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FOURTH SESSION, 1963/1884-85 Saka
(Third Lok Sabha)

LOK SABHA SECRETARIAT
NEW DELHI

FIVE RUPEE

INDEX TO THE THIRD LOK SABHA DEBATES
[Fourth Session, 1963/1884-85 (Saka)]

C O N T E N T S

	PAGE
How to use the Index	i-ii
Part I—Subject Index	I—144
Part II—Name Index	145—409

INDEX TO LOK SABHA DEBATES

HOW TO USE THE INDEX

The Index is arranged alphabetically with the Subject Index and Name Index separated and printed in the following orders: Part I—Subject INDEX; Part II—Name INDEX; Entries, in certain cases, are provided with the Main Headings (printed **THUS**) and sub-Headings (printed *Thus*). At the end of every entry, the Volume Number of the Debates is given in Roman numerals in parenthesis followed by the Column Number or Numbers, as the case may be [printed as (XIV) 432-33.]

Under every Main Heading including various names, entries pertaining to Questions and Answers are arranged first, followed by entries pertaining to the Proceedings other than Questions and Answers separated by the word "Debates" in italics.

All the Bills are alphabetically arranged under the main heading "BILL(S)".

Various bodies like Committees, Councils, Boards, Corporations etc. are consolidated under the same Main Headings, i.e., "COMMITTEE(S)", "COUNCIL(S)", "BOARDS", "CORPORATION(S)", etc.

Information pertaining to Railways has been indexed under the various Main Headings commencing with the word Railways, e.g. "RAILWAY LINES", "RAILWAY TRAIN(S)", etc.

Various Universities, Banks, Conferences, Courts, Forts, Ports and similar other broad subjects are shown in alphabetical order under these very main Headings.

Information pertaining to the United Nations and its various affiliated bodies is given under the Main Heading "U.N."

All the papers laid on the Table of the Lok Sabha are indexed only under the Main Heading "PAPERS LAID ON THE TABLE".

Information regarding various States in India, and the various foreign countries has been indexed under their respective names.

A list of abbreviations used in the Index is given below:—

A.M./Ad. Motion	Adjournment Motion
B.O.H.	Business of the House
B.G.	Budget General
B.R.	Budget Railway
C.A.	Calling Attention to Matter of Urgent Public Importance.
Consid.	Consideration stage of a Bill. This stage includes:—
	(i) Motion to refer to Select/Joint Committee;
	(ii) Amendment to refer to Select/Joint Committee;
	(iii) Amendment to circulate;
	(iv) Motion to consider as reported by Select/Joint Committee;
	(v) Amendment to recommit to Select/Joint Committee etc.
Consid. Cl.	Consideration of Clauses of a Bill.

(ii)

D.E.G.	Demands for Excess Grants.
D.E.G.(R)	Demands for Excess Grants (Railways)
D.G.	Demands for Grants.
D.G.A.	Demands for Grants on Account.
D.G.A.(R)	Demands for Grants on Account (Railways).
D.G.R.	Demands for Grants (Railways).
D.S.G.	Demands for Supplementary Grants.
Dis.	Discussion.
H.A.H. Dis/H.A.H. Discussion	Half-an-Hour Discussion.
Int.	Introduction stage of a Bill.
Lok.	Lok Sabha.
M	Motion.
M.P.	Motion of Privilege.
Op. on B.	Opinion on Bill.
P.A.	President's Address.
P.A.M.	President's Address, Motion on.
Pet.	Petition.
R.S.M.	Rajya Sabha.
Res.	Resolution.
St.	Statement.
Min. Com. Dev. Panch. Raj and Coop.	Ministry of Community Development, Panchayati Raj and Co-operation.
Min. Com. and Ind.	Ministry of Commerce and Industry.
Min. Def.	Ministry of Defence.
Min. of Econ. & Def. Co-ord.	Ministry of Economic and Defence Co-ordination.
Min. Ed.	Ministry of Education.
Min. Ex. Affairs	Ministry of External Affairs.
Min. Fin.	Ministry of Finance.
Min. Food and Agri.	Ministry of Food and Agriculture.
Min. H.A.	Ministry of Home Affairs.
Min. Health	Ministry of Health.
Min. I. & B.	Ministry of Information and Broadcasting.
Min. Irr. and Power	Ministry of Irrigation and Power.
Min. Lab. & Emp.	Ministry of Labour and Employment.
Min. Law	Ministry of Law.
Min. M. & F.	Ministry of Mines and Fuel.
Min. Rly.	Ministry of Railways.
Min. S.R. & C.A.	Ministry of Scientific Research and Cultural Affairs.
Min. S. & H.I.	Ministry of Steel and Heavy Industries.
Min. Trpt. & Communi.	Ministry of Transport and Communications.
Min. W.H.B.	Ministry of Works, Housing and Rehabilitation.
Deptt. of Parly. Affairs	Department of Parliamentary Affairs.
Deptt. of Atomic Energy	Department of Atomic Energy.

INDEX
TO
THE FOURTH LOK SABHA DEBATES

Fourth Session, 1957/1958-59 (Saka)—(Third Lok Sabha)

[18th February to 7th May 1963

29th Magh, 1884 to 17th Vaisakha, 1885 (Saka)]

Part I—Subject Index

To

Lok Sabha Debate

A

A.C.C.:

A.C.C. and N.C.C. (XVI), 7157-59.

**A.E.C. CENTRE AND SCHOOL,
PACHMARHI (XVIII), 13982.**

A.I.R.:

A.I.R. Broadcasts (XVI), 8434.

A.I.R. broadcasts for Lacadive islands (XVII), 11073-74.

A.I.R. broadcasts from B.B.C. Singapore (XIII), 941.

A.I.R. broadcasts to West Asia (XVII), 11031-34.

A.I.R. employees at Cuttack (XV), 5861.

A.I.R. employees in Bihar (XV), 4425.

A.I.R. news broadcast (XVI), 71-76.

A.I.R. Programme for prisoners (XVIII), 12598.

A.I.R. STATIONS (XVI), 7181.

A.I.R. station at Port Blair (XVI), 8391-92.

A.I.R. Station at Raipur (XV), 4425.

A.I.R. transmitters (XVI), 8427.

Assistant Engineers in, (XVI), 1926.

Broadcasts from Radio stations on Defence efforts (XIV), 4130-31.

A.I.R.: contd.

Broadcast in Tribal languages (XVI), 7172-73.

Commercial advertisement on, (XVII), 11057.

Foreigners employed in, (XVIII), 13958-965.

Hindi News Bulletins on, (XVIII), 12592.

Hindi news from, Nagpur (XV), 5876.

National Anthem on, (XIV), 4125-26.

New Radio Stations in border areas (XIII), 943.

Parliamentary proceedings on, (XVII), 9629-30.

Patriotic songs on, (XVI), 7162-63.

Popularisation of Hindi through, (XVII), 11012-15.

Powerful transmitter on, (XIV), 1896.

Review of Punjabi books on, (XVI), 8440-41.

Shorter National Anthem on, (XVIII), 12579.

Special talks on A.I.R. regarding Emergency (XVII), 11071-72.

Swahili Unit in, (XVII), 9662-63.

Tamil artistes (XVI), 8442-43.

Use of Hindi on, (XVIII), 125-44.

Use of Hindi dictionaries in, (XVII), 11055-56.

A.I.R. : Contd.

Vividh Bharati (XVI), 7134—37.
Vividh Bharati Programme from,
Nagpur (XV), 5877.

Debates

Parliamentary proceeding on A.I.R.
(H.A.H. Discussion) (XVIII),
13756—61.

AVRO-748 (XV), 4415.

ACCIDENTS:

Accident at Bikaner-Delhi Highway
road (XVIII), 12858.

Accident at Talchar coal mines
(XV), 6381-82.

Accident in Ballihari Colliery
(XVII), 11042-43.

Accident in Jamuna Colliery
(XVII), 11050.

Bull-dozer accident (XV), 5873.

Collision of a car with Express
train (XVIII), 12859-60.

Fatal accidents in collieries in
Yellandu (XVII), 9667-68.

Jeep accident near Bomdila (XIII),
951.

Level-crossing accidents (XVII),
9907.

Military truck accident (XVI),
7177-78.

Railway accidents enquiry com-
mittee (XVII), 11313.

Railway accident near Dhanbad
(XVII), 11315.

Road accidents in Delhi (XIV),
2158.

Debates

Accident at Jamuria Colliery
(C.A.) (XV), 5609—11.

Accidents at Mithaul and Sripur
Collieries (CA) (XVII), 10661—
63.

Accidents between Tiruchi—Teni
Express and a bus (C.A.) (XV),
5896—5900.

Jharkhand Colliery Accident (CA)
(XVIII), 13622-23.

ACTS:

Amendment of the Indian Forest
Act, 1927 (XIII), 1697.

Amendments to Industrial Disputes
Act (XV), 5855.

Hindu Succession Act (XIII), 1659.

Violation of Companies Act (XIV),
3863—66.

Violation of foreign exchange re-
gulation Act (XVI), 7676.

"ADALATI PANCHAYATS" (XIII),
108.

ADJOURNMENT MOTION(S):

Blasting of Railway line and firing
on train by Naga hostiles (XVI),
9180—91.

Re: Motions for Adjournment
(XIII), 127; (XVIII), 12623—26.

ADMINISTRATIVE MACHINERY:

Toning up of administration (XVII),
11062.

ADULT EDUCATION:

Adult education in Orissa (XVI),
8911.

ADVERTISEMENTS.

Commercial advertisement on A.I.R.
(XVII), 11057.

Government advertisement in
newspapers (XIII), 920.

ADVOCATES ACT:

Stamp duty under, (XIII), 1658.

AFFORESTATION:

Afforestation in catchment areas
(XV), 4682.

AFGHANISTAN:

Export of green tea to. (XIII),
1662.

AFRICAN COUNTRIES:

Trade with, (XIV), 2947.

AFRO-ASIAN JOURNALISTS' CON-
FERENCE (XVIII), 14157—64.

AFRO-ASIAN SOLIDARITY CON-
FERENCE (XIII), 916-17.

Indians working in Afro-Asian
Solidarity Conference Secretariat
(XV), 4406.

AFRO-ASIAN COUNTRIES:

India's relations with foreign countries (XIV), 4065-69.

AGRICULTURAL ADMINISTRATION (XIV), 1903.

AGRICULTURAL CESS (XVII), 11310.

AGRICULTURAL COLLEGES (XVIII), 12839.

Agricultural college in Annamalai University (XVI), 8185.

Agricultural colleges of Punjab (XVII), 11325.

AGRICULTURAL IMPLEMENTS (XVII), 9375 (XVIII), 12801-05.

Agricultural implements centre at Aligarh (XVI), 8124-27.

Allotment of iron for agricultural implements (XVIII), 12833-34.

Bullock-plough (XV) 4674.

AGRICULTURAL:

Agricultural indebtedness (XVII), 11322.

AGRICULTURAL LAND(S):

Acquisition of agricultural land (XV), 6122.

AGRICULTURAL MACHINERY SERVICE STATION (XVIII), 12841-42.**AGRICULTURAL PRICES:**

Agricultural price policies (XIV), 4163-64.

AGRICULTURAL PRODUCTS:

Export of, (XV), 5431-33.

Prices of, (XV), 6053-56.

Quality Control on, (XVIII), 13593-94.

AGRICULTURAL RESEARCH:

Aid by U.S.A. for, (XV), 4661.

Research on plant genetics (XV), 6111.

