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Wednesday, December 5, 1962
Agrahayana 14, 1884 (Saka)

LOK SABHA DEBATES

**Third Session
(Third Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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LOK SABHA

Wednesday, December, 5, 1962/Agrahayana 14, 1884 (Saka).

The Lok Sabha met at Twelve of the Clock

[MR. SPEAKER in the Chair]

12 hours.

Re: GIVING OF NEWS ABOUT MOVEMENT OF ARMY

Shri Hari Vishnu Kamath (Hoshangabad): Sir, by your leave, I would like to point out that according to this morning's papers a Government spokesman has apparently told the press about large-scale movement of our army from one part of the country to another. I think it is wholly wrong and improper in the interests of the security of the country for the Government spokesman to give news like this at this time.

Mr. Speaker: Presentation of Report. Shri Krishnamoorthy Rao.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWELFTH REPORT

Shri Krishnamoorthy Rao (Shimoga): I beg to present the Twelfth Report of the Committee on Private Members' Bills and Resolutions.

Shri Surendranath Dwivedy (Kendrapara): From the Order Paper that is given to us today I find there is a change in the order of business. There is no mention of the Working Journalists (Amendment) Bill.

Mr. Speaker: We are going to consider the report of the Business Ad-
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visory Committee. He might raise this point then.

12.02 hrs.

EMERGENCY RISKS (FACTORIES) INSURANCE BILL

The Minister of Finance (Shri Morarji Desai): Sir, I beg to move for leave to introduce a Bill to make provisions for the insurance of certain property in India against damage by enemy action during the period of emergency.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to make provisions for the insurance of certain property in India against damage by enemy action during the period of emergency."

The motion was adopted.

Shri Morarji Desai: I introduce the Bill.

EMERGENCY RISKS (GOODS) INSURANCE BILL

Shri Morarji Desai: Sir, I beg to move for leave to introduce a Bill to make certain provisions for the insurance of goods in India against damage by enemy action during the period of emergency.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to make certain provisions for the insurance of goods in India against damage by enemy action during the period of emergency."

The motion was adopted.

Shri Morarji Desai: I introduce the Bill.

12.03 hrs.

12.04 hrs.

AGRICULTURAL REFINANCE CORPORATION BILL

Shri Morarji Desai: Sir, I beg to move for leave to introduce a Bill for the establishment of a Corporation for granting medium and long term credit by way of refinance or otherwise, for the development of agriculture and for other matters connected therewith or incidental thereto.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill for the establishment of a Corporation for granting medium and long term credit by way of refinance or otherwise, for the development of agriculture and for other matters connected therewith or incidental thereto."

The motion was adopted.

Shri Morarji Desai: I introduce the Bill.

12.03½ hrs.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): Sir, I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1950.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1950."

The motion was adopted.

Shri Bibudhendra Mishra: I introduce the Bill.

BUSINESS ADVISORY COMMITTEE

TENTH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to move the following:

"That this House agrees with the Tenth Report of the Business Advisory Committee presented to the House on the 4th December, 1962."

Shri Surendranath Dwivedy: May I point out..

Mr. Speaker: This is only for the allotment of time for the various Bills. Let it be approved first. Then we will take up your point. Now the question is:

"That this House agrees with the Tenth Report of the Business Advisory Committee presented to the House on the 4th December, 1962."

The motion was adopted.

Shri Surendranath Dwivedy (Kendrapur): According to the Order Paper for today immediately after we have had discussion on Shri Mathur's motion we will take up the Taxation Laws (Amendment) Bill and then the Personal Injuries (Emergency Provisions) Bill whereas according to the Order Paper for yesterday we were to take up the Working Journalists (Amendment) Bill after the Taxation Laws (Amendment) Bill. Now that has been removed from the list. There is not even a mention of that Bill in the Order Paper for today.

Shri Warior (Trichur): I also wanted to raise the very same objection. In Part II of the Bulletin of the 3rd the Working Journalists (Amendment) Bill was mentioned as the fourth item. Till yesterday the Order Paper had been proceeding that way, but today all of a sudden it has been changed with the result that we could not sent notices of our amendments to the new Bills that had been introduced. We could not prepare even.

Shri Hari Vishnu Kamath (Hoshangabad): Permit me to remind you, Sir, that when I raised a similar matter last week, you were kind enough to agree....

Mr. Speaker: I would only humbly request that if the Leader of a Group has spoken, there is nothing more....

Shri Hari Vishnu Kamath: To add to that; that is all.

Mr. Speaker: If every member of the Group wants to make an observation independently, it would be difficult.

Shri Hari Vishnu Kamath: He was not present in the House at that time when you were kind enough to agree that at least 24 hours' notice should be given in case, for some reasons unknown to us, the Government changes the order of business. I had given notice of amendments to the Personal Injuries (Emergency Provisions) Bill last evening after 3.15 and again this morning hoping that it would come up tomorrow according to the order of business. Now, suddenly the order has been upset. Therefore the hon. Minister of Parliamentary Affairs should explain why it has been upset. Also, if *status quo ante* cannot be restored, you will kindly allow amendments to be moved.

Mr. Speaker: I will allow the amendments.

Shri Ranga (Chittoor): I wish to take up some other matter.

Mr. Speaker: Should this not be finished first? Is his point pertaining to this?

Shri Ranga: No, Sir.

Shri S. M. Banerjee (Kanpur): I have a different point to make. The Tenth Report of the Business Advisory Committee has been circulated to us today and we have got it, but in the whole of this Report we do not find a mention of the Working Jour-

nalists (Amendment) Bill at all. It is not there. That means that it is not only coming up tomorrow or on any other day but that it is not coming up at all. So, we want an assurance..

Mr. Speaker: That is a wrong impression that he has got out of that. The Working Journalists (Amendment) Bill has been allotted time earlier. This is only for allotment of time that has been made to new Bills, that is, new business.

Shri Tyagi (Dehra Dun): Sir may I make a suggestion in this regard? I felt that once a thing is put on the Agenda and something is circulated to Members, it immediately becomes the property of the House. Therefore, if any changes are to be effected, in future they must be done with the permission of the House.

Mr. Speaker: Hon. Members should appreciate that the time at our disposal is limited if we wish or decide to adjourn on the 11th December; it is for the Government to see what business it thinks should be given the top most priority, what can be condensed within that limited period at our disposal and what the House can dispose of. Hon. Members would realise that these two or three Bills that have been introduced today are of paramount importance, that is, so far as the emergency risk insurance is concerned. So, all of us would agree that these should be taken up first. If there is time, certainly something else can be taken up.

Shri Surendranath Dwivedy: But 'first' does not mean tomorrow. Do you propose that we should take up the Emergency Risks Insurance Bills which have been introduced tomorrow?

Mr. Speaker: Probably they will be taken up tomorrow. I will waive the notice for amendments. That is the utmost that I can do. As hon. Members might have known we are having the discussion about the cease-fire on Monday.

Shri Surendranath Dwivedy: We can have them on Friday then but not tomorrow because some time must be given to prepare and to study the Bills.

Mr. Speaker: If hon. Members want that longer time should be given, we shall have to push back the non-official business. What does the hon. Minister say to it?

Shri S. M. Banerjee: Sir, I have only one submission to make.

Mr. Speaker: He has already done that. How many times should I allow that? Now, let us hear the hon. Minister.

Shri Satya Narayan Sinha: As you are aware, Sir, because you were presiding in the Business Advisory Committee yesterday, when this question about the allotment of time came up there I had submitted that unless the House sits on Saturday also practically we have only today and tomorrow for other business upto the 11th December because at the request of hon. Members one day has been allotted, as you have been pleased to say, for discussing the cease-fire and half of the next day for discussing the holding of the price line.

Shri Ranga: Why should we not sit on Saturday also?

Shri Satya Narayan Sinha: That is what I suggested. If we sit on Saturday, some of the difficulties might be obviated.

Mr. Speaker: Hon. Members want to know definitely, if they agree to sit on Saturday also, whether Government is prepared to take up the Working Journalists (Amendment) Bill or some other Bill.

Shri Satya Narayan Sinha: Five hours have been allotted yesterday. We had three hours before. Two hours were added. The difficulty is that, in the order of priority, even if we sit on Saturday, you will agree and the House will agree, as regards some of the Bills which are important, we have got to put them through. One and a half days at the request of...

Shri Surendranath Dwivedy: We should have no objection. We are sitting one hour more to accommodate Government Bills. Again, we are agreeing to sit on Saturday. You should also try to accommodate the Working Journalists Bill.

Shri Satya Narayan Sinha: According to the time we have allotted, we had not counted Saturday as a sitting day. I did not know. It makes some difference. I must have some time to consult and at 1 o'clock I may make are aware, Sir, because you were pre-a statement. It makes all the difference. Six hours we will get. Yesterday, you may remember, I requested Members. They did not agree. They said, no, Saturday we should not sit. If we are prepared to sit on Saturday....

Shri Surendranath Dwivedy: We did not know.

Mr. Speaker: That was understood yesterday when we were taking up the business. Hon. Members did not agree to sit on Saturday. That was the idea. Therefore, the Minister of Parliamentary Affairs had made it clear that these are important Bills. We also agreed that they must be got through. Now, if hon. Members are insistent that the Working Journalists Bill must be taken up and they are prepared to sit on Saturday, the Minister says that he would consult the Minister concerned and give us his reaction.

Shri Hari Vishnu Kamath: Is it not possible to restore the status quo of yesterday—the December 4th line?

Mr. Speaker: We cannot take risks now. Further discussion of the following motion....

Shri Surendranath Dwivedy: About the two Bills which the Finance Minister has introduced, what is your decision? Shall we take them up on Friday or tomorrow? If tomorrow, there will be very little time.

Mr. Speaker: Any harm if we take them up on Friday?

Shri Satya Narayan Sinha: No objection. Only we have to take into

consideration this that these important Bills should be put through in the other House also.

Mr. Speaker: We will finish them before we take up Non-official business.

Shri Satya Narayan Sinha: No objection.

Mr. Speaker: We will take them up on Friday.

Shri Ranga: As you might remember, we suggested some time ago, in view of the crisis, we would like the Government to agree to convene Parliament at least for one week every month. We have not had till now any reply from them whether they would be agreeable or not. I learn—I speak subject to correction—that it is not proposed to convene Parliament during January and that the Government are thinking of convening Parliament only in February. That upsets us. We would like the Government to reconsider, if they have made any such decision at all.

Secondly, we also suggested that an informal or regular Consultative Committee should be specially given shape to including Leaders of groups and their representative also, according to whatever agreement we may reach with the Government so that, in the absence of Parliament, if and when anything important happens, and the Government find it advisable to get into touch with us, they may seek our advice and also invite our co-operation in regard to the discussion of any subject that may come up. In regard to that also, we have not had any response. Again I speak subject to correction—I came to understand that the Ministry of Parliamentary Affairs and others took counsel and found themselves not so very favourable to the acceptance of this suggestion. May we request you to use your good offices with the Ministry and try to reach some understanding, some agreement in regard to these two points so that they may be persuaded to meet us more than half way in regard to the anxiety that we

have expressed to be kept in as close a consultation as possible and as frequently as it is practicable.

Mr. Speaker: In regard to both these suggestions, probably it would have been better if the leaders of the Groups might have sat with the Minister of Parliamentary Affairs and decided it there. I cannot take it upon myself that I should appoint such and such a committee....

Shri Ranga: We have made that suggestion repeatedly on the floor of the House. We have not yet had any response. He did not even take the trouble to consult us informally.

Shri Satya Narayan Sinha: About the first suggestion as to when the next session will be called, usually, it is the Budget Session which is called by the first week or early in the second week of February....

Shri Frank Anthony (Nominated—Anglo-Indian): Too late. We want it earlier.

Shri Satya Narayan Sinha: We have not taken any decision this time when we are going to call it. We have not thought about it.

Shri Ranga: But there was some thought about it.

Shri Satya Narayan Sinha: So far as the suggestion to have some kind of parliamentary committee is concerned, Government really regret that they cannot accept that suggestion.

Shri Hari Vishnu Kamath: Why?

Shri Satya Narayan Sinha: If there is any emergency, God forbid, I do not know what the position will be, but the Prime Minister's opinion is that if there is such an emergency arising....

Shri Ranga: Evidently they seem to think that the emergency is over because there is the offer of cease-fire.

Shri Satya Narayan Sinha: Let this House continue then?

Shri Ranga: Yes, the House should continue, if there is an emergency. Otherwise, what is the idea of it?

Shri Satya Narayan Sinha: Therefore, I had a discussion about it with the Prime Minister and he says that if such an emergency does arise as to have an immediate session of Parliament, within 48 hours Parliament will be summoned, and my hon. friends will be requested to be here.

Shri Hari Vishnu Kamath: This is a wholly unconvincing and unsatisfactory statement by the Minister of Parliamentary Affairs, and I am sure that no part of the House will accept this kind of stand on the part of Government. It is wholly unacceptable. What does he mean by saying 'If the emergency arises'? Is there no emergency now? What is this statement that he is making?

Shri Frank Anthony: I feel that the second part of the observation that has fallen from the Minister is not only unfortunate but very reprehensible. Some of us have deliberately exercised a good deal of restraint. We have not put questions because we felt that they were of a delicate nature, and they might do more harm than good. But we want Government to realise that we are not prepared to surrender our functions in this House; we are not prepared to have some critical decision with regard to this cease-fire, and with regard to the settlement with Pakistan, which we are all in favour of, suddenly sprung up on the House. If Government does not wish to allow us to participate in any kind of deliberations, I, for one, say that we must continue our session. We do not want Government to do things in a hole-and-corner manner.

Shri Satya Narayan Sinha: I think that the hon. Member's remark about 'hole-and-corner manner' is absolutely unfair.

Shri Hari Vishnu Kamath: Have a committee at least. (*Interruptions*)

Mr. Spaker: Order, order. We cannot go on in this manner. hon. Members have made their observations already.

Shri Satya Narayan Sinha: Why should he say 'hole-and-corner manner'? Why judge us in that manner? (*Interruptions*)

Mr. Speaker: I am told that I am allergic to these observations. But should I allow a free fight here? What am I here for?....

Shri Ranga: At least give us some time.

Mr. Speaker:I cannot allow that. Hon. Members have already had a wordy warfare. Beyond that, it is not possible for me to allow. They have said what they wanted to say, and I have also listened to what the reaction is. Now, as disciplined soldiers, certainly they should remain content with that

Shri Ranga: Can we not request Government through you that we want to have a permanent committee? Even during this emergency, we have co-operated with them in passing the Defence of India Bill, and we have given them all possible authority. If they wish, they have power even to abolish this Parliament during the emergency.

Shri Hari Vishnu Kamath: They cannot do that. They will be impeached.

Mr. Speaker: Is there any need to discuss it further? The group leaders have said what they wanted to say. Now, if every Member wants that he should join in that, I do not think that any useful purpose would be served by doing so.

The leaders of the groups who have spoken so vociferously would kindly realise that it is not my job now to order that Government will do this or that.

Shri Hari Vishnu Kamath: You can use your good offices.

Mr. Speaker: The ordinary rules of procedure are there so far as this democracy is concerned; if the hon. Members have not faith, they can throw out the Government. What can I do?

Shri Hari Vishnu Kamath: It is easier said than done.

Mr. Speaker: Can I do anything?

Shri Ranga: You can do a lot. You can certainly make it clear to the Government that it would not be right for them to adjourn the House and at the same time not have any committee at all to advise them.

Mr. Speaker: I thank the hon. Member for his valuable advice, and I will do what I consider proper under the circumstances, but I cannot make a statement here that I will do this and that.

में श्री बागड़ी से कहना चाहता हूँ कि उन का दिल्ली की ला एंड गार्डर पोजीशन का मोशन कमेटी में लिया गया था। कमेटी ने फैसला किया कि इस वक्त जो वाकी दिन हैं उन में ऐसा मौका नहीं आ सकता। इसलिए मुझे अफसोस है कि वह नहीं लिया जा सकता।

12.21 hrs.

MOTION RE: REPORT ON INDIAN AND STATE ADMINISTRATIVE SERVICES—Contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Harish Chandra Mathur on the 4th December, 1962, namely:—

"That this House takes note of the Report on Indian and State Administrative Services and Problem of District Administration by Shri V. T. Krishnamachari, laid on the Table of the House on the 7th September, 1962."

Shri Nanda may continue his speech.

The Minister of Planning and Labour and Employment (Shri Nanda): I have to make a few observations regarding some of the questions which arose in the course of the discussion on the Report on Indian and State Administrative Services and Problems of District Administration by Shri V. T. Krishnamachari.

When we adjourned last evening, I had just commenced. I stated that while the discussion was very illuminating, a number of questions which were raised were not quite relevant to the report itself. This was not quite relished by the hon. Mover of the Motion. I may in all humility assure him that whatever he said was important, and whatever the other Members said was also important. All I wished to convey was that some of the things which were brought up were not quite relevant to the subject matter of the report itself which the House has discussed.

It may be that the report has a restricted reference, but whatever it is, those things did not emerge from the contents of that report. I agree that the questions raised were of very great importance when we think of the larger subject of administration.

Administration at any time touches the lives of the people at so many points, and is therefore very important.

Dr. P. S. Deshmukh (Amravati): Is it not time to think about it?

Mr. Speaker: Not during this reply!

Shri Nanda: In the circumstances as are developing in this country, when the State has taken over so many functions of a welfare character and extended its economic functions also in so many directions and fields, administration touches deeply the lives of people in certain vital matters. As mentioned by some hon. Members, considering the fact that we are now passing through an emer-

[Shri Nanda]

gency, the role of administration becomes crucial. Therefore, I have very much appreciation of the sentiments that were expressed, the opinions which were ventilated, in the course of the discussion. But, as I said, so far as the report of the committee is concerned, it had a limited reference, and when some hon. Members referred to the broad perspectives and revolutionary environment and approaches and all that, there was no room in the report itself for the play of an exuberant imagination in these matters. There are some matter-of-fact issues dealt with in the report and I believe that its characterisation as a disappointing report is not at all fair. We do not expect to find in this report answers to questions which were not put to the author of this report. I will just refer to the terms of reference to make it clear that certain things do not come into the picture at all. It was only to deal with questions relating to administration at different levels and issues arising from the introduction of democratic institutions at the district and block levels. In a letter which we addressed to the States it was made clear as to what those matters were which this committee was supposed to deal with. I do not want to take the time of the House in reading it out but information was to be furnished by the States on certain specific matters to Shri V. T. Krishnachari so that he can make his recommendations regarding these specific matters. That is the only test which the report should satisfy. It is a businesslike document and its recommendations are of a very practical character. We should not condemn that because it does not travel into other regions which possibly may be quite relevant for discussions in another place or occasion.

Another thing is that when we assess the value of this document it does not stand in isolation. Everything about administration has not been compressed in this document. This is not the

first. This is one of a series; there have been reports before: there are going to be other reports of other committees. Some of them have been set up and some are going to be set up. We have to take the thing as a whole. Panchayatraj was not, as the hon. Member said, introduced in order to save the community development. Long before any such issue arose, this was taken up even in the First Plan: extending the role of institutions at the village and higher levels, extending their role with reference to development and giving them larger powers and bringing out all the creative energies of the people. All that was there. In the Second Plan also all that was set down. It was asked as to what is the relationship between community development and all that; such was the language used and therefore I want to put it up in the proper setting. This is a continuous matter and continuous attention is being given to this subject.

I do not want to share the credit for what was claimed by the hon. Member on behalf of community development.

Shri Harish Chandra Mathur (Jalore): Is our own mind clear about the role of the panchayati raj? Do you see eye to eye with the Minister of Community Development?

Shri Nanda: There is a policy which emerges after discussion. That policy is for all the Ministers. Even after a policy has been laid down there may be certain aspects which may require further consideration. There is room for divergence of outlook in these matters. I shall say something more about this aspect. An hon. Member said that these were paper recommendations; that these were recommendations made by people who do not have enough touch with the things on the ground, with the questions and problems which

are to be faced. Therefore their value is imparied on that score. This will be very unfair to say in respect of the report which has come from Shri V. T. Krishnamachari. His whole record in administration is very well known. He has very great familiarity with the problems of the rural areas and with the problems of administration at various levels.

I shall now come to the content of the report. There are two parts of it; one deals with the Indian Administrative Service, and certain recommendations made there and certain questions which arose in that context have already been dealt with by my colleague, Shri Datar

Shri Harish Chandra Mathur: Not at all.

Shri Nanda: I am afraid I would not be able to give the hon. Member much greater satisfaction on that score.

Shri Harish Chandra Mathur: I shall give you the facts and figures. What he said is not borne out by the report itself.

Shri Nanda: We cannot now carry on a running controversy about that in this debate, but as far as I have understood the position, it is this. From the fact that Mysore has asked for a little less number of IAS officers and some other States have asked for more, on the surface of it, it is not possible to interpret and come to a conclusion as to whether they are having more, or less than required. Even taking Mysore, you will find that the jump there has been fairly big.

Shri Harish Chandra Mathur: What has happened from 1959 to 1962? Do not refer to 1947 and 1948 or 1951-52. Please say what has happened from 1959 to 1962.

Shri Nanda: These are matters of marginal interest—five people more or 10 people less.

Shri Ranga (Chittoor): Where is the question of margin here?

Mr. Speaker: Order, order.

Shri Nanda: In all there are 150 officers of the IAS who are going to be drawn into the service in all the States in the course of the next four years. It is not such a large number. But, if the hon. Member wants that the matter should be specifically dealt with, we can certainly give him all the information about it, but what I am told is that there are special circumstances. For example, Gujarat asked for more IAS officers. They may be placing a certain value on the service of the IAS officers, and another reason is, in their own legislation for Panchayati Raj, they have accorded a special place to IAS officers. They are going to be the chief executive officers of the various bodies, of the Panchayati Raj institutions, at the zila level. Therefore, they will certainly need many more. I have only given an illustration to show how, with reference to the facts of the situation, you will have to consider whether it is much more or much less. I do not think in any general terms it is possible to dispose of that thing.

श्री विभूति मिश्र (मोतिहारी) : अध्यक्ष महोदय, यह सारी परिस्थिति हम को मालूम है और उस परिस्थिति को देखते हुए आई० ए० एस० की पोस्ट्स क्रीएट की। जिदगी के पहले २५ वर्ष सब से बढ़िया होते हैं, प्राची जिदगी प्लान की गुजर गयी, इस में आप की आई० ए० एस० ने क्या खूबी ला दी या क्या अच्छाई ला दी इस को मैं जानना चाहता हूँ ?

Shri Nanda: It will take me far out of the main flow of argument. Call them I.A.S.; call them I.F.S. or I.D.A.S. or anything, but some people are required for co-ordinating things; some officers are required at certain levels to co-ordinate. So, I do not think it is easily called for.

An Hon Member: Indian red-tape service!

Shri Nanda: Another point made about the I.A.S. was that those people are overshadowing the others. That

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is, the technical services are being subordinated and they are not being allowed to come into their own. This aspect was very much before Mr. V. T. Krishnamachari, when he dealt with this matter. He has given expression to an opinion specially regarding this. I am having an extract from that report, which I shall read:

"In the previous chapter, the steps needed for improving the standards in the IAS and State services have been indicated. There is equal need for strengthening the agricultural, including animal husbandry, services. The State Governments should reorganise these services and improve the prospects, so that they may attract young men with good attainments. The highest appointments in these services should be held by technical men."

Similarly, he has said about cooperative service. So, the strengthening of technical services and giving them a proper place has not escaped attention. I personally agree that the question of the relative position and status of technical and administrative officers has some substance so far as the historical facts are concerned. The technical personnel are coming into their own; their importance has increased. They are required for purposes of various productive and developmental functions. Therefore, their role is certainly increasing in importance and in relation to that, steps have to be taken so that their position is strengthened.

Shri Tyagi (Dehra Dun): I could see from the report that they are being subordinated to politicians of all localities in the name of democracy. Where is their freedom of action? Everywhere there has been incidence of politicians in the services and they are getting demoralised because they have no freedom.

Shri Nanda: This is a larger question to which I will come later. But here are two hon. Members

whose outlooks run counter to each other. I shall explain that. The hon. Member wants politics to interfere and penetrate everywhere.

Shri Harish Chandra Mathur: No; you have completely misunderstood me. (Interruptions).

Mr. Speaker: Order, order. I suppose they are creating another service—talking service.

Shri Tyagi: The incidence of politicians in the whole of the services has been so bad that they are demoralised. They have lost their self-confidence because there is too much interference.

Shri Nanda: I am at one with the hon. Member in this that there should be absolutely no interference and wherever it occurs it should be put down with a stern and heavy hand.

Shri Ranga: Mr. Nanda is completely out of touch with realities. He talks in the same way as we would like to talk that there should be no politics in regard to the activities of the district officers, IAS officers, etc. But most unfortunately his own Ministry has been accused time and again of interfering with the officers and making them act as their tools.

Shri Nanda: There is absolutely no truth in that.

Shri Hari Vishnu Kamath: I would request him to deal with his own party, the party in power.

Shri Ranga: You first answer your own Members.

Shri Tyagi: I am not his Member; I am my own Member.

Mr. Speaker: Shall we proceed in an orderly manner or shall we create this chaos here? Four Members stand up and talk. If some Member stands up and if the Minister is willing to yield, Minister should sit down. Members should not stand. If the Minister is not willing to yield, the hon. Member will have to sit down.

Shri Tyagi: He yields.

Shri Nanda: The hon. Member said something which I cannot allow just to escape your notice. He said "Your Ministry . . ." etc. Of course, as a Member of the Government, I am responsible for any Ministry. I would like to know. . .

Shri Ranga: I refer to the whole of the Government.

Mr. Speaker: Probably he meant my Ministry, which is non-existent. When he says "Your Ministry", it is addressed to me.

Shri Nanda: Thank you very much for your kind protection.

I was referring to the role of technical officers. I have a very great appreciation of their capacity to function and discharge their responsibilities at any level in any way. But there is that distinction between the administrative and the technical roles. A technical officer may also be able to do the administrative job properly, but the jobs are different and there has to be coordination at some level. In the technical work itself there should be no interference, no domination by the administrator over the technical wing. I realise the importance of it. This point has been stressed, so that it is the technical officers at the higher rung who have to supervise, guide and direct the persons at the lower level, at the Panchayat level, at the panchayat samiti level and at the district level—one over the other—in technical matters. That has been stressed, and that is one point which I thought I should emphasise.

Shri Jashvant Mehta (Bhavnagar): What about the common cadre for technical personnel?

Shri Nanda: Cadres are State cadres. . . .

Mr. Speaker: If the hon. Minister answers every interruption, either he should yield, sit down and allow the

Member to interrupt or, if he is not going to yield, then he should not reply also.

Shri Nanda: I do not want to yield, but only I have not the heart to do so.

This is about the Indian Administrative Service. The recommendations regarding the services which have been made are being dealt with in the Home Ministry. Some of them have been referred to the State Governments and they are dealing with them. So far as the Community Development Ministry is concerned, they have generally agreed to those recommendations, and wherever the States come in they have to express their views about them.

But there are one or two matters. About the panchayati raj, which was main concern of the hon. Member, I would like to say something. He has been very much worried about the basis. "What is the basis", he asked. He also asked: "Have you any clear thinking about the role of the panchayati institutions?". And, in the report he does not find any reflection of that realisation, that it has a revolutionary role. He need not have looked for that here. That has been already established. I can give a little bit of history about it in order that it may be understood in some perspective. The Planning Commission had a view about it. It was placed before the National Development Council. The position stated was that in considering the samitis above the villages two different approaches are possible. Samitis can be set up for development blocks and these in turn can constitute a co-ordinating body for the district or a district council. Zila parishads can be set up with members from different blocks serving a samiti or samities for a block. On both aspects, it was said, different States could try out different approaches according to their conditions. Among the considerations to be kept in view, on both sides the consideration were set out showing the advantages and the

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disadvantages. The National Development Council passed a resolution on this. It said that the conditions are not uniform in all the States. The Planning Commission's view inclined more towards the district being the base and the panchayat samitis etc. functioning under the guidance, not only under the guidance and supervision but also under administrative direction, of the zila parishad. But the view then taken was that because several Chief Ministers of different States pointed out that their structure was of a kind which admitted of functioning at the block level as the unit for this purpose better and bringing in the zila later on. This view was accepted and it was stated that the precise manner in which the principle was to be applied was a matter for the States to consider. Each State should work out a structure which is suited to its conditions best and so there was no need for insisting upon any uniformity. That was the view taken by us and that is why we find that the statutes are not entirely on a uniform basis. That is why Maharashtra has something which is more acceptable to the hon. Member, which is more acceptable to me also. Our policy is not to have a rigid pattern; so, there are variations. Let us not be apprehensive or be frightened by the variations. In course of time, because of the experience that is being gained in various parts, things will be straightened out. This has been pointed out very clearly in the report of Shri V. T. Krishnamachari.

As is evident to the hon. Members, he was concerned only with the statutes as they are, and that is stated there. He took the laws as they were. His business was, taking the situation as it was, to recommend what should be the administrative arrangements in order that better results could be obtained. This fact must be borne in mind. It was not his business to say that the Maharashtra pattern should be applied everywhere. In the re-

commendations that he has made there is one thing which he has stressed very much and that is, whatever the statute may be conventions can be established, administrative practices can be set out, which will enable the right kind of relations to be established, where there will be team work among the officers and co-ordination also. Some reference was made to the administrative officers also. But his role was more in the nature of co-ordination so that we get the best results from all of them. Shri V. T. Krishnamachari has rightly pointed out that the States should establish proper relations *inter se* as between the district administration, jilla parishads and block samitis and also as between official and non-official agencies and also define the relationships between State organisations at different levels. So, the question before him was to see that their respective roles are decided in a manner that the best results are obtained.

One thing has to be borne in mind by the hon. Members. When these institutions were conceived of, they were very largely in relation to the development work and as the basic agencies for doing that work. When we look at it from that point of view, any test of the administrative practice, pattern or relationship is how far it is conducive to best results in that field. From that point of view, the responsibilities are clearly laid down at every level. At the State level the policies about plans, programmes etc. are laid down. Then, even the State is not the last word. Also, it is not a question of statutory powers because many of the things which come into the plans and which the States accept are not because they are obliged to accept or they are statutorily binding on them but because they accept the common scheme, the common purpose, that the development has to be on those lines for the whole country. Therefore, the plan is accepted. In the implementation of the plans the

State has some functions of supervision and guidance, the zilla parishad has some functions and the panchayat samitis have some other functions. If there is some lack of uniformity, in the light of experience something better will emerge.

Then the role of the Collector was emphasized. It, again, varies because of the structure. In Maharashtra to which the hon. Member has referred specifically, the Chief Executive Officer of the zilla parishad is of the level of the Collector and he performs those functions. Therefore, you call him the Chief Executive Officer. Because he is of that level therefore, many of those functions are performed by him there. The Collector in that case has only certain powers regarding emergency and special situations. Therefore much of that work has passed on to other hands. But even there the Commissioner discharges those functions of supervision etc. Where the Panchayat Samitis have got the larger role the Collector performs those functions which correspond with those which the Commissioner performs at certain other places. What exactly therefore we are looking forward to is the pattern. I believe that it will have to rise much more to the level of the zila or the District and the functions will have to be much more at that level. But even in case of Rajasthan and other States where it is not so and where it is being said, as the hon. Member mentioned that there is frustration on both sides, that can be prevented not necessarily by any amendment of the law but by proper working arrangements. Larger functions can be given to the Zila Parishads even as it is and these things can certainly be remedied by the State Governments. If in course of time they find that this does not suffice, certainly they can amend the law and go further about it.

Then, there was another thing said by the hon. Member. That, in a way, arose out of the role or the position or place of these institutions. What is

their status? Then he brought in the question of politics, elections and parties. In the limited sense that question is not for me to answer at the moment, but as he has conceived it in the larger context of administration we need not simply brush aside these question because they may not be quite convenient. The question of entry of politics at the level of these institutions is important and I believe that no answer has yet been found for that, not because of theoretical grounds. One answer is that at the lower level, that is, at the Panchayat level there should not be any politics. This is the consensus of opinion. The All-India Congress Committee dealt with it that way. It was pointed out that though Congress may not enter there in the elections, others may take advantage of that. The Congress said: let us have a self-denying ordinance. There are free elections and nobody debar a party from coming into the picture. But what is the good of it? At the level of the village the problem assumes a different character. It is not a theoretical question of parties being there or not being there. Here it is this. In the village it is a small community and there are a few officers. If on that basis of parties the whole village is divided—already there are enough factions—this will be introducing another element which will not be good. Therefore that is the approach. This was also the approach of the Conference of the Ministers of Community Development, that is, it is better to keep politics out of rural Community.

