, 1962, under article 350B(2) of the Constitution . . . . .

- (3) A copy each of the following Notifications:—

- (i) The Registration of Electors (Amendment) Rules, 1963, published in Notification No. S.O. 2577 dated the 6th September, 1963, under sub-section (3) of section 28 of the Representation of the People Act, 1950 . . . . .
- (ii) The Conduct of Elections (Amendment) Rules, 1963 published in Notification No. S.O. 2578 dated the 6th September, 1963, under sub-section (3) of section 169 of the Representation of People Act, 1951 . . . . .

# MESSAGE FROM RAJYA 6789-90 SABHA

Secretary reported a message from Rajya Sabha that Rajya Sabha agreed without any amendment to the Dramatic Performances (Delhi Repeal) Bill, 1963.

# REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS PRESENTED

6790

Twenty-sixth Report was presented . . . . .

# MOTION RE: JOINT COM- MITTEE ON BILL ADOPTED

6790-6815

Discussion on the motion for concurrence in the recommendation of Rajya Sabha for reference of the Drugs and Cosmetics (Amendment) Bill to a Joint Committee of the Houses, moved by the Minister of Health (Dr. Sushila Nayar) on the 12th September, 1963, concluded and the motion was adopted . . . . .

## COLUMNS

## COLUMNS

MOTION TO REFER THE  
BILL TO JOINT COM-  
MITTEE UNDER CON-  
SIDERATION

6822-6900

The Minister of Law (Shri  
A. K. Sen) moved for re-  
ference of the Constitution  
(Seventeenth Amendment)  
Bill to a Joint Committee.  
The discussion was not con-  
cluded . . . . .

AGENDA FOR THURSDAY,  
SEPTEMBER 19, 1963  
BHADRA 28, 1885 (SAKA)

Further discussion on the mo-  
tion for reference of the Con-  
stitution: (Seventeenth Am-  
endment) Bill to a Joint Com-  
mittee . . . . .