AGRICULTURAL SERVICES:

All India Agricultural Services (XIV), 2149.

Indian Agricultural service and Indian Forest Service (XVI), 8669.

AGRICULTURAL UNIVERSITIES:

Agricultural university at Bhubaneswar (XVII), 11315.

Agricultural University in Maharashtra (XVII), 12825.

Agricultural University in Rajasthan (XIII), 1679, (XVII), 11316.

Home science colleges in, (XVII), 11289.

University courses in Agriculture (XIII), 91.

AGRICULTURE:

Agricultural demonstration (XIII), 1682.

Agricultural farm, Andhra Pradesh (XIII), 1689.

Agricultural production (XIII), 67-74, 1590-91, (XIV), 2079.

Agricultural programmes (XVI), 8644.

Agricultural service co-operative societies (XVII), 11345.

Area under cultivation (XIV), 3155-57.

Committee to assess position of cultivation (XVI), 8186.

Consolidation of holdings (XVII), 9895.

Cooperative agricultural farming societies (XV), 4677-78.

Development of agriculture in frontier hilly areas (XV), 6126-27.

AGRICULTURE: contd.

- Development of agriculture in Kerala (XV), 4677.
- Development of agriculture in Maharashtra (XVIII), 12823-24.
- Development of agriculture in Orissa (XVI), 8153.
- Development of agriculture in U.P. (XVI), 8156.
- Graduates in agriculture (XIV), 3132-35.
- Intensification of work on farms (XIV), 3162.
- Intensive agriculture programme (XVI), 8142-43.
- Iron and steel for agricultural purposes (XVII), 11291.
- Japanese type of cultivation (XVII), 11348.
- Joint farming (XVI), 8145-48.
- Manufacture of power tillers (XVII), 9400.
- Sewage water for cultivation in Delhi villages (XVIII), 11865-66.
- 'Zaid' crops (XV), 6124-25.

AGRICULTURISTS:

- Agriculturist families of Kerala (XVI), 8188-89.
- Assistance to farmers (XIII), 101-102.

AGROCLIMATOLOGY:

- Development of agroclimatology (XVI), 8673.

AID:

- Aid to Gurukulas (XIII), 1196-97.
- Aid to Sanskrit Pandits (XV), 6395-96.
- Aid to voluntary Educational Organisations (XV), 4907-08.
- Central aid for construction of Chandigarh (XVI), 9164-65.
- Aid given to Bharat Sewak Samaj (XVII), 10155-56.
- Russian aid for oil production (XV), 6369-71.

AID INDIA CLUB (XV), 6611.**AID INDIA CONSORTIUM (XVD), 7665-66.****AIR ACCIDENTS (XIII), 1680.**

Accident to Hyderabad Flying Club Aircraft (XV), 4612-13.

Air accidents in NEFA (XVIII), 12583.

Air crashes (XIII), 121-22.

Air crash near Hyderabad (XIV), 4126.

Air crash near Jamnagar (XVIII), 12577.

Alitalia crash report (XIV), 3163, (XVIII), 14174.

Crashes of Kalinga Aircraft (XIII), 118.

Dakota air crash (XVI), 7188.

Glider accident in Delhi (XIII), 115.

I.A.F. Canberra air crash (XV), 4420.

Plane explosion near Ambala (XVII), 9652.

AIR DEFENCE:

Air Defence requirements (XVI), 7139-44.

AIR FORCE:

Air Force Flying College examination (XVII), 9671-72.

Air Force Reservists (XVII), 9659-70.

Expansion of, (XV), 4432.

Training of Air Force Pilots (XVII), 9619-20.

Uniform allowances to Air Force Reservists (XVII), 9670.

AIR-GUNS:

Air-guns and rifles (XVI), 6907-08.

AIR INDIA (XVIII), 12817-18.

Boeing aircraft for, (XIV), 3147-49.

Profits of, (XIII), 83.

Purchases by, (XVIII), 11792-98.

Purchase of constellation planes from, (XVII), 9674.

AIR LANES (XVI), 8151.**AIR LINES:**

L.A.C. (XV), 4676.

Indian Airlines (XIII), 1645.

Kalinga Airlines (XIV), 1919.

Katju Committee on Kalinga Airlines (XV), 4639-40.

AIR MAIL:

Night Air Mail services (XVI), 8143-45.

AIRMEN:

Recruitment of airmen (XVII), 9676.

AIR MISSION:

Air Defence Missions (XVII), 11071.

Joint U.S.-Commonwealth Air Mission (XVII), 11043-47.

AIR RAID PRECAUTIONS (XIII), 317, (XV), 4668-69.**AIR RIFLES (XVII) 9410.****AIR SERVICES:**

Air services to Bhopal (XV), 4640-41.

Air services to steel towns (XVI), 8197-98.

Boeing service to Tokyo (XVI), 8684.

Air traffic (XVII), 11341.

Air transport service (XVII), 9618-19.

AIR CRAFT:

Basic Jet Trainer, (XV), 4422.

AIRCRAFT:

Boeing aircraft for Air India (XIV), 3147-49.

Breathing at high altitude (XV), 5872.

Engines for supersonic jet fighter aircraft (XIV) 1901.

'Fokker Friendship' aircraft (XIV), 2130.

Fokker Friendship Aircraft for I.A.C. (XV), 6132.

Fokker Friendship Service for Patna (XVIII), 12835.

Manufacture of, (XVII), 9641-42.

Manufacture of fighter planes (XVI), 7156-57.

Manufacture of jet fighters (XV), 4379.

Orpheus-704 Jet engines (XVII), 9639-40.

Production of, in H.A.L. (XIV), 1929.

Purchase of constellation planes from Air India (XVII), 9674.

Supersonic jet fighters (XVI), 8446.

Test flights at High altitudes (XV), 5876.

Transport aeroplanes (XV), 5844.

U.S. fighter planes (XIII), 951.

Withdrawal of U.S. Transport planes (XIV), 4109-10.

Debates

Crash of an I.A.F. Jet Aircraft (C.A.), (XVI), 7190-91.

AIRPORTS:

Aerodrome at Kasia (U.P.) (XVII), 9658.

Aerodrome at Khajuraho (XIV), 3189-90.

Aerodrome in Malabar area (XVII), 9673.

Aerodromes in Orissa (XVIII), 14172.

Bhavnagar (XVII), 11343.

Civil Aerodromes (XV), 4335.

Jorhat airport (XIV), 3191-92.

AIR PORTS: contd.

- Lucknow aerodrome (XIV), 4142.
 Madras, (XVI), 8688.
 Naal aerodrome (XVIII).
 New aerodromes (XVII), 11347.
 New civil airport at Delhi (XVIII),
 12790—801.
 Runway at Panagarh aerodrome
 (XVIII), 11874.
 Seizure of watches at Santa Cruz,
 (XV), 6591.
 Terminal buildings at airports in
 Assam (XVII), 11340.
 Terminal for Palam Airport
 (XVIII), 12842-43.

**AJOY VALLEY DEVELOPMENT
SCHEME (XIV), 3164-65.****ALI SABRI, MR.**

- Mr. Ali Sabry's visit to India
 (XVIII), 12589.

ALIGARH:

- Archaeological finds at Sasni in,
 (XIII), 1192.

**ALITALIA CRASH REPORT (XIV),
4163.****ALL INDIA BAR COUNCIL (XIII),
728-29.****ALL INDIA CADRE:**

- Enquiries against officers in All
 India Cadre (XVIII), 13093-94.

**ALL INDIA HANDLOOM BOARD
(XVII), 15649—651.****ALL-INDIA NEWSPAPER EDITORS
CONFERENCE (XIV), 4114.****ALL-INDIA PRINTERS' CON-
FERENCE (XVIII), 13547—49.****ALL INDIA SERVICES (XVII),
11569-70.**

- Complaint against personnel of,
 (XVIII), 13085.

- Departmental candidates in,
 (XVII), 10177.

- Enquiries against Officers in All
 India Cadre (XVIII), 13093-94.

- Indian Agricultural service and
 Indian Forest Service (XVI),
 8669.

**ALL INDIA SPORTS CONGRESS
(XV), 4920-21.****ALL INDIA WATER GRID (XVIII),
13371.****ALLAHABAD:**

- Flying Training Centre, Allahabad
 (XIII), 105.

ALLOWANCES:

- Family allowances to political
 detenus (XIV), 3380.

**ALLOY STEEL PLANT (XVIII),
12120-21.****ALUMINIUM:**

- Aluminium Factory at Pipri (XVII),
 10616—618.

- Aluminium factory in Madhya Pra-
 desh (XVII) 9384.

- Aluminium plant at Mettur Dam
 (XVII), 9369.

- Industrial use of Aluminium (XIV),
 2420.

AMBALA CANTT.

- Fire in Ambala Cantt. (XVIII),
 12617.

AMBAR CHARKHAS:

- Ambar Charkhas in Orissa, (XVI),
 7919-20.

- Ambar Charkha in Punjab (XVII),
 10654-655.

- Ambar Charkha Training Course in
 Orissa (XVII), 10638.

AMERICA, UNITED STATES OF:

- "India News" published in (XVIII),
 12599.

**AMERICAN FRIENDS' SERVICE SO-
CIETY (XVIII), 12836-37.****AMMONIUM SULPHATE:**

- Import of Ammonium sulphate from
 Japan (XVI), 6913.

ANCIENT MONUMENTS:

- Monuments in Goa, Daman and
 Diu (XVII), 11079.

**ANDAMANS AND NICOBAR IS-
LAND:**

- A.I.R. station at Port Blair (XVI),
 8391-92.

ANDAMANS AND NICOBAR ISLAND: contd.

- Advisory Committee for the Chief Commissioner of Andamans (XIII), 1169-70.
- Andaman and Nicobar Islands (XIII), 1170-73.
- Andaman Labour Force (XVI), 7433.
- C.D. Programme in, (XIV), 3173.
- Displaced persons in, (XVII), 10164.
- Drinking water in Manipur, Tripura and Andamans (XIII), 1419.
- Housing Schemes in Andaman Islands (XVI), 9157-58.
- Kerosene distribution in Andamans (XVI), 7433-34.
- Plan allocations for, (XIV), 2422.
- Rubber plantation in Andamans (XVIII), 13616.
- Shell-fishing licence in, (XV), 6386-87.
- Transport facilities to Andaman Islands (XIV), 2389.

ANDHRA PRADESH:

- Adult education in, (XVIII), 13078.
- 'Adult Women's education in Andhra' (XV), 6387-88.
- Asbestos in, (XVII), 10180-81.
- Assistance to, (XV), 4649-50.
- Cement factory at Yerraguntla (XVII), 10659.
- Cement quota, (XVI), 7869-71.
- Sugars Limited (XVII), 9387.
- Colonies for Scheduled Castes in, (XVI), 8937.
- Distribution of radio sets in, (XVII), 9678.
- Documentary films on Folk Dances of, (XVI), 7166.
- Drinking Water Supply Scheme in, (XVI), 9172-73.
- Drinking Water Supply in Kurnool district (XVIII), 11861.
- Family Planning Centres in, (XVII), 10413-14.
- Filaria Eradication in, (XVIII), 13385.

ANDHRA PRADESH: contd.