The National Integration Council considered the matter and its view was that though the balance of advantage was against politics being introduced at that level, that is, at the Panchayat level, conditions differed in different States. Therefore, no code could be evolved for that purpose. So, so far as the question of politics is concerned, it is a matter which has to be left to the good sense of the parties. It is agreed that you cannot limit it,

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in the sense that at the Zila Parishad level again it is indirect election and people get interested in the lower rungs also. Also, even though there may be no link between this and elections for Assemblies and Parliament, influences are generated which affect that also. People have got political consciousness and political aims. Therefore they will certainly have all these things. Then, my advice in a humble way is, get the confidence of the people by service. The people will choose on merits anybody that is able to render service to them better. If a party has a very good, competent person who will serve the community better, that party will have its own person, not on the ground of party, but because they can render service, develop and help the community better. That is the consideration which would be kept in mind.

Shri Tyagi: Could not a distinction be made between policy and execution of policy? If from end to end this was defined that the politicians job is only decision of policy and the rest, execution of the policy, will be left to the executive officers, there will be a lot of smoothening in this respect.

Shri Nanda: There is a clear departure in the outlook on the one side and the other. Here, the aim of the mover is to give more and more powers and to leave nothing out whereas the other view is only deliberative function: execution should be kept out. A rational mean has been evolved so that the cadres are State cadres and therefore there cannot be too much of demoralisation and that is avoided. Yet, work is taken from those officers by these institutions. It is an arrangement which time will show as to how it will work. I hope, with the goodwill of all people and the sense of responsibility of the representatives of the people in these institutions, results will be achieved. Panchayats will be justified only if development takes place better than it took place before,

if they raise resources better, if they carry out production programmes better, if village plans which had not been drawn so far in any very significant way are done now more than they were done before. All these things are going to be the acid test of these institutions: not because some people sit in some places and have got certain powers and privileges. That is not going to be the test.

Shri Hari Vishnu Kamath: There are apparently dissensions in the ranks of the Congress party. Better heal them first.

Shri Nanda: The Congress party is a democratic party. (Interruption).

Mr. Speaker: Order, order. It is only natural that there has been a passage left between the two.

Shri Nanda: I mentioned resources because there was some suggestion made here about resources. The Ministry of Community Development has set up a committee under the Chairmanship of Mr. Santhanam just to deal with the question of resources. That matter which causes some concern to hon. Members as to the resources required for the discharge of these functions, is being looked into. Just as there should be adequate powers, there should be adequate resources. These things are being attended to.

श्री विभूति मिश्र (मोतिहारी) : कम्युनिटी डिवेलपमेंट के लिये आप ने जो साढ़े बारह लाख रुपया दिया है, वह ठीक से खर्च हुआ है या नहीं, इस को भी क्या आप ने कभी देखा है ?

Shri Nanda: There have been so many occasions in the past and there will be occasions in the future to take to task everybody concerned in Community development. My colleague has broad enough shoulders, much broader than mine, to take that load on himself.

This was the second part of the report in which this question arose about politics and about the arrangements so that there may not be any lack of co-ordination. I believe that the Report has not, nor have I been able to dispel all possible doubt about it. It is not possible to do so. There is a residue of some kind of doubt left as to how things will take shape. It is a matter not of statute, not a matter of declaration or slogans. It is a matter of the spirit, the will and it is that which will have to be conveyed to all levels of the administration and they have to work together. Why do we think as if there is going to be a rift, a kind of gulf between the State, the district and the panchayat samiti? These are all one. This is one structure, and that unity of the structure has to be preserved. Similarly, the official agency, and the representatives of the people, and the voluntary organisations, all of them need a composite and unitary structure, and that is what has to be emphasised more and more. As I said, it is a question of evolving certain conventions and practices, and I am sure that this experiment is going to go forward, and it is going to produce results, because the roots of our past also favour the growth of such institutions, and the needs of the present demand that they should succeed and they should serve both the Plan as well as the emergency.

13 hrs.

Dr. M. S. Aney (Nagpur): In view of the enormous work that has to be done in order to make this new experiment successful, does the hon. Minister think this to be the proper time for launching any experiment of this kind?

Shri A. P. Jain (Tumkur): My question is also more or less the same. We are passing through a period of emergency, and any change at the moment would involve both personnel as also expenditure. Does the hon. Minister think that this is the appropriate time to enforce these re-

forms or they should be put in cold storage for such time as the emergency lasts?

Dr. L. M. Singhvi (Jodhpur): The hon. Minister said that he wholeheartedly agreed that there should be no political interference with the administrative processes and administrative personnel. This seems to be very good as a moral bombast, but it is entirely unconvincing and evasive. What we want to know is the actual and objective facts. What is the position today? Is it true that there is a lot of interference, and if that is so, what have Government done to ascertain the extent and the consequence of this political interference which demoralises the services today.

The second point is.....

Mr. Speaker: I allowed him to put only one question.

Dr. L. M. Singhvi: I have two things to mention. Since I abided by the procedure and, therefore, did not interrupt at that time, I hope that I shall have your indulgence.

Mr. Speaker: All right, he might put another question.

Dr. L. M. Singhvi: I would also like to know to what extent Government are willing and prepared to implement the recommendations that have been made in the report. This is what most of all we wanted to know from the hon. Minister, but unfortunately I regret to say that this has not come forth during his speech. And the third thing is that he should say something about the emergent loan of collectors....

Mr. Speaker: He only wanted to mention two things. He should be content with that.

Dr. L. M. Singhvi: I have said what I wanted to say already.

Shri Tyagi: The hon. Minister has also agreed that the success of this experiment depends upon the high morale of the services. I want to

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know what the effect of the latest order regarding the raising of the age of superannuation will be, where the Ministers have reserved to themselves the right of rejecting a man after 55 years without adducing any reason; so, continuing in service after 55 years will not be automatic. So, they will always have to look towards the Minister and become sycophants and leave their self-confidence altogether, because their extension would depend upon the good-will of the Minister whereas actually the services must have a high morale and self-confidence.

Mr. Speaker: The hon. Member should not make a speech now.

Shri Kashi Ram Gupta (Alwar): In the report it is written that the Academy at Mussourie will have an advisory council in which eminent public men can also be members. What do Government mean by the term 'eminent public men'? Do they mean Congressmen or politicians or others as well?

Shri A. P. Join: The hon. Member is one such.

Shri Jashvant Mehta: (Bhawana-gar): Since hon. Members have also raised the question of the services, may I know whether Government have mooted the idea of a common cadre of technical personnel under this democratic decentralisation scheme?

Dr. P. S. Deshmukh (Amravati): The hon. Minister referred to the understanding that politics should not go to the level of the village panchayat. Does he think that it is humanly possible or practicable, because the villages are the storehouses of all voting and all voters? Can any party be expected to really keep aloof from politics in these panchayats? I personally think it is impossible.

Shri Nanda: I will briefly say something.

The first thing I will refer to is the question of implementation. The hon. Member perhaps did not pay heed to what I said in the course of my remarks. I referred specifically to this aspect, that there are certain recommendations concerning the Home Ministry here, about which they have made a statement that so many have been accepted and so many have been accepted and so fore, there is an effort to see that as soon as possible all action arising out of those recommendations is taken.

Dr. L. M. Singhvi: Three months have passed.

Shri Nanda: Regarding panchayati raj, the Community Development Ministry have said that they agree with all this. The States have to be brought into the picture. This is being done. What more can I say at this stage?

Dr. L. M. Singhvi: Four months have passed.

Mr. Speaker: Order, order.

Shri Nanda: On the question whether it is worth while having these new things considering the expense that will have to be incurred and considering the new situation that has developed, in most places the legislation is ready and is being enacted and things are on the move. It is not something new there. It is in progress. In some two or three States, legislation is being hammered out. If actually they are expected to give better results, drawing the people more effectively, getting more out of the people, if this is our assessment, then possibly it may be worth while doing it, but now that question is rather belated.

About eminent persons, certainly I believe there may be some eminent persons outside the Congress also.

Shri Tyagi: No!

Shri Nanda: On the question of common cadres, the panchayat Samitis

have at lower rungs cadres of their own.

About politics and whether it is humanly possible to exclude it, humanity is capable of everything, of going down, of going up, and it is a question of how much restraint we are prepared to exercise.

Mr. Speaker: The Minister of Parliamentary Affairs wanted to make a statement.

Shri Tyagi: What about superannuation? He has not answered it.

Mr. Speaker: Order, order. No further questions.

13.08 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Mr. Speaker, Sir, as desired by you, I would like to announce that Government propose to bring forward before the House the following business during the rest of the Session:—

1. Consideration of any item of business carried over from today's order Paper.

2. Consideration and passing of
The Working Journalists
(Amendment) Bill, 1962.

The Emergency Risks (Factories) Insurance Bill, 1962.

The Emergency Risks (Goods) Insurance Bill, 1962.

3. Consideration of a Motion for the reference of the Major Port Trusts Bill, 1962 to a Select Committee;

4. Consideration of a Motion for the reference of the Constitution (Fifteenth Amendment) Bill, 1962 to a Joint Committee of both Houses;

5. Consideration of Motions for modification of the Central Apprenticeship Council Rules,

1962 and the Apprenticeship Rules, 1962 given notice of by Shri Indrajit Gupta;

6. Consideration and passing of the Hindi Sahitya Sammelan (Amendment) Bill, 1962 as passed by Raya Sabha;

7. Discussion on a motion by Shri Indrajit Gupta and others regarding measures for maintaining prices of essential commodities at reasonable levels;

8. Discussion on the Chinese cease-fire proposals on Monday the 10th of December, 1962.

This Business will be taken up in the order in which it has been announced. It takes into consideration the fact that the House has agreed to sit on Saturday, the 8th December, 1962.

As already desired by you and some sections of the House I have included in this business the Working Journalists (Amendment) Bill, 1962 which will be taken up tomorrow after the business carried over from today.

The two Bills relating to the Emergency Risks Insurance will be taken up on Friday the 7th of December.

Shri Hari Vishnu Kamath (Hosangabad): By your leave, I want to make a request. Now that the Working Journalists (Amendment) Bill has come back to the agenda, may I urge that the status quo ante of yesterday should be restored because most of us were busy with that thing. It could be taken up after the Income-tax Amendment Bill is over today. The Personal Injuries (Emergency Provisions) Bill was to have come, according to yesterday's Order Paper after the Working Journalists (Amendment) Bill and the other Bill, All-India Services (Amendment) Bill. So I submit that hon. Members should have time to look into this Bill also. They had no time to look into it. It is adding insult to injury....

Mr. Speaker: I will waive notice; that is what I can do.

Shri Hari Vishnu Kamath: But what is the difficulty in sticking to the order proposed yesterday?

Mr. Speaker: Might be, the Minister may not be free.

Shri Satya Narayan Sinha: What is the difficulty if it is taken up tomorrow?

Shri Hari Vishnu Kamath: We have not given all the amendments yet. We can give amendments till 3.15 P.M. We have still to give notice of some amendments. I would, therefore, earnestly request you to intercede in this matter and see that the Working Journalists (Amendment) Bill is restored to its place after the Income-tax Amendment Bill is disposed of. There should be no difficulty about it.

Mr. Speaker: Is it possible?

Shri Satya Narayan Sinha: Yes, Sir.

Shri Warior: Sir, the Personal Injuries (Emergency Provisions) Bill is coming up today. "

Mr. Speaker: No. We shall take up the Working Journalists (Amendment) Bill. But the hon. Members would also appreciate that all the time at our disposal has been adjusted and the agenda as much as could be possible has been fixed within that time. Therefore, any Presiding Officer, whether I am here or the Deputy Speaker or anyone from the panel of Chairmen is here, would see that the time allotted for each business is not exceeded so that we can finish the business that we have before us. Hon. Members shall have to see to that also.

Shri Hari Vishnu Kamath: There is always some time at your discretion.

Mr. Speaker: There is no discretion with me now because all the time that we have has been distributed among the Bills.

Shri Tyagi: What has happened to the proposal about the increase of the superannuation age of the High Court Judges? There was a Bill.

Shri Satya Narayan Sinha: I have already said that the Constitution (Fifteenth) Amendment Bill will be taken up for reference to a Joint Committee. There are several amendments in that, apart from that proposal.

Shri Hari Vishnu Kamath: With regard to the observation which you just now made, I submit that it may mean an inroad on your powers which we do not want; according to the convention now you can always extend the time by one hour.

Mr. Speaker: But I will have to submit to the wishes of the House. The House desires that all this business should be condensed into this time.... (Interruptions.)

श्री शिव नारायण (बांस) : मेरा एक सुझाव है ।

Mr. Speaker: No *sujhav* at this moment. I am not going to allow this any more. Shri Harish Chandra Mathur.

MOTION RE. REPORT ON INDIAN AND STATE ADMINISTRATIVE SERVICES—Contd.

Shri Harish Chandra Mathur (Jalore): Sir, the hon. Minister while intervening in the debate mentioned the limits of the terms of reference. But if you look at the report, the whole ground has been covered by this report—strength of the administrative services in the States as well as at the Centre, training, probation and what not.

Now, the entire sphere is covered by the terms of reference itself regarding the district administration; what are the questions that have arisen in the district administration, and how these questions are to be dealt with. The term of reference itself says: "Questions arising in the district administration." The first thing which I submitted yesterday

was that today there is diarchy which you have introduced and that the result of that diarchy and dichotomy is confusion, conflict and waste at all levels. The result of that diarchy and dichotomy is that there is demoralisation in the services. The result of that diarchy is that there is frustration among the non-officials. My hon. friend has not said a word as to whether he knows that now, at the present moment, there is so much of duplication there is so much of lack of co-ordination and there is no one authority which can deliver the goods. That is one of the most important points I have dealt with and to which I found no answer. As I submitted, as a result of this diarchy, there is confusion; as a result of it, there is conflict; and as a result of it, there is frustration among the non-officials and there is demoralisation among the services.

The second thing was this. I just posed a question to my hon. friend himself as to what his experience in the last general election was. Did he not find that the general citizen was full of complaints and discontent against the administration? Were those problems thrown up? Those are the problems which have been thrown up in the district administration and those are the problems which have to be tackled.

Shri Tyagi: Corruption.

Shri Harish Chandra Mathur: What are those problems. He has not said a word.

Shri Nanda: I have dealt with them in an article that I have written—delays, corruption and all that.

Shri Hari Vishnu Kamath: The article should be laid on the Table, Sir. *(Interruption).*

Mr. Speaker: Order, order.

Shri Nanda: I will lay it on the Table.

Shri Harish Chandra Mathur: We are not concerned with what is writ-

ten in that article, but we are concerned with what is discussed on the floor of the House.

Mr. Speaker: Perhaps, if it is a written article and published, it may be available to the Members.

Shri Hari Vishnu Kamath: If the article has been published, then where is it?

Shri Harish Chandra Mathur: One thing to which his attention may have been invited is that when a citizen goes about the district for relief, he should not be driven from post to pillar. This is one of the most important things. Have you got any authority at the district level to whom a particular person can go for getting relief, and in what time? Will he get a reply at least? Will he be relieved properly and will he get proper redress in regard to the problems thrown up in the district administration? When the citizen goes for relief, the question is whether he is heard properly, whether he is properly received, and whether there is any delay or not and whether there is any authority in the district administration who is entrusted with the task of granting relief to that person. These are the problems which are thrown up and which are known to everyone and which, I thought, was also known to the Minister. That is why I said that though this report contains everything, it does not tackle with our real problem with which we are faced every day, with which the citizen is worried and bothered every day. These problems are known to everything. In fact, this report covers everything. There are 60 to 70 recommendations made with regard to the district administration and the community development. But what are those recommendations. With all respect, I beg to submit that they are just a copy of what has happened at the conferences of the Development Commissioners earlier, and which have already been accepted. What is there new about it? I do not know. The main problems which have been raised are about diarchy. When the

[Shri Harish Chandra Mathur]

citizen goes to a particular authority, he does not find any relief; he is not properly received.

Shri Nanda: The main problems are those which we know: they are very simple and all these things are known and all the remedies have also been known. They have to be more fully applied. That is all.

Shri Harish Chandra Mathur: What steps are being taken? That is the whole question.

The third point that I raised was this. At present there is a weakness in the district administration, and that is, you have the juniormost officers there. There is no answer given to that point. What I said was that there is a concentration of all these senior IAS officers in the capital. Let me make it plain to my hon. friend that I have no allergy against the IAS officers. I quite realise that they are the best lot among the services. They are selected through a competitive examination and the best personnel offer themselves. There is no allergy on my part in regard to them. I want them to be put in the proper focus so far as the scientific services and others are concerned. What I meant to say is, there is a concentration of all senior officers in the capital. There is no senior officer in the districts. What are the factors which have contributed to this? There is no answer to this. I wish something is done to reverse this process, as is being felt for such a long time. There is not one fruitful observation which has been made.

I am afraid the hon. Minister of State in the Ministry of Home Affairs who intervened was very poorly briefed. I made it perfectly clear that there are certain States where there has been no increase in the cadre of the IAS officers, for the last four years. I pointed out that in Madras and Rajasthan, the cadre of IAS has shrunk. They have reduced the num-

ber of IAS officers since 1959 while there is a big jump in other States. So, there is no rationale or justification for the large number of IAS officers. The explanation offered by the Home Minister was that because certain portions of Madras had gone to Mysore, therefore in Madras there has been a shrinkage while there has been a proportionate increase in Mysore. But here are the figures in this very report.

In Madras, in 1959 the number was 150; in 1960 it was 150; in 1961 it was 141—cut down by 9; in 1962 it was 137—cut down further. In Mysore, it was 100 in 1959, 100 in 1960, 100 in 1961 and 100 in 1962. There is no corresponding rise at all. Similarly in Rajasthan the number has been reduced. But Orissa has jumped from 91 to 144 and Punjab from 109 to 162. This report does not take into consideration at all the fact as to how many are employed on the ex-cadre posts. In their own cadre, this expansionist tendency which is observed all over the administration has got to be halted. I feel that the cadre of the IAS should be freezed at 2100; there is absolutely no justification. This saving of 300 officers would mean at least a saving of Rs. 25 lakhs per annum. So, proper and rational ways must be found to get down the number and freeze it at 2100.

Then, we should do away with special pay. Special pays were there in certain special circumstances. If you do away with this, you save another Rs. 10 lakhs. Not only that; you will give an incentive to these officers who work in the field, people in the district administration who come into contact every day with the people and who have to tackle these problems which are thrown up day to day. These people may at least not be given step-motherly treatment as compared to those who sit in the capital in the secretariat.

There are many problems which have been thrown up, but this cosy re-

port only contains things which are already there. Just an accumulation of figures from the States has been put into it. The recommendations made in the Development Commissioners' conference have been put into it. Nothing more. Sir, so much was made by Mr. Datar about the important recommendation regarding direct recruitment to the States. So many States—three-fourths of the States—are already having direct recruitment.

Mr. Speaker: The question is..

श्री भू० ना० मंडल (सहरसा) : अध्यक्ष महोदय, मुझे कुछ निवेदन करना था . .

अध्यक्ष महोदय : मेरे बाद कह लीजियेगा ।

श्री भू० ना० मंडल : इसी सम्बन्ध में कुछ कहना था ।

अध्यक्ष महोदय : वह समय तो चला गया ।

The question is:

"That this House takes note of the Report on Indian and State Administrative Services and Problems of District Administration by Shri V. T. Krishnamachari, laid on the Table of the House on the 7th September, 1962."

The motion was adopted.

Mr. Speaker: The House will now proceed with the next item of business.

Shri Surendranath Dwivedy (Kendrapara): Sir, when it is a motion for consideration is it put to the vote of the House?

Mr. Speaker: This is not a motion for consideration. The motion here is: "This House takes note of...." If it is for consideration we do not put it to the House. If it is "takes note of", it is a regular motion and the mover has got a right of reply which I have given to him. Therefore, it was put to the vote of the House.

13:26 hrs.

TAXATION LAWS (AMENDMENT) BILL—Contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shrimati Tarkeshwari Sinha on the 4th December, 1962, namely:—

"That the Bill further to amend the Income-tax Act, 1961 and the Wealth-tax Act, 1957 be taken into consideration."

Shri Prabhat Kar may continue his speech.

Shri Prabhat Kar (Hooghly): Mr. Speaker, Sir, yesterday I said that I welcome this Bill so far as the provisions are concerned. Already public commitment has been made and defence bonds and gold bonds are issued on the terms and conditions on which people can purchase them. In order to bring it under a statute, under the regular law, this Bill has been brought forward.

I was also saying yesterday that so far as gold bonds and defence bonds are concerned, in order to give some incentive to the purchasers this relief on taxation has been granted. I am not opposed to the granting of relief on either the wealth tax or on the income-tax to purchasers of gold bonds and nation defence bonds. I want only to point out that except in the case of the national defence bonds which perhaps can be purchased by the small people, by the middle class or even the workers, the income-tax relief which has been granted will not be of much use to them because due to their paltry income they are not liable to taxation. Therefore, the relief so far as taxation is concerned will not be much beneficial to them. Of course, in the case of the purchasers who are liable to income-tax, the big people, they will get the advantage. They are contributing to the national defence bonds to be utilised in the service of the nation, and so they are given some concession for helping the country in this period.

[Shri Prabhat Kar]

So far as gold bonds are concerned, I would only say that these gold bonds will perhaps help the Governments to get some of the hoarded gold but from the concealed places. So far as the middle class is concerned, they have purchased ornaments at Rs. 120 or Rs. 125 per tola (*Interruption*). The price which is being given to them is Rs. 62.50 for gold with 0.995 fineness.

Mr. Speaker: About ornaments, I think, the hon. lady Member sitting behind was advising him.

Shri Prabhat Kar: She was saying that it was not at Rs. 120, but it was purchased at more than Rs. 140 per tola.

Mr. Speaker: She must be more familiar so far as ornaments are concerned.

Shri Prabhat Kar: She was only correcting me that the price was Rs. 140 per tola.

But while depositing them and purchasing gold bonds they will get Rs. 62.50 and that also for gold with 0.995 fineness. So far as ornaments are concerned, they are not made out of that fine type of gold. So, naturally, the price per tola for the ornaments will be less. Even adding the total interest at $6\frac{1}{2}$ per cent for 15 years it will come to Rs. 65.62. But they will get the return on the interest after 15 years. You know, Sir, so far as the middle class and lower middle class people are concerned, ornaments are their investment. In a middle class family, the ornaments are passed on from one generation to another generation at the time of marriage, and there is not enough ornaments for them to be kept away or to be deposited in the purchase of gold bonds. Yet, I know that even though the middle class and working class people have got very small quantities of ornaments, because their love of the country is more than their love of gold, they are investing it in purchase of gold bonds.

In this connection, I would like to say something about the concessions that we are giving to the purchasers of gold bonds who have gold bars to be deposited in order that concealed gold may come to the open and we can utilize it for our national defence. Whereas the small people, the working class, will not get any benefit by the purchase of gold bonds, the richer people are given more advantages in as much as they are able to turn their black money into white money, not losing much so far as the price is concerned, because they will get Rs. 62.50 per tola as the price of gold plus interest at the rate of $6\frac{1}{2}$ per cent for fifteen years. Now the workers, the middle class employees, are contributing their mite without caring to know what return they will get. Every day we see in the papers that they are contributing their salary for one day, one week or even one month for the national defence fund. They are not only working extra hours but they are working on Sundays and holidays, without caring to know what exactly they will get in return because they are willing to make any sacrifice for the sake of their love for their country.

13.31 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

While that is the position in the case of the working classes, in the case of the richer people you are giving a guarantee to return the money, apart from the payment of interest for the manifestation of their love for their country by the purchase of gold bonds. Also, because of the over-time worked by the working class, they will get the benefit of extra work and extra profits. No attempt has been made by the Finance Ministry to bring in any new taxation so that the extra profits will go to the national defence fund.

Here I will again emphasize that the contribution by the poor and

middle class people is very very encouraging and interesting. As General Secretary of the All India Bank Employees' Association I can say that after the 8th September members of my association have contributed Rs. 5,23,762 to the national defence fund. This does not include the purchase of national defence bond. Every month they are contributing their share to the national defence fund and further instalments will come.

I welcome this measure because at least one good thing will come out of it. So far as our purchase of defence equipments from foreign countries is concerned gold is the only commodity which every country is prepared to accept as payment. So, if hidden gold comes to the open, it will help us in making payments. Secondly because of the extraordinary high price existing in the country for gold, there is enough scope for smuggling gold to the detriment of the interests of our economy. Now, because of the introduction of gold bonds, the price of gold will go down. In fact, it has gone down. From Rs. 125 to 130 it has gone down to Rs. 100. Perhaps, it will go down further. To that extent, the incentive to the smugglers will be lost and there will be less of smuggling. So, in spite of the fact that this measure will not be very helpful to the small purchasers of gold bonds, I welcome this Bill because it will ultimately help us in stopping one of the greatest crimes that is being perpetrated against this country, namely, the smuggling of gold into the country. At the same time, it will help the Government partly at least—I do not know what portion of the gold will come to the open, but I am sure that at least some portion of the hidden gold bars of the blackmarketeers and profiteers which they have put in their vaults will be utilized for the purchase of gold bonds—to utilize the gold for the purchase of defence equipments for our country. So, I welcome and support this Bill.

श्री कुं० कृ० वर्मा (मुल्तानपुर) : माननीय उपाध्यक्ष महोदय, इस माननीय सदन के सम्मुख जो टैक्सेशन लाज (एमंडमेंट) बिल प्रस्तुत किया गया है, मैं उस का स्वागत करता हूँ। यों तो जो टैक्सेशन लाज १९५७ में इस माननीय सदन के सामने प्रस्तुत हुए थे, उन को पारित कर के हम ने एक ऐतिहासिक कदम उठाया था। मैं समझता हूँ कि हम ने उस के द्वारा भारतवर्ष के आर्थिक क्षेत्र में एक नये युग का उद्घाटन किया था। जो आर्थिक व्यवस्था उस वक्त बनाई गई थी, उस से समाजवादी समाज की स्थापना की हमारी नीति को क्रियान्वित करने में और, हमारे समाज में पूँजीवादी श्रेणी तथा अन्य श्रेणियों के दरमियान में जो अन्तर था, उस को कम करने में भी हम लोगों को काफ़ी सहायता मिली।

जहां हम लोगों ने एक दृढ़ निश्चय किया था कि हम समाजवादी समाज की स्थापना के लिये हर एक कदम उठावेंगे और उस ने हम को उस वक्त उन टैक्सेशन लाज को लाने और पारित करने के लिये उत्साहित किया, वहां चीनी आक्रमण की वजह से हमारे देश पर जो संकट आया, उस ने हमारे वित्त मंत्री की तीव्र बुद्धि को इस तरफ़ संकेत दिया कि वह सोने के बारे में एक नई नीति की घोषणा करें। उस नीति से हमारे देश को समाजवादी समाज के लक्ष्य की ओर एक कदम और आगे बढ़ने का मौका मिला। इसलिये सरकार ने जो गोल्ड बांड्स प्रचलित किये हैं, उन के लिये मैं उस को हार्दिक वधाई देता हूँ। मैं समझता हूँ कि संसार के प्रगतिशील राष्ट्रों में सोने का जो प्रयोग होता है, हमारे देश में सोने का प्रयोग उस के बिल्कुल विपरीत होता है, जोकि प्रगतिशील नहीं कहा जा सकता है। हमारे देश में सोना बेकार सा पड़ा रहता है, तिजोरों में पड़ा रहता है या जिस्म की, बदन की, महङ्ग शोभा की चीज रह जाता है। मैं समझता हूँ कि किसी भी प्रगतिशील देश के

[श्री कुं० कृ० वर्मा]

लिए गृह आवश्यक है कि इस प्रकार की व्यवस्था और परम्परा में परिवर्तन किया जाये, जोकि हमारे समाज में—विशेष तौर पर महिला समाज में—सोने के विषय में चली आ रही है।

मैं श्रीमती इन्दिरा गांधी को हार्दिक बधाई देता हूँ, जिन्होंने अपने सभी आभूषण राष्ट्रीय सुरक्षा कोष को दान दे दिये। हमारी महिला सदस्यों ने भी इस ओर काफी अच्छा कदम उठाया है। मैं चाहता हूँ कि हमारी जितनी समाज कल्याण सोसाइटीज़ हैं, जितने विभाग हैं, या हमारी महिला सदस्यार्थी हैं, ये सब इस बात के लिये प्रयत्न करें कि गोल्ड बांड्ज की ज्यादा से ज्यादा खरीददारी हो। मेरे खयाल में जितने और प्रयत्न हम इस बार एफर्ट के बारे में कर रहे हैं, उतने ही प्रयत्न हमें इस बारे में भी करने चाहियें, उतना ही हमें इस पर भी जोर देना चाहिये। इस वक्त जो संशोधन लाया गया है, इस से अगर लोग चाहें तो व्यक्तिगत फायदा भी उठा सकते हैं, व्यक्तिगत लाभ भी उठा सकते हैं। इस से उन लोगों का उत्साह बढ़ना चाहिये। यह एक मौका है, जिस का उन को लाभ उठाना चाहिये।

मैं समझता हूँ कि हमारे देश का इतने दिनों का दृष्टिकोण है, जो इतने दिनों की मनोवृत्ति है, जो व्यवहार है और जिस के हम भ्रादी हो गये हैं, इस में परिवर्तन आना चाहिये था। एक क्रांतिकारी कदम जो इस वक्त उठाया गया है इस से भी उस मनोवृत्ति को बदलने में सहायता मिलनी चाहिये। लोगों को चाहिये कि वे इस से लाभ उठावें और जो यह पालिसी है, इस को कार्य रूप में परिणत करें। सिर्फ चीनी आक्रमण का मुकाबला करने के लिये ही नहीं हमें कदम उठाने हैं बल्कि इस तरह के कदम भी उठाने हैं। जब हम इस तरह के कदम उठाते हैं तो इनको ऐतिहासिक कदम ही कहा जा सकता

है। हमारे देश की बहुत सी समस्याएँ हैं। सोने की केवल समस्या नहीं है। वे समस्याएँ और कई वजहों से भी हैं। अगर सोना मिल जाता है तो उन समस्याओं को भी हल करने में आसानी हो सकती है। उन को हल न कर पाने के रास्ते में जो कठिनाइयाँ हैं, वे भी दूर हो सकती हैं और इस से बाहरी देशों का माल खरीदने में भी हम को सहायता मिल सकती है।

मैं समझता हूँ कि जो संशोधन इस वक्त प्रस्तुत किया गया है उस की वजह से लोगों में नेशनल डिफेंस फंड में भी जो रकम वे दे सकते हैं, उस को देने में उत्साह पैदा होगा, उन का उत्साह बढ़ेगा। साथ ही साथ मैं समझता हूँ कि जितने घन की हम को आवश्यकता है, उस का काफी बड़ा भाग हम लोगों से ले सकेंगे।

इन शब्दों के साथ मैं इस विधेयक का स्वागत करता हूँ। यह सही है कि अभी तक जितनी खरीददारी गोल्ड बांड्ज की होनी चाहिये थी, उतनी नहीं हुई है। इस ओर सरकार का ध्यान जाना चाहिये। मैं यह भी चाहता हूँ कि सरकार इस ओर ध्यान दे कि जो सरकारी एजेंसीज़ हैं, वे भी इस पर अधिक बल दें, इस पर अधिक जोर दें कि गोल्ड बांड्ज को लोग अधिकाधिक मात्रा में खरीदें। इस के लिये लोगों को वे प्रोत्साहित करें।

श्री प० ल० बालूपात्र (गंगानगर) : उपाध्यक्ष महोदय, सोने के संबंध में जो कुछ मेरे दिमाग में विचार आये हैं, जो कुछ मेरा अनुभव रहा है, मैं चाहता हूँ कि उस के सम्बन्ध में मैं कुछ निवेदन आप के सामने कर दूँ। यह बहुत अच्छी बात है कि सोने के बांड जारी किये गये हैं। इस से हो सकता है कि कुछ सोना घरों से बाहर निकले। लेकिन इस में जो एक कमी आई है, उस को मैं आप के सामने रखना चाहता

हूँ। दुर्भाग्य से या सौभाग्य से मैं एक ऐसे प्रान्त से आ रहा हूँ जिस को राजस्थान कहा जाता है। मैं आप को बनलाना चाहता हूँ कि आप मानें या न मानें लेकिन सारे हिन्दुस्तान का सोना अगर एक तरफ रख दिया जाये और अकेले राजस्थान का दूसरी तरफ तो भी आप पायेंगे कि राजस्थान में सोना ज्यादा है। बैलेंस में आप राजस्थान के सोने को बाकी सारे देश के सोने से ज्यादा पायेंगे।

श्री शिव नारायण (बांसी) : सोने वाले हैं।

श्री प० ला० बाबूपाल : लेकिन मेरा सिर शर्म से नीचे झुक जाता है जब मैं देखता हूँ कि जिन व्यक्तियों के पास सोना तिजोरियों में भरा पड़ा है उस को वे आज भी इस संकटकाल में जबकि छोटे से छोटा और गरीब से गरीब व्यक्ति और महिला भी, अपने नाक और कान के तिनके दे रहे हैं, परन्तु धनी नहीं दे रहे हैं। जो कुछ भी लोगों के पास है, उस को आज उठा कर वे रक्षा कोष में देना नहीं चाहते हैं। लेकिन दूसरों के मुकाबले में राजस्थान की ओर जब मैं देखता हूँ तो पाता हूँ कि उन को जो करना चाहिये, वह उन्होंने नहीं किया। मुझे बड़े दुःख के साथ कहना पड़ता है कि जिस प्रान्त से मैं आता हूँ, वहीं के लोगों को मैं इस के लिये कोस रहा हूँ।

लेकिन जो लाभ उन लोगों को हुआ है, उस लाभ का अंदाजा नहीं आका जा सकता है। तमाम ब्लैक का रुपया जिस को दो नम्बर का रुपया कहा जाता है, इस बिल के जरिये से बाहर आ रहा है और लोगों को काले रुपये को सफेद रुपये में परिणत करने का मौका मिल गया है। इस व्यवस्था से उन्होंने ने नाजायज तौर पर और अनुचित लाभ उठाया है। उन को चाहिये कि वे ईमानदारी से अब भी काम करें। जब सरकार ने

उनके साथ इतना कुछ किया है, इतना मौका दिया है, इतना प्रलोभन दिया है, तो उन को भी चाहिये कि काले बाजार में जो पैसा उन्होंने ने कमाया है, तस्कर व्यापार से कमाया है, उस को वे बाहर लायें और इस संकटकालीन समय में सरकार की सहायता करें। अभी तक उन्होंने ने ऐसा नहीं किया है। अब उन को आगे आना चाहिये।

इस संकटकालीन समय में सरकार को और भी कई काम करने हैं। जिस तरह से हम ने राजनीतिक क्रांति लाई है, उसी तरह से हम को तीन प्रकार की क्रांतियाँ और करनी हैं। एक आर्थिक क्रांति, दूसरी धार्मिक क्रांति और तीसरी सामाजिक क्रांति करनी है। जब तक हम इन तीन क्रांतियों को नहीं कर लेते हैं, तब तक हम प्रगति पथ पर नहीं बढ़ सकते हैं। जिस तरीके से आज देश के अन्दर एक प्रकार की चेतना आई है और जिस प्रकार से हमारा देश एक दम जाग उठा है, एक मत हो कर सरकार की मदद कर रहा है, वह सराहनीय है।

चीन ने जो चुनौती आज दी है, उस का हमें सामना करना है। आज जो समय ने माथ नहीं चेतें हैं उन को चेत जाना चाहिये। उनको सरकार का पूरा पूरा साथ देना चाहिये। यह मौका हाथ में आया है, उस का नाजायज लोगों को लाभ नहीं उठना चाहिये। धनी लोग जब भी मौका लगता था, सरकार से नाजायज फायदा उठाते थे, उन को अब वह मौका नहीं दिया जाना चाहिये। इलैक्शन के दिनों में लोग दो दो और चार चार लाख रुपया दे देते हैं। लेकिन अफसोस की बात है कि वहीं आज सहायता का हाथ आगे नहीं बढ़ा रहे हैं। आज जब संकट का समय आया है, तब उन का कोई पता नहीं चल रहा है। जिस तरीके से...