- Gold mines in, (XVI), 7412.
- Housing colonies for handloom weavers in, (XVII), 9414.
- I.A.S. I.P.S. and I.F.S. Officers from (XIV), 2443.
- Industrial development corporation of, (XVII), 9415.
- Iron and Steel Plant in, (XVI), 7914.
- Issue of industrial licences in, (XVI), 7915.
- Limestone deposits in Khammam district, (XVI), 7435.
- Low Temperature Carbonisation Plant at Kothagudium (XVI), 7399-7400.
- New Railway lines in, (XV), 6108-09.
- Pending cases in Andhra Pradesh High Court (XVIII), 13110-11.
- Planning Commission Adviser's visit to, (XVII), 11028-31.
- Post offices in, (XVII), 11345.
- Procurement of rice in, (XVII), 9885.
- Projects in Andhra Pradesh, (XVI), 7915-16.
- Registration in Employment Exchanges in, (XIV), 411.
- Research Schemes in progress in, (XVIII), 12842.
- Research scheme in Pediatrics (XIII), 1179.
- Roads and Bridges in, (XVI), 8174.
- Rural electrification in, (XVII), 10413.
- Sharing of Krishna waters by Madras and, (XIV), 2727-28.
- Scholarships in (XVII), 10154-55.
- Small Scale Industries in, (XVI), 7914-15.
- Small scale units in, (XVII), 9419.
- Tungabhadra High Level Canal (XVIII), 11841-842.

ANDHRA PRADESH: contd.

Welfare of S.C. and S.T. in, (XVIII), 13111.

Zonal office of Railways in, (XVI), 8689.

Debates

Sighting of unidentified ships off the Andhra Coast (CA) (XVII), 10418-22.

ANIMALS:

Death of, (XV), 6121-22.

ANIMAL HUSBANDRY:

National Institute of Animal Husbandry (XVI), 8694.

ANKLESHWAR:

Oil reserves in Kalol and Ankleshwar (XIII), 1185.

ANNAMALAI UNIVERSITY:

Agricultural college in Annamalai University (XVI), 8185.

ANTIBIOTICS:

Antibiotic factories (XIV), 3880.

Production of, (XIII), 685-88.

SEA-EROSION:

Anti-Sea Erosion Projects in Kerala (XVIII), 13396.

ARABIC:

Study of Arabic (XVII), 11600.

ARCHAEOLOGICAL EXCAVATIONS:

Archaeological excavations in Uzbekistan (XVIII), 13971.

Archaeological excavations near Chandigarh (XVII), 11802.

Archaeological excavation near Rajnagar Station in Darbhanga (XIII), 1181.

ARCHAEOLOGICAL FINDS:

Ancient relics in an Allahabad village (XVIII), 13123-24.

Ancient remains in Orissa (XVI), 7410.

Archaeological finds at Saani in Aligarh (XIII), 1192.

ARCHAEOLOGICAL FINDS: contd.

Historical finds in Sagar district (XV), 4891-93.

Lalitigiri in Cuttack district (XVI), 7410-11.

Rare images found in Ballia (XVIII), 13123.

ARCHAEOLOGICAL MONUMENTS:

Archaeological monuments in Badmer (XIV), 3409.

ARCHAEOLOGICAL PROJECTS:

Archaeological projects during Emergency (XV), 4913.

ARCHAEOLOGICAL SURVEYS:

Archaeological survey in Punjab (XV), 6391-92.

Archaeological survey of India help to Nepal (XVI), 8942.

ARID ZONES:

Training for underground water prospecting (XVII), 10159.

ARMS AND AMMUNITION:

Arms from Yugoslavia (XVII), 9634-35.

Manufacture of automatic weapons (XIV), 1863.

Manufacture of automatic weapons (XVIII), 14975-977.

Price of cartridges (XVIII), 12111-12.

Recovery of arms in Ganganagar (XVIII), 13082.

ARMED FORCES:

Blood donations for Jawans (XV), 5183-84.

Cash awards (XVII), 11075.

Chinese infiltration into Indian Army (XVIII), 12604.

District Soldiers', Sailors' and Air-men's Boards (XVI), 7189.

Educational facilities to students joining army (XV), 6341-44.

ARMED FORCES: contd.

- Emergency Commission (XIV)
1914, 4127-28, (XVII), 9670-71.
11076-78, (XVIII), 12568.
- Entertainment of Jawans on
borders (XVI), 7137-39.
- Ex-INA personnel employed in
Army (XIII), 937.
- Expansion of Army (XV), 4432.
- Food parcels for Indian P.O.Ws.
(XVI), 7177.
- "Grow More Food" campaign in
Army Units (XV), 4418.
- High altitude sickness among
Defence Forces (XVII), 9677-78.
- I.A.S. and I.P.S. Officers for Emer-
gency Commission (XIII), 1193-
94.
- Indian Army personnel in Congo
(XVII), 11049.
- Indian troops in Gaza strip (XVII),
9655-56.
- Milk ration for troops (XIV), 1928.
- Modernisation of Armed Forces
(XIV), 1879.
- Mountain Divisions in Indian Army
(XVI), 8412-17.
- Manufacture of Armour plate
(XVII), 10658.
- New Army Command (XVI), 8421.
- New Army Command (XVI), 8421.
- New buildings for Army (XIV),
4132.
- Parcels for Indian prisoners in
China (XV), 6088.
- Postal facilities for Jawans (XVII),
9664-65.
- Recruitment from Orissa (XVIII),
12600.
- Recruitment of Jawans (XIII), 939.
- Recruitment to Army (XIV), 4115-
16, (XVI), 8426-27, (XVII),
11075-76.
- Release of Indian P.O.Ws by Chinese
(XVIII), 14164-67.
- Setting up of a Bengali regiment
(XVII), 9599-9603

ARMED FORCES: contd.

- Shortage of Army Officers (XVII),
11005-12.
- Shortage of Army Officers (XVII),
11005-12.
- Special allowances for families
of Jawans (XVII), 9661-62.
- Soldiers' Sailors' and Airmen's
Board (XVI), 7164-65.
- Training of armed forces (XVI),
8409-11.
- Utilisation of border people in
Defence services (XIII), 945.
- Welfare work for Jawans (XVII),
9652-53.
- Army Commissions to doctors
(XVIII), 12621.
- Army generals (XV), 5874.

ARMY MEDICAL SERVICE:

- Doctors for Army Medical Service
(XVII), 9668-69.
- Army nursing service (XIV), 4123-
24.

ARMY WORKSHOPS:

- 507 Army Base Workshop (XIV),
4120-21.
- Cossipur gun and shell factory;
Dum Dum (XIV), 4121.

AROMATICS:

- Aromatics Production in India
(XV), 4929.

ARTISANS:

- Cluster-type Institution Scheme for
rural artisans (XVIII), 12126.
- Indian delegation of artists for
Russia (XVII), 11611.

ASBESTOS:

- Asbestos depositors in U.P. (XVII),
11595.
- Asbestos in Andhra Pradesh (XVII),
10180-81.

**ASIAN COMMON MARKET (XVII),
10633-634.****ASIAN ECONOMIC DEVELOPMENT
INSTITUTE (XVIII), 12090-92.**

ASIAN HIGHWAYS (XVII), 9851.

ASIAN POPULATION CONFERENCE
(XIV), 4124.

'ASIA SCENE' MAGAZINE (XVII),
10179.

ASIATIC SOCIETY:

Manuscripts with Asiatic Society
Calcutta (XV), 6359-63.

ASSAM:

Accumulation of cargo at Neamati,
(XV), 4692-93.

Booking restrictions to, (XVI),
8685.

Cement factory in, (XVI), 6872-73.

Central Government Officers in
Assam (XIV), 2372.

Coal deposits in Assam and Orissa
(XVIII), 13120-21.

Co-operative movement in. (XV).
6120.

Dam on Barak River in, (XV),
5153-54.

Development projects in, (XV).
5867.

Drilling of oil wells in, (XVI).
8881.

Floods and Power supply in, (XIV),
2702-03.

Garó hills coal bearing area in,
(XVI), 7429-30.

Handicrafts in, (XVII), 9393.

Highpowered Flood Control Board
for, (XVIII), 13388.

Industrial Development of, (XIV).
2912.

Industrial Units in, (XIII), 940.

Micro-wave link in, (XV), 4628-30.

National Highway in, (XV), 4684.

Noonmati Oil Refinery (XVII),
16174-75.

ASSAM: contd.

Oil exploration in Assam and NEFA
(XIII), 1178.

Oil royalty rate for, (XVII), 11541-
542.

Pakistani infiltration in, (XIII),
272-76.

Protection of railway line in Assam
and Nagaland (XVII), 11302.

Rehabilitation of Assam hills
people (XVII), 11587.

Road Transport from West Bengal
to, (XVI), 8629.

Rural electrification in, (XVII),
10411-12.

Sainik School in, (XVIII), 12558.

Silk industry in, (XVII), 9392.

Small Scale Industries in, (XVIII),
13606.

Tea auction market in, (XIV), 2953.

Techno-Economic Survey of Assam
(XV), 4429.

Telephone Exchange buildings in,
(XVI), 8671.

ASSAM RIFLES:

Assam Rifles for NEFA (XVIII),
13954-958.

ASSISTANTS:

Recruitment of assistants from
Scheduled Tribes (XVII), 11612.

Selection grade for, (XV), 6375-76.

ASSOCIATIONS:

Coal Producers' Associations
(XVII), 10165-86.

Commercial Pilots Association
(XVIII), 12310-11.

Indian Mining Association (XVII),
10174-75.

ASTRONOMY:

Indian Institute of Astronomical and Sanskrit Research (XVIII), 13117-18.

ATOM BOMB:

Explosion of atom bomb by France (XVI), 1186-87.

ATOMIC ENERGY:

Peaceful uses of Atomic Energy (XIV), 1917.

Peaceful uses of Atomic Energy (XVIII), 12603.

ATOMIC POWER:

Atomic Power Station in Kerala (XVIII), 12608.

Atomic power plant at Tarapore (XIV), 4118.

ATOMIC SCIENTISTS:

Conference of Atomic Scientists held in Tokyo (XVIII), 12550.

ATTORNEY-GENERAL:

Attorney-General's advice on affairs of a firm (XVIII), 13050-56.

AUDIO-METRE CENTRES (XV), 8614.

AUDITORIUMS:

Auditoriums in Schools and Colleges of Orissa (XV), 4912.

AUSTRALIA:

Assistance from Australia for C.D. projects (XIV), 3195-96.

Military aid from, (XVI), 7179.

Trade with, (XVI), 7879-82.

Transmitter from, (XIV), 4118.

AUSTRIA:

Outcome of visit of the Minister of State in the Ministry of Steel and Heavy Industries to Austria and West Germany (CA) (XVIII), 13989.

AUTOMATIC WEAPONS:

Manufacture of Automatic Weapons (XIV), 1863; (XVIII), 13975-977.

AUTOMOBILES:

Automobiles for Defence (XVII), 10629-630.

Chrysler Automobiles (XVI), 6861-62.

Defence Orders on automobile industry (XVI), 6896.

Import of components for, (XVIII), 12094-99.

Manufacture of, (XVI), 6906-07.

Prices of, (XIII), 702-08.

Production of motor trucks (XIII), 713-16.

Auxiliary Air Force (XVII), 9665.

AWARDS:

Awards to grape growers (XVIII), 12837.

Books awarded Academic Awards (XVI), 7424-25.

Sahitya Akademy, (XIV), 3413; (XVII), 10179-80.

AYURVEDA:

Ayurvedic graduates (XVI), 7635-41.

Ayurvedic research on snake poison (XV), 5182.

Ayurvedic scriptures (XVI), 7660.