एक माननीय सदस्य : आप की पार्टी को ही दिया था।

श्री ५० ला० बालूपाल : यह लोग सब पार्टियों को दिया करते हैं। सोसलिस्ट पार्टी हो चाहे दूसरी पार्टी हो। यह उनका एक प्रकार का धंधा है। वे किसी भी तरीके से अपना उल्लू सीधा करते हैं। यह एक ग्राम बात थी जो मैंने आप के सामने रख दी है। यह कोई व्यक्तिगत बात नहीं है। राष्ट्र की बात है। राष्ट्र की आज यह पुकार है। मेरी वित्त मंत्री जी से प्रार्थना है कि उन लोगों के साथ वे ज्यादा मेहरबानी से पेश आये हैं अब उन लोगों की वे ज्यादा हिमायत न कर। उन को वे ज्यादा राहत न दें। क्योंकि इस तरह की चीजों को अब तक राष्ट्र बरदाश्त करता आया है, तो भविष्य में वह इस तरह की चीजों को बरदाश्त नहीं कर सकता है और न ही करेगा।

Shri P. K. Deo (Kalahandi): Mr. Deputy-Speaker, Sir, this emergency has been a blessing in disguise so far as the fiscal policy of the Government is concerned because it has provided an opportunity for a reappraisal of the policy which they had been following so far.

In order to mobilise the financial resources of the country during this emergency and in order to facilitate donations to the National Defence Fund as well as for the free flow of contributions towards Gold Bonds, the National Defence Bonds and various other securities, this Bill has envisaged certain concessions. The concessions envisaged in this Bill are, firstly, that the Gold Bonds will be an item of exempted assets so far as calculation of wealth-tax is concerned; secondly, the Income-tax Act is sought to be amended so that any capital gain arising out of the sale of the Gold Bond or any loss arising out of this sale will be left out of consideration for the purpose of income-tax assessment; thirdly, donations to the National Defence Fund will qualify for rebate and for that section 38 of the Income-tax Act is sought to be amended and, fourthly, there will be no deduction of tax at the source of collection of interest

which will accrue from National Defence Bonds for which no limit has been prescribed and in case of Gold Bonds for which the limit of Rs. 10,000 has been prescribed in the case of an individual.

In this regard I beg to submit that there could hardly be a more critical juncture or a nobler cause than the present one for the mobilisation of the unproductive gold hoards which we have in this country. It is estimated at Rs. 1850 crores at the international price. Our foreign exchange is very much depleted and we need foreign exchange for the purchase of much-needed arms for the protection of our country. At the same time, we need gold to supplement our foreign exchange. But the problem that faces us today is the spiralling of gold price in this country which is out of all proportion to the international price. That has become a subject of great concern to all of us. This has led to nefarious smuggling activity which has been going on all along the Indian border. We all know about it. It has caused invisible drain on our foreign exchange and has, at the same time, weakened the purchasing power of the rupee. Sir, I beg to submit that this is due to the wrong fiscal policy that we have pursued so far. There has not been any proper thinking in this regard. In the case of the Gold Bonds, even though the interest rate is so lucrative, the response is very poor. Here, the Government proposes to pay 6½ per cent interest, that means, 2 per cent more than the usual interest that they pay on Government securities and that too will be paid on six-monthly basis for a period of 15 years. So far as the Gold Bonds are concerned, Government have given the further assurance that they would not ask persons to disclose the source of acquisition of this gold. Even if you have acquired it by wrong methods, you have a chance here to transfer your black money into white. Sir, even then, the response is very poor.

Under these circumstances and in view of the various concessions grant-

ed for the Gold Bonds, we thought that it will bring about an increase in the value by about 45 per cent over the face value but it has not happened. We will have to find out why it is so. As pointed out by my hon. friend, Shri Prabhat Kar, we find that these Bonds are hardly attractive as a commercial proposition, because, the price offered for one ten grams of gold is Rs. 53.58 nP which is calculated at Rs. 62.50 nP per every tola of gold and it has been rightly pointed out by an honourable lady Member that in a middle class family especially, the purchase price of gold is sometimes as much as Rs. 120 or Rs. 140. It is a very great patriotic act that people are coming forward voluntarily to sacrifice what they can for the defence of the country, but, at the same time, it is not a sound commercial proposition.

In this context, I wish to submit the following proposal for consideration. It is this. At the time of repayment of these gold bond loans, Government should pay them back in gold. When they pay back this loan, they should pay back in actual gold or, these gold bonds should be included at the market price of gold. If either of these two alternatives could be accepted by the Government, then, there would be a plentiful flow of gold in the hands of the Government, which will go a long way to meet our foreign exchange difficulties.

Sir, in this regard, I would be failing in my duty if I do not make a remark that the defence of the country nowhere has been effectively made possible by only asking for these gold bonds. We shall have to think twice about it. First of all, I beg to submit that most of our foreign exchange requirements would be for the purpose of purchase of arms and ammunitions. Even though we have been getting arms from the western countries on lend-lease basis and on nominal payment, we should think twice about that because if we could get arms supply from that side

as donations or as grants, that will go a long way in saving foreign exchange. A reappraisal of our approach in this regard is necessary.

We have been following a policy of non-alignment and on various occasions I had been also advocating that we should have a dispassionate and independent approach to every problem of the world. But taking into consideration the present threat to our integrity and to our independence, it is high time that we should have some defence alliance or military alliance with the western powers. And, that will go a long way in enabling us to have the much-needed arms and we would then be able to save our much-needed foreign exchange for our development purposes.

Sir, another important aspect which is worth considering in this regard is that all the unproductive items like the community development and such useless things which have been included in the Third Plan should be pruned for the purpose of the defence of this country. So, these are the suggestions which I have to make for the consideration of the Government at the time of considering this Bill.

Shrimati Lakshmikanthamma (Khammam): Sir, I support the Bill to further amend the Income-Tax and the Wealth Tax. Whenever there had been wars, it is the women who had been the greatest sufferers. They lose their sons in the battlefields; they lose their husbands and their honour is at stake. The horrors of the previous war are known to every one of us. We know how places were invaded and how people suffered. We know of instances also where persons walked into the houses and women were dishonoured, they were even disfigured cutting the nose and all that. We know the suffering which women had to undergo during times of war. We also know of another instance how the cry of a mother could convert a big warrior like Ashoka into a pacifist. Now,

(Shrimati Lakshmi Kanthamma)

I am telling all these things because with the introduction of the Gold Bonds, our women have to come forward. They should understand the need and the necessity to invest the gold in Gold Bonds for defence purposes. Their ignorance should be dispelled. I know of cases where some women who kept their jewels in the banks, after the announcement about the Gold Bonds, took them away from the banks thinking that Government would ask as to how much gold one possessed. They got back their gold articles and kept them in their houses. It is very wrong and it is only due to ignorance. If they had realised or understood the implications they would not have done so.

Therefore, I would suggest that Government should give more importance to propaganda telling people why they should invest in gold bonds. People who possess these gold things should be told how their very existence and safety is in danger and why they should come forward to invest more and more in Gold Bonds.

We know, Sir, under what circumstances we had to introduce this system of Gold Bonds to meet this national demand. We have certain foreign exchange difficulties for getting more ammunitions and more arms from foreign countries for which we need gold very urgently. As far as the introduction of the Gold Bonds is concerned, it is quite a welcome step and people should realise the advantages that are there in converting their idle gold into Gold Bonds. One hon. Member said that because the price is just about Rs. 61 or slightly above that, people are not coming forward. I am sure gold price is bound to come down. As our Finance Minister has often been saying, Government are convinced that gold price will definitely come down and investing in gold bonds would be more advantageous. People who have invested in gold bonds will feel that they

have done a very great thing by investing in gold bonds. The gold that women have kept in their box safe, is idle money. It does not produce further money. Their investment fetches them interest and they will be getting more money in future.

14 hrs.

There is one suggestion that I have to make. Women have some gold ornaments which, if they invest in gold bonds, they can cash only after 15 years. Suppose there is some urgent need for them, for some marriage or some other thing, these gold bonds will not be of use to them in such difficult circumstances. If there is any provision that these gold bonds can be mortgaged and they can get money, I think that may induce women to invest more of their jewels in Gold Bonds.

I come from Hyderabad. I know how much private individuals are keeping in gold. Our Nizam, for instance, has huge bars of gold at his disposal. All steps should be taken by the Government to induce him to invest that gold in Gold Bonds. The Government should also pay more attention to find out who is having the gold. There are a number of people throughout the country. The Government should take steps to induce them or convince them to invest their gold in Gold Bonds. Of course, there is a clause in the Defence of India Act, that we cannot take gold from the temples. I think there is no objection for the temples to invest in Gold Bonds. We have so many temples in our country which are equally anxious to contribute. I do not refer to the jewels that are used for the day to day ceremonies, but that gold which is in reserve. We should also welcome if the temples are willing to invest their unused gold in reserve in Gold Bonds.

There have been so many facilities created for the people. Some people, because of fear of Government or be-

cause of fear of Income-tax, have converted their profits and extra profits into gold. The Government have also decided to exempt them from Income-tax and wealth tax. I do not know why people are still hesitant in spite of so many facilities given to them to invest. They should also take the opportunity to invest all their gold in Gold Bonds.

One more suggestion. I do not know what the difficulty of the Government is. This is only a suggestion. If it is practicable, they can take it. Now, we are willing to pay 6½ per cent interest. Suppose we say, we pay 3 per cent and after 15 years, we will pay them back either in gold or in cash if they want. Since the price of gold is bound to come down, it may not also be difficult for the Government to pay back in gold. If such an assurance is given, I am sure people will readily invest some more gold in Gold Bonds.

These are the suggestions that I have to make.

श्री काशी राम गुप्त (अलवर) : उपाध्यक्ष महोदय, बिल में जो धारारें रखी गयी हैं वे स्वागत के योग्य हैं। किन्तु फिर भी यह सोना जो नहीं आ रहा है इस पर विचार करना बहुत आवश्यक है।

अबबारों में पड़ते हैं कि जनता के पास १०० मिलियन आउंसेज गोल्ड है। छिपा हुआ सोना लगभग ५० करोड़ तोला है जिसकी कीमत तीन हजार करोड़ बनती है इंटरनेशनल गोल्ड प्राइस के ऊपर। अगर यह बात सही है तो फिर यह भी जानना जरूरी हो जाता है कि यह कहां छिपा हुआ है, किस वर्ग के पास छिपा हुआ है। बड़े वर्ग के लोग तो जबाहारात भी रखते हैं, मोती भी रखते हैं, सोना भी रखते हैं। क्या सरकार को यह भी आज तक पता नहीं चल सका है कि वास्तव में स्थिति क्या है और उनके पास क्या आंकड़े हैं यह जानना आवश्यक हो जाता है।

इसके अतिरिक्त इसमें व्याज की दर ६-१२ पर सेन्ट है। इसलिये जिनके पास ब्लैंक का सोना है उन्को वह इसमें फौरन ही दे देना चाहिये। यह उनके लिये सब तरह से लाभदायक होगा। अगर उनके पास ब्लैंक का सोना नहीं है तो फिर किस के पास है इस पर भी विचार करना चाहिये। यह बहुत गम्भीर समस्या हमारे सामने पैदा हो गयी है। या तो इस देश में इतना सोना नहीं जितना कि प्रचार है या फिर प्रचार होते हुए भी लोग सोना देना नहीं चाहते और इस बात भी नहीं देना चाहते जब कि देश के ऊपर आपत्ति आयी हुई है। अगर लोगों के पास सोना है और वे नहीं देना चाहते, तो फिर उनके साथ क्या सलूक किया जाये इस पर विचार करना आवश्यक हो जायगा।

मेरे यह निवेदन करना चाहता हूं माननीय श्री महोदय से कि यह समस्या बहुत जटिल है। जब तक यहां पर सोने के भाव उठने नहीं आ जायेंगे जितने कि इंटरनेशनल स्तर पर हैं तब तक इस समस्या का वास्तविक हल होने वाला नहीं है। वह भाव कैसे गिरेगा। उसके लिये क्या किया जाये। मैं समझता हूं कि अब तक सरकार ने जितना कंट्रोल और चीजों पर किया है उतना गोल्ड पर नहीं किया है। गोल्ड के व्यापारी फ्री सेल करते हैं, उनको किस प्रकार से रोका जाये और उन पर किस प्रकार प्रतिबन्ध लगाया जाये यह सोचना आवश्यक है। हमको इस बात पर भी प्रतिबन्ध लगाना होगा कि विवाहों के अवसर पर एक मात्रा से अधिक सोना न दिया जाये। जब सरकार इस प्रकार के कदम उठायेगी तभी इस समस्या का निदान निकल सकेगा।

जहां तक ब्लैंक मनी का प्रश्न है, अगर उसका लोगों ने गोल्ड लेकर रखा है और फिर भी वह सामने नहीं आ रहा है तो इसमें भी कोई रहस्य की बात है। सरकार को इसको जानना चाहिये और उसके पास इसे जानने के बहुत

[श्री काशी राम गुप्त]

साधन हैं। मेरा तो यह सुझाव है कि जितने हमारे करोड़पति लोग हैं उनकी कानफरेंस की जाये और उनको बिठा कर इस बारे में सलाह की जाये और यह जाना जाये कि उनका इस बारे में क्या दृष्टिकोण है, उनकी क्या कठिनाई है, क्या वास्तव में यह प्रचार मात्र है कि देश में इतने करोड़ का सोना है और वास्तविकता ऐसी नहीं है।

जहां तक साधारण वर्ग का प्रश्न है वह विवाहों के लिये सोना खरीदता है। देश में हर साल करीब ५० लाख विवाह होते हैं और उन में से कम से कम १० प्रतिशत विवाह ऐसे होते हैं उनके लिये लोग बीस पच्चीस, तीस तोला तक सोना खरीदते हैं जिसकी कीमत १५० या २०० करोड़ रुपये होती है। सरकार यह मानती है कि चालीस या पचास करोड़ का सोना हर साल स्मगल होता है। भावों के कारण। स्मगलिंग का कोई दूसरा कारण नहीं है। जब तक भावों को गिराने और स्मगलिंग को रोकने के लिये साथ साथ कदम नहीं उठाए जायेंगे तब तक इस कानून को पास करने से कोई लाभ नहीं होगा।

सरकार को गोल्ड बांड्स का एलान किये काफी भरसा हो गया, कानून की शकल तो हम इसको अब दे रहे हैं, लेकिन इस भरसे में कितना सोना सरकार के पास आया? उसकी कितनी कीमत है यह भी आज तक सरकार नहीं बता सकी है। इसलिये मैं निवेदन करूंगा कि सरकार को यह बताना चाहिये कि कितना सोना उसके पास अब तक गोल्ड बांड्स के जरिये आया है और किस वर्ग से आया है। जाहिर है कि अगर यह सोना बड़े वर्ग के लोगों से आया है तो यह श्रद्धाजः निश्चित रूप से जगाया जा सकता है कि ब्लैक का रुपया कहाँ था। ब्लैक के अलावा जो और सोना है उसका मूल्य भी बहुत है। करोड़पति और लखपति लोगों के एक एक घर में स्त्रियों के पास लाखों रुपये के जेवर हैं। वे उन जेवरों को छोड़ने

को तैयार नहीं हैं। हमारे सामने यह बात रोज आती है कि वे लोग लाखों रुपया अपनी कम्पनियों में से फंड में देते हैं, बांड्स में देते हैं, लेकिन उनको सोने से इतनी मुहब्बत है कि उसको वे नहीं छोड़ सकते, चाहे व राजे महाराजे हों, या करोड़पति हों, लखपति हों या सरकारी कर्मचारी हों। अगर हम सन् १९२० के बाद माहुत्मा जी की बात मानते तो हमको यह सोने की मुहब्बत न होती, न ब्लैक होता और न सरकार को आज सोना लेने की आवश्यकता होती। तो मैं निवेदन करूंगा कि इस बिल को पास करने के साथ साथ सरकार को वे कदम उठाने चाहिये जिनसे सोने के भाव गिर जायें, जिससे लोग अपने आप सोना देने के लिये सामने आयें और आयन्दा लोग सोने को न खरीदें। इसके लिये सख्त नियंत्रण की जरूरत है। तीन दिन से हम अखबारों में देख रहे हैं कि सोने का भाव घटने के बजाय बढ़ रहा है। अभी इमरजेंसी के डिक्लेयर होने पर सोने के दाम घटने की एक री चली थी और उस के भाव नीचे गये थे लेकिन अब फिर सोने के भाव बढ़ने लगे हैं। अब लोगों ने फिर सोना खरीदना शुरू कर दिया है। इमरजेंसी के अन्दर यह दृष्टिकोण बड़ा घातक है और इस से अव्यवस्था फैलती है।

कलकत्ते के अन्दर जो १०-२० हजार व्यक्ति सोने के जेवरों को गद्दाई वगैरह का काम करते हैं वे बेकार हो गये हैं क्योंकि लोग उनको जेवर गढ़ने वगैरह का काम नहीं दे रहे हैं। देश में अव्यवस्था का फैलना और इस तरह से बेरोजगारी का फैलना बहुत खतरनाक बात है। मुझे ऐसी जानकारी मिली है कि जिस वक्त यह गोल्ड बांड्स की बात चली थी और हमारे वित्त मंत्री महोदय का ब्यान निकला उस समय बहुत से लोगों ने हर के मारे बैंकों और तिजोरियों में जा थोड़ा बहुत सोना रक्खा हुआ था उसे निकाल लिया। मेरा कहना है कि यह मनोवृत्ति देश के लिये

घातक है और इस को ठीक करने के लिये सरकार को कदम उठाना चाहिये और देश में एक विश्वास का वातावरण बनाने का प्रयत्न करना चाहिये । जिन लोगों के पास सोना है उन से सोना लेने का पूरा प्रयत्न करना चाहिये ।

श्री शिव नारायण (बांसी) : अध्यक्ष महोदय, हमारे यहां यह कहावत चली आई है :—

“आपात काल परखिये चारी,
 धीरज, धर्म, मित्र और नारी ।”

आज वह समय आन पड़ा है । देश के ऊपर आपदा आई हुई है । ऐसे समय अगर कोई आदमी पैसा गाड़ता है, सोना गाड़ता है और देश की सुरक्षा के खातिर सरकार को नहीं देता है तो उस से बड़ा विश्वासघाती और देशद्रोही व्यक्ति कोई दूसरा नहीं हो सकता है ।

मैं आज यहां बहुत अदब के साथ कहना चाहता हूं कि मैं अपने उन मित्रों से सहमत नहीं हूं जिनका कि खयाल है कि देश में सोना नहीं है । इस देश में सोना है, धन, दौलत है और उस की हमारे यहां कोई कमी नहीं है । जैसा कि वित्त मंत्री महोदय ने कहा है जहां से भी तुम को सोना मिले ले आओ, कोई उस पर चैकिंग नहीं होगी । मार्केट फ्री है भले ही कोई उसे ब्लैक कर के लाया हो या सफेद कर के लाया हो, इस का कोई प्रश्न आज नहीं है । आज तो देश और सरकार को सोने की जरूरत है और इसलिये जिनके भी पास सोना हो चाहे वह उनके पास कहीं से भी और किसी तरह भी आया, वह सोना सरकार को देश की रक्षा के खातिर दें । सरकार ने लोगों को अपना सोना देने के लिये एक फिक्स रेट दे दिया है अर्थात् साढ़े ६ परसेंट सोने पर सूद मिलेगा और पन्द्रह वर्ष के बाद वह दूना हो जायेगा । जितनी रकम दी भी उतनी सूद की हो जायेगी । अब इस सोने को लेकर आये दिन जो डकैतियां, चोरियां

होती हैं और कहीं नाक काटी जाती है तो कहीं हाथ काटे जाते हैं, इन से भी सेफ्टी हो जायेगी । मेरी समझ में गोल्ड बौड्स के बारे में जनता में आवश्यक प्रीचिंग अभी तक नहीं हुई है । मैं समझता हूं कि इन स्कीमों के बारे में और सरकार जो इन पर सूद दे रही है उन के बारे में फाइनेंस विभाग ने कोई प्रोपेगंडा नहीं किया है । फाइनेंस डिपार्टमेंट से मैं कहना चाहता हूं कि इस चीज का आप देश की जनता में प्रचार करें । स्कूलों में और हर एक स्थानों पर इस का प्रोपेगेशन करे कि किस तरह लोग देश की आड़े समय में सहायता कर सकते हैं और उस के साथ ही साथ अधिक लाभ भी कमा सकते हैं । हमारे देश में धन कमाने की प्रवृत्ति नहीं है । हमारे देश में तो एक दूसरे को टांग खींचने की प्रवृत्ति है । लेकिन अमरीका में इस के बरअक्स है । मान्यवर, मैं फोरेन कंट्रीज हो आया हूं । आई वाज वीन इन ब्रिटिश वेस्ट इंडीज—जमैका । मैं क्यूबा में भी रहा हूं और मैं बखूबो जानता हूं कि यहां और वहां में कितना डिफेंस है । वहां एक गरीब आदमी ट्राई करता है कि वह मिलियनर हो जाय और जो मिलियनर है वह और ऊपर जाने की कोशिश करता है लेकिन हमारे यहां उक्त के बरअक्स है । आज न किसी को ब्लैकमार्केटर कहिये और न चोर कहिये, जो भी पैसा देश की सुरक्षा में दे वह ले लिया जाना चाहिये क्योंकि इस समय देश को पैसे की बहुत जरूरत है । यह बड़े संतोष का विषय है कि मुल्क तैयार है और वह अपना कर्तव्य पूरी तरह निभाने को प्रस्तुत है । जो भी सोना, पैसा दे, सरकार हाथ बढ़ा कर ले । इस देश ने करबट बदली है । इतिहास के पन्ने बतलाते हैं कि सैकड़ों वर्ष गुजर गये इस देश पर चंगेज खां का हमला हुआ था और आज फिर उमी चंगेज खां के खानदान के चीनी लोगों ने हमारे देश पर हमला किया है । मैं अपनी सरकार से और फाइनेंस मिनिस्टर साहब से कहना चाहता हूं कि हम को उस इतिहास का भुलाना नहीं है । यह वही दिल्ली है जिसने कि

[श्री शिव नारायण]

अतीत में वह दिन देख हैं। तैमूरी हमले को देखा, चंगेजी हमले को देखा और क्या क्या नहीं देखा। इसलिये हमें अपने इतिहास को नहीं भूलना चाहिये। शिवाजी का इतिहास मैं ने पढ़ा है। आज हमारा देश बदला है जागा है। हर एक देशवासी अपना सब कुछ देने को तैयार है, एक एक पैसा देने के लिये तैयार है। सरकार ने भी जो यह बिल पेश किया है और यह जो इंटरैस्ट दे रही है, बड़ी सुन्दर चीज कर रही है। इस सम्बन्ध में एक सुझाव रखना चाहता हूँ कि पोस्ट आफिशेज सेविंग बैंक में जमा रकम पर ढाई परसेंट सूद सरकार देता है, उस सूद की दर को बढ़ा कर यदि ३, ४ या ५ परसेंट कर दिया जाये तो लोगों को अपना पैसा और अधिक जमा कराने के लिये प्रोत्साहन मिलेगा और इस तरह काफी रुपया सरकार को मिलेगा। मिडिल क्लास के आदमी रुपया दे रहे हैं लेकिन हाई क्लास के आदमी रुपया नहीं दे रहे हैं। पिछले हफ्ते जब मैं अपनी कांस्टीट्यूएंसि में गया था तो मैंने देखा कि बड़े लोगों की प्रवृत्ति देने की नहीं है, उनके पास धन है लेकिन वह दे नहीं रहे हैं। उनको न मालूम कौन सी माया लगी हुई है और पता नहीं कि वह किस चक्कर में है कि कल कहीं कायापलट हो तो शायद वही काटे जायेंगे और सबसे पहले उनका ही छिनेगा। गरीब तो गरीब है ही, रोज खेत या फैक्टरी में काम करता है और कमाता है, मिडिल क्लास वाला तनख्वाह पाता है और थोड़े बहुत शादी, व्याह के समय के जो उसके पास गहने हैं, उनसे गवर्नमेंट का काम चलने वाला नहीं है। अलबत्ता जिनके पास गड़ा हुआ धन है जैसे कि हैदराबाद के निजाम के पास काफी धन व सम्पत्ति है, आज दश में इमरजेंसी डिक्लेयर हो गयी है, डिफेंस आफ इंडिया क्ल्स देश में लागू है इसलिए सरकार को चाहिए कि जिन के पास धन है उनसे

गवर्नमेंट बाई फोर्स ले। इस बार में किसी के साथ कोई रिआयत न बर्ती जाय। मुल्क सबसे बड़ा है और उसके आगे कोई भी बड़ा नहीं है। आज जब देश को पैसे की आवश्यकता है तो पूंजीपतियों, जिनके पास काफी धन पड़ा है, उनके साथ कोई रिआयत नहीं होनी चाहिए और उनसे वह पैसा जसे भी हो सरकार ले ले।

हमारे देश में बड़े बड़े अखबार चलते हैं। लेकिन मेरा कहना है कि हिन्दुस्तान टाइम्स में जो एक कार्टून छपा उसको देख कर मेरे तो रोंगटे फल उठे। मैं तो कहता हूँ कि गवर्नमेंट को इसे बंद करना चाहिए या तो चैक करना चाहिए। इस तरह का फाल्स प्रोपैगंडा करके मुल्क के साथ विद्वासघात करते हैं। ऐसे लोग जिनके कि पास पैसा है वह सब पैसा सरकार को अगर जरूरत हो तो बाई फोर्स ले। रिआयत की अब कोई जरूरत नहीं है। अब काफेंस करें, मीटिंग करें, यह सब बिल्कुल नौनसंस है। मैं तो कहता हूँ कि देश में इमरजेंसी डिक्लेयर हो चुकी है इसलिए इन लोगों से जबरदस्ती पैसा लिया जाय। आज इसकी जरूरत नहीं है कि बनर्जी बैठे, कामथ साहब बैठें, या शिव नारायण बैठें डिफेंस आफ इंडिया क्ल्स देश में लागू है इसलिए जिनके भी पास पैसा है वह उनसे ले लिया जाय और इसमें कोई रिआयत न दिखलाई जाय। मुल्क खतरे में है। यह तो गवर्नमेंट की शराफत है और भलमानसाहत है कि व हमें और आप को साढ़े ६ परसेंट सूद दे रही है।

नेशनल डिफेंस सर्टिफिकेट्स के बारे में कहना चाहता हूँ कि गवर्नमेंट, यह बैंक हटा दे ताकि जितने भी पार्लियामेंट या प्राविशियल लजिस्लेचर्स के मम्बर्स है वे इसमें बतौर एजेंट के काम कर सकें और जनता में इनकी बिक्री करवा सकें।

मैं तो जितने भी पार्लियामेंट या प्राविशिएल लेजिस्लेचर्स के मेम्बर्स हैं उनसे रिक्वेस्ट करूंगा कि वे आगे आये और यदि यह बैंक हटा दिया जाय तो वे बतौर एजेंट के अपनी अपनी कांस्टीट्यूएन्सीज में वक़्त करें और मुझे पूरा विश्वास है कि इस तरह से लाखों और करोड़ों रुपये इस मद में वह सरकार को जनता से दिलवा सकेंगे। गवर्नमेंट को एक सोर्स हो जायगा और इसके लिए गवर्नमेंट को दूसरी मशीनरी प्रोवाइड करने की जरूरत नहीं पड़ेगी। अगर माननीय सदस्य इस तरह से एजेंटों का काम करें तो यह देश की बड़ी सेवा होगी। जिस तरह से बीमा कंपनियों के एजेंट्स काम करते हैं उसी तरह से मैं चाहूंगा कि मेम्बरों के लिए भी यह काम आफिस आफ प्राफिट में से माइनस कर दिया जाय। ऐसा होने से हमारे मेम्बरान भी बड़ा काम कर सकते हैं। देश की सेवा करना एक बड़ा पवित्र कार्य है और मैं तो चाहूंगा कि इसमें और मेम्बर भी सहयोग दें और इस बैंक को हटवा दें। ऐसा होने से आपको हर एक स्टेट में कम से कम २००-२५० एम० एल० एज० मिलेंगे और ६०-७० एम० पीज० मिल जायेंगे और हर एक कांस्टीट्यूएन्सी में एक एम० पी० और ५ एम० एल० एज० यह छः जने मिल कर बड़ा काम कर सकते हैं और करोड़ों रुपया सालाना इकट्ठा कर सकते हैं।