Ayurvedic system of medicine (XIV), 2698-99.

Development of ayurveda in Orissa (XV), 5170-71.

Development of Ayurveda in Punjab (XVI), 9170.

B

BBC:

A.I.R. broadcasts from, Singapore (XIII), 941.

BOH:

(XIII), 742-43, 1739-42, 2972-85, (XIV) 4148-52, (XV) 5619, 6919-22, 7046-47, (XVI) 8203, (XVII) 9430-40, 9681-87, 10807-21, 11203-64, (XVIII), 12146-47, 13302-03, 13996.

B TWILLS AND HESSIAN (XV), 5431.

BABY FOOD:

Baby-food manufacturing factory (XIII), 1675.

BABY FOOD PLANT (XIII), 114.

BACKWARD AREAS:

Industrialisation of backward areas of Punjab (XVI), 7934.

Welfare of backward areas of Punjab (XVII), 12118-19.

BACKWARD CLASSES:

Economic criteria for backwardness (XVII), 10146-50.

Post matric scholarship for (XIV), 3427.

Post-Matric Scholarships to backward class students in Yeotmal (XV), 4911.

Welfare of (XVIII), 13103.

Welfare of S.Cs. and, in Pnujab (XVIII), 13087-88.

BAL-SEVIKAS:

Centres for training of (XVI), 8909.

BALANCE OF PAYMENT:

Balance of payments with sterling area countries (XVI), 9162.

BALIMALA DAM PROJECT (XV), 5171.

BALL-BEARINGS:

Ball-bearing factories (XVI), 7937-38.

Ball Bearing Unit in Punjab (XIV), 3663-64.

BANDEL POWER STATION (XIV), 3663-64.

BANANAS:

Export of, to ECM countries (XIII), 1673.

BANARAS:

Drinking Water Supply for (XVI), 9119-24.

BANGALORE:

Mishap at Bangalore Railway Station (XVII), 9869.

BANK(S):

Assets in foreign, (XIV), 2655-58.

Calcutta National, (XIII), 1373-75.

Nationalised Indian, in Burma (XVIII), 13366.

Palai Central, in liquidation (XIII), 543, (XVII), 10365-67.

Raisheb Ramchandra, at Mhow (XIII), 519.

Debates

Nationalization of, (Res) (XV), 7081, (XVI), 9566-92.

Nationalization of, in Burma and its effect on Indian banking (CA) (XIII), 959.

Statement on nationalization of, in Burma (CA), (XIII), 1201-05.

BANK ADVANCE(S):

Bank advances against pledge of warehouse receipts (XIV), 3610-12.

Bank advances on gold and shares (XIII), 520-21.

BANK OF CHINA (XV), 8628, (XVIII), 11869-70.

Closure of Bank of China (XIV), 3657-58.

BANK-RATE:

Cut in U.K., (XIV), 3651.

BAR COUNCIL(S):

All-India (XII), 728-29.

BARAHOTI (XVI), 8383-85.

Chinese claim on, (XIV), 4118-19.

Road to, (XIV), 1922.

BARAUNI:

Barauni Oil Refinery (XV), 6377.

Petro-Chemical Development at (XVII), 13029-32.

BARIUM CHEMICAL PLANT:

Barium Chemical Plant at Kothagudium (XVI), 941-42.

BARRACKPORE:

M.E.S. Barrackpore (XVIII), 12620.

BARRAGE(S):

Barrages on Jamuna in Delhi (XV), 6602.

BARTER DEALS (XVIII), 13613.

Barter deal with Czechoslovakia (XVI) 7888-89.

Barter link arrangements by S.T.C. (XIV), 2948.

BASIC EDUCATION (XV), 4913-14. (XVII) 11581-83.

Basic education in Delhi (XV), 6396.

BASTAR:

Iron factory in, district (XVII), 9420.

Polytechnic in, district (XVII), 10182.

Release of property of Ex-ruler of, (XV), 6354-56.

BATTERY (IES):

Excise duty on small-scale, manufacturers (XV), 6618.

Shortage of cells for transistors (XVIII), 13596-97.

BAUXITE:

Coal and, deposits in Madhya Pradesh (XVII), 10128-30.

Transport of, ore in Bihar (XIV), 3420.

BEAS CONTROL BOARD (XVIII), 11878.**BEGGRRY:**

Prevention of, in Delhi (XIII), 316-17...

BENGAL:

Re-naming of West Bengal as (XVI), 8916.

BENGAL NAGPUR COTTON MILLS, Rajnandgaon (XV), 5440.

BETELS:

Use of palm seeds in, (XVI), 9166.

BEYPORE:

Beypore Port (XIV), 3193-94.

Wharf at (XVII), 11342.

BHADRAVATI IRON AND STEEL WORKS (XIII), 1633.**BHAKRA:**

Afforestation in catchment areas (XV), 4682.

BHAKRA NANGAL DAM (XIV), 2701.

Soil Conservation in, Catchment areas (X.V), 3145.

BHANG:

Bhang, Charas and Ganja (XIV), 2718-19.

Ganja, Charas and opium (XV), 6006.

BHARAT ELECTRONICS (XIII), 940.**BHARAT KRISHAK SAMAJ:**

Point of Personal Explanation (XV), 5192.

BHARAT SEWAK SAMAJ:

Aid given to (XVII), 10155-56.

BHARAT SEWAK SAMAJ (XIV), 3654, 4116.

Bharat Sewak Samaj, Orissa (XVIII), 13073-74.

BHARAT TRAMWAYS:

Rail trolley by, (XIV), 2155.

BHAVNAGAR:

Bhavna_{ar} airport (XVII), 11343.

BHILAI:

Bhilai Steel Project (XVIII), 13619-20.

Bhilai Steel Works (XV), 5427.

Visakhapatnam-Bhilai Railway line (XV), 4653.

BHOPAL:

Air services to, (XV), 4640-41.

Fire in Heavy Electricals Ltd., (XIII), 724-25.

BHUBANESWAR:

Agricultural university at, (XVII), 11315.

P. & T. quarters at, (XV), 6103-04.

Regional Poultry Farm (XVI), 8677.

BICYCLES (XIII), 1648.**BIDIS:**

Export to Ceylon (XVI), 7910-11.

Production of and, Cigarettes (XVIII), 13611.

BIHAR:

A.I.R. employees in, (XV), 4425.

Assembly Constituency of Muzaffarpur (XVII), 10637.

Cane research centres in, (XVII), 9879.

Chandrepure Thermal Station, (XIV), 2721-22.

Coal development in West Bengal and, (XVI), 7431-32.

Coal for Pathratu Thermal Plant (XVI), 7418.

Gun factory in, (XIV), 4139-40.

I.A.S. and I.P.S. officers in, (XV), 6378-79.

Industrial Estates in, (XIII), 729.

BIHAR: contd.

Institute of Foundry and Forge Technology at Ranchi (XVII), 11598.

Iron pyrites in, (XVII), 11585.

Kynite Mines in, (XVIII), 12119-20.

Large-sized Machine Tools Factory at Ranchi (XVII), 10633.

Mineral survey in, (XIII), 313.

National Highways in, (XIII), 104.

Oil exploration in, (XIII), 1178-79 (XV), 4918.

Panchayati Raj, in (XIV), 2132.

Phosphate rocks in, (XVI), 7117-18.

Production of lac in, (XVII), 9861.

Third Plan targets for, (XVII), 11052.

U.P.-Bihar boundary dispute (XV), 4903-04.

BIKANER:

Assessment of Income-tax at, (XV), 5167-68.

M.E.S. workers, (XV), 4419.

Medical College, (XVI), 9160-61.

Overbridge in, city (XV), 6117-18.

Railway quarters in, Division (XV), 6118-19.

Telephones in, (XV), 6119.

BILL(S):

Agricultural Refinance Corporation Bill:

Consid. (XIII), 187-228, 1476-1502.

Consid. Cl. (XIII), 1502-19.

Passed as amended (XIII), 1519-28.

Message from R. S. agreeing without amendment (XV), 4437.

President's Assent (XVI), 8446-47.

Appropriation Bill, 1963:

Int. (XIII), 3434-35.

Consid. (XIII), 3435.

Passed (XIII), 3435.

Message from R.S. returning the Bill without recommendation (XV), 5191.

BILLS: contd.**APPROPRIATION BILL, 1963: contd.**

- President's assent (XV), 5900-01.
- Appropriation (No. 22) Bill, 1963 :
Int. (XVII), 10432.
Consid. & passed (XVII), 10664.
President's Assent (XVIII), 12643.
- Appropriation (No. 3) Bill:
Intd. (XVIII), 12883.
Consid. and passed (XVIII), 12884-88.
- Appropriation (Railways) Bills:
Intd. (XIII), 1742-43.
Consid. and passed (XIV), 1936-37
Messages from R.S. returning the Bill without recommendation (XIV), 3901.
- President's assents (XV), 5900-01.
- Appropriation (Railways) No. 2 Bill, 1963:
Int. (XIII), 3202.
Consid. (XIII), 3436.
Consid. cl. (XIII), 3436.
Passed (XIII), 3436.
Message from R.S. returning the Bill without recommendation (XV), 4934.
- President's assent (XV), 5900-01.
- Appropriation (Railways) No. 3 Bill 1963:
Int. (XVIII) 12703-04.
Consid. and Passed (XVIII), 12704-05.
- Appropriation (Railways) No. 4 Bill, 1963:
Int. (XVIII), 12731-32.
Consid and passed (XVIII), 12732-33.
- Appropriation (Vote on Account) Bill, 1963:
Int. (XIV), 4279-80.
Consid. and passed (XIV), 4280-82.
Message from R.S. returning the Bill without recommendation (XV), 5191-92.
President's assent (XV), 5900-01.

BILLS: contd.

- Bengal Finance (Sales Tax) (Delhi Amendment) Bill:
Int. (XVI), 8463.
Consid. (XVIII), 12649-80.
Consid. cl. (XVIII), 12660.
Passed (XVIII), 12660.
Message from R.S. returning the Bill without recommendations (XVIII), 13785.
- Central Sales Tax (Amendment) Bill:
Int. (XIII), 134.
Consid. (XIV), 4282-4311.
Consid. cl. (XIV), 4311-13.
Passed (XIV), 4313.
Message from R.S. returning the Bill without recommendations (XV), 5442.
President's assent (XV), 5900-01.
- Central Silk Board (Amendment) Bill (*Amendment of sections 4 and 6*) by Shri Sham Lal Saraf: Motion to refer to S.C. withdrawn (XIII), 808-43.
- Child Marriage Restraint (Amendment) Bill by Shri D. C. Sharma: Motion to circulate (XIII), 869-70.
- Christian Marriages and Mairinial Cases Bill:
Appointment of Members to Joint Committee (XIII), 2985-86.
Time for presentation of Report of Joint Committee extended (XVII), 11359.
- Filling of vacancy caused by the death of Member of J.C. (XVIII), 14207.
- Compulsory Deposit Scheme Bill, 1963:
Intd. (XIII), 1566.
Consid. (XVII), 11187-11283, 11493-523, 11758-59.
Consid. cl. (XVII), 11759-92, (XVIII), 12017-52, 12193-320, 12523-33, 12752-72, 12888-908.

BILLS: contd.

Compulsory Deposit Scheme Bill, 1963: *contd.*

Passed as amended (XVIII), 12906—915.

Constitution (Amendment) Bill (*Amendment of articles 100 and 189*) by Shri M. L. Dwivedi:

Consid. (Debate Adjourned) 13702—38.