“लाम हानि जीवन मरण, जस अपजस हरि हाथ।” यह परीक्षा-काल है और भारत की सेवा करने का अवसर आया है। चाहे कोई खेत में काम करे, चाहे फैक्टरी में काम करे और चाहे एजेंटी का काम करे, सबको धन, बल अपना देना है। हमारे प्राइम मिनिस्टर ने कहा है और देश के महान् नेताओं ने कहा है, सारे हाउस ने कहा है और तमाम अपोजीशन वालों ने भी कहा है कि हम

नेहरू जी के पीछे खड़े हैं, आज इस राष्ट्रीय संकट की घड़ी में पूरा देश एक हो कर उनके पीछे खड़ा है, नेहरू जी आज देश के प्राइम मिनिस्टर इसी लिए हैं और देश की बागडोर उनके हाथों में इसी लिए है क्योंकि देश चाहता है कि वे ही उसके नेता हों। हम सबने मिलकर उनको प्राइम मिनिस्टर बनाया है। आज आवश्यकता इस बात की है कि देश की रक्षा के लिए मुल्क के कोने-कोने से एक एक बच्चे को मिल कर अपना धन और बल सब कुछ गवर्नमेंट को दे देना चाहिए।

गवर्नमेंट ने जो नियम बनाया है और इनकम टैक्स कानून में जो यह संशोधन अपनाया गया है कि इनकमटैक्स में हम उन को छूट देंगे यह एक अच्छी चीज की है जो मूढ़ मिलेगा, जो रुपया आप जमा करेंगे उस में टैक्स नहीं देना पड़ेगा, इनकमटैक्स नहीं लगेगा लेकिन अब इनकमटैक्स के नाते तो ही बड़े लोगों के वहां सारी बेईमानी होती है। मैं इस गवर्नमेंट से पूछना चाहता हूँ कि बड़े बड़े अफसरान उस पार बैठे हुये हैं जो कि इनकमटैक्स के बड़े एक्सपर्ट्स हैं, करोड़ों रुपया जो कानपुर, बम्बई और कलकत्ते में बड़े बड़े लोगों के ऊपर बकाया है उस को क्यों बसूल नहीं करते हैं? आये दिन टैक्स लगाते रहते हैं, लैंड पर टैक्स लगाओ और इस तरह गरीब किसानों पर सरकार टैक्स लगाती है और उन पर कर का भार बढ़ रहा है लेकिन यह पूंजीपति जिनके फि ऊपर काफी इनकमटैक्स का पैसा बकाया पड़ा है उन से वह पैसा क्यों नहीं बसूलती? आज रियायत दिखलाने का समय नहीं है। गरीब लोग जो कुछ उन से बन पड़ता है आगे आ कर सरकार को पैसा दे रहे हैं लेकिन यह अमीर लोग जिनके पास काफी पैसा है यह आगे नहीं बढ़ रहे हैं।

अभी परसों की बात है कि धानबन्ध पर्वत पर जहां कि गरीब हरिजन भाई बसते

[श्री शिव नारायण]

हैं, मैं गया था। उन्होंने बतलाया कि हम १००० रुपये का इंतजाम करेंगे। एक एक मजदूर से पैसा पैसा बटोर कर यह धन इकट्ठा किया जायगा। जब गरीब लोग इस तरह से आगे बढ़ कर रुपया दे रहे हैं तब कोई बात नहीं मालूम पड़ती है कि बड़े बड़े लोग जिनके कि पास काफी धन पड़ा है वे क्यों न सरकार की धन से सहायता करें और यह बौड़स वगैरह खरीदें? वे अपना सोना जमा कर गोल्ड बौड़स खरीदें। उन से यह कोई नहीं पूछेगा कि वह उन्होंने कहाँ से पैदा किया और न ही उन्हें गवर्नमेंट या और कोई चोर या बेईमान कहेगा। उस हालत में कोई भी उन्हें ब्लैकमार्केटर नहीं कहेगा। लेकिन इसके लिये जरूरी है कि सब अपना अपना सोना दें और देश की सुरक्षा व्यवस्था को सुदृढ़ बनायें। जहाँ वे इस तरह देश का कल्याण करेंगे वहाँ साथ ही उन का भी प्राफिट रहेगा उन के पैसे लगाने से मुल्क डेवलप होगा। जो इनवेस्टमेंट आप करेंगे उससे यह देश आगे बढ़ेगा, आर्थिक स्थिति इसकी सुदृढ़ होगी और उस के साथ ही आप की इनकम भी होगी। इस तरह से हमारा देश मजबूत और तैयार होगा और हम अपने शत्रुओं का मुकाबिला दिन रात चौगुना कर सकेंगे। इन शब्दों के साथ मैं इस का समर्थन करता हूँ।

श्री बड़े (खारगोन): उपाध्यक्ष महोदय, हाउस के सामने यह जो टेक्स लाज़ (अर्मेड-मेंट) बिल आया है मैं उस का समर्थन करता हूँ। लेकिन साथ ही साथ माननीय श्री मुरारजी देसाई का जो रेडियो भाषण सुना कि यह गोल्ड बौड़स कोई भी ले सकता है और इस के लिये मैसा या रुपया उस ने कहाँ से पैदा किया इस के बारे में कोई इनक्वारी नहीं की जायेगी, तो मैं ने प्रपुस किया कि यह लोगों से धन लेने का बड़ा इंजीनियर्स वे था। इस के पहले बजट सेशन में और उस के बाद थोड़ी थोड़ी जब एक सूर निकलती थी

कि गोल्ड लेने की जरूरत है तब बम्बई के बैंकों और इंदौर के बहुत से बैंकों में जिन्होंने गोल्ड रखा हुआ था, औरनामेंट्स रखे हुये थे, उन्होंने उनको निकालने के वास्ते कोशिश की थी। आज जब देश को इतनी भयंकर परिस्थिति का सामना करना पड़ रहा है और चाइना ने हमारे देश पर एम्बेशन किया है, तब सरकार को गोल्ड की जरूरत है। चूंकि सरकार जनता से जबर्दस्ती गोल्ड को नहीं ले सकती है, इस लिये उस ने लोगों से गोल्ड लेने का एक इंजीनियर्स तरीका निकाला है, जिस के अनुसार जो गोल्ड बांड्स खरीदेगा, पन्द्रह साल के बाद उस को गोल्ड के स्थान पर रुपया दिया जायगा। मैं समझता हूँ कि, अगर इस सम्बन्ध में सरकार की ओर से यह आश्वासन दिया जाता कि पन्द्रह साल के बाद या तो उतना ही गोल्ड दिया जायगा और या उस वक्त गोल्ड की जो कीमत होगी, वह दी जायगी, तो ज्यादा गोल्ड सरकार के पास आता।

जब मध्य प्रदेश में गोल्ड देने की अपील की गई, तो जितने गरीब लोग थे, उन सब ने गोल्ड दिया और वे गोल्ड देने के लिये तैयार हैं। लेकिन उन के सामने यह सवाल आता है कि जिस प्रकार से पांच-वर्षीय योजनाओं में और कम्यूनिटी प्रोजेक्ट्स में पैसे का पिजूल-खर्चीं होती है, क्या शासन गोल्ड ले कर उसी प्रकार से पैसा खर्च करने वाला है। शासन वह पैसा किस प्रकार खर्च करने वाला है, इस बारे में कोई प्रापेगेंडा नहीं है।

इस के साथ ही वे लोग पूछते हैं कि मध्य प्रदेश में चालीस मिनिस्टर हैं, इन मिनिस्टरों और उन की गिनियों की ओर से कितना गोल्ड दिया गया है। वे यह भी पूछते हैं कि सेंटर के मिनिस्टरों के यहाँ से कितना गोल्ड आया है। जब ये सवाल हम से पूछे जाते हैं, तो हम कहते हैं कि हम को

मालूम नहीं है। प्रॉपर्टी में यह नहीं बताया गया है कि इतने मिनिस्टर्स ने कितने बांड्स खरीदे या कितना गोल्ड दिया।

श्री काशी राम गुप्त (अलवर) : लोक-सभा के मेम्बरों से कितना आया ?

श्री बड़े : इस बारे में भी प्रचार नहीं होता है कि लोक-सभा के मेम्बरों ने कितना गोल्ड दिया। इस योजना के बारे में प्रचार कम होने से जनता का रेस्पॉन्स अच्छा नहीं हो रहा है।

इसके अतिरिक्त मैं यह भी कहना चाहता हूँ कि हिन्दुस्तान में गोल्ड को होम बैंक, घरू बैंक या घरू पेड़ी कहते हैं। जब किसी स्त्री का खाविद कमा नहीं सकता है, या उस को विधवावस्था का सामना करना पड़ता है, तो वह गोल्ड बेच कर अपना निर्वाह करती है। आर्य महिलायें इस प्रकार की कठिन परिस्थिति के लिये स्त्रीधन के रूप में दिये गये गोल्ड को आपने पास रखती हैं। इस कारण जनता में यह भावना है कि अगर हम गोल्ड बे देंगे, तो कठिन परिस्थिति में हमारा क्या होगा, क्योंकि पन्द्रह साल तक गोल्ड का रुपया नहीं मिलने वाला है।

शासन ने इस प्रकार की कोई व्यवस्था नहीं की है कि यदि किसी विधवा या ना-बालिग को, या किसी कुटुम्ब को, ऐसी अवस्था का सामना करना पड़े, तो बीच में ही उन को सहायता दी जायेगी और गोल्ड बांड्स का पैसा उन को दिया जायगा। पन्द्रह साल तक क्या करेंगे, गरीब कुटुम्बों के सामने यह सवाल होने के कारण गोल्ड बांड्स के बारे में लोगों का रेस्पॉन्स अच्छा नहीं है। वे आदमी, पैसा और अपना ब्लड तक देने के लिये तैयार हैं, लेकिन हिन्दू स्त्रियों के लिये गोल्ड का महत्व ब्लड से भी अधिक है, क्योंकि कठिन परिस्थिति में वे गोल्ड पर निर्भर करती हैं।

हमारे देश को एक कल्याणकारी राज्य और सोशलिस्टिक पैटर्न की स्टेट कहा जाता है और उस के अन्तर्गत शासन पर फ्राम दि फ्रेडल टु दि प्रेव की रेस्पॉन्सिबिल्टी है। इस लिये सरकार को कठिन परिस्थिति में हमारी जवाबदारी लेनी चाहिये। क्या वह ऐसा करने के लिये तैयार है ? यदि इस सवाल का जवाब नहीं मिलता है, तो डिफेंस के लिये गोल्ड बांड्स खरीदने के लिये घरों की स्त्रियों और साधारण जनता जरा हिचकिचाती हैं। स्त्रियां यह सोचती हैं कि गोल्ड तो हमारा आखिरी निर्वाह है — जब घर का सब पैसा निकल जाता है, हमारे खाविद को कोई नौकरी नहीं मिलती है, हमारे बच्चों की पढ़ाई के लिये पैसा नहीं मिलता है, तो स्त्री-धन शादी के वक्त जो गोल्ड हम को दिया जाता है, उस को बेच कर हम निर्वाह करती हैं। वे पूछती हैं कि कठिन परिस्थिति में हमारी सहायता करने के लिये शासन ने जवाबदारी ली है या नहीं — अगर नहीं ली है, तो फिर हम गोल्ड कैसे दें। इस लिये आवश्यकता इस बात की है कि एक तो इस बारे में ठीक प्रॉपर्टी किया जाये और दूसरे, इस बारे में एनैलिसिस, विश्लेषण, किया जाये कि आखिर डिफिकल्टी और कठिन क्या है और लोग गोल्ड बांड्स क्यों नहीं खरीदते हैं और फिर शासन कोई उपयुक्त स्कीम जनता के सामने रखे।

हिन्दुस्तान के बारे में कहा जाता है कि इट इज ए बाटमलैस पिट आफ गोल्ड। जितना भी गोल्ड आता है, वह सब हिन्दुस्तान की चालीस करोड़ जनता के पास चला जाता है। हमारे यहां ग्रामपंचों के लिये बहुत कम स्त्रियां गोल्ड लेती हैं, लेकिन चूंकि कठिन परिस्थिति में उस के ऊपर उन का निर्वाह होता है, इस लिये बहुत मुद्दों से आर्य समाज में गोल्ड देने की प्रथा चली आ रही है और स्त्रियां शादी के वक्त स्त्रीधन के नाते से गोल्ड लेती हैं।

डा० मा० श्री० अग्ने : (नागपुर) :
आर्य समाज में या हिन्दुस्तान में ?

श्री बड़े : आर्य संस्कृति में । आर्य समाज से मेरा तात्पर्य है हिन्दुस्तान के लोग । चूंकि "आर्य समाज" कहने से माननीय सदस्य, अग्ने साहब, नाराज हो गये हैं, इस लिये मैंने स्पष्ट कह दिया है कि आर्य संस्कृति में ।

डा० मा० श्री० अग्ने : मैं बिल्कुल नाराज नहीं हूँ ।

श्री बड़े : इस वक्त क्या होता है ? हम ने गोल्ड बांड्स खरीदने के लिये अपील की और मोटिंग में कहा कि श्री मोरारजी देसाई ने बहुत स्पष्ट रूप से कह दिया है कि चाहे किसी ने भी पैसा चोरी से कमाया है, या करप्शन से, ब्लैक मार्केटिंग से कमाया है या मध्य प्रदेश से बम्बई को चावल एक्सपोर्ट कर के, तो भी उस का कोई हिसाब नहीं पूछा जायगा, आप गोल्ड बांड्स खरीदिये । लेकिन जनता का विश्वास उस पर नहीं है । वह नहीं जानती है कि गोल्ड बांड्स खरीदने के बाद सरकार के पास जो सोना इकट्ठा हो जायेगा, वह उध को युद्ध के लिये खर्च करेगी या जिस तरह से उस ने बाहर से कर्जा ले कर पंच-वर्षीय योजनाओं में अंधा-धुंध पैसा खर्च किया है, हालांकि हमारे गांवों को उस से कोई लाभ नहीं पहुंचा है,— उसी तरह से वह सोने को भी फिजूल खर्च कर देगी । इस लिये जनता को इस बात का विश्वास दिलाना चाहिये कि गोल्ड बांड्स से जो गोल्ड सरकार के पास आयेगा, उस को देश की रक्षा और लोगों की प्राण-रक्षा के लिये खर्च किया जायेगा, उस का उपयोग चीनियों को इस देश से हटाने के लिये किया जायगा, पन्द्रह साल के बाद उन को गोल्ड की पूरी कीमत दी जायगी और बीच में कोई कठिन परिस्थिति आने पर लोगों को संरक्षण दिया जायगा । यदि ऐसा किया जायगा, तो लोग बराबर गोल्ड देंगे । आज न तो शासन की

ओर से न फिनांस मिनिस्ट्री की ओर से इस बारे में ठीक प्रापेण्डा किया जाता है ।

माननीय सदस्य, श्री पी० के० देव, ने नान-एलाइनमेंट पालिसी को छोड़ देने की बात कही । मैं कहना चाहता हूँ कि वैस्टर्न कंट्रीज ने हम को अपने साथ एलाइन कर लिया है, इस लिये हम उन के साथ एलाइन करें या नहीं, इस का कोई सवाल नहीं है । जहां तक प्रिंसिपल्ज का सम्बन्ध है, किसी ने कहा है कि ए मैन आफ़ प्रिंसिपल्ज इज दि रइन आफ़ दि स्टेट । जैसा कि मनुस्मृति में कहा गया है, प्रिंसिपल्ज को परिस्थिति के अनुसार मोल्ड करना चाहिए । इस लिये माननीय सदस्य, श्री पी० के० देव, ने नान-एलाइनमेंट पालिसी के बारे में जो कुछ कहा है, उस में कोई तथ्य नहीं है ।

एक माननीय मित्र ने कहा है कि गोल्ड बांड्स खरीदने के लिए लोगों के पास सोना नहीं है । यह बात गलत है । हर एक के पास गोल्ड है ।

श्री काशी राम गुप्त : मैं ने यह नहीं कहा । मैं ने यह कहा है कि यह देखना चाहिए कि अगर लोगों के पास सोना है, तो वे देते क्यों नहीं हैं ।

श्री बड़े : गोल्ड काफ़ी है लोगों के पास । छोटा सा आदमी भी गोल्ड रखता है ।

श्री काशी राम गुप्त : ब्लैक-मार्केटिंग के गोल्ड का सवाल है ।

श्री बड़े : यह बात बिल्कुल निश्चित है कि छोट छोट आदमी भी गोल्ड दे रहे हैं और उन्होंने देश-सेवा का व्रत ले लिया है । आज हमारे मिनिस्टर महोदय और बड़े बड़े सेठ गोल्ड ले कर नहीं आते हैं, इस लिये साधारण जनता भी नहीं आती है ।

इन शब्दों के साथ मैं टैक्सेशन लाज (एम्बेडमेंट) बिल को सपोर्ट करता हूँ ।

श्रीमती लक्ष्मीबाई (विकाराबाद) : उपाध्यक्ष महोदय, मैं इस बिल का स्वागत करती हूँ । “सर्वेजनाः कांचनम् आश्रयन्ति” । सब को पैसे की जरूरत है—सरकार और जनता दोनों को पैसे की जरूरत होती है । संकट के समय तो इस की बहुत जरूरत होती है । जैसा कि हमारी बहन ने कहा है, संकट में बहनों के लिए बहुत संकट होता है । जब गांधी जी ने सब को सिखाया, तो सब ने तमाम श्रंगार और वैभव के साधन त्याग दिये और तन-मन-प्राण से काम कर के अपनी इंडिपेंडेंस हासिल की । मैं आपको उदाहरण के तौर पर बतलाना चाहती हूँ कि हमारी बहनों ने आजादी की लड़ाई में कितना योगदान किया है । सरोजिनी देवी ने अपने तमाम अलंकार निकाल कर दे दिये थे । इसी तरह से और भी कई बहनों ने अपने अलंकार निकाल दिये थे । हमारी बहनों ने मोटे मोटे कपड़े पहन कर इस आजादी की जंग में हिस्सा लिया था । आज भी औरतें अपनी प्रिय से प्रिय वस्तु को देने के लिए तैयार हैं । देश का जो स्त्री-धन है, वह सहयोग करने में किसी से पीछे नहीं है ।

कुछ भाइयों ने कहा है कि बहनों नहीं देती हैं । लेकिन यह बात सही नहीं है । बहनों को जब घरों में पैसे ला कर दे दिये जाते हैं और उनको खर्च चलाने के लिए कह दिया जाता है तो जब वे देने के लिए तैयार होती हैं तो कई भाई ऐसे होते हैं जो यह कहते हैं कि मत दो । वे उनको देने नहीं देते हैं । मैं लेडी मिनिस्टर साहिबा से कहना चाहती हूँ कि स्त्रियों से उनको बहुत मिल रहा है और मिलता चला जाएगा । बहनें कभी किसी से पीछे रहने वाली नहीं हैं । इसमें कोई शुबह की बात नहीं है, कोई शक की बात नहीं है । बहनें त्याग करने के लिए तैयार हैं । आज तक बहनों ने त्याग किया है और आगे भी करती रहेंगी । बहनें अपनी प्रिय से प्रिय वस्तु का त्याग कर सकती हैं, इसका एक उदाहरण मैं

आपके सामने रखना चाहती हूँ । अगर मैं पूरी कहानी कहूँ तो वह बहुत लम्बी हो जाएगी । संक्षेप में ही मैं इसको आपके सामने रखती हूँ । पांडव जब जंगल को जा रहे थे तो कुन्ती भी उनके साथ थी, वह अपने बच्चों के संकट काल में अपने को अलग बचाकर रखना नहीं चाहती थी, रात को वह एक ब्राह्मण के घर में रुक गई । वहाँ पर घटोत्कच नाम का एक राक्षस रहता है । उसके पास रोज बारी बारी से हर घर से एक व्यक्ति को खाने के लिये ले जाया जाता था । जिस रोज वह ब्राह्मण के घर में सोई हुई थी, उस रोज उस घर से ही एक व्यक्ति को ले जाने की बारी आई थी । उस घर वालों में राक्षस के पास जाने की प्रतिस्पर्धा हो गई । कोई कहन लगा है कि मैं जाऊंगा, कोई कहने लग गया कि मैं जाऊंगी । जब कुन्ती ने यह सब सुनी तो उसने कहा कि तुम में से कोई मत जाओ, मेरा लड़का भी जाएगा । मना करने पर भी वह नहीं मानी और अपने हृदय के टुकड़े को भेजने के लिए तैयार हो गई । इस प्रकार की परम्परा स्त्रियों की रही है । अब भी उन पर आपको किसी प्रकार का कोई शक नहीं होना चाहिये । आप इत्मीनान रखें, वे त्याग करने में किसी से पीछे नहीं रहेंगी ।

मैं लेडी फाइनेंस मिनिस्टर साहिबा से कहना चाहती हूँ कि सैक्शन ८८ जो इनकम टैक्स एक्ट का है, उसमें जो वह सुधार लाई हैं, वह तो बहुत अच्छा है । यह बहुत सराहनीय है कि उन्होंने लोगों को इसके जरिये से सहूलियत पहुंचाई है । लोगों को डिफेंस फंड में और बांड्स में रूपा लगाते में इससे बहुत सहूलियत मिलेगी और उनका उत्साह भी बढ़ेगा । इस रकम पर आपने इनकम टैक्स न लेने की जो बात कही है, वह अच्छी है । लेकिन जो बात मैं कहने जा रही हूँ उसको माननीय लेडी मिनिस्टर को तथा अफसरों को भी ध्यान से सुनना चाहिये । मैं इनकम टैक्स के बारे में बतलाना चाहती हूँ कि इंडिविजुअल इनकम-टैक्स पर १९६०-६१ में

[श्रीमती लक्ष्मीबाई]

आपको ८० करोड़ के करीब करीब रुपया मिला। लेकिन १९६१-६२ में यह राशि घट कर ४८ करोड़ हो गई। यह कम किस तरह से हो गई, मुझे नहीं मालूम। मैं चाहती हूँ कि इस तरफ विशेष तौर से ध्यान दिया जाए। किस तरह से घट कर वह आपके करीब रह गयी, इस पर गम्भीरता से विचार करने की जरूरत है। इसको देख कर ताज्जुब हुए बगैर नहीं रहा जाता है।

कहा जाता है कि हमारे देश की सम्पत्ति बढ़ रही है, नैशनल इनकम बढ़ रही है, पर कैपिटल इनकम बढ़ रही है, लेकिन यह राशि किस तरह से घट गई, इसको आपको सोचना चाहिये। आप करैसी नोट्स भी हर साल ज्यादा छापते चले जा रहे हैं। एक मिंट—हैदराबाद में भी है। वहाँ पर भी ये छपते हैं। १९६० में १०४६ करोड़ के छपे थे। लेकिन १९६१ में १४५१ करोड़ के छपे। इसका मतलब यह हुआ कि ४०२ करोड़ के ज्यादा छपे। यह सब रुपया कहाँ चला गया। क्या यह सब रुपया इंडस्ट्रीज में नहीं चला गया, क्या कंस्ट्रक्शंस में नहीं चला गया? क्या इससे लोगों की आमदनी नहीं बढ़ी है तो क्या वजह है कि जो परसनल इनकम टैक्स की राशि थी वह नहीं बढ़ी है। जब नैशनल इनकम बढ़ रही है, पर-कैपिटल इनकम बढ़ रही है, तो क्या वजह है कि इंडिविजुअल इनकम टैक्स घट कर आधा हो गया। आपने कई तरह के टैक्स लगाये हैं वैल्यू टैक्स लगाया है, और इस में आपको ६ करोड़ ही १९६२-६३ में मिलने की आशा है . . .

श्रीमती तारकेश्वरी सिन्हा : मैं माननीय सदस्या से प्रार्थना करूंगी कि जो आंकड़े वह दे रही हैं, उनको इकट्ठा कर के नहीं दे रही हैं, बलक अलग अलग लिस्ट में से ले कर दे रही हैं और इससे सही तस्वीर सामने नहीं आ सकती है। उनको चाहिये कि वह सारे जो आंकड़े हैं, उनको इकट्ठा करके और देख कर तथा सच

कर दें, नहीं तो गलतफहमी हो सकती है। कल भी वह इसी तरह से कर रही थीं।

श्रीमती लक्ष्मीबाई : जो आपकी रिपोर्ट है, वह मेरे पास है। उसी में से मैं आपको बता रही हूँ। आपने कई तरह के परसनल टैक्स लगाये हैं, एक्सपेंडीचर टैक्स, गिफ्ट टैक्स, वैल्यू टैक्स, एस्टेट ड्यूटी इत्यादि। क्या वजह है कि इन से आपको आमदनी कम होती जा रही है। क्या वजह है कि इंडिविजुअल इनकम टैक्स की जो राशि है वह कम हो गई है। आपने सेल्व टैक्स भी लगाया है। यह जो सेल्व टैक्स है, इस को स्टेट्स वसूल करती हैं, उन्हीं के जिम्मे यह काम है। यही एक सोर्स है जिससे पता चल सकता है कि किसी की आमदनी ज्यादा हो रही है या नहीं हो रही है। जब सेल्व टैक्स की राशि कम वसूल होती है, तो जो इनकम टैक्स है, उसकी राशि भी कम वसूल होती है। इस वास्ते यह जो मूलभूत चीज है, यह जो सेल्व टैक्स है, इस को आपको ठीक तरह से वसूल करना चाहिये, इसको सही ढंग से वसूल करना चाहिए, देखना चाहिए कि कोई इस टैक्स से न बचने पाये। अगर आपने इसकी व्यवस्था कर दी तो इनकम टैक्स की राशि भी बढ़ सकती है और आपकी आमदनी ज्यादा हो सकती है। जब यह टैक्स ठीक तरह से वसूल नहीं होता है तो लोग इनकम टैक्स भ्रदा करने से भी बच निकलते हैं।

फाइनेंस मिनिस्टर का लक्ष्मी का रूप है। मैं कहना चाहती हूँ कि वह रुपया वसूल करने में सक्ती से काम लें। आपके पास ताकत है, आप टैक्स की राशियाँ आसानी से वसूल कर सकते हैं। आपके हाथ में तलवार है जो कि तेज भी है और सुन्दर भी। लेकिन इसको इस्तेमाल में लाने की आप में ताकत भी होनी चाहिये। आपको चाहिये कि जितने सरकारी टैक्सिस हैं, उनको सक्ती के साथ वसूल किया जाए। आपको अपने आफसरों पर भी सक्ती से काम लेने के लिए दबाव डालना चाहिये।

उपाध्यक्ष महोदय : आपका समय हो गया है। अब आप बन्द करें।

श्री रोहन स्वरूप (पीलीभीत) : इस बिल में नेशनल डिफेंस बांड्स और गोल्ड बांड्स को इस तरह से एडजस्ट करने का प्रयत्न किया गया है कि वे वैल्यू टैक्स और इनकम टैक्स की ज़द में न आ सकें। मैं इस बिल का स्वागत करता हूँ।

जहाँ तक गोल्ड बांड्स का सम्बन्ध है तथा नेशनल डिफेंस बांड्स का सम्बन्ध है, यह देश के सामने एक महत्वपूर्ण चीज़ है और उनको रेग्युलराइज़ करने के लिए जो कुछ भी किया जा सके, वह कम है। जाहिर है कि इस वक़्त देश के सामने संकट है और यह संशोधन हमें इसलिए चाहिये कि हम विदेशों से हथियार ख़रीद सकें और न केवल हथियार बल्कि दूसरी सामग्री भी ख़रीद सकें जिस की हमें निश्चिन्त आवश्यकता है। गोल्ड बांड्स को बढ़ावा देने के लिए यह आवश्यक है कि सोने के दाम गिराये जायें। यह बहुत ज़रूरी है। ऐसा करने के लिए यह आवश्यक है कि स्मॉलिंग बन्द हो तथा सोने की जमा करने की तथा सोने की ख़रीद कर रखने की जो प्रवृत्ति है, उस पर रोक लगे। मुझे यह भी ज़रूरी मालूम देता है कि किसी तरह से सोने के भाव को गिराया जाये और उसको उस लेबल पर लाया जाए जिसको कि इंटर-नेशनल लेबल कहा जाता है। सरकार ने जिस वक़्त गोल्ड बांड्स को शुरू किया था, उस वक़्त भाव निर्धारित किये थे उसने कहा था कि ५३ रुपये ५८ पैसे प्रति दस ग्राम या ६२ रुपये ५० पैसे प्रति तोला का भाव होगा। उसने यह फ़ैसला भी किया था कि ११ फरवरी, १९६३ तक ये बांड बेचे जा सकेंगे। मैं चाहता हूँ कि इसको बढ़ावा देने के लिए सरकार को विस्तृत रूप में एक कार्यक्रम बनाना चाहिए और ऐसी योजना बनानी चाहिए कि लोगों में इसका प्रचार हो सके। इसके लिए यह भी आवश्यक है कि लोगों को कहा जाए कि सोना जमा न करना,

सोना न ख़रीदना, यह भी एक देश भक्ति का काम है। अगर लोग ऐसा करते हैं तो हमारा जो काम है, उसमें हमें बड़ी मदद मिल सकती है।

इसी बीच में सोने के भाव गिराने की भी कोशिश जारी रहनी चाहिये। जब आदमी देखेगा कि सोना रखना बुद्धिमानी नहीं है और न ही उसको बेचना बुद्धिमानी है तो गोल्ड बांड्स ख़रीदने के लिए वह मजबूर हो जाएगा और इस स्कीम को बढ़ावा मिलेगा। यह बात सही है कि बहुत से लोगों ने जो गोल्ड ख़रीदा था, वह महंगा ख़रीदा था और अब वे जो गोल्ड बांड्स ख़रीदेंगे वे सस्ते भाव पर ख़रीदेंगे। लेकिन जनता को यह विश्वास दिलाया जाना चाहिये कि यह तो सही है कि उसको इस तरह से सोने के बांड ख़रीदने में थोड़ा सा घाटा है लेकिन उसका रुपया सुरक्षित है और सोना तो सुरक्षित रहेगा ही, और पन्द्रह बरस बाद उसको सोना ही मिल ही सकेगा।

इसके साथ साथ जो सूद की बात रखी गई है, उसके बारे में मैं कुछ कहना चाहता हूँ। इसमें कहा गया है कि दस हजार रुपये तक के जो बांड्स होंगे, उस पर जो सूद होगा, उस पर टैक्स नहीं लगेगा, लेकिन दस हजार के ऊपर के जो बांड होंगे, उन पर जो सूद होगा, उस पर टैक्स लगेगा। मैं चाहता हूँ कि यह जो टैक्स वाली बात है यह ग़लत है और दस हजार के ऊपर भी सूद पर जो टैक्स लगने की बात है, वह भी नहीं होनी चाहिये, उस पर भी टैक्स नहीं लगना चाहिये। अगर इस तरह की बात होती है तो गोल्ड बांड्स ख़रीदने के लिए लोगों को प्रोत्साहन मिलेगा और उनका उत्साह बढ़ेगा।

प्राइज़ बांड श्रीपकी तरफ से बेचे जाते हैं तथा दूसरे बांड्स कई तरह के जारी किए गए हैं। उनमें एक प्रलोभन की बात रखी गई है। आपने कह रखा है कि इनाम मिलेगा और कुछ इस तरह की चीज़ होगी।

[श्री मोहन स्वरूप]

लेकिन वह प्रलोभन इसमें नहीं है। इस-लिये मैं चाहता हूँ कि किसी तरह का प्रलोभन या लालच इसमें हो कि पन्द्रह वर्षों के बाद हमें इस सोने के अतिरिक्त कुछ और मिलने वाला है। अगर इस तरह की चीज हो तो मैं समझता हूँ कि इसमें कुछ मदद मिल जायेगी।

सोने के सामाजिक इस्तेमाल की रस्में हैं, मसलन जेवर के रूप में या किसी और तरीके से, उसके विरुद्ध भी सरकार को कुछ प्रचार करना चाहिये। यह चीजें प्रचार से रोकने की हैं, कानून से नहीं। इस तरह का प्रचार करना चाहिये कि जेवर का पहनना अच्छी बात नहीं है, यह देशद्रोह की बात है। इस तरह की चीज हो तो इससे भी बहुत मदद इस काम में मिल सकती है।

स्मगलिंग का एक बहुत बड़ा सवाल है। इस साल ११६ लाख रुपये का और पिछले साल २२०० लाख रु० का सोना, स्मगलिंग का पकड़ा गया। इसी के साथ साथ ३५ से ४० करोड़ रु० का घाटा हर साल फारेन एक्सचेंज का भी होता है स्मगलिंग से। इसलिये अगर सोने के भाव गिर जायें या इंटरनेशनल लेवल पर सोने का भाव लाया जाय तो स्मगलस को भी कोई टेम्पटेशन सोने को दूसरी जगह से यहां लाने का नहीं रहेगा, उन के हौसले भी पस्त हो जायेंगे। इसलिये यह बहुत आवश्यक है कि किसी तरह से भी सोने के भाव गिरा दिये जायें।

इस सिलसिले में मैं कुछ सुझाव देना चाहता था। पहला सुझाव यह है कि सोने के बायदा कारोबार पर रोक लगे। दूसरी चीज जो मैं कहना चाहता था वह यह कि विदेशों से डिलिवरी सोदे रोक दिये जायें। तीसरी चीज यह है कि जिस तरह से सट्टे पर सोने का सौदा होता है, उससे उसका भाव

घटता और बढ़ता रहता है। इसलिये मैं चाहता हूँ कि सोने को नकद खरीदने का चलन हमारे देश में हो। जितने भी सट्टेबाजी के काम हैं, वायदों के काम हैं, वे बन्द हों और सट्टे बाजों के चंगुल से किसी तरह लोगों को बचाया जाये। अगर इस तरह से काम किया जाये तो मैं समझता हूँ कि सोने की कीमत को गिराने में काफी मदद मिलेगी।

इसी के साथ साथ मैं चाहता हूँ कि सोने के कारोबार के लिये लाइसेंस दिये जायें। रिजर्व बैंक के पास सर्वाधिकार इसका हो कि वह जिस तरह से चाहे सोने का कारोबार देश में चला सके।

इसी के साथ साथ सोने आदि के भंडार रखने की भी एक लिमिट होनी चाहिये। यह न हो कि किसी के पास करोड़ों रुपये का सोना भरा हो और किसी के पास दस या पांच हजार रुपयों का ही हो। इसकी लिमिट होनी चाहिये। अब हमारे पुराने राजा महाराजाओं का जमाना जा रहा है इसलिये इसकी एक हद होनी चाहिये, और अगर उस हद से ऊपर कोई सोना रखे तो उसके ऊपर इसके लिये जुर्माना होना चाहिये। सोने को जमा करने का जो मसला है वह दुनिया भर का मसला है। अभी पिछले दस वर्षों में ७-३ अरब डालर का सोना रूस और उसके मित्र देशों को छोड़ कर सारी दुनिया में जमा था और पिछले साल १ करोड़ १० लाख आउंस सोना निजी तिजोरियों में चला गया। इस तरह से सोना जमा करने की जो प्रवृत्ति है वह बहुत अस्से चली आ रही है और उस पर अब रोक लगनी चाहिये, ऐसा वक्त आ गया है। सरकार के पास भी काफी रुपया है। स्मगलिंग से भी काफी रुपया आता है, इसी के साथ साथ करीब ढाई या तीन करोड़ रु० का सोना खानों से निकलता है, जोकि सरकार के पास है, उसके लिये भी सरकार की व्यवस्था

हो । उसको भी रेगुलराइज करके अगर वह ठीक प्रकार से सोना जमा करेगी और सारी व्यवस्था को ठीक करेगी तो यह सारी चीजें ठीक हो सकती हैं ।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ ।

श्री प्र० ना० विद्यालंकार (होशियारपुर):
उपाध्यक्ष महोदय, मैं अभी श्री बड़े की तकरीर सुन रहा था, कुछ और तकरीरें भी मैंने सुनीं । जितने भी मेजर्स या जितने भी कायदे हम बना रहे हैं वे खास तौर पर डिफेंस और सुरक्षा के लिये ही बना रहे हैं । लेकिन जिस प्रकार की कुछ तकरीरें यहां की गई हैं, खास तौर से श्री बड़े की तकरीर के सम्बन्ध में मैं कहना चाहता हूँ कि वे तकरीरें जो विश्वास और भरोसा हम पैदा करना चाहते हैं उसको हिलाने वाली थीं । एक अखबार जनसंघ का है "आर्गेनाइजर", वह भी मैं पढ़ रहा था । उसमें सोने के सम्बन्ध में जो कानून बन रहे हैं और जो अपीलें गवर्नमेंट की तरफ से होती है, उनका बार बार जिक्र था कि यह सोना धार्य देवियों के लिये बड़ा आवश्यक है, यह उनका आभूषण है, और इस सोने को गवर्नमेंट कैसे इस्तेमाल करेगी और उसकी क्या व्यवस्था करेगी यह मालूम नहीं है । इस प्रकार की बातें यहां बड़े साहब भी कह रहे थे और इसी प्रकार की बातें लिखी भी जाती हैं । यद्यपि यहां पर जो विधेयक आते हैं उनका समर्थन किया जाता है, लेकिन तकरीरें यहां और बाहर इस ढंग से की जाती हैं कि उनका प्रभाव लोगों पर बड़ा बुरा होता है । मैं कहना चाहता हूँ कि अगर हम पूरे दिल से सुरक्षा के सम्बन्ध में जो कायदे और व्यवस्थाएं होती हैं उनका समर्थन करते हैं तो हमें इस तरह की तकरीरें नहीं करनी चाहियें जिनसे कि लोगों का विश्वास और भरोसा उठे और जिससे लोगों के दिल में यह सन्देह पैदा हो और सन्देह की भावना और ज्यादा मजबूत हो कि पता नहीं गवर्नमेंट

सोने का क्या करेगी, जिस तरह से कि बड़े साहब कह रहे थे कि उसकी ठीक व्यवस्था होगी या नहीं, वहां जो सोना दिया जायेगा वह क्या होगा । इस तरह की बातें कहकर लोगों में सन्देह की भावना पैदा करना और इनडाइरेक्ट तरीके से ऐसी बातें कहना जो कि दरअसल उसके समर्थन में नहीं बल्कि विरुद्ध होती हैं, मैं समझता हूँ कि अच्छा नहीं है और आजकल के वातावरण में न यहां पर और न बाहर इस तरह की बातें कही जानी चाहियें । मुझे विश्वास है कि जहां तक यह सोना लेने की व्यवस्था है, या स्मगलिंग को रोकने की व्यवस्था है, वह उचित है, मैं नहीं मानता कि दुनिया की कोई अच्छी से अच्छी गवर्नमेंट भी अगर तमाम बोझ उसी पर डाल दिया जाये तो वह सको कर सकती है । आज गवर्नमेंट के पास जो साधन हैं, वह पुलिस है, अधिकार है लेकिन उन अधिकारों की भी एक लिमिट है, उनका एक दायरा है हम भी देश में एक भावना पैदा करें, एक वातावरण पैदा करें, और वह वातावरण और वह क्लाइमेंट जितनी हम पैदा कर सकते हैं वह इसमें सहायक हो सकती है । लेकिन जैसा मैंने पहले कहा कि जिस तरह की तकरीरें यहां पर या बाहर कुछ दलों के लोग करते हैं वह इस भावना को कम करती हैं और इस क्लाइमेंट को पैदा करने में रूकावट डालती हैं । मुझे पूरा विश्वास है कि अब इस तरह की बातें नहीं कही जायेंगी ।

इसमें कोई सन्देह नहीं कि गवर्नमेंट का पूरा फाइनेन्शियल प्रिप हर चीज पर होना चाहिये । और मैं समझता हूँ कि हाउस की तमाम पाटियों के लोग यह विश्वास करके चलेगे कि जहां तक गवर्नमेंट के फाइनेन्शियल प्रिप का ताल्लुक है, हम उसको कायम करना चाहते हैं और उसमें पूरा-पूरा समर्थन देंगे । यहां पर वे एक शब्द ऐसा कहेंगे जिससे कि यह विश्वास पैदा हो, भरोसा पैदा हो, और गवर्नमेंट के जो काम हैं उन में कोई सन्देह पैदा न हो कि गवर्नमेंट की प्रिप

[श्री अ० ना० विद्यालंकार]

मजबूत है। मैं चाहूंगा कि गवर्नमेंट जो भी कानून पास कर रही है, जो ताकत ले रही है, जो अधिकार हम से ले रही है, उसको जरा सख्ती से पालन करे। वह जितनी सख्ती से उसका पालन करेगी उसमें हाउस के तमाम सदस्यों का समर्थन उसे प्राप्त होगा।

मैं फिर आशा करता हूँ कि जिस प्रकार से स्पीच श्री बड़े ने दी, उस प्रकार की स्पीच जहाँ भी हो वह बन्द होनी चाहियें। मैं चाहता हूँ कि किसी भी पब्लिक मीटिंग में जो इस प्रकार की बातें कही जाती हैं कि पता नहीं गवर्नमेंट क्या करेगी और क्या नहीं करेगी, वह तमाम बातों को ठीक कर सकेंगी या नहीं, इस प्रकार के भाषण नहीं होने चाहियें। लोगों के भरोसे को कम करने की कोशिश नहीं करनी चाहिये बल्कि लोगों के भरोसे को और दृढ़ करना चाहिये।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

श्री श्रींकार लाल बेरवा (कोटा) : माननीय सदस्य ने जो कुछ श्री बड़े ने कहा उस को समझने में गलती की है। बड़े साहब ने कहा था कि इस के अन्दर इस प्रकार का संशोधन होना चाहिये या यह स्पेसिफिकली लिख देना चाहिये कि हम जो गोल्ड लेंगे उस को सिर्फ डिफेंस के काम में लाया जायेगा। लेकिन जैसा माननीय सदस्य ने यहाँ कहा उस से मालूम होता है कि उन में कुछ भ्रांति हो गई है।

श्री अ० ना० विद्यालंकार : मैं ने वही कहा जैसा कि उन की तकरीर सुनने के बाद मेरे ऊपर प्रभाव पड़ा।

श्री भू० ना० मंडल (सहरसा) : उपाध्यक्ष महोदय, जो बिल अभी हाउस के सामने प्रस्तुत किया गया है मैं उस का समर्थन करता हूँ। लेकिन साथ साथ यह भी कहना चाहता हूँ कि इस में जो रिलीफ दिया जा रहा है इनकम टैक्स के सम्बन्ध में, उस का लाभ ऐसे

लोगों को होगा जो अभी भी समाज में बहुत अछड़ी हालत में हैं। लेकिन सोना देने वाले ऐसे भी लोग हैं जो आज अछड़ी अवस्था में नहीं हैं। ऐसे लोगो के लिये कोई व्यवस्था नहीं की गई है। मैं चाहता हूँ कि उन के लिये इस में यह व्यवस्था की जाय कि बाद में वे अगर अपने सोने के बदले में सोना चाहें तो उन को सोना दिया जाय और उस के साथ साथ जो सूद का रुपया हो वह भी उन को मिले। जो लोग इनकम टैक्स देने वाले नहीं हैं उनके लिये ऐसा खास प्रावोजन रखना चाहिये जो लोग इनकम टैक्स देते हैं उन के लिये अगर कोई प्रावोजन न भी हो तो मुझे कुछ कहना नहीं है, बल्कि उन के लिये न हो तो अच्छा है, लेकिन छोटे लोगों के लिये अवश्य प्रावोजन होना चाहिये। मैं चाहता हूँ कि इस के लिये बिल में आवश्यक संशोधन किया जाय।

इस के साथ ही साथ मैं यह भी कहना चाहता हूँ कि आज की व्यवस्था में जिन लोगों के पास कानून के मुताबिक जमीन का हिस्सा है, या पूंजा का हिस्सा अधिक है या जो बेसी प्राफिट कमाते हैं या जिन की और तरह से बेसी आमदनी है, वे लोग अपने घर से सोना नहीं निकाल रहे हैं। इस के अलावा जो देश के बड़े बड़े राजा महाराजा और नवाब हैं और जिन के घरों में सोना है, उस को भी निकालने की कोई व्यवस्था नहीं की गई है। डिफेंस आफ इंडिया बिल के बहस के सिलसिले में भी मैं ने इस बात पर जोर दिया था। सरकार को यह बतलाना चाहिये कि देश में जो राजा महाराजा और नवाब तथा पूंजीपति हैं और जिन के पास खानदानी तौर से काफी सोना मौजूद है, उस के आकड़े क्या हैं, और सरकार यह भी बतलावे कि उन्होंने ने अब तक कितना सोना दिया है। और अगर वे काफी तादाद में सोना नहीं देते हैं तो उन से सोना कैसे लिया जायगा और इस सम्बन्ध में सरकार क्या करना चाहती है इस चीज को भी सरकार को आज सदन के सामने रखना चाहिये।

Shri Abdul Ghani Goni (Jammu and Kashmir): Sir, I am supporting this piece of legislation which has been brought forth today in connection with the defence arrangements of the country. When I study this Bill, it seems to be a good temptation for the richer class. The country is proud of the hon. Finance Minister, Shri Morarji Desai and it has given good response to his call. But when I study this Bill, I find that this Bill is only a good temptation for the richer class, because the terms mentioned here are 15 years and $6\frac{1}{2}$ per cent interest. I consider 15 years is a very long time these days.

It seems the Bill offers a good approach to the richer class of the country, but the response from the richer class, as is evident from the speeches made by hon. Members in this House is not so great as from the middle or lower classes. The higher classes include not only the Nizam of Hyderabad, but all Maharajas, Nawabs and big industrialists like Tatas and Birlas. They can afford to invest their gold for 15 years with the security of exemption on their capital investments. The offer of Rs. 62.50 per tola which is made is a good offer for the higher class. But practically speaking, as an ordinary citizen of the country, I understand that highest priority should be given to the defence of the country. I understand it, but at the same time, to strengthen our defences, our financial policy should not be a commercial policy—how much we have to pay and how much we have to get. It seems to me that this Bill is based on a policy which is somewhat commercial and not to get the maximum gold from the country.

At the first instance, the offer of Rs. 62.50 per tola at this stage can be welcomed only by those classes whose interests are insecure and in danger. But for meeting the immediate need of the country, we require the maximum quantity of gold; we want whatever gold is available in the country. For

that purpose we should offer a reasonable rate. I would not expect that the market rate should be offered to the lower or middle classes, but a reasonable offer should be made to the lower and middle classes, who are very anxious to contribute their gold. Their gold is not in danger, but they are anxious to contribute. As I said, this piece of legislation is meant only for the higher classes. Fortunately, the Finance Minister is present here now. I would request him to consider the question of offering a reasonable rate which would be acceptable to the lower and middle classes, who have purchased, say, 5 tolas or 10 tolas at a price of Rs. 130 or Rs. 140 two or three years back. The rate of Rs. 62.50 is all right for those who have hoarded gold for centuries together; they can afford to deposit that gold for Rs. 62.50 per tola. But it does not seem to be justifiable to ask a man, who has purchased gold two or three years back at Rs. 130 or Rs. 140 to deposit his gold at Rs. 62.50 per tola.

With these words, I would request the Government very kindly to consider the approach of the commoner also and enable him to contribute his gold to the defence fund by offering a reasonable rate.

Dr. M. S. Aney (Nagpur): Sir, this Bill is a very important one. I do not think there is any difference of opinion in this House so far as the Bill itself is concerned. Everybody is agreed that a measure of this kind is a very wise one, a prudent one and also a necessary one. But the question is, how Government will succeed in getting the gold which is concealed, whether this temptation that is held out is such that it will appeal to the people effectively or something else has to be done, in addition to that. That is the main point.

In the first place, the question is whether the Government has any idea as to the possible quantity of gold that is with the people either in the form of ornaments or bullion. In my opinion, Government itself holds a certain amount of gold as a kind of se-

[Dr. M. S. Aney]

curity to stabilise the currency. That quantity of gold is certainly known. There is another source, which the Government should have known in my opinion. When the Government amalgamated the various States and made agreements with the ruling chiefs and so on, did the Government at that time make any enquiry as to the amount of gold which was held in deposit by them either in public vaults or in any other form? If they have made those enquiries, they might have a fair idea as to the quantity of gold hoarded by these big men, because there are various stories that the ruling chiefs have got so much gold and so on; various fictitious things are being told. These are stories. But I believe, in a secret way, Government must have collected information even in those times, though they might not have thought it proper to claim some part of the gold for the Government of India at that time. At that time, they might have had their own considerations for not making actual use of the information they had got at that time. If they have got that information, this Bill requires to be more stringent in my opinion, so that they may lay their hands upon those hoarded quantities of gold in a more successful way.

15 hrs.

I do not want them to take any measures which can be called oppressive. But some other methods will have to be adopted to get that gold which is concealed by these big men. Many people think that much gold is scattered in this country—that may be true. But we find so much gold is being smuggled every year.

Then, some people made observations that in every Indian marriage, people give some gold. But I want to say—I do not know of other States or other provinces—that so far as Gujarat and Maharashtra States are concerned, there are many classes of people who enter into marriage without making appreciably any present of

gold at all. Thousands of marriages take place like that. If I may make an estimate, out of a thousand marriages performed in a particular area, it is not more than a hundred marriages where the question of gold presents comes in. In 900 marriages, of low caste people, they never see gold with their eyes at all. The idea of giving presents is altogether different. So, in making any estimate of gold, do not go by the figures of marriages multiplied by a certain amount of gold and like that. There is possibility of that.

Sir, I thought that those persons will rise and talk about this Bill who have got some gold with them. That was my idea. But I have found most of the speaking about gold deposits by others, but none of them has said, "I have got so much gold and tomorrow I will put it in gold bonds". None of them had said it. So far as I am concerned, I went by the advice given by my guru and also of my hon. friend the hon. Finance Minister sitting in the House said, that he had altogether left the use of gold, jewels and all that, and since then I have not got even the gold watch with me

Sir, an attempt has to be made to carry on a vigorous propaganda to appeal to the people that here are very good conditions offered by the Government for them to deposit whatever amount of gold is with them in the form of gold bonds. But there is some difficulty in this matter also in the case of widows or other who may have gold with them to which they look upon as a last source of their maintenance and so on. If some arrangement could be made in the intervening period during which the gold will not be available to them but on the credit of their bonds they can get some money to provide for their maintenance and all that—if some such arrangement is made—and a vigorous propaganda is carried in an honest way, by persons whose faith, integrity and patriotism is beyond

question, there might be a very generous response.

Sir, I may point out, when the clarification call was made by the hon. Prime Minister, thousands of people have come forward and promise to lay down their lives also. The lives are precious, no doubt, most precious, but anything which is less precious than that should be first parted with. I would appeal to the members of the Government that they should first set up their own examples....

Mr. Deputy-Speaker: The hon. Member's time is up.

Dr. M. S. Aney: Sir, you have given me a golden opportunity to speak on gold. I conclude by appealing to the members of the Government that if they set an example and make a vigorous propaganda in an honest way, that will evoke a better response than anything else.

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): Mr. Deputy Speaker, Sir, I am grateful to the hon. Members of the House who have given their unanimous support to this Bill. Most of the Members have touched only one point and that is about the gold bonds.

Sir, from time to time the Finance Minister has indicated very clearly that he is considering very seriously how to mobilise the gold which is lying idle in the country. We cannot provide a correct assessment because the data and collection of information are so scarce, and not at all sufficient to come to any conclusion about the total amount of gold. But this cannot be denied that there is a very large amount of gold lying in this country which is to be mobilised, more so looking to the situation operating today.

The Finance Minister has clearly indicated in various meetings and various pronouncements that he has made that he is very seriously considering as to how to mobilise the gold and

how also to bring down the prices of gold from the level at which it is operating today—a very high level of prices. But the House would bear with me that it is impossible to give the details before the conclusions are arrived at and it will create a very unhappy precedent in the country and a very unhappy situation which as some of the hon. Members have pointed out, may create a sense of panic in the people. I would request the Members of the House to understand the seriousness of this problem and complexities of this problem and also to have faith in the Finance Minister's word when he has said already before the country that he is very seriously considering the pros and cons of this problem so that we may be in a position to have a better mobilisation of the idle gold in this country.

Now, I would come to some of the points that have been raised. Some hon. Members wanted information as to how much gold has been contributed in the gold bonds. I have got the information upto 30-11-1962 and that is, at the IMF rate, nearly Rs. 30 lakhs worth of gold has come in and in tolas it is, 49,675 tolas. So far as the gold contributed to the National Defence Fund is concerned, I have got the information upto 3-12-1962 and that is 22,118 tolas of gold has come into the possession of the Government. But hon. Members should not be guided about the success of this bond movement only by these figures. As the hon. Members are aware, the gold prices went down very rapidly at the time of the announcement of these gold bonds and probably due to the feeling in the country that the Finance Minister is considering ways and means in order to bring down the prices of gold. Now, I think—it is my presumption—that many people who would have contributed to these gold bonds because of the attractive terms which the gold bond offers have been just marking time to see how the market operates. That may be one of the reasons why a large-scale

Shri Kashi Ram Gupta: These days the market is going up.

Shrimati Tarkeshwari Sinha: It is still far below.

Shri Bade: Sir, my question is, why the Minister does not stop the sale and purchase of gold in the market. That will, of course, prove very drastic.

The Minister of Finance (Shri Morarji Desai): May I intervene, Sir? Hon. Members do not expect Government to disclose its policy before it is done.

Shri Ranga: We are certainly not in favour of any policeman going into every house and searching gold in all our boxes and on all our women.

Shri Kashi Ram Gupta: Within the last four or five days, it has gone up by Rs. 20/- per tola.

Shrimati Tarkeshwari Sinha: We have been watching. It has not been Rs. 15/- or Rs. 20/- per tola within these four or five days. The gold prices have been going down and a little up. And they have been behaving in a funny way all these years. But today the gold price is much below what it was when the bonds were announced or nearly at that time. That may be one of the reasons. Secondly, I think, with more publicity about the advantages of this scheme the response to this attractive proposal will increase very much, because if we closely examine these proposals we find that the terms being offered in these bonds are very attractive to the individual investor (*Interruption*). Therefore, I think the House will have enough patience to see for themselves how this response increases, and I am sure it will increase.

An hon. Member asked about the question of interest, when the interest is likely to be paid. It is very clear in the notification itself. All bonds will carry 6½ per cent interest per

annum payable half-yearly on the 12th of May and November each year except that the first half-yearly interest payment will be restricted to the period from the date of tender from 11th May, 1963. It is very clear in the notification itself, and the interest will be paid. Therefore, the argument that was raised, that it may affect some widows and poor men who have only this wealth in their possession, a few tolas of gold in their possession, is not valid. They would not be affected at all. But, certainly, the capital amount cannot be returned back, because then the whole sanctity of this scheme will go.

There is another point which the hon. Member, Shri Prabhat Kar pointed out. He said that we have provided a huge concession. But the hon. Member would also understand that we are issuing the bonds at nearly less than half the market price operating in that period. Our basic purpose is to mobilise the huge amount of gold, and unless and until we provide such an attractive rate of interest, we cannot think of mobilising all the gold. The gold would not have come out if we had not provided this. This would have been only paper work and no material result would have accrued. Therefore, I think this attractive rate of interest should not be grudged. This is a welcome thing. The House has welcomed it, and I would request those hon. Members who oppose it also to welcome it, because unless and until we provide some incentive to the investors we will not be able to achieve any result.

Shri Prabhat Kar: I support it.

Shrimati Tarkeshwari Sinha: That is good. Again, I may assure the hon. Member that the interest which will be accruing on this bond is not tax free. Suppose the investment is made by a person belonging to a group with a high tax paying ratio, the interest he gets on this bond will be charged on the same ratio as he would be paying on his other income. So, this

impression should not be created that it is in any way going to help that class of people who are called the richer class.

Then, yesterday, an hon. lady Member raised a point about reduction of tax collection and said that our expense ratio has increased. She was not, unfortunately, in the House when I replied to that point. I said that our tax collection has also increased. Our revenue has increased and our proportionate expenditure is very very low. It is a matter to be really proud of. I would like to give her the figures showing the increase in the collection of taxes. In 1959-60 it was Rs. 254.71 crores, in 1960-61 it was Rs. 277.55 crores and in 1961-62 it is Rs. 321.34 crores. That is why I requested her to have a consolidated picture of the whole revenue position rather than to take an isolated position and then come to a conclusion.

Sir, with these words, I again express my gratitude to the House for supporting the Bill.

श्री काशी राम गुप्त : क्या सरकार को इस बात का अन्दाजा है कि इस स्कीम से कितना गोल्ड आ सकेगा ?

श्रीमती तारकेश्वरी सिन्हा : उस का तो अन्दाजा नहीं किया जा सकता है ।

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Income-tax Act, 1961 and the Wealth-tax Act, 1957, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The House will now take up the Bill clause-by clause. There are no amendments to any of the clauses. The question is:

"That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shrimati Tarkeshwari Sinha: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15.16 hrs.

WORKING JOURNALISTS (AMENDMENT) BILL, 1962

Mr. Deputy-Speaker: The House will now take up the Working Journalists (Amendment) Bill, 1962.

Shri S. M. Banerjee (Kanpur): How much time has been allotted for this Bill?

Mr. Deputy-Speaker: 5 hours.

The Deputy Minister of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): Sir, on behalf of Shri Nanda, I beg to move:

"That the Bill further to amend the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 and the Working Journalists (Fixation of Rates of Wages) Act, 1958, be taken into consideration."

Sir, we have had the benefit of consultation with representatives of the employers in the newspaper industry and the working journalists on most of the provisions in the Bill and it was possible to achieve understanding on some of the issues involved. The Statement of Objects and Reasons and the notes on clauses attached to the Bill give a brief background to the proposals. One of the most important provisions relates to the payment of gratuity on voluntary resignation and on grounds of conscience. On this issue it was not possible to secure agreement with the employers. It will be recalled that the Supreme Court in their judgment in the case of *Express Newspapers versus Union of India* delivered in March, 1958 struck down section 5(1)(a)(iii) of the

[Shri C. R. Pattabhi Raman]

Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 on the ground that it violated the fundamental rights under the Constitution. They observed that as gratuity was a reward for good, efficient and faithful service rendered for a considerable period, there was no justification for awarding the same when an employee voluntarily resigned and brought about a termination of service except in exceptional circumstances. The two exceptional circumstances indicated by the Supreme Court were, firstly, the operation of what was termed as the 'conscience clause' and, secondly, where the employee had been in continuous service of the employer for a sufficiently long period.

So far as the grounds of conscience are concerned, the Supreme Court referred to the practice prevalent in certain countries. The ground of conscience is peculiar to the profession of journalism. There is a possibility that on genuine grounds of difference of opinion on vital matters, a certain amount of embarrassment may be caused by the continuance of a working journalist under an employer. A provision for resignation in such circumstances without loss of gratuity earned by the journalists would appear to be justified and would provide a certain amount of sense of security in service. Gratuity under the original provisions of the Act became payable only after three years of service. It has, therefore, been provided that if after rendering the first three years of service, a working journalist voluntarily resigned on grounds of conscience, he should be eligible for the normal gratuity admissible under the Act. As there is a possibility of a claim for gratuity on resignation on grounds of conscience being contested by the management it is proposed to treat it as an industrial dispute and to afford the normal facilities available for resolving such disputes. The claims of a working journalist will,

therefore, have to be taken up as a dispute with the Industrial Relations Machinery after mutual negotiations have failed, and if the Conciliation Officer is unable to bring about a settlement, the appropriate Government would consider the merits of the case and refer it for adjudication. It is felt that this would afford sufficient protection to the employers against frivolous claims being raised.

So far as resignation after a long period of service is concerned, the position is that the Supreme Court themselves have in another judgment upheld gratuity schemes award by industrial tribunals providing for gratuity on voluntary resignation after ten years of service. Here, with your leave I will just refer to three sentences from a judgment which refers to the *Express Newspapers* case—I am referring to 1961-1 LLJ—page 513. Mr. Justice Gajendragadkar was speaking for the court. The head note is as follows:

"Relying on the observations on the decision of the Supreme Court in *Express Newspapers* case (1961-1 LLJ. 339) it was contended that no gratuity should be admissible under any gratuity scheme until and unless fifteen years' service has been put in by the employee. Negating the said contention, held that the said judgment never intended to lay down a rule of universal application in regard to all gratuity schemes. Hence it could not be made the basis of an attack against a gratuity scheme where instead of fifteen years' service ten years' minimum service is prescribed to enable an employee to claim gratuity at the rate determined if he resigns after years' service."

So, the Supreme Court themselves have later on, subsequently, pointed out that it could not be a rigid rule for all time to come. This period appears to be fair and reasonable and has been accepted as a basis for the proposal in this Bill.

Another clause on which there was a difference of opinion among the employers and working journalists relates to a provision which stipulates that where a person committing an offence is a company or other body corporate or an association of persons, etc. every director, manager, secretary, agent or other officer concerned with the management shall, unless he proves that the offence was committed without his knowledge or consent be deemed to be guilty of such an offence. This provision is based on a similar provision already existing in section 32 of the Industrial Disputes Act and is on the general pattern relating to offences by companies which find a place in many other Acts.

It is also proposed to provide for the constitution of wage boards from time to time for the purpose of a review of the wage structure of the working journalists. Most of these provisions are really in consonance with the recommendations contained in the report of the Press Commission which is really a classic document. Here a review of the wage structure is visualized. In this connection, the pattern of the wage boards being appointed in different industries on non-statutory basis has been kept in view, and the Bill provides for a wage board for working journalists consisting of two persons each, representing the employers and the working journalists and three independent persons, one of whom is to be appointed as a chairman. The addition of two more independent persons than were provided for in the 1955 Act is intended to take care of the interests of the community at large and also balance the sectional interests represented by the employers and workers' representative in the wage board.

Shri S. M. Banerjee: Was the addition of two independent persons agreed to by all?

Mr. Deputy-Speaker: Order, order. He can ask for clarification when he makes his speech.

2355(Ai)LS-4.

Shri C. R. Pattabhi Raman: I can straightway answer that point. We have found from experience that this is working very well in so many other cases. This ratio of 2:2 and 3 independents is working very well. They are able to bring conflicting interests together. So, we are adopting a pattern that is in existence in very many other industries.

Then, no provision had been made in the original Act for the appointment of inspection staff for looking after the implementation of the provisions of the Working Journalists Act. This is also one of the recommendations of the Press Commission among many others. This lacuna is being remedied so that the State Governments can appoint inspectors and also require the newspaper establishments to maintain registers, muster rolls and other records etc.

Before I resume my seat, I would also like to refer to the provision in the Bill which relates to the exclusion of Government servants from the operation of the Working Journalists Act. The reason is that there are certain periodicals published by the Central and State Governments which may bring them within the definition of a "newspaper" for the purpose of this Act. Persons employed in connection with the preparation of these periodicals are Government servants enjoying the benefits of all Government service rules. The Government rules and regulations generally offer better terms and conditions to these officers than admissible under the Act. There is also administrative inconvenience involved if during the course of their service they are transferred to other Government posts in which they may not be doing journalistic work. It is, therefore, proposed to exclude them from the purview of the Working Journalists Act. The Service Associations concerned had been consulted and they had agreed.

With these remarks, Sir, I move the Bill.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 and the Working Journalists' (Fixation of Rates of Wages) Act, 1958, be taken into consideration."

Shri Bade (Khargone): Sir, I rise on a point of order. Article 14 of the Constitution states:

"The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

Now the hon. Minister seeks to make a distinction between those journalists who are working under the Government and those journalists who are working in the private sector by clause 8, sub-clause 19(b) of the Bill. Those journalists who are working under the Government are excluded from the scope of this Bill by the said clause and it is applicable only to those journalists who are working in the private sector. So, a distinction is being made between two groups of workers whereas no such distinction or discrimination can be made under article 14 of the Constitution. Here I will read the relevant portion of the Nagpur High Court judgment on the same point:

"Where a law grants protection to a class which needs it, it has the effect of placing that class if not on a par with the rest of the community, at least as nearly as is practicable; it would, therefore, be correct to say that the whole object of classification is to minimise and not to accentuate inequality." (1951 Nagpur 646).

In the same way, in 1959 SCR p. 164 the Supreme Court has laid down:

"the only thing which is prohibited under the article is that persons belonging to a particular

group or class should not be treated differently as amongst themselves."