Constitution (Amendment) Bill (*Insertion of new Article 115 A and amendment of Article 167*) by Shri Paliwal:

Consid. (withdrawn) (XVI), 8072—8104 (XVII), 10742—61.

Constitution (Amendment) Bill (*Amendment of article 368*) by Shri Hari Vishnu Kamath:

Int. (XVII), 10742.

Constitution (Fifteenth Amendment) Bill:

Time for presentation of Report of J. C. extended (XIII), 34—36.

Report of J.C. presented (XIII), 2296-97.

Consid. as reported by J.C. (XVIII), 12733—52, 12917—13008, 13140—47.

Consid. cl. (XVIII), 13161—298.

Passed (XVIII), 131298—302.

Evidence (XIII), 2296-97.

Constitution (Sixteenth Amendment) Bill:

Time for presentation of Report of J.C. extended (XIII), 36—38.

Report of Joint Committee presented (XV), 4438.

Consid. as reported by J.C. (XVIII), 13409—79.

Consid. cl. (XVIII), 13479—501.

Passed (XVIII), 13501.

Constitution (Seventeenth Amendment) Bill:

Int. (XVIII), 14000-01.

Criminal Law Amendment Bill by Shrimati Lakshmi Kanthamma:

Int. (XVII), 10741.

BILLS: contd.

Delhi Land Reforms (Amendment) Bill by Shri Naval Prabhakar:

Consid. (withdrawn) (XVIII), 13738—54.

Delhi Rent Control (Amendment) Bill:

Consid. as passed by R.S. (XIII), 175—87.

Passed as amended (XIII), 187.

Message from R.S. agreeing to amendment made by L.S. (XIII), 1738-39.

President's Assent (XVI), 8445-47.

Delivery of Books and Newspapers (Public Libraries) Amendment Bill (*Amendment of section 2*) by Shri C. K. Bhattacharyya:

Consid. (XVIII), 13754—56.

Disclosure of Assets of Ministers Bill by Shri Hari Vishnu Kamath:

Int. (XVIII), 13693.

Export (Quality Control and Inspection) Bill:

Int. (XVI), 7698.

Consid. (XVIII), 13505—38, 13625-32.

Consid. cl. (XVIII), 13632—45.

Passed (XVII), 13646—50.

Finance Bill, 1963:

Intd. (XIII), 1565.

Consid. (XVI), 10433-72, 10668-10741, 10821—10924.

Consid. cl. (XVII), 10925—70.

Passed. (XVI), 10970—79.

Message from R.S. returning the Bill without recommendation (XVIII) 12325.

President's Assent (XVIII), 13992.

Government of Union Territories Bill:

Int. (XIII), 548.

COMMITTEE(S): contd.

Report of Committee on Conduct of certain members during the President's Address (M) (XV), 4701-90.

Standing Committee for Public Enterprises (M) (XVI), 8203-96.

Subordinate Legislation:

Minutes (XVIII), 14185.

Second Report, (XVIII), 14186.

COMMONWEALTH SCIENTIFIC COMMITTEE (XIII), 267-68.

COMMUNICATION(S):

Transport and, in border districts of U.P. (XIV), 2111.

COMMUNISTS:

Release of, during Bye-elections (XV), 5158-63.

COMMUNITY DEVELOPMENT (XVIII), 12784-89.

Assistance from Australia for C.D. projects (XIV), 3195-96.

Budget of Development Blocks (XV), 6105-06.

C.D. Programme in Andamans and Nicobar Island (XIV), 3173.

Chairman of, Block (XV), 4605-09.

Community Development blocks (XIII), 1702.

Co-operative movement in Assam (XV), 6120.

Education of Extension Workers (XIII), -1712.

Office of Block Development Officer (XIV), 3179.

Schematic pattern of, (XIII), 85.

Training of women workers (XV), 4689-90.

Tribal Development Blocks (XIV), 3190.

Urban, Programme (XVI), 9169.

COMPANY LAW ADMINISTRATION (XVI), 6897, 7924-25.

CONFERENCE(S):

All-India newspaper editors, (XIV), 4114.

All-India Printers', (XVIII), 13547-49.

Afro-Asian Journalists', (XVIII), 14157-64.

Asian population, (XIV), 4164.

Commonwealth trade Ministers', in London (XVII), 9417.

Conference of Atomic Scientists held in Tokyo (XVIII), 12550.

Conference of Chairmen of State Electricity Boards (XIV), 3642-43, (XVIII), 13369.

Conference of State Ministers of Cooperation (XIV), 2091.

Family planning, at Singapore (XV), 5135-37.

Education Ministers', (XVII), 11563-567.

Housing Ministers', (XIII), 1398-1400.

Organisation of a, of English Teaching Experts (XVIII), 13110.

State Education Ministers' (XV), 6338-41.

CONGO:

Indian Army personnel in, (XVII), 11049.

CONSTITUENCIES:

Delimitation of, (XIV), 2946.

CONSTITUENT ASSEMBLY:

Documents of, (XVI), 7922-23.

CONSTITUTION HOUSE:

Catering contracts in, (XV), 5186, (XVII), 10385-91.

Demolition of, (XVIII), 14170.

CONSTITUTION OF INDIA:

Amendment of article 311 of the Constitution (XIII), 1179-80.

Debate

Amendment of Article 31A of, (H.A.H. Dis.) (XVIII), 13009-20.

CONSUMERS GOODS:

Prices of consumer goods in Goa (XIV), 4108-09.

Raw material and manufactured goods (XIII), 1636.

'CONSUMERS' COOPERATIVES (XIII), 1682, (XVI), 7175.

Consumers' Cooperative Societies in NEFA (XV), 5872, (XVI), 8632, (XVIII), 12862-63.

'CONSUMER PRICE INDEX NUMBER (XV), 4430.**'CONSUMER STORES (XVII), 9908.****'CONTRACTOR(S):**

Registered contractors in Manipur (XIV), 2705.

'COOCH-BEHAR:

Trespassing by Pakistanis in, (XV), 5869.

'COONOOR:

Tea auction centre at, (XVII), 9416.

'CO-OPERATIVE(S):

Co-operative Sugar Factory in Ganganagar (XVI), 8665.

Disbursement of, funds (XVII), 9878.

Industrial, (XVI), 7918-19.

Railway employees, (XV), 4683-84.

Rural credit to, agencies (XVII), 11323.

CO-OPERATIVE BANK(S):

Cooperative grain banks (XVII), 9889.

District Central, (XVIII), 12844.

Himachal Pradesh State, (XVIII), 12830.

'COOPERATIVE FARMING (XVII), 6845.

Cooperative farms (XVI), 8666.

'CO-OPERATIVE FUNDS:

Disbursement of, (XVII), 9878.

'CO-OPERATIVE HOUSING SOCIETIES:

Delhi, (XVIII), 13083-84.

COOPERATIVE MOVEMENT (XIII), 1642, 3136-41.**CO-OPERATIVE SOCIETY(IES):**

Consumers, (XVI), 6832.

Cooperative agricultural farming societies (XV), 4877-78.

Cooperative Farming Societies (XIII), 104-105.

Credit to farmers through Cooperative Agencies (XIII)

Industrial, in Punjab (XIV), 3886.

Industrial Cooperatives Societies in Uttar Pradesh (XVIII), 12108.

CO-OPERATIVE STORES:

Consumers', (XVIII), 12862-63.

COPPER:

Copper deposits at Dariba (Rajasthan) (XV), 4917.

Copper deposits near Gangtok (XIII), 1191.

Copper ore in Guntur District (XVI), 8939.

Copper, zinc and lead deposits in Madras State (XIV), 3406.

Import of, from Southern Rhodesia (XIII), 1662.

Production of, (XIV), 3888.

Trainees at Khetri, mines (XIV), 2423.

Use of, Tin, zinc and Brass (XIII), 1672.

COPRA:

Help to Copra growers (XVII), 11318.

Import of, (XIV), 2956, (XVI), 6910-11.

Sale of Nicobari, and betelnuts (XV), 4921-22.

COROMANDEL FERTILIZERS PRIVATE LIMITED (XVI), 9165.**CORONARY THROMBOSIS (XIII), 541.**

CORPORATION(S):

- Foreign exchange requirements for N.C.D.C. (XV), 4881-82.
- Industrial Finance, (XVIII), 11858-859.
- National Building Construction Corporation (XIV), 3649, (XVII), 10392.
- National co-operative Development, (XVII),
- Provisions for, (XVIII), 12798-12801.
- Rehabilitation Industries, (XIII), 730-34.
- Small Scale Industries, (XIII), 723-24, 729-30.
- Training Institute of National Mineral Development, (XIV), 3417, (XVI), 7425.

CORRECTION OF ANSWER(S):

- Correction of Answer to Starred Question No. 414 (XV), 6919.
- Correction of answer to S.Q. No. 654 (XVII), 11085-086.
- Correction of answer to S.Q. Nos. 586 and 587 (XVII), 11351.
- Correction of answer to S.Q. No. 950 (XVIII), 12879-880.
- Correction of Answer to Starred Question No. 7637 dt. 28-3-1963 (XVIII), 13993.

CORRECTION OF INFORMATION:

- Kabir, Shri Humayun (XV), 6405-06.

CORRESPONDENCE:

- An Hon. Member's correspondence with the Finance Minister (XVII), 11359-362.
- Re: Answer Harvani's letter to Finance Minister (XVII), 11618-22.

CORRUGATED IRON SHEETS:

- Allotment of, (XVII), 10657.

CORRUPTION:

- Anti-corruption Advisory Committee (XIII), 288-95.
- Corruption cases (XV), 4923.

COST OF LIVING INDEX (XIV), 4114-15.

- Cost of living index in Delhi (XVIII), 13375.
- Cost of living of salaried persons (XVI), 7654-55.

COTTAGE INDUSTRIES (XVI), 6886-89.

- Cottage industries in Orissa (XVIII), 12109-10.

- Cottage and small-scale industries in Punjab (XIII), 1665.

COTTAGE AND SMALL SCALE INDUSTRIES IN U.P. (XVII), 10643.**COTTON:**

- Cotton Consumption by Mills (XVI), 7877-79.

- Cotton cultivation (XIV), 3188-89, (XVI), 8665.

- Cotton imports (XIV), 3895, (XVIII) 13602-03.

- Cotton power-loom owners in Bombay (XIV), 3648.

- Cotton prices (XIII), 1632.

- Cotton production (XVI), 6915-16.

- Development of, in Maharashtra (XVII), 11348.

- Egyptian, for Indian textile mills (XVII), 9407.

- Floor price of raw, (XVIII), 13579.

- Price of, (XV), 5409-11.

- Target of, production (XVI), 8656.

COTTON FARMS (XV), 6115.**COTTON GROWERS (XIII), 58-64.****COTTON MILLS:**

- Closure of, (XIV), 3385.

- Cotton mills in Himachal Pradesh (XIV), 3885.

- Cotton spinning mill in Manipur (XVI), 7938.

- Durga, Khadi (Gujarat) (XIV), 436-37.

COTTON TEXTILE INDUSTRY:

Loans to jute and, (XVI), 6911.

COYS:

Income of Companies (XVIII),
13399.

CRAFTSMEN:

Training of, (XV), 5868.

CRUDE CONDITIONING PLANT
(XVII), 10135.**CREDIT:**

Rural, to cooperative agencies
(XVII), 11323.

CREDIT GUARANTEE SCHEME
(XIV), 3850—53.**CREDLE** (XVIII), 13390.**CRIMES:**

Crimes in Delhi (XIII), 1175.

Crimes in Union Territories (XIII),
1190.

Death of a New Delhi Journalist
(XVI), 7407.

Incidence of, in Delhi (XVI), 8871.

Rape cases in Delhi (XV), 6402.

Thefts in Delhi (XVI), 7438-39.

CRIMINAL(S):

Arrest of, (XIV), 2416.

CROPS:

Research on Forage, (XV), 4694.

Research on zoto-bacter and phos-
pho-bacterin (XV), 6064—70.

Field of paddy, in Kerala (XIV),
1931.

CRUDE CONDITIONING PLANT
(XVII), 10135—37.**CULTIVATION:**

Cotton cultivation (XVI), 8665.

Cultivation in Manipur (XIV),
3180.

Improved method of, (XVIII),
12840-41.

Japanese type of, (XVII), 11348.

Opium, in Kotah (XVIII), 13396.

Sugarcane, in Orissa (XVI), 8676.

CULTIVATION: contd.

Unauthorised, of tobacco (XVIII),
13384.

CULTIVATORS:

Tenants in Mahe (XVI), 8487-38.

CULTURAL AGREEMENTS:

Cultural agreement with Soviet
Union (XIV), 2422.

CULTURAL CENTRES:

Cultural centres in Orissa (XVI),
8915.

CULTURAL DELEGATION(S):

Cultural delegations sent abroad
(XIII), 328, (XIV), 2429.

CULTURAL FESTIVALS:

Cultural festivals in Utkal Univer-
sity (XVII), 10161.

CULTURAL ORGANISATION(S):

Aid to, (XIV), 2417.

CURRENCY:

Forged Indian, carried by Hostile
Nagas (XVI), 8439-40.

Illegal mint at Hapur (XVIII),
11863.

Indian, for Indians from Burma
(XVI), 9169-70.

Indian, in Nepal (XVI), 7645—46.

Smuggling of, (XVI), 7682.

CUSTOMS:

Bombay, (XIV), 3662-63.

Commodities brought by Indians
from abroad (XV) 5180-81.

Customs and Central Excise Duties
on tea (XVI), 9174-75.

Customs hold-up of Tibetan wool
on Indo-Nepal border (XVIII),
13384.

CUSTOMS ACT:

Rules and Notification under the,
1962 (XIII), 531.

CUSTOMS DUTY:

Customs duty on goods of repatriates from Mozambique (XIII), 1406.

CUSTOMS HOUSE AGENTS (XVI), 9167-68.

Customs House agents of Madras (XVII), 10403.

CUTTACK:

A.I.R. employees at, (XV), 5861.

Accident at station level crossing (XIV), 3170-71.

Central Excise Department Quarters at, and Rayayada (XVIII), 13373.

Godown at, (XV), 4649.

Hostel at, (XVIII), 12827.

Railway hostel, (XVIII), 12826.

CUTTING MACHINES:

Factory for cutting machine (XVI), 7944.

CYCLES:

Bicycles and sewing machines (XVI), 7936-37.

Export of bicycles (XVI), 6875-78.

CYCLE RICKSHAW PULLING (XVII), 9654-55.**CYPRUS:**

Purchase of mules from, (XVI), 8401-04.

CZECHOSLOVAKIA:

Barter deal with, (XVI), 7888-89.

Czech Trade Team's visit to India (XIII), 1627.

Export of ilmenite to, (XVII), 9672-73.

Revision of credit agreement (XVI), 6902-03.

Trade teams from, and Rumania (XV), 5403-04.

D**D.G.S. & D.:**

Purchase by, (XVI), 6883-84.

D.V.C.:

D.V.C. (XIII), 515-17, 529, (XVIII), 11844-45, 13342.

D.V.C. Canal (XVI), 7622-24.

D.V.C. Navigational Canal (XVI), 7621-22.

Economy measures in, (XIII), 1409.

Expansion of D.V.C. power Project (XVIII), 11842.

Financial Adviser - cum - Chief Accounts Officer in, (XVII), 10404-05.

Transfer of D.V.C. Headquarters (XIV), 2702, (XV), 6623.

Transfer of D.V.C. office to Bokaro (XVII), 10345-47.

DACOIT(S):

Dacoit gangs on Indo-Pak border (XIV), 2440.

Dacoities by Pakistani nationals (XVIII), 12588.

Indo-Pak campaign to liquidate dacoits in Rajasthan (XVIII), 13104.

Inter-State Organisation for Dacoity Menace (XVII), 11589-590.

DAIRY FARMING:

Dairy Development Schemes (XVII), 9873.

Dairy farm (XIII), 1683.

Dairy farm with Danish collaboration (XIII), 1694.

DAKOTA(S):

Dakotas from Canada (XV), 5851.

DALMIA-JAIN CONCERNS:

Report on, (XIII), 1625.

Debates

Re: Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13908-44.

DALMIA-JAIN COMPANIES:

Report of the Commission of Inquiry into (M.) (XVIII), 14001—08, 14112—30, 14215—336.

DAM(S):

Dam at Tikkerapara on Mahanadi (XVI), 7187-88.

Dam on Barak River in Assam (XV), 5153-54.

Dams on Indravathi River (Orissa) (XV), 5170.

Dams on Jamuna river (XV), 5185-86.

Hirakud Dam Project (Stage II) (XVIII), 11849-850.

Kothar dam (XVII), 10412-13.

Pong dam and Sutlej Beas link projects (XVIII), 11878.

DANCE AND DRAMA:

Grants for Oriya drama (XVI), 7415-16.

Patriotic plays (XIV), 2430.

Visit of Indrani Rehman's troupe to Sikkim (XVII), 11576-577.

DANDAKARANYA:

Central Allocation for, Project (XVIII), 11882.

Dandakaranya officials (XV), 6605.

Dandakaranya project (XVI), 7666-67, (XVIII), 11856—87.

Expert Committee for Dandakaranya Project (XIII), 1392—95.

Rehabilitation of displaced persons in, (XVII), 11804—810.

S.C. and S.T. employees in, (XV), 6607.

Work centres in, (XV), 6628.

DARBHANGA:

Archaeological excavation near Rajnagar Station in Darbhanga (XIII), 1181.

DEFENCE CERTIFICATE(S):

Sale of, in overseas stock markets (XII), 522.

DEFENCE EMPLOYEE(S):

Officers in Armed Forces Headquarters (XVII), 9646-47.

Shankar committee (XVI), 8429-30.

U.D.Cs. in Army Headquarters (XVIII), 12622.

DEFENCE ESTABLISHMENT(S):

Code of Discipline in Railways and Defence (XVI), 8423-24.

Industrial units in Madras (XVI), 8434—56.

Specialised training for armament factories (XVII), 11015—18.

Weeklies for Defence Establishments (XVII), 11066.

DEFENCE INDUSTRY:

Negotiating machinery in, (XV), 5863.

DEFENCE MISSION:

Defence Mission to U.S.A. and U.K. (C.A.) (XVII), 10422—24.

DEFENCE OF INDIA RULES:

(XIII), 303.

Detentions under, (XVIII), 13095.

Detenus arrested under, (XVII), 11591-592.

Foreigners detained under, (XV), 4908.

DEFENCE PERSONNEL:

Accommodation for families of Jawans (XIV), 4102-03.

Accommodation for, in Delhi (XVIII), 12608.

Col. Bhattacharjee (XIV), 1987.

Creation of cadre of under officers (XIV), 4141-42.

Duty-free cigarettes to army personnel (XIV), 3653-54.

Emergency Commissioned Officers (XVIII), 12587.

Employment of Indian Armed Forces personnel in Nigeria (XIV), 1910.

Handicapped Army personnel (XIII), 942.

DEFENCE PERSONNEL: contd.

- Indian Military personnel in Katanga (XIV), 1916.
- Indian officers sent abroad (XVI), 8436.
- Jawans (XIII), 942.
- Life Insurance for Armed Forces personnel (XIV), 2673—75.
- Military Officers in commercial firms (XVIII), 12615.
- Murder of Army courier at Jodhpur (XV), 6063.
- Officers in Armed Forces Headquarters (XVII), 9646-47.
- Reservation of posts for war services candidates (XIII), 1106.
- Resignation by Emergency Commission trainees (XVIII), 12602.
- Training Centres for Emergency Commissioned Officers (XIV), 1890.
- Use of intoxicants by Military officers (XVI), 7183-84.
- Withdrawal of ex-Defence personnel from civil departments (XVIII), 13969—971.

DEFENCE PRODUCTION:

- Co-ordination of civil and defence production (XVI), 7871—77.
- Defence Orders on automobile industry (XVI), 6896.
- Defence production in Private sector (XVIII), 13380.
- Defence production industries in Kerala (XV), 5875.
- Import of parachutes (XVI), 8445-46.
- Isapur Rifle Factory (XIII), 956.
- Local purchase of Defence stores (XV), 5871.
- Manufacture of Defence Stores (XVII), 11064.
- Manufacture of Defence stores by private sector (XV), 5809.
- MIGs, and MIG Factory (XIII), 929.
- Plants for Defence production (XIII), 924.

DEFENCE PRODUCTION:

- Production in Military Workshops (XIII), 944.
- Russian aid for Defence Needs (XIII), 925.
- Supersonic jet fighters (XVI), 8446.
- Trucks and tractors (XVIII), 13971—975.

DEFENCE PUBLICITY (XVI), 8430-31.**DEFENCE SCIENCES:**

- Advance courses in Defence Sciences in Universities (XIV), 4083—85.

DEGREE COLLEGES:

- Government Degree College at Nahana (XVII), 10176-77.

DEHYDRATION PLANT:

- Dehydration plant in Delhi Cantt. (XVI), 7173.

DELEGATION(S):

- Cultural delegations sent abroad (XIV), 2429.
- Delegation for promoting export of Bananas (XV), 5430-31.
- Education delegation to U.A.R. (XVI), 8908.
- Government officers' visits abroad (XV), 6604.
- Indian delegation for U.A.R. (XVII), 11041-42.
- Indian delegation of scientists to Geneva (XVIII), 13094-95.
- Indian Industrialists Delegation for Canada (XVI), 1173-74.
- Indian tea delegation (XVII), 10584—588.
- Nomination of M.P.s. to the delegations to U.N.O. (XIV), 1911.
- Trade delegations (XVIII), 12127.
- Trade delegation for Pakistan (XV), 5436.
- Trade delegation from U.A.R. (XV), 5411—13.

DELHI:

- Accommodation for Defence personnel in, (XVIII), 12608.
- Agencies of Delhi Milk Supply Scheme (XVI), 8160-61.
- Annual Plan for, (XIV), 4121-22.
- Auction of land in New Delhi (XV), 5141-43.
- Austerity diet in Delhi zoo (XVII), 11282.
- B.A., B.T. teachers in, (XVIII), 13114-15.
- Barrages on Jamuna in, (XV), 6602.
- Basic education in, (XV), 6396.
- Bisdari Malcha Mahal on Ridge (XIV), 2706-7.
- Buddha Jayanti Park, New Delhi (XIV), 2706.
- Bus thefts in, (XV), 6401.
- 'C' Thermal station in, (XV), 6614.
- C.O.D. Delhi Cantt (XV), 5856.
- Cantonment Board Fund quarters in Delhi Cantt. (XVIII), 12613.
- Car thefts in, (XV), 4917.
- Catering contracts in Constitution House (XVII), 10385-91.
- Change in the administrative set up (XV), 4877-81.
- Cinema ticket rackets in, (XVI), 7421.
- Civic amenities in Ramakrishna-puram, New Delhi (XVI), 7683.
- Civil area in Delhi Cantt. (XVIII), 12614.
- Clerical staff in, schools (XVI), 7439-40.
- Closure of old Delhi factories (XV), 6630.
- Colonies in Delhi and New Delhi (XVII), 10171.
- Complaints against Delhi Milk Scheme (XVII), 9896.
- Compulsory physical education in Delhi Schools (XV), 6397-98.
- Co-operative Housing Societies (XVIII), 13083-84.