Here, though a group of people are working under the same conditions, they are treated differently under clause 19(b) of the Bill, which says that the provisions of the Bill are not applicable to those who are working under the Government. Only those who are working in the private sector will come under the scope of this Bill. So, this Bill is against the provisions of article 14 of the Constitution. Therefore, I am of the opinion that it cannot be proceeded with.

Mr. Deputy-Speaker: That may be a ground for throwing out the Bill, but there is no point of order in it. He may move his amendment or take objection to the relevant clauses. It is not a point of order. I hold that it is not a point of order.

Shri Bade: My submission is.....

Mr. Deputy-Speaker: It may be a ground to throw out the Bill. He can move an amendment.

Shri Bade: When the motion for consideration of the Bill is moved I can raise a point of order.

Mr. Deputy-Speaker: I hold that it is not a point of order.

Shri Bade: At least the House may be satisfied by your ruling.

Mr. Deputy-Speaker: We do not decide the *ultra vires* or the *intra vires* aspect of the Bill. It is a matter to be decided by the court. If the hon. Member has any objection to the clause, he may move amendments to it; or, he may oppose the Bill *in toto*, Shri Hiren Mukerjee.

Shri H. N. Mukerjee (Calcutta Central): Mr. Deputy-Speaker, Sir, my hon. friend, the Deputy Minister of Labour and Employment has just now moved for adoption by the House of the Working Journalists (Amendment) Bill and while there are some

good features about this Bill, I am afraid, it could very well have been a very much more . . .

Mr. Deputy-Speaker: Before he proceeds further, may I say that five hours is the time allotted for the entire discussion of the Bill. So, we may have 3 hours for general discussion and 2 hours for the clause-by-clause consideration.

Shri Surendranath Dwivedy: We may have four hours for the general discussion.

Mr. Deputy-Speaker: Then, we have to finish all the clauses and amendments within one hour. If the House co-operates, I have no objection.

Some Hon. Members: Yes.

Shri H. N. Mukerjee: As I was saying, while there are some good features about this Bill, I do wish Government had come forward with a better and more comprehensive piece of legislation. I say this because we have noticed for some time a kind of hesitancy on the part of Government regarding taking action in matters which refer to the conditions of work and the legitimate demands of the working journalists of this country. I know that it is quite the vogue now-a-days to say that journalism was at one time a mission and that today it is only a profession. But, I am sure, when the objective conditions of today are remembered, there should not be any kind of a qualitative reflection upon the conduct of the journalists of the present day in comparison with the great Journalists of the past. As a matter of fact, when we find the difficulties in the way of the working journalists from day to day, when we find how big money controls the press, it is almost a surprise that so much good work can be done by the working journalists in spite of the difficulties almost inherent in the situation.

I noticed, for instance, that the Press Commission, whose Report was described by my hon. friend as a classic, suggested in 1954 the formation of a Press Council and as early as 1955 a Bill on the Press Council had been passed by the Rajya Sabha, but up to now the Press Council remains somewhere in the region where objective concrete things do not take place. This delay of six years and more has taken place for Government to find out that the Act was not being properly implemented.

One good thing which the Government has done through this Bill is to provide for inspectors to find out whether the directives of the Bill are being implemented. As a matter of fact, I find that this matter has been brought to the notice of Government so many times, that is, the absence of inspectors. I discovered, for instance, that in the Maharashtra Legislative Assembly on the 18th July, 1962, the Deputy Labour Minister was expressing his distress at the absence of any provision in the law which would enable Government to appoint inspectors. It is a good thing now that inspectors are going to be appointed. But it is rather strange that it has taken more than six years for Government to discover the position in the newspaper industry where so many hurdles are put up so that the real conditions appertaining to the working journalists may not be properly discovered.

This brings me also to a recollection of the hesitant attitude of Government in regard to big business which is operating the newspaper industry so blatantly today. Everybody knows that a handful of big business houses own a large number of newspapers in different parts of the country and through their hold on the advertisement pool they dictate terms to other newspapers. We know also how the proprietors of the newspapers are very well organised. This morning, for instance, I got by post some instructions sent to me by

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the Indian and Eastern Newspaper Society's journal so that I would find out that the journalists case was not as good as we might think it to be. They are a very well organised lot.

In recent times there has appeared this whole tribe of managing editors—editors who perhaps cannot write a leading article to save their lives. But they are in the picture very much on the map and they appear in all kinds of committees and councils. They seem to dictate the position so far as Government is concerned.

It was quite a pleasant surprise for me to find that the hon. Law Minister went to Calcutta to address the last meeting of the Federation of Working Journalists. There he spoke about the dangers of monopoly as far as the newspaper industry is concerned. But I found that in the House only the other day in answer to a question, Starred Question No. 149 answered on the 12th November, 1962, the hon. Minister of Information and Broadcasting said:

“Government feel that concentration of ownership and monopolistic tendencies in newspaper industry do not exist to such an extent as to call for any immediate action.”

I do not quite understand this attitude of hesitancy in regard to problems of the working journalists and in regard to problems of the press in general.

This is not quite the occasion to go into details over the monopolistic nature of the newspaper industry as it is organised at the present day. We know what is what and in view of that, I think, we owe a payment of some tribute to the work of those journalists who, in spite of the difficulties of a system where big money is such a very important factor, are

trying to do their task keeping in mind the interests of the country.

As I said earlier, there are some provisions in this Bill which are good, but it is not understood why Government could not proceed more strongly. It did hold certain tripartite conferences and met representatives of the industry and of the working journalists last year as well as this year. The working journalists, through their own journal, have registered their protest that many provisions of the Bill are at variance with the decisions which were adopted at the tripartite meeting. For instance, it is pointed out that the representatives of the Federation of the Working Journalists had, during the tripartite conferences, urged that the provision regarding the payment of gratuity on resignation should be given retrospective effect from the 18th March, 1958. It is also stated in the journal of the working journalists that the then Deputy Labour Minister, Shri Abid Ali, had assured the Federation that retrospective operation would be given to the new gratuity clause at least with effect from the 1st July, 1961.

I note that hon. Members belonging to all parties in this House, not only the Opposition but hon. Members of the Congress Party also, have given notices of amendments whose object is that gratuities might be payable at least with effect from the 1st July, 1961. Here is a definite statement by the Working Journalists' Federation published in their journal that during the tripartite discussions there was an understanding that the Deputy Labour Minister of those days had given an assurance. That assurance is not being followed up. Government, I hope, would say something in regard to this because there are so many amendments asking for this gratuity clause being applicable with retrospective effect at least from the 1st July, 1961.

We are told also by the working journalists, again through their journal, that Government had assured the tripartite meeting that those lacunae and anomalies which had been discovered in the Act and which had specially been pointed out by the Supreme Court would be rectified and that the principal objective of the amending legislation would be to rectify those lacunae which had been pointed out by the Supreme Court. But, in this Bill as presently formulated, there are some rather material and not very happy alterations. For instance, the composition of the Wage Board, as envisaged in the parent legislation, has, now been sought to be changed. My hon. friend the Minister tried to justify it. He said that now the composition of the Wage Board is being increased and there would be three independent persons instead of a judge or somebody in that position who is independent enough. Now, the idea originally was in the Act that there would be representatives of the owners, representatives of the workers and there would be an impartial Chairman who would be a high court judge or had served in that capacity in the past. Now, there is an addition of two more independent members and the idea is put forward by my hon. friend the Deputy Minister that thereby independent opinion can be canvassed more effectively. I am not so sure about it, because, the importation of independent members might, in this kind of cases, lead to results which are not really desirable. The newspaper industry has very special problems. Those who are asked to work as journalists from day to day have a variety of jobs to do. From those who have to write leading editorials down to those who have to do reporting, they have a lot of work to do of varied sorts. A rather specialist knowledge is required in order to be able to assess and evaluate the kind of work which is being done by the working journalists of different categories. The categories can be expanded surely, because, even those who work on periodicals are also wor-

king journalists. I saw a letter written in answer to a query by a Member of this House Shri K. K. Warior, from an Under Secretary of the Ministry of Labour and Employment which clarifies that even those who work on periodicals are working journalists and their case ought to be considered by whichever wage board is going to be formed. As far as mofussil correspondents of newspapers are concerned, they are also, according to the recent judgment of the Andhra High Court, entitled to all the right and privileges of working journalists. They are all a varied lot of people. They make different kinds of contributions to the total product which is the journal concerned. It is necessary to have specialist knowledge in regard to newspaper office, newspaper industry, production of newspaper. To bring in too many of these outsiders who would represent, God knows what interest, would merely be to confuse the whole proceedings. If there are representatives of the owners and representatives of the workers facing each other across the table, and if there is a third person who is independent and who is a man of great eminence, then, surely, that matter can proceed a great deal more expeditiously.

There might also be specialised ways of examining the conditions of working journalists. Somebody who is a correspondent posted in a particular area may have work which need not always be very obviously visible from time to time. He may not have much to do. But, on certain occasions, he would have had a great deal to do. The evaluation of the work of people who are posted in that kind of assignment requires some sort of familiarity with the industry. That is why it is necessary. When you have got representatives of the owners and the representatives of the workers sitting side by side propounding their particular propositions, when you have also an independent Chairman of judicial status to referee the entire proceedings, that is a good enough matter. Actually, the Supreme Court

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never made the slightest prejudicial reflection in regard to the composition of the wage board as it was envisaged in the earlier Act. Therefore, I see no reason for this change now being sought to be incorporated. I am fortified in my conviction, because, the working journalists themselves point out that this is something which would not be right because of the conditions which prevail in the industry.

In regard to certain other matters also, changes, perhaps, should be incorporated. In regard, for instance, to the provision about gratuity payment to working journalists resigning on grounds of conscience; I think the clause should be re-drafted and the limitation of 10 years service should not be there. The Government has agreed, and it is a good thing, to putting in this conscience clause. Instances happen, unfortunately, in rather large numbers these days, when questions of conscience do crop up as between owners of newspapers and their employees. These questions of conscience are felt more acutely and intensely by the better type of journalists. It might very well be that journalists are goaded by pricks of conscience to leave service which they only recently joined. If, in the newspaper industry, the situation is such that an eminent editor might walk into his room one day to find a letter of discharge on his table without rhyme or reason, if this sort of thing does happen—and it does happen with impunity in this country—if this is the way in which the big money interests of newspaper industry behave, then, surely, questions of conscience occasionally appear to be very acute and very intense. It might very well be that, in spite of not having put in as much as 10 years service, these prickings of conscience might produce results which would mean the severance of connection of the journalist with the newspaper.

Therefore, this time limit should go. If you once concede that because of conscientious reasons a man has gone out of the picture and yet he is entitled to certain gratuity, then, surely, this kind of limitation in regard to time should not be there.

In regard to the wage board, I have already said that the changes being sought to be incorporated in this Bill are not satisfactory. But, I was expecting that, when the Minister spoke, he would give us some idea as to when, if at all, the wage board is coming into the picture. In this House, over and over again, questions have been asked and Shri Nanda himself, in the last session, told this House that a wage board is going to be set up. In this letter also to which I have referred a little while earlier—a letter to Shri K. K. Warrier which is dated 1st December, 1962, from an Under Secretary in the Ministry of Labour and Employment—there is the statement that the Government are considering proposals for the appointment of a second wage board for working journalists. I discover that the Indian and Eastern Newspaper Society is asking us to beware of this movement and I have been advised by means of this postal memorandum that the cut in newsprint quota and pegging of circulations have effectively limited revenue while production costs have mounted and this is why, at the present moment, a wage board should not be set up. I do not know if the Government is going to abide by the instructions given to them from time to time by the barons of the newspaper industry. Is it right, is it proper that you should do so? Actually, what is the position? The working journalists have been asking for this wage board over and over again. The Government have been saying, yes, we are going to give you a wage board. On the 1st of December, a letter comes from the Ministry to a Member of Parliament, yes, Government are examining the idea of setting up a board. The I.E.N.S.

people are carrying on propaganda against it. What is the position? We had in this House the report of the Registrar of Newspapers. It says that groups and multiple units control 30.1 per cent of the total circulation. What is called the jute press monopoly controlled by the famous trinity Goenka, Jain and Birla, conduct their imperial activities in their own way and their revenue is increasing: advertisement revenue as well as sales revenue, and so on and so forth. These things are being pointed out with factual material to which I have not the time, nor is this the occasion, to make a detailed reference. Reference is being made to these facts in regard to the newspaper industry flourishing today and a wage board being more than overdue. When the Minister introduced this Bill, he could have sugar-coated the pill. The pill is not too bitter. Anyhow, he could have made the pill rather sweet by at least announcing that a wage board is going to be there very soon. But, I do hope that perhaps he is waiting for the time when this Bill is passed. Possibly he wants three independent members to be there before he commits himself. In any case, I do hope that the Government proceeds with great expedition and that the Government realises its responsibility in the matter. I do not think much is necessary to be said. There is a feeling with unanimity in the House, as far as notices of amendments are any indication, that there are certain very serious lacunae in the Bill which should be rectified. And I do hope that remembering the role of the working journalists in this country, and remembering the rather hesitant attitude of Government in regard to satisfying their legitimate demands, at long last Government will come forward and proceed more expeditiously to rectify the position and to remove their grievances.

Shri D. C. Sharma (Gurdaspur): I feel that there is hardly anybody in this House who does not have his sympathy for the working journalists.

A working journalist is only a worker, in some cases with the capital letter 'W' and in some cases with the small letter 'w'. He runs all the hazards which a worker runs in a factory. He is a prey to all those occupational diseases to which we were making a reference the other day. But let me be more explicit on this point that no worker in this wide world of ours—I do not speak only about India—suffers more risks and more hazards than a working journalist.

The lot of the working journalist is a very unenviable lot all over the world. But it is much more unenviable in this country of mine. It is because we are living in a transitional period.

Shri H. N. Mukerjee referred to the time when Journalism was a mission. I think that even now some of the working journalists look upon Journalism as a mission, but, I believe that being human they cannot do without bread also; it has been said that man does not live by bread alone, but being human, he cannot live without it. Most of these working journalists of whom we know so much look upon their profession as something sacred, as something which involves dedicated service of the highest kind. But living in the 20th century, they have to keep the pot boiling, or they have to satisfy their hunger or they have to make both ends meet. That is the problem. But, as I said in the beginning, they run many risks and hazards. A worker in a factory runs the hazard of losing a limb; sometimes, there are fatal accidents also, and sometimes, there are non-fatal accidents. A worker in a factory may suffer from some kind of occupational disease, and he may be running a great risk. But a working journalist does not run only the risk of physical injury; he does not run only the risk of occupational disease, but he has also to face something which all of us have, and sometimes pricks us, teases us, nags, harasses or haunts us, and that is conscience. Of all the

[Shri D. C. Sharma]

hazards that mankind runs, the hazards of conscience are the most appalling, and I think that the working journalists have sometimes to forgo their very secure jobs because of the pangs of conscience. They cannot write to order. They cannot work in accordance with the dictation of some persons. They cannot do their jobs in a manner which goes against their very grain. Sometimes, they place their sense of duty above their desire for livelihood or desire for a profession, or desire for a career.

Therefore, as I said in the beginning, the working journalist is a person who has to be looked at in some ways like a worker and in other ways as some person who is more than a worker or less than a worker.

I think that our Government have been doing well by the working journalists. But I must admit that they have not done so well as they should have done. When I say that they have been doing well, I mean to say that they are sensitive to their demands. They have been conscious of their needs. They have been aware of the problem and they have been conscious of that. But Government—not to speak of our Government, but all Governments—move slowly and tardily. Governments do not try to redress grievances and remedy the defects as soon as they can.

Shri Surendranath Dwivedy: That is why my hon. friend says that they have done so well.

Shri D. C. Sharma: I have said that they have done well but not so well. I hope my hon. friend understands this little English.

16.57 hrs.

[MR. SPEAKER in the Chair]

I was submitting very respectfully that Government have been aware but not so acutely aware, and, therefore, the press council has not been

formed. Where is the Press Council Bill which was passed by Rajya Sabha? I think that the distance between the Lok Sabha and Rajya Sabha is not very great. I think that the distance is only a furlong or so. But where is that Bill hanging? I think it is hanging somewhere in the middle of the sky, and we have not yet been able to find it. I think that we shall have to get some kind of telescope or microscope to know the whereabouts of that Bill.

The Deputy Minister was very right when he said that the report of the Press Commission was a classic of its kind. But I am reminded of Chesterton who said that a classic is a book which everyone admires but nobody reads. I can say the same thing about the Press Commission's report also; it is a classic; everybody admires it, but nobody implements its recommendations. That is what has happened to this report.

Shri Surendranath Dwivedy: There also, Government have done well?

Shri D. C. Sharma: My hon. friend will have his chance to speak. So, he need not bother about it.

I was saying that Government had been slow in acting upon the recommendations of the Press Commission Report but I am glad that they have come forward with this Bill, and they have made some provision for gratuity. Every worker is entitled to gratuity, and there is no reason why these gentlemen workers, as they are called, should not be entitled to gratuity.

But I feel that the conditions for getting this gratuity have been made so stringent that I do not know how many of these working journalists will ever be able to qualify themselves for getting this gratuity. I say this in view of the fact that most of these working journalists are employed by those persons who have monopolist tendencies, so far as the running of

newspapers is concerned. There are newspaper chains, and there are newspaper cartels, and these persons are not going to be very much concerned about the quantum of gratuity when it comes to a certain number of years. Therefore, I would say that the period for qualifying for gratuity in the case of a working journalist should be very much lessened. I think otherwise very few of them will get any gratuity. The moment anybody is able to qualify himself for it, he will be given a quit notice. He will be asked to go with a notice and he will not be allowed to stay in that position. Therefore, I would like to say to the hon. Deputy Minister that the period should be shortened as much as possible. I do not want to lay down the law that the period should be so much. I say that the duration should be shortened because I know that in these days when we are passing through very critical times, it may not be possible for any journalist to qualify for gratuity after having put in that number of years in service.

I now come to conscience clause, Sir. I am glad that conscience clause has been put in by Government. I know some journalists who resigned very lucrative jobs and very secure jobs because they felt themselves to be incapable of doing things which were not in accordance with what they call, their *dharma*. Every one of us has his *dharma*. The journalist also has his *dharma*. The *dharma* of the journalist is tried almost every day of his life whereas our *dharma* is on trial only sometimes. So, sometimes, the journalists who do not want to violate the canons of their profession, the canons of what I may call *dharma*, want to quit office. Now, Sir, if you have that period for them, I think, they will be nowhere. Conscience is not subject to the limitations of time. Conscience knows no barriers of time; conscience can prick up, and can sting us any time. Therefore, so far as conscience is concerned, you cannot have any time limit. For the sake of conscience it is neces-

sary that you should waive the condition of this time limit because a man's conscience may prick him any time he likes. Therefore, I think, this conscience clause requires re-drafting and it should be made less injurious. Otherwise, I think, this conscience clause will lose all its point and Government will have taken away with the left hand what is given with the right hand. I think this aspect has got to be looked into and made as acceptable to all of us as possible.

These Wage Boards are going to be administered by the States and all the States are not as susceptible to the demands of journalists as others are. All the States are not very keen on satisfying the demands of journalists. I have seen and I know of some States where the journalist has to suffer a great deal because the people of that State do not understand the value of journalism, and they are not able to understand the dignity of being a journalist. But, whatever it is, Sir, I would say that this Wage Board should be a body which can function smoothly and effectively and swiftly. I would expect quick action from these Wage Boards. I would not like these Wage Boards to be like Juggernaut which moves slowly and slowly and slowly. I do not want that these Wage Boards should decide the issues when they have become dead or should decide problems when those problems have ceased to exist. I do not want them to do that. I think we have seen how these Wage Boards have been working during the last so many years. The Labour Ministry has been doing its best, but the State Governments have not felt as much urgency of the problem as they should. Therefore, I think that the Wage Board should be a small body and it should have the representatives of employers and the representatives of the working journalists and also some independent persons. One should be independent like a high court judge. I do not think you should make this body as cumbersome in its working as it is now. *

[Shri D. C. Sharma]

I welcome the appointment of inspectors and I hope these inspectors will be of such standing and such qualifications (of course, these things will be given in the rules) as do not make them subservient to the wishes of some of the moneybags of the press. These persons should be able to hold their heads high and should be able to look these press barons in the face. These inspectors, I think, will be the keystone in the whole arch of the State. Otherwise the registers will be changed and everything will be changed. I feel that Government would exercise a greater vigilance so far as the appointment of inspectors is concerned.

At the time when India was under the British I used to find newspapers in Indian languages which had good circulation and which had their centres of printing and publishing in district towns. There were so many newspapers which had a circulation only within the precincts of the district or within the precincts of a few districts. Where have those newspapers gone? We used to have such correspondents in mofussil towns, in those towns where no newspapers are published, and they used to do wonderful work. They used to be the conveyor belt of information from the district towns and from those places where they served to the place where that paper was published. Where are those people gone now? Where are they? I would say that the definition of the working journalist should be so framed as to include as many types of workers who are doing journalistic work as possible and it should be seen to it that these persons should get all the benefits which are to be found in this Bill.

Sir, Professor Hiren Mukerjee referred to some circular which had been circulated by the I.E.N.S. I also got it. That has come to every Member of Parliament. Everyone of us has gone through it. Without reading what the working journalists have given us, I am convinced, Sir, that

the Indian Newspaper Editors' Society has no case of its own. It has not been able to build up its case against this Bill.

Shri C. K. Bhattacharyya (Rai-ganj): May I correct him? It is not Indian Newspaper Editors' Society. It is Indian and Eastern Newspaper Society.

Mr. Speaker: He says he is giving his opinion without reading it.

Shri D. C. Sharma: I stand corrected. He is President of that Society and he is referring to that. I was looking at you and I was referring to the Newspaper Society.

Mr. Speaker: He should only look at me and finish his speech.

Shri D. C. Sharma: They have not been able to prove their case against these working journalists. I find that their revenues are increasing and their circulation is going up. Even in these days of shortage of paper and other things they are going ahead so far as money is concerned and I think, Sir, they should welcome this Bill more than anybody else.

Shri Krishnapal Singh (Jalesar): Although Members of this House would welcome this measure, we feel that there are one or two matters with regard to journalism which have got to be mentioned in this House before we approve of the provisions of the Bill.

One of the things which is related to this Bill and which I would like to mention is, the influence of not only the big capitalists but of the Government, both directly and indirectly, on the newspapers, which affects the independence of the present-day newspapers. I was fortunate in having been very closely associated with one of the greatest journalists of these times, the late Shri Yajneshwar Chintamani, whom I regard as my political guru, the editor-in-chief of the *Leader* of Allahabad in those

days. I had occasion to follow how independently he published his articles without fear or favour. But at present we find that practically every newspaper has a photograph of one Minister or the other, giving publicity to some *udghatan* or some *bhashan* of the Ministers. It is all right that publicity is given when an important function is presided over by a Minister, but the frequency with which modern newspapers publish these photographs is somewhat astonishing. Although we have every sympathy with the working journalists, we would like them to be a little more independent.

The main point I was trying to make was that on account of the advertisements which are given to newspapers by Government, a good deal of patronage is wielded. If a newspaper does not act according to the wishes of the Government, it probably is deprived of some of the advertisements which constitute a fair share of the income of the newspaper. Therefore, I would wish that Government pays due regard to this and do not interfere with the independence of journalism in India these days.

The second point which I would like to make is that there are one or two omissions in this Bill. One of them is that Government servants, and especially those who work in Government presses and those who work in the publicity department, have not been given the benefit of this Bill. It is true perhaps that in bygone days they were better off, but at present I think the working journalists are better off than these Government servants, and therefore it would have been fair to include them here.

Another point which is of particular importance due to the peculiar conditions in which we are living at present is that the journalists have, as was mentioned by the speaker previous to me, to take certain risks. At present when we are fighting a sort of war, journalists may have to go to operational areas, and it would

be only too fair if Government provides some kind of compensation for injuries sustained by them in operational areas or, God forbid, in case of death. It is true that probably the Industrial Disputes Act or some other Act may come to their aid or their families' aid in time of need, but it would have been better if a special provision had been made in this Bill. This is a point which I hope Government would consider.

Now, I will refer to some of the provisions in the Bill. The first thing I would like to say is that the scales of gratuity mentioned in the Bill are rather low for those who have served more than ten years and are employed in the bigger or the smaller newspapers. I think these scales should be revised and increased in view of the very hard times in which we are living today.

The second point which I would like to mention has already been referred to by speakers who preceded me, and it relates to the provisions with regard to the Board which is intended to be formed for deciding the wages. It strikes one who reads the provisions as to why there should be three independent persons. Two will be nominees of the employers, two others will be nominees of the employees, and the fifth will be a person of the eminence of a High Court Judge or a Supreme Court Judge. Who will be the other two people, and why should they be there? There is a sort of suspicion lurking in the minds of some that probably they will be appointed with a view to create a sort of balance. Otherwise, they will be absolutely superfluous. Therefore, I suggest that a Board of five is quite satisfactory, and there is absolutely no need to have these two independent persons included in it.

Another matter which needs the attention of the Government and the House is that no period is laid down for the notice which is required for making a representation. It is left to the Board to decide as to how much

[Shri Krishnapal Singh]

period should be allowed for making the representation. I wish a period of 60 days is laid down so that a man has ample time to put in his representation. I think there is no harm if this period is laid down. As a very eminent President would be available to these Boards, probably there will be no difficulty, but there may be cases when people may have just complaints about not being allowed sufficient time for filing their representations. Therefore, I propose that a period of 60 days be provided in the Bill.

I certainly wish to support the very necessary provisions of the Bill which have been included, and I hope that the House, after suitable amendments have been adopted, will pass the measure.

श्री बड़े (खारगोन) : अध्यक्ष महोदय, यह जो बकिंग जर्नलिस्ट्स (अमेंडमेंट) बिल आया है, उस में चूँकि बहुत सी अच्छी बातें हैं और बकिंग जर्नलिस्ट्स के लिये फायदेमन्द हैं इसलिये मैं कुछ अंशों में उस का समर्थन करता हूँ।

इस के साथ-साथ जो ग्रैचुइटी का प्राविजन है उस में यह लिखा है :

“नाट लेस दैन टेन इअर्स”

जब कोई दस साल तक सविस कर लेगा तब उसे ग्रैचुइटी मिलेगी। इस के सम्बन्ध में मैं यह कहता हूँ कि जब शासन इतना उदार हो गया है तो साथ-साथ कंजूसी भी क्यों करता है। अगर उन की कंडीशन्स दरअसल खराब हैं तो बकिंग जर्नलिस्ट्स के काम की शर्तें उन को भी मुक्त हस्त से मिलनी चाहियें। लेकिन जहां तक मैं ने देखा है उन को हर जगह पर रेस्ट्रिक्ट कर दिया गया है। ग्रैचुइटी के केस में भी ऐसा ही हुआ है, आगे जा कर वेज बोर्ड के सम्बन्ध में भी ऐसा ही हुआ है। वेज बोर्ड का जब डिसीजन होगा तब उन को पैसे मिलेंगे, लेकिन उन के दम्यानि में उन

को जो वेज मिलनी चाहिये उस के लिये कोई प्राविजन नहीं है। जब मैं ने इस बिल के क्लोज के १६(बी) को पढ़ा तो मुझ को ऐसा प्रतीत हुआ कि शासन ने इस जगह एक बड़ी समस्या उत्पन्न कर दी है। यह सब क्लोज १६(बी) एक सेविंग क्लोज है। इस में लिखा है :

“19 (b) Nothing in this Act or the Working Journalists (Fixation of Rates of Wages) Act, 1958 shall apply to any working journalist who is an employee of the Government to whom the fundamental and supplementary rules shall apply.”

इसवास्ते शासन इस १६(बी) में यह चाहती है कि जो लोग गवर्नमेंट प्रेस में काम करते हैं उन को इस के प्रिविलेजेज और कंडिशनस न मिलें। इस के लिये मैं ने प्वाइंट आफ आर्डर भी उठाया था लेकिन चेअर से यह आदेश मिला कि कोई चीज अल्ट्रा वायर्स या कांस्टिट्यूशन के विरुद्ध है या नहीं इस को इस हाउस को देखने की जरूरत नहीं है। इसके सम्बन्ध में १६(बी) में जो है उस के अनुसार शासन का यह कहना है कि जो वर्कर्स गवर्नमेंट प्रेस में काम करते हैं उनको ज्यादा फेसिलिटीज हैं और जो प्राइवेट प्रेस में काम करते हैं उनको ज्यादा फेसिलिटीज नहीं हैं। मैं गवर्नमेंट के इस कथन से सहमत नहीं हूँ। एक रजिस्टर्ड सोसायटी है गवर्नमेंट वर्कर्स की जब उन्होंने गवर्नमेंट को नोटिस दी कि वह उन्हें भी वही फेसिलिटीज दे जो कि दूसरे बकिंग जर्नलिस्ट्स को मिलती हैं तो गवर्नमेंट ने कहा कि गवर्नमेंट गजट न्यूज पेपर नहीं है और गवर्नमेंट प्रेस न्यूज पेपर प्रेस नहीं है। मैंने देखा कि डिक्शनरी में गजट के माने हैं आफिशल न्यूजपेपर। जब उसका न्यूज पेपर अर्थ निकलता है तो शासन ने किस तरह से यह कहा कि यह न्यूज पेपर नहीं है, यह मुझे मालूम नहीं होता है। शासन ने यह भी लिखा है कि उन्हें दूसरे ऐडवाण्टेज मिलते

हैं। लेकिन मैं समझता हूँ कि दूसरे एडवॉकेटजें उन को नहीं मिलते हैं। जैसे कि ग्रैंड लीव है। प्राइवेट प्रेस के वर्कर्स को जिस तरह से ग्रैंड लीव मिलता है उस तरह से गवर्नमेंट प्रेस के वर्कर्स को नहीं मिलती है। उनको कम मिलती है। इसी प्रकार से जो लोग गवर्नमेंट प्रेस में काम करते हैं उन्हें ८ अवर्स काम करना पड़ता है और प्राइवेट सैक्टर में जो वर्कर्स काम करते हैं उनको ६ अवर्स ही करना पड़ता है। इसी प्रकार से उनकी ग्रैचुइटी के नियम अलग हैं। इसलिये गवर्नमेंट ने जो यह कहा है कि उनको शासन में होने से ज्यादा फायदा मिलता है यह ठीक नहीं है।

आनरेबल मिनिस्टर ने यह भी कहा कि उनका ट्रांसफर भी एक जगह से दूसरी जगह को उसी कार्य के लिये किया जाता है। लेकिन मैं नम्रता से कहना चाहता हूँ कि जो प्रूफ रीडर्स हैं उन्हें कितना वर्क करना पड़ता है क्या इसको कभी शासन ने देखा है? क्या जो प्रूफ रीडर्स गवर्नमेंट प्रेस में काम करते हैं वह अलग हैं और जो प्राइवेट प्रेस में प्रूफ रीडर्स हैं उनकी आई-साइट, उनका माइन्ड और उनके व्यूज अलग हैं। मैं समझता हूँ कि ऐसा नहीं होता है। दोनों जगहों के वर्कर्स एक जैसा काम करते हैं। आप शासन में ही देखिये। जो लोग पार्लियामेंट प्रेस में काम करते हैं उन पर वर्किंग जर्नलिस्ट्स ऐक्ट लागू होगा लेकिन जो लोग गवर्नमेंट प्रेस में काम करते हैं उनपर यह लागू नहीं होगा। यहां पर गवर्नमेंट के १०० वर्कर्स हैं, उसी के साथ कलकत्ते, बम्बई में जो वर्कर्स हैं वह भी हैं, उनपर यह लागू नहीं होगा। इस तरह का डिफरेंस करने के सम्बन्ध में जब कंसोलेशन आफिसर्स ने नोटिस दिया तो उन्हें जवाब दिया गया:

"Please refer to the discussion you had with me on 17th August,

1962 on the above subject. As desired I am to say that the Government has held that the Gazette of India is not a newspaper within the meaning of the Working Journalists' Act of 1955 and therefore the dispute raised by the association has no basis. In case you wish to discuss further the merits you are advised to attend this office on 28th August 1962 at 2.30 P.M."