DELHI: *contd.*

- Cost of living index in (XVIII), 13375.
- Cracker explosions in, (XIV) 3371.
- Crimes in (XIII), 1175.
- Death of a New Delhi Journalist (XVI), 7407.
- Dehydration plant in Delhi Cantt. (XVI), 7173.
- Delhi Cantonment Board Schools (XVIII), 12609.
- Delhi Education code (XIV), 2406.
- Delhi Electric Supply Undertaking (XVI), 9179.
- Delhi Kennel Club (XVIII), 13398.
- Delhi Milk Supply Scheme (XV), 6135-36; (XVI), 8183-84, 8193-94; (XVII), 9864.
- Delhi State Sanskrit World Council (XVI), 8906.
- Delhi Water Supply and Sewage Disposal Undertaking (XVII), 10391.
- Demolition of jhuggis in Delhi (XVI), 7681-82.
- Demolition of quarters at Bela Road, Delhi (XVII), 10145-46.
- Development of areas in, (XV), 5172-73.
- Dog squad in, (XVI), 8903.
- Drug prices in, (XIV), 2711-12.
- Electric crematorium in (XV), 6625.
- Encroachments on Government land in, (XVI), 9115-19.
- Engineering College (XV), 4894-96.
- Estate dealers in, (XVII), 11571-572.
- Facilities to individual house builders in, (XIV), 2376.
- Factories in, (XVIII), 12605.
- Family planning in, (XVI), 7683-84.
- Fire in timber shops in, (XV), 6394.
- Food adulteration in, (XVII), 10380-84.
- Glider accident in, (XIII), 115.

DELHI: contd.

- Government and Public Schools in, (XVI), 7428.
- Government colonies of, (XIV), 2711.
- High Court in, (XVIII), 13100.
- Higher Secondary Education in, (XVI), 7438.
- Higher Secondary School, Malviya Nagar (XVII), 10178-79.
- Homeless persons in, (XIV), 3386.
- Hospitals in, (XIV), 2667-72.
- Hostel for working girls (XVI), 7673.
- Hotel at Minto Road, (XV), 5168.
- House Building Cooperative Societies in, (XVII), 11572.
- Housing Scheme in, (XVII), 11603.
- Incidence of crimes in, (XVI), 8871.
- Industrial training institutes in, (XVI), 8385-90.
- International Youth Hostel, (XVI), 8923.
- Janpath Hotel, (XVIII), 11838-841.
- Kalkaji colony in Delhi for East Pakistan displaced persons (XVII), 10410-11.
- Kirti Nagar Conoly (XVIII), 11873.
- Kutub Minar, (XVII), 10171.
- Lady Hardinge Medical College, (XVIII), 11814-819.
- Land in, (XVI), 8921, 8943.
- Land prices in, (XV), 6350-54.
- Level crossing at Rohtak Road, (XVII), 11338.
- Licence to a cinema House in, (XVII), 10187-88.
- Loan to small scale industries in, (XVIII), 12130.
- M.E.S. Delhi Cantt. (XVIII), 12611.
- Martyrs' Memorial in, (XVII), 10402.
- Master Plan (XIII), 1416, (XIV), 2700-01.
- Mental hospital at Shahdara, (XVI), 7672.

DELHI: contd.

- Milk cards (XV), 6093-94.
- Milk supplied by D.M.S. (XVI), 8661.
- Misappropriation of money in Delhi Police (XIII), 324.
- Motor tax in Delhi territory (XVIII), 12849-50.
- Movement of sugar outside, (XVIII), 12820-21.
- Najafgarh Nullah (XIII), 542.
- New civil airport at, (XVIII), 12790-12801.
- New Colleges in, (XVI) 8941.
- New Power Station in, (XIV), 2695-97.
- New Schools in, (XVI), 8945.
- New University in, (XVI), 7412.
- Nomination of Scheduled Castes to Advisory Committees in, (XVII), 11609-610.
- Office and residential accommodation (XVII), 10410.
- Over-growth of, (XVI), 7650-54.
- Patel road railway crossing, (XVII), 11339.
- Payment of road tax in, (XVII), 11299.
- Pending cases in, (XIV), 2441.
- Poisoning cases in, (XV), 4905.
- Police strength of, (XVIII), 13037.
- Postal intimation of traffic offences in, (XVII), 11604.
- Power failures in, (XIII), 524.
- Power supply for industrial purposes in, (XV), 6577.
- Power surplus in, (XVI), 9142-44.
- Preparatory classes in Delhi colleges (XVI), 7441.
- Prevention of Beggary in, (XIII), 316-17.
- Price of country liquor in, (XIII), 1198.
- Prohibition in, (XVII), 10115-18.
- Prototype production and Training Centre at Okhla (XVI), 7930, (XVII), 9405.

DELHI: contd.

- Public relations Committee of Delhi Administration (XVII), 11610.
- Quarters for married Policemen in, (XIV), 2441.
- Quarters in Ramakrishnapuram (XIII), 1415, (XVII), 10406-07.
- Raids on Kerosene dealers' shop in, (XV), 6392.
- Raksha Grihas in, (XIV), 2417.
- Ramakrishnapuram colony, New Delhi (XV), 6632.
- Rape cases in, (XV), 6402.
- Recovery of good meant for the poor in, (XVI), 7419.
- Recovery of smuggled articles in, (XVI), 9170-71.
- Remodelling of Tihar village (XVII), 11603-604.
- Rent of houses in, (XVII), 11593-594.
- Repairs to Jama Masjid and Red Fort in, (XVIII), 13077.
- Retirement benefits to Delhi School teachers (XVII), 11612-613.
- Ring road (XV), 4664-65.
- Road accidents in, (XIV), 2158.
- Road bridges in, (XV), 6128-30.
- Rural electrification in, (XIV), 2722.
- S.Cs. in, (XVII), 11597.
- Sale of illicit liquor in, (XVI), 7426-27.
- Sale of land in, (XV), 4997-4900.
- Sale of pans and lighters with obscene poses (XIII), 1199.
- Sales tax in, (XVI), 7648-49.
- Scarcity of electricity in Delhi Cantt. (XVIII), 12610.
- Scarcity of water in, (XVIII), 13368.
- Scheduled castes and backward classes in, (XIII), 1189-90.
- Seizure of Kerosene oil in, (XVII), 11610-11.
- Sewage water for cultivation in Delhi villages (XVIII), 11865-866.

DELHI: contd.

- Shifting of factories from Shahdara (XVII), 10653.
- Shops in Ramakrishnapuram (XIII), 527.
- Shortage of electricity in, (XVIII), 11875-876.
- Smallpox in, (XVIII), 13351.
- Special Pay for handing cash in Delhi Schools (XVII), 11590.
- Stock of cloth in Khadi Bhandar, (XIV), 3898.
- Sub-soil water in, (XIV), 3641-42.
- Sugar trade in, (XV), 6072-74.
- Telephone connections in, (XVI), 8679, (XVII), 11335.
- Telephones for, (XV), 6112.
- Telephones in, (XIII), 113.
- Telephones in Delhi village (XVI), 8198.
- Thefts in, (XVI), 7438-39.
- Traffic on Railway bridge, (XV), 6050-53.
- Traffic problem in, (XVII), 10152.
- Train service around, (XV), 6047-50.
- Tuition fees in, Delhi Schools (XVII), 11597.
- Underground drainage in Delhi Cantt. (XVIII), 12614.
- Use of Hindi by Delhi Administration (XVIII), 13096-98.
- Vikas Bhawan in, (XVII), 11609.
- Water for irrigation in Union territory of, (XIV), 3658-59.
- Water supply (XIV), 2661-67, (XV), 6598.
- Welfare of S.C. and S.T. in, (XVII), 10170.
- Works Committee for Delhi Cantonment Board (XVIII), 12612.
- Debates*
- Accident to Aircraft of Delhi Flying Club (CA) (XVIII), 14177-80.
- Food Adulteration in, (H.A.H. D's.) (XVIII), 13304-10.
- Water supply in, (C.A.) (XVIII), 12626-30.

DELHI UNIVERSITY:

Lecturers in, (XIII), 1198; (XVII), 11592.

Post-Garduate course in Journalism in. (XIII), 325-26.

Third Division students in, (XVIII), 13072-73.

DEMANDS FOR EXCESS GRANTS (GENERAL), 1960-61:

Presented (XVII), 10806.

Discussed and voted (XVIII), 12660-87.

DEMANDS FOR EXCESS GRANTS (RAILWAYS), 1960-61:

Presented (XIII), 133.

Discussed and voted (XVIII), 12688-702.

DEMANDS FOR GRANTS (1963-64):

Department of Atomic Energy (XV), 5768-5804, 5915-28.

Deptt. Parly. Affairs (XVII), 10024-34.

Lok Sabha (XVII), 10319.

Min. Com. and Ind. (XVI), 8485-8624, 8705-8856.

Min. Com. Dev. and Coop. (XVI), 7596-7620, 7698-7862.

Min. Def. (XVI), 7955-8059, 8206-8376; 8463-85.

Min Econ. and Def. Coord, (XVII), 9765-9832; 9924-10024.

Min. Ed. (XV), 5481-5543; 5619-5804.

Min. Ex. Affairs (XV), 4442-4598; 4790-4854.

Min. Fin. (XVII), 10071-10103; 10188-10319.

Min. Food and Agri. (XV), 4938-5114, 5192-5255.

Min. H. A. (XV), 6658-6854; 6922-7047; 7082-7118; (XVI), 7195-7362.

Min. Health (XV), 5928-6042.

Min. I. and B. (XV), 5255-5372, 5444-81.

DEMANDS FOR GRANTS (1963-64): contd.

Min. Irr. and Power (XV), 6141-6328, 6407-30.

Min. Lab. and Emp. (XV), 6430-6537, 6538-6556, 6633-58.

Min. Law (XVI), 9194-96.

Min. M. & F. (XVI), 9194-9336.

Rajya Sabha (XVII), 10319.

Min. S. & H. I. (XVI), 9471-9519, (XVII), 9687-9764.

Min. S.R. and C.A. (XV), 5682-5768.

Secretariat of the Vice-President (XVII), 10319.

Min. Trpt. and Communi. (XVI), 8768-8856, 8948-9102.

Min. W. H. and R. (XVI), 7287-7362, 7450-7510.

DEMANDS FOR GRANTS (RAILWAYS), 1963-64:

(XIV), 2532-2594, 2731-51, 2755-2890.

DEMANDS FOR GRANTS ON ACCOUNT, 1963-64:

Voted- (XIV) 4247-79.

DEMANDS FOR SUPPLEMENTARY GRANTS (GENERAL), 1962-63:

Presented (XIII), 547.

Discussed and Voted (XIV), 3202-73.

DEMAND FOR SUPPLEMENTARY GRANTS (RAILWAYS), 1962-63:

Presented (XIII), 132.

Discussed and voted (XIII), 1426-76.