यह जवाब दिया गया है सेक्रेटरी, रीडिंग स्टाफ एसोसिएशन को, उसके बाद जब रीडिंग स्टाफ एसोसिएशन ने शासन को नोटिस दिया कि हम कोर्ट में जाते हैं तब यह बिल सामने प्रस्तुत हुआ है। फिर यह बिल भी कैसे प्रस्तुत हुआ है? आज तक यह बिल प्रस्तुत नहीं हुआ। इसके लिये हम ने इस सदन में आवाज उठाई। उसके बाद हमारे सामने हमारे राइट्स को न मान कर यहां यह बिल लाया गया है। लेकिन जब बिल प्रस्तुत हुआ तो बिजनेस कमेटी में नहीं गया। फिर यहां कामत साहब ने आवाज उठाई कि यह बिल यहां क्यों नहीं प्रस्तुत होता है? कामत साहब को यह जवाब दिया गया कि वह प्रस्तुत हो रहा है। लेकिन बिल को प्रस्तुत करने का कारण क्या था? लीगल नोटिस दी गई थी कि हम कोर्ट में जायेंगे, गवर्नमेंट गजट के वर्कर्स की तरफ से, इसलिये यह प्रस्तुत किया गया है। इम-जेंसी के टाइम में यह बिल नहीं लाया जाना चाहिये था और इससे शासन के कर्मचारी नाराज होत हैं तो इसको लाने की जरूरत नहीं थी। और अगर लाये हैं तो फिर सब क्लाज १६(बी) को इसमें शामिल की जरूरत नहीं थी।

हम देखते हैं कि गवर्नमेंट प्रेस के कर्मचारियों की पे कम है। प्राइवेट सेक्टर में लोगों को पे ज्यादा मिलती है। वहां पर ४२५ रु० तक वेतन जाता है और गवर्नमेंट प्रेस में १२५ रु० से शुरू होकर ३०० रु० पर जल्दी ही खत्म हो

[श्री बड़े]

जाता है। इस तरह से आप देखेंगे कि दोनों की पे में फर्क है, वकिंग अवर्स में फर्क है, प्रैच्युटी में फर्क है मैं कहना चाहता हूँ कि जिस को इंग्लिश में प्रेजुडिस कहते हैं। शासन के दिल में अपने कर्मचारियों के विरुद्ध प्रेजुडिस पैदा हो गई है, गवर्नमेंट गजट के जो वर्क्स हैं उनके अन्दर यह कल्पना आ गई है। इस वास्ते यह बिल एक दम से यहां प्रस्तुत किया गया है। अब तक इस को सरकार टालती रही है, लेकिन जब हमने बहुत प्रेस किया तब फिर यह सामने लाया गया है। इस लिये मेरी विनती शासन से यह है कि जब गवर्नमेंट प्रेस के वर्क्स वही काम करते हैं जो कि दूसरे प्राइवेट सेक्टर के वर्क्स करते हैं, और गवर्नमेंट प्रेस कोई ज़ाब प्रेस नहीं है, जो गवर्नमेंट के बुलेटिन निकलते हैं वही उस में छाते हैं, गजट छाता है और तरह तरह का लिटरैचर छाता है एम्बेसीज के द्वारा दूसरे देशों में भेजने के लिये, तब कम से कम इन दोनों तरह के जो वर्क्स हैं उन के ट्रीटमेंट में डिफरेंस नहीं किया जाना चाहिये।

इस के साथ साथ मेरा यह भी कहना है कि आज कल जितने न्यूजपेपर्स छाते हैं वे अधिकतर पूंजीपतियों के हैं, जितने पूंजीपति या ऐसे वाले हैं उन को प्रेस बेच दिया जाता है और उस के बाद उस में मिनिस्ट्रों के फोटो निकलते हैं। दरअसल कुछ ही ऐसे प्रेस हैं जो सच्ची बातें सामने लाते हैं और उन को छापते हैं। लेकिन ज्यादातर प्रेस ऐसे होते हैं जो कि गवर्नमेंट की नीतियों और गवर्नमेंट की ही ब्यूज को सामने लाते हैं और सच्ची बातों को प्रजा के सामने नहीं लाते हैं क्योंकि एक तरह से वे प्रेस उन पूंजीपतियों को बेच दिये गये हैं।

मैं यह भी कहना चाहता हूँ कि प्रेस का विशेष रूप से बढ़ावा हमारे यहां हुआ है, प्रेस यहां पर जब इतना फायदा उठाते हैं तो दरअसल वर्कर्स को भी उस फायदे का हिस्सा मिलना चाहिये। जैसा यहां पर मुझ से पूर्व

एक वक्ता ने कहा कि यहां पर पैम्फलेट्स वगैरह भी बांटे गये हैं, मैं उस से सहमत हूँ और कहना चाहता हूँ कि वकिंग जर्नलिस्ट्स को जो फायदा देना चाहिये था उस को सब-सेक्शन १९ (बी) बना कर शासन ने नहीं दिया है और इस सब-क्लाज को वापस ले लेना चाहिये क्योंकि आज इमर्जेंसी के जमाने में उस से वकिंग क्लास में नाराजी पैदा होगी और शासन के बारे में शोभ उत्पन्न होगा। १९(बी) क्लाज की वजह से दिल्ली में दंग के लिये जो एक विस्फारिंग कैम्पेन चल रही है कि शासन ने हमारे हकों के ऊपर कुठाराघात किया है, यह ठीक नहीं है। इस के लिये मैं ने प्वाइंट ऑफ ऑर्डर भी उठाया था।

इन शब्दों के साथ मैं सब-क्लाज १९ (बी) का विरोध करता हूँ और बाकी जो प्राविजन्स रक्खे गये हैं वकिंग जर्नलिस्ट्स (अमेंडमेंट) बिल में उन का समर्थन करता हूँ।

Shri C. K. Bhattacharyya: Mr. Speaker, Sir, the history of this Bill goes back to the year 1958 as the Deputy Minister himself has said, when the Supreme Court struck down the particular provision in the Act of 1955, relating to the grant of gratuity to the working journalists. The Supreme Court decided that that particular provision was violative of the fundamental rights in the Constitution as embodied in article 19(1)(g). In the same judgment the Supreme Court also set aside the decision of the Wage Board appointed under another section for determining the rates of wages for the working journalists as being *ultra vires* of the Act itself.

After the judgment, the contingency that arose was met by the Government regarding the second. The first was left out. The President of India at once promulgated an ordinance constituting a wage committee to go into the question of the rates of wages for the journalists. This was in June,

1958, and it was later replaced by an Act in September of that year. Under that ordinance, a wage committee was set up and it went into the question of the rates of wages to be prescribed for the working journalists. It submitted a report, and on that report Government passed an order on 29th May, 1959. So, so far as the Supreme Court's judgment, striking down the decisions of the Wage Board, is concerned, Government acted very quickly, but, for reasons unknown, regarding the Supreme Court's judgment striking down the provision for gratuity, the Government betrayed a sort of unwelcome tardiness. It did not move.

After a long time, a tripartite committee was appointed and this committee again prolonged its proceedings, and it took a long time to come to some decisions. This was rather unexpected, because the Supreme Court, when striking down that provision regarding gratuity, had itself suggested that though gratuity could not be allowed on a general basis, it could be allowed for exceptional reasons such as a conscience clause or for long service in the newspaper concerned. But, in spite of this direct suggestion from the Supreme Court, the Government did not move and it left matters to prolong. As a result, we find today that though the Supreme Court judgment was passed in 1958, it has taken more than four years for the Government to come before this House to legislate what the Supreme Court itself has suggested, which is something like a small mercy shown to the hard-working class of persons.

Then, in the same sections under which the wage committee was constituted at that time under the Act of 1958, had also provided that another Wage Board will be constituted within three years of the passing of the order. So, by the middle of this year another Wage Board was due; the Government did not put into effect even that thing, though it was provided in the Act itself. The Government order was passed on 29th May, 1959.

So, according to section 8 of the Act of 1958, by the middle of this year, that order has gone out of effect and another Wage Board should have been constituted. As such, the matter is already late, and I would suggest that when this Bill is passed into law the Government may take no time to constitute a Wage Board as early as possible and as quickly as possible.

This Act should have been made more comprehensive and more consolidated, because the 1958 Act will go out of effect as soon as another Board is appointed. The 1958 Act is in effect because of section 8, because it provided that a Wage Board will have to be appointed on the expiry of three years from the date of the order, and as soon as a Wage Board is appointed, the 1958 Act will practically go out of effect, and only the 1955 Act will hold the field. In such a case, a consolidated Act for the journalists might have been proposed, but that is taking time, and I believe the Government has it in mind to put it quickly and see that the Wage Board comes into existence as soon as possible after the passing of this Act.

Regarding the rights, section 5 which puts into effect the clause for gratuity does not make it retrospective. As Prof. H. N. Mukerjee said, and that is what the journalists also have suggested—this section ought to have been made retrospective from the date of the Supreme Court's judgment. When the Bill becomes law, it will apply only to the journalists who come under its operation after it becomes law, but what about the journalists who have gone out of service between since the date of the Supreme Court's judgment and the date when this Bill becomes law? What provision is being made for them? They are practically being deprived of all possible help under this Bill which could have been brought in earlier. That is the reason why from all sides of the House it is being suggested that this Bill should be given retrospective effect, if not from the date of the

[Shri C. K. Bhattacharyya]

Supreme Court's judgment, at least from 1st July, 1961 which was agreed to in the tripartite committee on behalf of the Government itself.

In this connection, I would draw the attention of the Government to a particular matter in which I believe they have been rather failing in doing justice to the working journalists. In every other Act, whenever the Supreme Court struck down any provision of the Act, Government at once came to the House to have the Act amended. Take, for instance, the Income-tax Act. Government at once came to the House to have it amended so that the requirements of the Supreme Court's judgment might be met and complied with. But this is the only Act which has been allowed to remain unmodified for four long years even after the Supreme Court had declared a particular provision as *ultra vires*.

Mr. Speaker: But in respect of the income-tax the Government was losing money every day!

Shri C. K. Bhattacharyya: But in this case the poor working journalists were losing money too. Government should have considered the poor journalists also. (*Interruption*). They should have been as much awake to the interests of the poor journalists as to their own interest. So, my submission is that since they have not done it, they should give retrospective effect to this clause at least from 1st July, 1961. That is the unanimous demand of the whole House.

In the amendment proposed, I seek to have this clause amended in that way. I also want to draw the attention of the Government to the Act of 1955. In that very Act it was suggested to the Government that after the Act was passed, certain classes of journalists would have been left out, because the Act was not given retrospective effect, and the Act was given retrospective effect only to certain cases of retrenchment effected

at any time between the 14th July, 1954 and the 12th March, 1955. If the hon. Deputy Minister will consult the 1955 Act, he will find that the 1955 Act also gives retrospective effect to a particular section. So, why not this Act also give the same effect to section 5?

After this, I come to the question of quantum of gratuity. The quantum of gratuity to be paid to journalists on voluntary resignation on any ground whatsoever has been limited to 12½ months' average pay, without taking into consideration the length of the service. The Press Commission laid particular stress on this that the conditions of journalism should be such that talents are attracted to it. But the limit that the Government has laid down in the matter of gratuity for the journalists who go out of service voluntarily will rather drive away the talent from this profession. This is also more unjustified because the Government itself has raised the age of retirement of Central Government employees from 55 to 58. So, what incentive will the worker have if he knows that the gratuity he will receive will be frozen to 12½ months' pay, irrespective of the period of service that is rendered to the establishment? That has to be considered. If the Government is not prepared to consider any amendment to the effect that the entire period of service should be considered in the matter of gratuity giving 15 days' average pay for every year of completed service for the whole period, at least 15 months' pay should be given. That is the suggestion of the Supreme Court even in the Express Newspapers case.

The Supreme Court made it clear in their judgment that the conscience clause should be made an exception, in spite of the fact that they struck down the gratuity provision of section 5. Regarding the conscience clause, the Supreme Court quoted from a UNESCO publication as to what conscience is. I say this because

Prof. Mukerjee referred to the circular issued by the IENS. In that circular, they have questioned the existence of conscience itself. It is rather an unkind thing. It says:

"To have a conscience is no doubt highly laudable."

What is this? Everyone has a conscience. This is something like bantering on the matter of conscience. It again says:

"Cases are conceivable where the journalists after completing three years' service may decide to have a conscience."

This is rather unkind. What the Supreme Court quoted from a UNESCO publication about the moral right of journalists is:

"Among the benefits which the status of professional journalists may confer (whether it stems from the law or from an agreement) is one of particular importance, since it goes to the very root of the profession. It is intended to safeguard the journalists' independence, his freedom of thought and his moral rights. It constitutes what has been called the "conscience clause". The essence of this clause is that when a journalist's integrity is seriously threatened, he may break the contract binding him to the newspaper concerned and at the same time receive all the indemnities which are normally payable only when it is the employer who breaks the contract."

Dwelling on the circumstances in which this clause will work, it says:

"a marked change in the character or policy of the newspaper or periodical: If the concern has no longer the same moral, political or religious character and if this change is such as to prejudice his honour, his reputation or in a general way his moral interests, he may demand his instant release. In these circumstances, he

may demand an indemnity payable in the same manner as his salary."

Sir, as one who has been long connected with newspapers in different capacities from News Assistant up to Editor, this conscience clause is very vital to me. If I had the time, I would go on citing instances to show how very distinguished editors went out of their posts on grounds of conscience. Mr. Bipin Chandra Pal left Pandit Motilal's paper *Independent* on grounds of conscience. Mr. Satyendranath Majumdar left *Ananda Bazar Patrika* on grounds of conscience. The person from whom I had my lessons in journalism, Mr. P. K. Chakravarti, who was editor of *Forward* founded by Pandit Motilal and Deshbandhu C. R. Das, went out on grounds of conscience. His resignation was tendered overnight. He had passed an article supporting Mr. J. M. Sen Gupta, to which the then Managing Editor took objection, when he received the information very late in the night. It was 1 o'clock in the night—he phoned up Mr. Chakravarti to say that that article should be withheld. Mr. Chakravarti told him that he would not withhold that article. The Managing Director said, "I withhold it". Mr. Chakravarti retorted, "You can do it only after you accept my resignation". So, his resignation was delivered orally over the phone at midnight without any ceremony. Such were the conditions in which the editors had to work and go out of their service. So, this conscience clause is very vital.

I might also refer to another instance. This is about *Amrit Bazar Patrika*. If younger journalists today have the enthusiasm, they might make research and find out. Lord Curzon who was ruling Bengal with a heavy hand and who was being criticised repeatedly in *Amrit Bazar Patrika* sent word to the editors of the paper, Mr. Sisir Ghosh and Mr. Motilal Ghosh that they should come to him together to settle what would be in the welfare of Bengal. The Ghoshes sent out the reply: "There should be at least

[Shri C. K. Bhattacharyya]

some man in Bengal who works according to his conscience." This is the way journalists maintain their conscience even against administrative authority.

When Mahatma Gandhi went to Calcutta, to launch the non-cooperation movement some of the students met him in Wellington Square. One of us told Gandhiji that we must decide then and there that we shall leave our institutions. Gandhiji rose to speak. He said, "Disabuse your mind of whatever this young student has said." The question put to him was, "Our parents are against it. How can we leave our institutions?" The advice which Gandhiji gave, which influenced my life—I remember it word for word—was:

"If it be an alternative between my advice and the advice of your parents, I say unhesitatingly, follow your parents. But if it be an alternative between the advice of your parents and the dictates of your conscience, I say, follow your conscience."

That is how conscience works. So, this clause is vital and the Deputy Minister should take the trouble of removing the limitation of time laid on that clause.

Shri Surendranath Dwivedy (Kendrapara): Sir, three main changes are proposed in this amending Bill regarding gratuity, wage board and exclusion of working journalists working under the Government. About this Bill itself, it is better that I place before you the opinions expressed by the interests who would be affected by this Bill. Here is a document circulated to Members of Parliament by the Indian and Eastern Newspapers' Society, which says, "This Bill is the seed of discord". They have threatened that if this Bill goes through, it will open the floodgates of acrimonious litigation. That means, they are preparing even before the Bill is passed to go to the law court

So far as the working journalists are concerned, they say that in the tripartite conference and other places, the draft of the Bill was never placed before them and the provisions now contained in the Bill are at variance with the decisions taken in the tripartite conference regarding certain matters. From the amendments tabled in the House, it is quite evident that the Bill does not satisfy or does not serve the purpose for which it has been brought.

While moving this Bill, the Deputy Minister did not tell us why it took four years to bring this measure before this House. If they did not disclose the draft before the tripartite conference to reach some agreement, what was the delay due to? Why did they not issue an ordinance just after the decision of the Supreme Court or bring forward this legislation earlier enough?

I think I will not be wrong if I accuse the Government of partiality because there is a special significance attached to its introduction on the 7th September. Here is a letter with me—a copy of the letter rather—written by the Reading Staff Association, Government of India Press, New Delhi, who demand that they should also be included in the provisions of this Bill, that this should be applied to them. Some conciliation proceedings were going on. When conciliation proceedings failed, on the 30th August, they served a notice on the Conciliation Officer that he must move the Government of India for the appointment of a tribunal to go into this question. And, in order to avoid that, suddenly on the 7th of September, without giving any notice to the House even—that was objected to when it was introduced—this Bill came before us.

Sir, before I go into the merits of the question, I would like to quote this. In the year 1955, I had also the occasion to participate in the debate and I remember about this gratuity—much is being made about it now—

Then, Dr. Keskar, who moved this Bill, specifically said, "As far as we are concerned, after due consideration of the conditions which prevail in other industries and other professions, we came to the conclusion that retrospective gratuity should be given to working journalists and gratuity should be given to them as in all other professions." So, it is too late in the day now to argue, as has been done in this document, that in no other industry there is legally any provision for giving gratuity. The Press Commission also went into this question of giving gratuity to working journalists and they also took into consideration all these aspects. Now they make a variation. Even regarding the quantum, they say that a person who resigns on the ground of conscience will not get more than 12½ per cent. I fail to understand it. Is it suggested that after putting in 30 years of service, one's conscience would be dead? Suppose after 30 years of service he feels that it is not possible for him to continue in that paper or in the place where he is working. If he does not resign on the ground of conscience, he is entitled to 15 months, but because he has to resign under conscience, he is deprived of that opportunity. Even the Press Commission in this matter specifically stated that gratuity should be payable in all cases except where the termination of services is due to misconduct. We think that there should be uniformity in this matter of retirement benefits, in all resignations and in respect of all cases of papers.

Now, Sir, the Government must have taken into consideration all these things when they decided to change this gratuity provision and there is now this argument coming forward. They say that the papers have no capacity to pay. Again, the Supreme Court judgment is being quoted in which it is stated, "These provisions of gratuity are all unrealistic and unreasonable." But gratuity, according to the Court, as they say, is the reward for good, efficient and faithful service for a consider-

able period. I do not know how the present provisions go against this observation. But they oppose the industry-wise uniform basis of gratuity under the plea that the industry had not the capacity to pay and the individual units or groups are in a very difficult position.

Sir, here the Government must make up its mind. It is not a question that the newspaper industry is not in a position to pay. If we take the history of recent days, it is a boom period they are passing through and I know of cases where persons were getting Rs. 600 or Rs. 650 and they have been imported as editors and are drawing a salary of Rs. 3,000 and above. There are many such persons who are being paid high salaries without any consideration to their capacity or any other thing. They are importing experts from other places, paying them high salaries. In this case, there is this demand for giving it with retrospective effect. It is almost a unanimous demand from this House not only because the Deputy Minister of Labour at a certain stage gave this assurance that it would be made applicable from 1st July, 1961, but it should be considered from another point of view also that within these two or three years there have been many journalists who were working in certain establishments but for one reason or the other, after putting in about 11 to 12 years of service, had to leave those establishments and if this Act comes into force, just after we pass it and it is gazetted, then all these journalists would be deprived of this opportunity, and the benefits that are proposed to be given to the working journalists will be denied to them. Therefore, it is meet and proper that it should not only be 1st July, 1961, but I would say, it should be from 18th March, 1958, since the Minister, as I said in the beginning, when he moved the motion, has made this categorical statement that it should have retrospective effect.

[Shri Surendranath Dwivedy]

The next thing that I would like to mention is about the Wage Board. **Many things** have been said about it. I think there is no point in having three independent persons. The Supreme Court in its judgment did not refer to the composition of the Wage Board at all. As the Minister has rightly pointed out, only regarding one clause, they said, it violates the Constitution. What was the occasion for making this change now, unless you want to make it an unwieldy body? Specially, in an industry like the newspaper industry, the interests concerned, the newspaper employees and the owners, the proprietors, know the intricacies and complexities of this profession and they will argue among themselves. "If we demand for a judicial person to preside over it, it is because the judicial knowledge would be available before they come to a decision". More than that, if we import other persons and if we make this body larger than what was contained in the previous Bill, I think the work will not be smooth and the interests of the profession too will suffer. At the same time, I also would like to know when this Wage Board is going to be set up, because in this Bill there is no clear provision. Even in the memorandum that the working journalists have given it was stated that in 1962 this Wage Board should be set up. Whether the Government is going to set up this Wage Board this year or not, I do not know. This year, 1962, is almost over, I do not know whether before the end of the year it would be possible to pass this Bill, have the assent of the President given and get it gazetted and have the Act put into force. They must announce here when they propose to set up this Wage Board.

17 hrs.

The next thing that I want to point out is about the exclusion of working journalists working under the Government. This Act was in the statute-

book since 1955. There was no provision in the act excluding government servants. I want to know whether these facilities which were available to them were denied to them; if so, why? I also want to know why at that time this was not considered. The definition of "working journalist" is not changed under this Bill. It remains as it is. That clearly establishes that whether in the private sector or in the public sector, whoever fulfils those conditions must be considered as a working journalist. I think Shri Bade raised the question of constitutional violation and wanted that it should be declared out of order. I think there is considerable force in this argument, that having seen that really this Act as it is applicable to those government servants they now want to exclude them and therefore this has been brought in. The only argument advanced by the hon. Deputy Minister was that they are under transfers. I do not know if they are under transfers. But wherever they are, they will be in this country and all the benefits should be made available to them because they are doing the same job. The only argument that is advanced in the notes on clauses is that the government rules and regulations generally offer better terms and conditions of service. But this has been statistically contested by the employees concerned, and they made representations to the Minister and they must be with the Government. I want a reply from the Minister on this point. Let them compare the benefits that they are getting and the benefits that they would be getting under the amending Bill. Even the pay is much less than what is given according to this. In some cases, I am told, hundreds of persons could be deprived of this benefit, if this provision is passed as it is proposed.

Shri Bade: The pay of government servants is Rs. 168 to Rs. 300, whereas in the Press it is Rs. 210 to Rs. 425. There is difference of pay also.

Shri Surendranath Dwivedy: These differences have been pointed out. I would like a reply from the Government whether actually the differences that have been pointed out are not based on facts. If they are based on facts, it should be proper for them to delete this provision. If the Act has worked well for these years, what was the necessity to bring this new provision in this Bill?

In the end, Sir, I want to say this much. We know what are the conditions under which the working journalists work. Their work is a specialised job. They have to come to certain decisions on matters of high political nature for which their conditions of work must also be satisfactory. Their service is not to the industry concerned. We should not consider it from that point of view, whether it affects a certain industry which has today become almost a vested interest having monopolies etc. We should consider it from the nation's interest. On the one hand, they argue that this gratuity provision should not be extended to this industry, it is not provided by law in other industries and, on the other hand, they demand that this gratuity, while making calculations, should be based on the basic salary and not on the average pay. At both ends they want to create difficulties. I again warn the Government that, as they have indicated, if they probably are considering again to go to the law court in order to see that the provisions of this Act are not acted upon, the Government must from that point of view, examine this law very carefully.

Shri Maniyangadan (Kottayam): Mr. Speaker, Sir, I congratulate the Government for bringing this measure at least now. It is true that four years have elapsed since the Supreme Court struck out certain portions of the Act, and it was commented here that there was undue delay. But I would like to point out that since the Supreme Court's decision the Gov-

ernment had certain suggestions, they were circulated among the various State Governments and their opinions obtained. For all this some time had to be allowed. Then, after the opinions from the State Governments were obtained, a tripartite conference was convened. They met, I think, in May, 1962. The attempt of the Government throughout was to see that an agreed formula is incorporated in the amending Bill as far as possible, and I think that is a good thing. In this way, it is true that some time has elapsed.

Sir, I may call this law as the Magna Carta of the workers engaged in journalism. The introduction of this "conscience clause" in this Bill is a step in the right direction, and it gives the persons engaged in the work of journalism the right of independent thinking and other kinds of independence. Therefore, after this clause becomes part of the law—I do not say there is no monopolistic tendency in journalism; there is a lot of that—anybody who on account of his conscience wants to retire from the service of a particular concern is entitled to all the benefits that he would have obtained if the management had broken the contract. This provision is really a good thing and I have to congratulate the Government for bringing in this provision.

I would like that the clause in the original Act of 1955 which defines a "working journalist" is modified. I do not know whether all persons who are connected with newspapers but who are not in the managerial line are included in this definition. For example, persons who are engaged as clerks in the office of the paper and some other employees do not come within this definition. I would submit to the Government to look to their interests also. If that is done, a section of the people engaged in this particular profession would be benefited. Some of them are left out now.

Again, a provision regarding gratuity is now introduced for those who want their services to be terminated of their own accord. In the Supreme

[Shri Maniyangadan]

Court judgment a suggestion was made that long service alone would enable them to claim gratuity, and long service was said to be something like 15 years or so. Subsequently, in 1961 the Supreme Court stated that this need not be 15 years, it is not a hard and fast rule and even ten years would be enough. So, that decision of the Supreme Court has now been taken advantage of by Government and a provision incorporated entitling working journalists to claim gratuity even if the period of service is not long.

Shri Bade: Do you mean to say that the Supreme Court held that all those who have put in ten years should be given gratuity?

Shri Maniyangadan: I am referring to the judgment of 1961 and not the Express Newspaper case. That provision in the judgment has been taken advantage of by Government and a new provision incorporated in the Act regarding gratuity. This action only shows the anxiety on the part of the Government to protect the interests of the working journalists to the maximum.

Coming to the constitution of the Wage Board, I am also of the opinion that it need not consist of three independent persons. Now the provision is that it shall consist of two persons representing the employers of newspaper establishments, two persons representing the working journalists and three independent persons of whom one should be a judge of the High Court or of the Supreme Court. My submission is that over and above the representatives of the interests concerned, only one independent person need be there, who is a Judge of the Supreme Court or of a High Court. who should be the chairman of the Wage Board. Increasing the number of members of the Board is not going to improve matters in any way. So, I would agree with the hon. Members who suggested that the composition of the Wage Board should be as it is in the existing Act. It was stated

here that under the Act of 1958 a Wage Board should have been constituted immediately after three years. Section 8 of the Act says:

"The Central Government may, at any time after the expiry of three years from the date of the order passed by it under this Act, if it is of opinion that circumstances require that the rates of wages specified in the order should be revised, constitute a Wage Board as provided in section 8 of the Working Journalists Act and where a Wage Board is so constituted, the provisions of the Working Journalists Act shall apply thereto."

So, the provision is that after three years, if Government is of opinion that circumstances require that the rates of wages specified in the order should be revised—of course, I agree that there are such circumstances now existing—then a Wage Board should be constituted.

For the clause which was struck down from the Act of 1958, that is, section 5(1)(a)(2), some substitute must be found. So, in the present amending Bill, the clause which has been struck down is introduced in another form, in conformity with the opinion expressed by the Supreme Court. Only after that is done can a wage board be constituted; otherwise, there is no purpose in constituting a wage board. So, my submission is that the Government is perfectly right in having waited to constitute a wage board as provided for in the 1958 Act until the present Bill comes into force.

On the whole I welcome the provisions of the Bill and again congratulate the Government on bringing forward this Bill.

श्री भक्त वंश (गडवाल) : अध्यक्ष महोदय, श्रमजीवी पत्रकारों के सम्बन्ध में डा. विधेयक का हृदय से स्वागत और समर्थन करते हुए मुझे गह्रमे प्रसन्नता हो रही है। जब कभी मुझे पत्रकारों का स्मरण आता है तो मुझे

अपने देश के उन दिवंगत पत्रकारों की याद आ जाती है जिन्होंने पत्रकार-कला के द्वारा, अपनी कलम के द्वारा, स्वतन्त्रता संग्राम में हमारी बहुत बड़ी सहायता और सेवा की थी। और आज भी अपनी स्वाधीनता को परिपुष्ट करने में हमारे पत्रकार जिस जवांमर्दी और मुस्तेदी के साथ कार्य कर रहे हैं, उस के कारण श्रद्धा से हमारा मस्तक उनके सामने झुक जाता है।

17:17 hrs.

[MR. DEPUTY SPEAKER in the Chair]

इस लिये जब कभी पत्रकारों के सम्बन्ध में कोई भी विधेयक या प्रश्न इस सदन में आता है तो सदन के प्रत्येक भाग से उग का समर्थन होना और प्रत्येक दल के द्वारा उस में सहयोग प्राप्त होना स्वाभाविक है।

मुझे शिकायत केवल इतनी है कि इस विधेयक को लाने में सरकार की ओर से जितनी तत्परता होनी चाहिये थी, जितनी शीघ्रता से इसे लाया जाना चाहिये, या उतनी नहीं हुई। उस के कई वर्ष असमंजस में बीत गये हैं। जब से पहला अधिनियम बना था तब से उस की कमियों के बारे में सरकार को जानकारी प्राप्त होने लगी थी कि उस पर पूरी तौर से भ्रमल नहीं किया जा रहा है, बार बार इस सदन में सरकार का ध्यान आकर्षित किया गया, लेकिन सरकार अभी तक इस विधेयक को यहां नहीं ला पाई, इस बीच में त्रिदलीय सम्मेलन आये गये, उस की बैठकें होती रहीं, जिन की वजह से देरी हुई। ऐसी स्थिति में मैं यह निबदन करना ही चाहता हूं कि सरकार को अपनी इस देरी के लिये कुछ तो प्रायश्चित्त करना चाहिये, और उस प्रायश्चित्त का तरीका यह हो सकता है कि जब इतनी देरी में इस विधेयक को लाया गया है तो इस में जो सुविधायें दी गईं व उन को रिट्रास्पेक्टिव एफेक्ट दिया जाय, यानी पहले की तारीख से इस को लागू किया जाय। ऐसा करने पर ही इस का कुछ प्रतिकार हो सकता है। जैसा मुझ से पहले भी कई मित्रों ने

कहा है, कि अगर और पहले से नहीं तो यह सुविधायें पत्रकारों को १ जुलाई, १९६१ से तो अवश्य ही प्राप्त कराई जायें। ऐसा करने पर ही इस कमी का कुछ प्रतिकार किया जा सकेगा।

इस विधेयक में जिस मजुरी बोर्ड अथवा वेज बोर्ड की स्थापना की जा रही है, उस का भी मैं स्वागत करता हूं। होना तो यह चाहिये था कि चाहे पत्रकार हों चाहे कोई और श्रमजीवी हों, हमारे देश में एक ही बार में सदैव के लिये उन के वेतन स्तर निश्चित कर दिये जाने चाहियें थे और जैसे जैसे जीवन निर्वाह के साधनों में मंहगाई बढ़ती जाय या घटती जाय वैसे ही क्रम में मंहगाई भत्ता बढ़ता या घटता जाना चाहियें था। यानी "बेसिक पे" एक बार निश्चित कर दी जानी चाहिये क्योंकि बार बार वेज बोर्ड की स्थापना को मैं बड़ी खर्चीली व्यवस्था समझता हूं। होना तो यह चाहिये कि हर दूसरे वर्ष कोई ऐसी व्यवस्था हो जिस के अनुसार जीवन निर्वाह के साधनों में जितनी मंहगाई बढ़ती या घटती जाय उसी के अनुसार "कास्ट आफ लिविंग इन्डेक्स" के अनुसार वेतन-स्तरों में बढ़ोतरी या कमी होती जाय। लेकिन इस में जिस वेज बोर्ड की स्थापना की जा रही है, उस को देख कर मुझे बड़ा आश्चर्य हुआ। जैसी व्यवस्था पहले कानून में की गई थी, वैसी इस में नहीं की जा रही है। मेरी समझ में नहीं आता कि जो तीन स्वतंत्र सदस्य नियुक्त किये जा रहे हैं वे क्या कार्य, करेंगे और दो व्यक्ति ऐसे हैं जो कि समाचारपत्रों के मालिकों का प्रतिनिधित्व करेंगे दो प्रतिनिधि ऐसे होंगे जो श्रमजीवी पत्रकारों के प्रतिनिधि होंगे, लेकिन यह जो तीन सज्जन हैं वे किस पक्ष का प्रतिनिधित्व करेंगे, किस दृष्टिकोण को ले कर आयेंगे? मेरे विचार से एक व्यक्ति जिस का पद हाई कोर्ट या सुप्रीम कोर्ट के जज का होगा उस की बात तो मानी जा सकती है लेकिन इस मंहगाई के जमाने में जब हम इमर्जेंसी और

[श्री भक्त दर्शन]

असाधारण परिस्थिति से गुजर रहे हैं, सात-सात आदमियों का बोर्ड बना देना, जो कि दो-तीन साल बाद अपनी रिपोर्ट देगा और काफी खर्च होगा, यह यहाँ तक उचित है। अतः मेरी नाकिस राय में दो दो व्यक्ति एक एक पक्ष के लिये जायें और एक व्यक्ति जो कि सभापति हो, वह जज की हैसियत का हो और उस व्यक्ति को सरकार नामजद करे। इस तरह के “पंच-पाण्डव” या “पंच-परमेश्वर” जैसे पांच व्यक्ति जो निर्णय करेंगे उस को सारा देश स्वीकार कर लेगा।

श्रीमन्, इस की भाषा से कहीं यह नहीं मालूम होता कि इस बारे में सरकार जल्दी करने वाली है। जब परसों हम परिसीमन आयोग के बारे में बातचीत कर रहे थे तो उसके अन्दर यह शब्दावली रख दी गई थी कि उस अधिनियम के पास होने के बाद जितनी जल्दी हो सकेगा डिमिटेशन कमीशन नियुक्त कर दिया जायेगा। लेकिन इस विधेयक में ऐसी कोई शब्दावली नहीं है। इस से मालूम होता है कि या तो सरकार इस की तत्कालिकता के बारे में भ्रम में पड़ी हुई है या वह इसको महसूस नहीं कर रही है। मैं निवेदन करना चाहता हूँ कि इस में पहले ही काफी देरी हो चुकी है—उसके लिये तो जनता सरकार को क्षमा कर देगी—लेकिन अब आगे इसमें देरी नहीं होगी इसका सरकार को आश्वासन देना चाहिये। उसे यह भी आश्वासन देना चाहिये कि इस कानून के बनने के बाद सबसे पहले वेज बोर्ड की स्थापना की जायेगी।

यह खुशी की बात है कि इसमें इंस्पेक्टरों की व्यवस्था की गयी है। मैं उन सदस्यों में से हूँ जो सरकार का ध्यान इस और लगातार आकर्षित करते रहे हैं कि श्रमजीवी पत्रकारों के लिये जो बेंचन-स्तर निश्चित किया गया है उस पर भ्रम नहीं हो रहा है। जब भी इस बारे में सदन में प्रश्न किये गये तो उनका

अस्पष्ट सा उत्तर दे दिया गया कि उन पर भ्रमल हो रहा है, लेकिन कितना भ्रमल हो रहा है और खासकर हिन्दी और प्रादेशिक भाषाओं के पत्रों पर भ्रमल हो रहा है या नहीं इसकी कोई गारंटी नहीं दी गयी। सरकार के पास कोई ऐसी मशीनरी नहीं थी बात की जांच करती। इसलिये जो यह इंस्पेक्टरों की नियुक्ति की व्यवस्था की जा रही है वह बहुत खुशी की बात है। लेकिन मेरा निवेदन है कि उनके अधिकार क्षेत्र में बड़ोतरी की जानी चाहिये और यह आदेश दिया जाना चाहिये कि उनकी नियुक्ति जल्दी से जल्दी की जाये।

एक बड़ी कठिनाई यह होती है कि कानून तो केन्द्रीय संसद् बनाती है और भ्रमल उस पर राज्य सरकारों को करना होता है, और राज्य सरकारें जिस गति से कार्य करती हैं, में उसकी आलोचना या शिकायत तो नहीं करना चाहता, लेकिन केन्द्रीय सरकार के हमारे कर्णधार इस बात को स्वीकार करेंगे कि राज्य सरकारें बहुत ही देरी करती हैं। और कानून पर वर्षों तक भ्रमल नहीं किया जाता। अतः इसके लिये केन्द्रीय सरकार की ओर से राज्य सरकारों को आदेश दिया जाना चाहिये कि इस कानून के बनने के बाद जितनी जल्दी हो सके निरीक्षकों की नियुक्ति की जाये और उनको आदेश दिया जाये कि वे तत्परता से काम करें और माया मोह में न पड़ जायें। माया मोह की बात मैं ने इस लिये कही कि क्योंकि प्रायः देखने में आता है कि “सैंट्रल एक्साइज” के एक इंस्पेक्टर साहब किसी कारखाने के दरवाजे पर बिठा दिये जाते हैं और यदि सरकार उनको एक सौ रुपया बेंचन देती है तो मिल मालिक उसको एक हजार रुपया देते हैं और जैसा वे चाहते हैं वैसी ही रिपोर्ट वह इंस्पेक्टर गवर्नमेंट को देता है। ऐसा हमारे सैंट्रल एक्साइज में अक्सर होता है। अतः मेरा निवेदन है कि इन निरीक्षकों पर

कड़ा नियंत्रण होना चाहिये और इनको सख्त ताकौद की जानी चाहिये कि वे दृढ़ता से अपने कर्तव्य का पालन करें।

दूसरी बात में यह निवेदन करना चाहता हूँ कि इसमें यह व्यवस्था की जा रही है कि जो पत्रों के मालिक हैं यदि वे रजिस्टर दिखाने से या आँकड़े देने से इन्कार करें तो पहली बार उन पर दो सौ रुपया जुर्माना किया जायेगा और दूसरी बार ऐसा करने पर उन पर पाँच सौ रुपया जुर्माना किया जायेगा। मैं समझता हूँ कि जब ये लोग लाखों का कारोबार समाचारपत्रों का कर रहे हैं तो इन पर दो सौ या पाँच सौ का जुर्माना नगण्य है। यह तो कुछ भी नहीं है। अब वह जमाना नहीं रह गया है जब कि उदाहरण-स्वरूप स्व० श्री गणेश शंकर विद्यार्थी ने कानपुर में "प्रतापी" की स्थापना की थी, जब वह चटाई पर बैठ कर लेख लिखा करते थे और जब वे लेख उस समाचार पत्र में छपते थे तो नौकर शाही भयभीत होती थी और जनता उनका स्वागत करती थी और उन से प्रेरणा लेती थी। पर अब वह जमाना चला गया। अब तो समाचार पत्र एक व्यवसाय हो गया है जिसमें लाखों रुपये लगाये जाते हैं। इस लिये आज यह कहना कि यदि पत्र का व्यवसाय अपने कर्तव्य का पूरी तरह पालन न करे तो उसको थोड़ा सा जुर्माना देकर छोड़ दिया जाये, यह मुझे उचित नहीं मालूम होता। बल्कि मैं तो निवेदन करूँगा कि क्यों न उनको जेल का दंड दिया जाये? किन्तु यह सरकार इनको जेल नहीं भेजना चाहती तो कम से कम जुर्माने की मात्रा तो बढ़ा दी जाय।

मैं मदन का अधिक समय नहीं लेना चाहता। समाज में दो ही वर्ग ऐसे हैं जिन पर मर्से दिया जाता है। एक तो प्राइमरी स्कूलों के अध्यापक हैं, जिनको लोग गुरुओं की सजा तो देते हैं, लेकिन न समाज में उनका सम्मान

है और न उनको भरपेट भोजन मिलता है। यही हालत पत्रकारों की है। प्रति दिन जब हम समाचार पढ़ते हैं तो हमें नये नये समाचार पढ़ कर बड़ी खुशी होती है, लेकिन क्या हम कभी सोचते हैं कि किस तरह से रात रात जाग कर ये श्रमजीवी पत्रकार अपना खून पसीना बहाकर और लगन के साथ अपने कर्तव्य का पालन करते हैं और उनके पीछे कितनी तपस्या का इतिहास है?

श्रीमान्, इन शब्दों के साथ मैं इस विधेयक का स्वागत करता हूँ। धन्यवाद।

Shri S. M. Banerjee (Kanpur): Mr. Deputy-Speaker, I heard with rapt attention to the speeches of various Members of this House. I am sure, every Member raised certain points in favour of the working journalists. It is really surprising that after such a long time, the Government could not come before this House with a comprehensive Bill satisfying the various demands of the working journalists. My hon. friend Shri H. N. Mukerjee has raised so many points. Those points have been hammered by the working journalists throughout the country in the form of resolutions or demonstrations or slogans and they have requested that these demands should be embodied in this Bill. It is really surprising that certain assurances given by the former Deputy Labour Minister Shri Abid Ali have not even come true. For instance, about gratuity he had given an assurance. I have got with me here a note which has been circulated by the working journalists, giving valuable information to the Members of this House. From that note I find that an assurance was given at a tripartite meeting by the then Deputy Labour Minister Shri Abid Ali, and a specific assurance was given, that Government would give retrospective effect to the new gratuity clause at least from 1st July, 1961. It is most unfortunate that even this has been denied to the working journalists.

[Shri S. M. Banerjee]

Today, in our country, when we are facing naked aggression by the Chinese, when the working journalists have risen to a pitch where they are trying to rouse the national sentiments of the millions of the people who are newspaper-readers, and when they are helping the country to fight or combat the sinister plans of these Chinese war-mongers, I find that Government are not still convinced that they also deserve something in this country.

About the composition of the wage board, the hon. Deputy Minister while piloting this Bill said that it was much better to have three independents. I do not know on whom these three independents will be dependent. Why not accept the following simple proposition? After all, the composition of the first wage board was considered by the Supreme Court and it never raised any objection. I do not know why it is being changed. I am yet to know the reason for changing the composition of the wage board.

The amendment which I have tabled, and which I hope will be supported by all is very simple. It seeks to provide for the composition of the board in the following manner, namely:

"The board shall consist of an equal number of persons nominated by the Central Government to represent the employers in relation to newspaper establishments and employees and an independent person, who is a High Court judge, shall be appointed by the Central Government as the Chairman thereof."

Sir, is a High Court Judge not independent? Without imputing any motives to any independent, including myself, I do not see who is much more independent than a High Court judge, and as such, Government should have reposed confidence in the impartiality of a High Court judge. I am sure that what I have suggested

will be the ideal composition of the wage board, and I am sure it will be acceptable to our working journalist friends. I do not know why that composition has been disturbed.

There is another point which has been raised by my hon. friend Shri Bade. He raised it by way of a point of order which you, Sir, in your wisdom disallowed. That was about the new section 19B which is proposed to be inserted. It reads thus:

"Nothing in this Act or the Working Journalists (Fixation of Rates of Wages) Act, 1958 'shall apply to any working journalist who is an employee of the Government to whom the Fundamental and Supplementary Rules, Civil Services (Classification, Control and Appeal) Rules, Civil Services (Temporary Service) Rules, Revised Leave Rules, Civil Service Regulations, Civilians in Defence Services (Classification, Control and Appeal) Rules or the Indian Railway Establishment Code or any other rules or regulations that may be notified in this behalf by the Central Government in the Official Gazette apply."

This virtually means that all those proof-readers who were covered previously by this Act will not be covered by it now. It means that whatever is given to the working journalists will not be made applicable to those who are working in the Government presses. The working journalists or the employees working in the various Government presses are working round the clock in the interests of the country; and after this emergency, they have almost doubled up their work. When they are working round the clock, they are being denied the little benefit which may accrue to them after the passage of the Bill. That is why I demand that this should be omitted completely. This does not sound well. This is a clear case of discrimination. I know that the Constitution is so sacred to

us. Why should we discriminate against an employee merely because he works in a Government concern? So, I fully support the contention of my hon. friend Shri Bade and request the hon. Minister through you that this should be completely omitted.

Shri Bade: Not only that. If more benefits are to be given to the Government servants and Government press workers, those benefits should be given to the other journalists also. There should be no discrimination between the two either way.

Shri S. M. Banerjee: About the formation of the wage board, all the speakers on behalf of the Government, whenever they attend any conference of the working journalists or even other conferences, praise the working journalists and say that the wage board will be constituted. It was to be appointed in 1962. Question after question was raised in this House, and the Minister, his Deputy and even the Parliamentary Secretary who was here never replied in the negative. They always gave us a feeling that the wage board was going to be appointed. I would like to know from the hon. Minister when the wage board is likely to be appointed. Merely because a note has been circulated by the newspaper magnates who are controlling the newspapers today, who are controlling the jute industry, the sugar industry, the banks and general insurance,—practically six bank families are controlling the entire economy of this country—just because they do not want the appointment of a wage board, should Government yield to their pressure? It is a matter which has come before the House many times and we got an assurance from the hon. Minister that the wage board would be appointed. I would request the hon. Minister in his reply to make a categorical statement that the wage board will be appointed, and that no amount of pressure from the newspaper magnates will change the decision of the Government if at all they have taken such a decision. I doubt whether they have taken the decision.

If they have taken the decision, nothing should come in the way.

Then I come to the clause regarding termination on grounds of conscience. I am happy that the question of conscience has been raised. I appeal to the conscience of the working journalists of this country, and my appeal is very simple. I appeal to them that journalism in this country should not be sensationalism, journalism should be something which should be sacred. An impartial attitude should be adopted by the working journalists, for whom I have the greatest respect. I appeal to them to counteract the sinister propaganda carried on by both the *Peking Review* and the Peking Radio and also the very subtle propaganda by other sources.

Mr. Deputy-Speaker: His time is up.

Shri S. M. Banerjee: I will take three minutes.

Mr. Deputy-Speaker: There is a large number of speakers.

Shri S. M. Banerjee: Only three minutes.

For the information of this House, I would like to quote certain things from the papers. A very well-known journal called *Time*, the *Weekly News Magazine*, has criticised India's foreign policy. It is a blueprint as to how they actually want India's policy to be changed. It says:

"Ten months ago, Nehru appointed Lieut.-General Brij Kaul, 50, to command the NEFA area. Then without consulting any of his military men, Nehru publicly ordered Kaul to drive out the Chinese invaders of NEFA."

"The opposing armies were of unequal size, skill and equipment."

This is a thing which is daily propagated by Peking Radio, that it is the Indian Government which ordered the invasion. I am sorry this magazine has been allowed open circulation in this country.

[Shri S. M. Banerjee]

Not only this. I would also quote another journal, *News Week*. What did they write?

They wrote:

"India has no choice; as of last week, thanks to years of un-wisdom, India was temporarily a defeated nation."

Such a scandalous propaganda which is baseless which can be as well the propaganda of the invaders and war-mongers is mischievous. But these papers are allowed to be circulated freely. That is why I have taken the courage and conviction to circulate these among the Members of Parliament. I would request them to come out openly against these things. I appeal to the conscience of the working journalists to counteract this sort of propaganda while we try to defend their interests. They should show to these people that our people cannot fail to see that these are fifth column ideas intended to weaken our Prime Minister. These slogans are intended to make us surrender our freedom and force us to leave ourselves to be defended by more competent foreign armies. These friends plead that we are destined to helplessness.

Our determination is this. India has to build itself strong to meet all dangers under the leadership of our beloved Prime Minister. We shall not surrender an inch of our land neither in NEFA nor in Ladakh, nor in Kashmir. I do not suggest that these publications should be banned. But these issues should be considered by all those who feel that the Chinese invaders should be sent out of our sacred soil. We should tell these people that their propaganda is not going to help this nation in this hour of peril.

Shri A. N. Vidyalankar (Hoshiarpur): All sections of the House have supported this most useful and most welcome measure. I also feel that this should have come much earlier. Now that it has come, I hope every

effort will be made to appoint a wage-board as soon as the Bill is passed.

This Bill relates to the freedom of the journalists; it gives them protection. A free Press is absolutely essential and vital for a free and democratic society. Freedom of the Press does not only mean that the owners of the Press should be free; it means that those who work day and night to run the business should be well-protected and their opinions and their conscience should be fully protected; they should be absolutely free to express their opinion. At present they are not so free; they are yet under severe bondage. The Press owners get published whatever they want. For instance, correspondents are prevented from sending objective reports. Headlines are given in such a manner that the opinion of the owners of the Press are reflected and not the free opinion of the journalists. So, I feel that the conscience of these workers must be protected. In ancient times in India the Brahmins who generally moulded public opinion were protected from the wrath of the rulers and from the bondage of the rich. In modern world, it is essential that these working journalists who are like modern brahmins, who have the knowledge and the capacity to mould public opinion. Therefore, they should be protected. They should be free to express unfettered opinion and they should be protected from their most powerful employers. Therefore, this Bill gives protection to these journalists.

I just want that we should all understand and fully appreciate the role of the press people. In fact, in our society, it is very essential that we should understand the role of these workers who really mould the society, who really work for the country. In order to mould public opinion, in order to give the people what is required to form an independent judgment, and in order to influence them, it is very necessary that the journalists should be given full protection.

I feel that so far, our law relating to the journalists is still inadequate. It is not still such as it should be. But still, whatever has been presented, I welcome it, and I hope that, as suggested by some hon. friends, a comprehensive Bill will be presented to this House and the limits of freedom to those journalists will be further extended.

Then, my hon. friend Shri D. C. Sharma had pointed out that the journalists also suffer: they contact sometimes serious occupational diseases. For instance, I know that many of the journalists suffer from T.B. because they have to work hard. Their working conditions at various places are almost such as we have in worse type of factories where proper working conditions are enforced. The journalists work under such conditions as are not at all suitable for their health. Therefore, some kind of provision should have been made to protect them and to give them all sorts of help in time whenever they get these occupational diseases. So far we have not given them that protection.

Then I agree that this measure should have been given retrospective effect. I do not know why it has not been given that effect. The position was, the Supreme Court judgment came in the way. We intended to give the journalists gratuity with effect from a certain date. Later some assurance was given in the tripartite committee that the measures will be made applicable from 1st July, 1961. I do not know why the retrospective effect is not being given.

With regard to the ten years' limit, I feel that the Supreme Court's judgment did not want any rigidity in this matter. The Deputy Minister has read from the second judgment of the Supreme Court and has stated how on the basis of that judgment rigidity has been removed. It is not at all necessary that we should put a limit of ten years. I think that limit

can be reduced, and it should be reduced.

Similarly, just as my hon. friend Shri D. C. Sharma has said, I feel that in the matter of conscience there can be no limit. After all the conditions and circumstances in which the journalists work are such that their freedom is so limited; in spite of these Acts and in spite of these provisions, their freedom would be very much restricted still. And, therefore, I feel that in the matter of conscience, there should be no limit, and whenever a person feels that his conscience is being influenced, that he cannot keep up his conscience, and if he resigns on that ground, he should be perfectly protected.

I was also reading the note which has been circulated by the Indian and Eastern Newspaper Society. It has been stated that 'conscience' should be defined or the application of this clause it should be made disputable. It has been said that the definition of 'conscience' should be made disputable in the law courts. I do not think that it should be made disputable. Conscience is conscience, and when a person feels the pricks of his conscience pangs the pin of his conscience, it is not for the courts to decide what is conscience and what is not. Therefore, no restriction should be placed on that.

With regard to the execution, I welcome the provision that inspectors will be appointed. But I have experience of inspectors elsewhere. Inspectors without wide powers find it very difficult to enforce the law. I desire that in this respect the Labour Ministry will benefit from the experience gained in the execution of other laws. So, at least in the rules or in the Government Orders, some provision should be made, so that the inspectors should be able to do their work properly and efficiently.

I understand that the disputes will generally go to the ordinary law courts. I have experience of the working of other laws. When they go to the ordinary law courts, they

[Shri A. N. Vidyalankar]

are delayed and sometimes years pass without any decision being given. I think, therefore, these cases should go to the special labour courts or tribunals which should be entrusted with the task of trying these cases, so that there is not much delay in the disposal of the cases.

Lastly, I submit that the punishment prescribed in the Bill is very light. For the owners of papers, to pay a fine of Rs. 200 or Rs. 500 do not mean much. Therefore, the punishment should be deterrent and it should not be light.

With these words, I support the Bill. I hope the Minister will accept such amendments in the Bill which practically every section of the House has suggested.

श्री यशपाल सिंह (कैराना) :

उपाध्यक्ष महोदय, मैं ज्यादा समय न लेने हुये दो या तीन सजेस्टन्स देना चाहता हूँ ।

जो गवर्नमेंट प्रेस के कर्मचारी हैं, उन के लिये इस बिल में कोई ऐसी प्राविजन नहीं है कि उन को भी तरबकी मिल सके । जो सरकारी कर्मचारी हैं, उन के लिये भी वही रियायतें मिलनी चाहिये, जो कि हम बाहर देते हैं ।

कोई पैनल हो या कोई बोर्ड, उस में वर्किंग जर्नलिस्ट्स के वोट्स से चुने हुये लोग हानि चाहिये । नामिनेटड लोग होंगे, तो वे वर्किंग जर्नलिस्ट्स का इन्टरेस्ट सर्व नहीं कर सकेंगे । इस लिये उन के अपने वोट्स से चुने हुये नुमाइन्दे होने चाहिये ।

सरकार को किसी भी प्रेस या न्यूज-पेपर के साथ स्टैपमदरली ट्रीटमेंट नहीं करना चाहिये । जिस डेमोक्रेसी के लिये और संतुलन के लिये हम खड़े हुये हैं, उस में हम

ने ४४ करोड़ लोगों को प्रेम की एक गंगा में स्नान कराना है । मैं देखता हूँ कि अकाली मूवमेंट खत्म हो गई, पंजाबी सूबे की मांग भी खत्म हो गई और सब अकाली लीडर्ज को रिहा कर दिया गया है । इस वक्त कोई झगड़ा नहीं है । लेकिन दिल्ली के एक गरीब न्यूजपेपर के खिलाफ अब भी सरकार ने मुकदमा चला रखा है कि उस ने पंजाबी सूबे की डिमांड को प्नीउ किया था और उस डिमांड को आगे बढ़ाया था । मैं निवेदन करना चाहता हूँ कि इस समय सरकार के लिये ऐसा करना शोभा नहीं देता है ।

श्री दी० चं० शर्मा : कौन सा पेपर है ?

श्री यशपाल सिंह : नई दुनिया । मैं नाम नहीं लेना चाहता था ।

मान लीजिये कि मैंने कोई जर्म किया है, तो सरकार मुझे तो रिहा कर दे, लेकिन जिस ने मेरी इमदाद की है, उस पर मुकदमा चला दे, यह एक ऐसी बात है, जो कि हमारे जननय को शोभा नहीं देती ।

जैसा कि मैंने पहले कहा है, कोई भी बोर्ड, पैनल या ट्रिब्यूनल बने, इस जमान में सरकार को उसे नामीनेट नहीं करना चाहिये, बल्कि वर्किंग जर्नलिस्ट को यह अधिकार होना चाहिये कि वे अपने वोटों से उस बोर्ड को कायम करें और उन लोगों को उस में रखें, जो कि इन्साफ देने वाले हों ।

मैं अपने श्रद्धेय माननीय श्री दीवान चन्द्र शर्मा की उस बात से सौ फीसदी सहमत हूँ, जो उन्होंने कही कि वर्किंग जर्नलिस्ट्स को काम करते करते जो डिजोज होती है, गवर्नमेंट की तरफ से उन के निराकरण और ट्रीटमेंट का इन्तजाम होना चाहिये ।

सरकार को चाहिये कि वह हिन्दी और अंग्रेजी में अब कोई भेद न रखे । हिन्दी प्रेस को जो भेद है, यह सरकार को शोभा नहीं

देता है। अंग्रेजी के अखबारों में अच्छी से अच्छी तनखाह मिलती है जब कि हिन्दी के अखबारों में कम से कम तनखाह मिलती है। यह भेद जो इस वक्त है, यह खत्म होना चाहिये। ऐसा एटमसफीयर तैयार किया जाना चाहिये कि हमारे लोग जो प्रेस में काम करते हैं, वर्किंग जर्नलिस्ट हैं, वे ख्याल करें कि हम सब को एक निगाह से देखा जा रहा है।

इन लोगों के ऊपर आज जो जिम्मेवारी है वह भी बहुत बड़ी है। सरकार को उन पर इस वक्त बड़ा भारी भरोसा करना है। उन्होंने यह साबित कर दिया है कि देश को आगे ले जाने में, चाटना को पीछे धकेलने में उन्होंने सब से ज्यादा गविसेस की हैं। इस वक्त देश में जो एटमसफीयर है वह ऐसा है कि लोगों ने अपने भेदभाव भुला दिये हैं, पाटों फिकसॉज को भुला दिया है और सब एक जगह आ कर खड़े हो गये हैं। इस का सब से ज्यादा श्रेय हमारी प्रेस को है, हमारे अखबारों को है, वर्किंग जर्नलिस्ट्स को है, उन लोगों को है जो भुल रहे करके भी देश की सेवा कर रहे हैं।

मैं ज्यादा समय नहीं लेना चाहता हूँ। मुझे धन्यवही सजेशन आपके सामने रखनी थी। मैं उम्मीद करता हूँ कि माननीय मंत्री जी इन पर जरूर ध्यान देंगे।

Shrimati Lakshmikanthamma (Khammam): Mr. Deputy-Speaker, Sir, I welcome the Working Journalists (Amendment) Bill, 1962. Let me take this opportunity to congratulate the working journalists who have played a tremendous and very appreciable role during this emergency. I am sure they must have been sitting very late in the night only to give the latest news to the very anxious people all over the country.

Sir, I myself was associated with a Working Journalists Association at

Hyderabad, and I can understand the difficulties and the problems facing the working journalists. I say that there should be a more human approach on the part of the employers. I know an instance where—our friends have been discussing about it, and the purpose of this Bill is also that—because of conscience a person resigned. The purpose of the Bill is that in such a case he should be paid gratuity. I know an instance where a big officer working in a press, the Chief Staff Reporter earning about Rs. 600 per month, had to resign his job because of his conscience, what will happen to him the next day. A person earning a decent salary would be left without a job the next day, but he does not bother about all that, about what happens to him the next day. What is important is, these people go according to their conscience. They would never like to be bossed over or treated merely as some workers for a petty sum of money. Most of these employers are more business like. They give importance to the person as long as he is useful to them. The importance that they give to a working journalist depends upon his use to them. Once they feel that he is a bit independent or bold or that he is giving views which are contrary to the views of the capitalists, then the trouble starts.

We must also understand the great difficulties involved in the job of a working journalist. It requires a subtle understanding of the problem. It is an intelligent job. On the one hand, he should try to act according to his conscience and, on the other hand, he should try to do his duty to his satisfaction. Then, he has to please his boss also. Every time he cannot go against the will of his boss. Most of them, knowing the working journalists as we do, are full of patriotism. They try to serve the country, with all their limitations, to the maximum capacity that they can and help in solving our economic and social problems. As some of our friends have stated, some people

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choose this job because of their love of journalism; not merely because of getting some job or some money.

Here I would like to make an appeal to the capitalists or monopolists, whoever they may be, that they should also in their own interests, give more and more importance to the personal aspect of the working journalists and allow the bud of their intelligence to bloom. They should not exploit the situation in which the working journalists are placed.

I also agree with some of my hon. friends that though most of the journalists, because of their economic conditions, have to do their work for earning their livelihood, they look upon this profession as sacred. I had opportunity to visit some of the presses where these journalists are working and I have found that they work like machines. So, it is quite correct that Government have brought forward this Bill, making provision for payment of gratuity to the journalists. It is a welcome provision. It is also a good thing that they are going to constitute a wage board very shortly.

Shri H. N. Mukerjee stated that big money controls the press. It is true. We cannot expect big money or a capitalist to have socialist ideals. He is doing it for his profit. As long as he does it, he is interested in the welfare of his enterprise and larger profits. We cannot blame him for that. We have to blame only ourselves for creating that situation. I want to know from my hon. friend what he has done to solve this problem.

I have a suggestion to make in this connection. Since we believe in a socialist co-operative commonwealth, why not the working journalists form themselves into co-operative organisations? With their efficiency and experience, and also with the help of Government, they can run presses, independently.

Shri Daji: They will not get Government advertisement.

Shrimati Lakshmikanthamma: Government is there to give advertisements and encourage the press.

Shri C. K. Bhattacharyya: Government advertisements are given to Communist Party organs.

Shri Daji: Very few.

Shri C. K. Bhattacharyya: I have found it in Calcutta.

Shri Daji: Very few.

Shrimati Lakshmikanthamma: If my friends have faith in Communism, why should they expect these people to live and sustain only through advertisements? They may put their faith in larger circulation of newspapers and reaching the papers to all corners of the country.

Shri Bade: It is impossible.

Shri Warrior: It was tried in Bombay and failed.

Shrimati Lakshmikanthamma: It is true that the monopolistic press is very well organised. But it can be done in the case of other papers also. Of course, at the present juncture, I do not say that the entire press should be nationalised, but still I am in favour of more and more of these enterprises being taken in the public sector by the Government.

The press as a whole, whether capitalist or otherwise, is doing a very good service during this emergency. Still, I am not satisfied with their performance. I still feel that they are not giving enough prominence to our policies. For example, take the policy of neutrality. They have been quite silent on that, and I do not know why. The whole world appreciates it, everybody knows it and it has paid us sumptuously. So, why should they not give more and more importance to our views and ideas and our policy of neutrality? I do not know, perhaps

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it is likely that most of these working journalists would like to do it but, as we all know, they have their own limitations; they are not free to express what they feel right; they have to express only what their boss wants them to say.

18 hrs.

Shri D. C. Sharma: No, no, they are not like that.

Shrimati Lakshmikanthamma: Still I feel so. This Bill is welcome and that many more measures like this will be brought forward in the near future for the welfare of the working journalists.

Mr. Deputy-Speaker: Shri Chandak Absent. **Shri K. L. More.**

Shri K. L. More (Hatakanangle): Mr. Deputy-Speaker, Sir, I rise to support this measure. It is a welcome measure and I support it wholeheartedly. But in order to make this measure most beneficial, certain things

are to be remedied and in regard to that I want to make two or three suggestions.

In the first place, this measure should be made retrospective in effect. In this respect I support Shri Bhattacharyya. Another suggestion of mine is regarding the constitution of the Wage Board. Formerly it consisted of five members but clause 4 seeks to alter the number to seven. I think, there is no necessity for changing the constitution of the Board. It was independent.

Mr. Deputy-Speaker: Does he want more time or is he finishing shortly?

Shri K. L. More: I would like to continue tomorrow.

Mr. Deputy-Speaker: He can continue tomorrow. The House stands adjourned till 12 noon tomorrow.

18.01 hrs.

The Lok Sabha then adjourned till Twelve of the Clock on Thursday, the 6th December, 1962|Agrahayana 15, 1884 (Saka).

[Wednesday, December 5, 1962/Agrahayana 14, 1884 (Saka).]

	COLUMNS		COLUMNS
REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS PRESENTED	4387-88	BILLS PASSED	4428-80
Twelfth Report was presented.		Discussion on the motion to consider the Taxation Laws (Amendment) Bill was concluded and the motion was adopted. After clause-by-clause consideration the Bill was passed.	
BILLS INTRODUCED	4388-89	BILL UNDER CONSIDERATION	4480-4548
(1) The Emergency Risks (Factories) Insurance Bill, 1962.		The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman) moved for consideration of the Working Journalists (Amendment) Bill, 1962. The discussion was not concluded.	
(2) The Emergency Risks (Goods) Insurance Bill, 1962.			
(3) The Agricultural Refinance Corporation Bill, 1962.			
(4) The Representation of the People (Amendment) Bill, 1962.			
REPORT OF BUSINESS ADVISORY COMMITTEE ADOPTED	4390-99	AGENDA FOR THURSDAY, DECEMBER 6, 1962/AGRAHAYANA 15, 1884 (SAKA)—	
Tenth Report was adopted.		Consideration and passing of	
MOTION RE : REPORT ON INDIAN AND STATE ADMINISTRATIVE SERVICES	4399-4419, 4422-27	(i) The Working Journalists (Amendment) Bill, 1962, (ii) The Personal Injuries (Emergency Provisions) Bill, 1962, and (iii) The Manipur (Sales of Motor Spirit and Lubricants) Taxation Bill, 1962.	
Further discussion on the motion re : Report on Indian and State Administrative Services continued. Shri Harish Chandra Mathur replied to the debate. The discussion was concluded and the motion was adopted.			