DEMANDS FOR SUPPLEMENTARY GRANTS (RAILWAYS), 1963-64:

Presented (XVII), 11081.

Discussed and voted (XVIII), 12705-33.

DEMOCRATIC DECENTRALISATION (Q.) (XIV), 3117-21.**DENOTIFIED TRIBES:**

(XVII), 11575-576.

DENTAL HOSPITALS (XIV), 3664.

DEOILED CAKES (XV), 5438-39.

DEOLI MILITARY CAMP (XIV),
4131-32.

DEPORTATION:

Deportation of Indians from U.K.
(XV), 5872.

DEPOSIT INSURANCE SCHEME
(XVI), 7644-45.

DESIGN AND ENGINEERING UNIT
(XVII), 10125-28.

DETENU(S):

Detenus arrested near D.I.R. (XVII),
11591-92.

Review of cases of arrested persons
in West Bengal (XIII), 309.

DETONATORS:

Electric detonators (XIII), 723.
(XVI), 6901.

Manufacture of, (XIII), 1652.

DEVELOPMENT WORKS:

Central Projects in Orissa (XVII),
11078-79.

Development Schemes in Orissa
(XVII), 11052.

Development projects in Assam
(XV), 5867.

Development works in Orissa
(XVII), 11054.

Socio-Economic Development of
people of border areas (XVI),
7408.

DHANBAD:

Indian School of Mines, (XVII),
10164.

DIAMOND:

Panna Diamond Mines (XV),
4886-92.

Recovery of diamonds in Bombay
(XVII), 10406.

Seizure of diamonds at Santa Cruz
Airport (XV), 6625.

DIESEL ENGINE(S):

Diesel engines (XIV), 3199.

Marine diesel engines (XVIII),
9611-13.

DIPLOMATIC SERVICE:

Diplomatic assignment of officials
and non-officials (XV), 4413.

DISCUSSIONS:

Gold Control Scheme (XIV) 2267-
2362, 2594-2650.

DISEASE(S):

Asthama patients in textile mills
(XIII), 947.

Bronchitis (XIV), 2726.

Cardiac and respiratory diseases
(XV), 6623.

Chest diseases in India (XIV),
2701.

Guinea worm disease (XV), 5181-
82.

Heart attack (XVII), 10407-08.

Increment for treatment of chest
diseases (XV), 5169.

Malaria and Filaria in Orissa (XVI),
7663-65.

Mental diseases (XV) 6595.

Mystery disease in Madhya Pradesh
(XV), 6627.

Treatment of measles in Russia
(XIV), 2723.

V. D. Clinics in Orissa (XVI), 7661.

DISPLACED PERSON(S):

Camps for, (XIV), 2714.

Displaced persons in Andman and
Nicobar islands (XVII), 10164.

Kalkaji colony in Delhi for East
Pakistan displaced persons
(XVII), 10410-11.

Loans to, (XIV), 2712-13.

Maintenance assistance for (XVIII),
11855-856.

Namasudra Community (XIV),
2712.

Property left in Pakistan by (XIV),
2724.

Refugees in Muslim houses (XIV),
2713-14.

Rehabilitation of in Dandakaranya
(XVII), 11804-10.

DISPLACED PERSON(S)—contd.

Rehabilitation work in Punjab (XVIII), 11857.

Squatters colonies in West Bengal (XVIII), 11836—38.

Debates

Exodus of Hindu families from East Pakistan into Tripura (C.A.) (XVIII), 13780-81.

DISTRICT SOLDIERS', SAILORS' AND AIRMEN'S BOARDS' (XVI), 7169.**DOCK LABOUR:**

Dock labour scheme in Madras Port (XVI), 8435.

DOCTOR(S):

Army Commissions to doctors (XVIII), 12621.

Compulsory registration of, (XVIII), 11843-44.

Doctors for Army Medical Service (XVII), 9668-69.

Doctors in Government hospitals (XV), 6627.

DOCUMENT(S):

Re. certain Companies and opinion of Additional Solicitor General—laid on the table (XVIII), 14108—12.

DOCUMENTARY (IES):

Documentary film on folk dance of Punjab (XIII), 952.

Documentary films on scientific subjects (XVI), 8443-44.

Documentaries for Children (XVI), 8443.

Documentaries on Lahaul and Spiti (XIII), 946.

DRILLING RIGS:

Agreement with Russia for drilling machineries (XVII), 11570-571.

DRINKING (XIV), 2385.**DRINKING WATER:**

Drinking water in States (XV), 5147—51.

Drinking Water Supply Board (XVIII), 13362.

Drinking water supply to municipalities in Orissa (XV), 5169-70.

Drinking water to Lunkaransar (XIV), 3661-62.

DRUGS:

Advertisement of, (XV), 5143—47.

Drug Control (XIV), 2703-04.

Drug manufacture survey (XIV), 3634-35.

Drug prices in Delhi (XIV), 2711-12.

Drugs Technical Advisory Board (XIV), 3666.

Import of drugs from U.S.A. (XV), 5164.

Marking of drug prices on cartoons (XVI), 7628—30.

Medicinal herbs (XVIII), 11876-77.

Pharmaceutical Research Laboratories (XVI), 7935-36.

Production of, (XV), 5396—5400.

Training in the manufacture of Synthetic drugs (XVI), 7890—92.

DRY FARMING (XV), 4620—23.**DRY FRUIT(S):**

Import of dry fruits from Iran (XV), 5405-06; (XVII), 9403.

DUM DUM:

Cossipur gun and shell factory, (XIV), 4121.

DURGA COTTON MILLS, KADI (Gujarat) (XIV), 4136-37.**DURGAPUR:**

Chemical Manufacturing Project at, (XIV), 2962.

Heavy engineering plant, (XIII), 1653.

Ophthalmic Glass factory at, (XV), 5377-78.

Power supply at, (XIII), 520.

DURGAPUR—contd.

Rourkela and Durgapur steel plants
(XIV), 3869—72.

Special steel plant in, (XVIII),
12106-07.

DYNAMO SHEETS (XVI), 7939.**E****EARTH-HAULING EQUIPMENT:**

Heavy Earth-Hauling and mining
equipment (XIII), 1634.

EARTHQUAKE:

Earthquake in Eastern parts of India
(XVIII), 12821-22.

ECAFE:

Asian Economic Development Insti-
tute (XVIII), 12090—92.

ECONOMIC POWER:

Concentration of, (Res.) (XIV),
3995—4047.

ECONOMISTS:

Indian Economists for Ghana
(XVII), 9675.

ECOTYPES:

Detection of ecotypes (XVI), 8672.

**EDINBURGH MUSIC FESTIVAL
(XVIII), 13106-07.****EDUCATION:**

Admission in Delhi schools (XVI),
8931.

Adult Education Centre at Palana
(Rajasthan) (XV), 5867.

Adult education in Andhra Pra-
desh (XVIII), 13078.

Adult women's education in Andhra'
(XV), 6387-88.

EDUCATION—contd.

Adult women's, in Punjab (XVII),
11615-616.

Aid to Gurukulas (XIII), 1196-97.

Aid to voluntary Educational Or-
ganisations (XV), 4907-08.

Allocation for women's education
(XVII), 10157-58.

Allocation on Primary Education
(XVIII), 13068.

Basic education (XVII), 10180-81.

Basic education (XVII), 11581-83.

Books purchased by Ministry of
Education (XIII), 331.

Bureaux of education and vocational
guidance (XVI), 8933.

Central Institute, Simla (XVII),
11545—547.

Co-education (XVIII), 13066-67.

Delhi Education code (XIV), 2406.

Diversion of students to vocational
courses (XVIII), 13063—65.

Education cess (XV), 4873—77.

Education during emergency (XIII),
269—71.

Education of girls (XIII), 332.

Education of the physically handi-
capped persons (XVI), 7420-21.

Education of tribal children (XV),
4914-15.

Education in Goa (XVII), 9643-44.

Education in Pondicherry (XVII),
9644-45.

Education Ministers' Conference
(XVII), 11563—67.

Education Programme for NEFA
(XVIII), 12570.

Education through television (XVI),
8433-34.

Educational concessions to pen-
sioners' children (XVII), 10157.

Education delegation to U.A.R.
(XVI), 8908.

EDUCATION—contd.

- Educational facilities to students joining army (XV), 6341—44.
- Eleven year school education (XIII), 325.
- Extension services programme in secondary schools (XVI), 8864.
- General Education (XVIII), 13072.
- Grants for books on Social education in Punjab (XVIII), 13124-25.
- Higher Secondary Education (XIV), 3407.
- Higher Secondary Education in Delhi (XVI), 7438.
- Lecturers in Pure Science and Humanities (XIV), 3423.
- Loans to States from Education Ministry (XVIII), 13116.
- Modification of educational system (XV), 4901—03.
- National institute of audio-visual education (XVI), 8941.
- New Colleges in Delhi (XVI), 8941.
- New Schools in Delhi (XVI), 8945.
- Nutrition education (XVII), 9857.
- Primary education in Orissa (XVI), 8911.
- Religious and moral education (XV), 6376.
- Rural Higher Education (XVIII), 13069.
- Rural Institutes of Higher education (XVI), 8934.
- Russian system of Higher Secondary Education (XIII), 316.
- Science education in India (XIV), 2409.
- Standard of education (XIV), 2426.
- Study group on primary education (XV) 6390-91.
- Symposium on educational statistics (XVI), 8909.
- System of examinations at Secondary Education level (XIV), 3416.
- Teaching and examination system (XIII), 1181-82.

EDUCATION—contd.

- Teaching civics in Delhi Secondary schools (XIII), 330.
- Three-year degree course (XIV), 2390.
- Training of handicapped persons (XVII), 11572-573.
- Untouchability in education (XIII), 1180-81.
- State Education Ministers' Conference (XV), 6338—41.

EGG(S):

- Production of, (XVII), 9918.

EGYPT:

- Abu Simbal temple in Egypt (XIV), 4114, (XVII), 11557—61, (XVIII), 12607.

ELECTIONS (XVI), 7929-30.

- Assembly Constituency of Muzaffarpur (Bihar) (XVII), 10637.
- Bye-elections (XIII), 679-80.
- Elections in Nagaland (XIV), 1916.
- Election of panchayats (XV), 4633.
- Election petitions (XIII), 721; (XVII), 9418.
- Elections to Panchayats (XVII), 11340.
- General Elections in Eastern U.P. in 1962 (XVIII), 12573.
- General Elections in Eastern U.P. in 1962 (XVIII), 12573.
- Release of Communists during Bye-elections (XV), 5158—63.

Debates

- Election to Committee on Estimates (XVII), 10335.
- Election to Committee on Public Accounts (XVII), 10336—38.

ELECTRIC CREMATORIUM:

- Delhi (XV), 6625.

ELECTRICAL GOODS:

- Black marketing in, (XVII), 9412.

ELECTRICITY:

- Ceiling on consumption of water and electricity by Ministers (XVIII), 13371.
- Electricity from Rihand Dam Project (XV), 6568.
- Electricity Generation in Madras State (XVII), 10402-03.
- Electricity generation in U.P. (XIII), 1163-84.
- Free water and electricity to Central Ministers (XIV), 3615-24.
- High Power Commissions for water and power (XIV), 2687-90.
- Import of steam turbines from U.S.A. (XVIII), 11852.
- Integrated Power Grid (XIV), 3639-40.
- Joint power pool of Punjab, Delhi and U.P. (XVI), 7630-33.
- Manufacture of power cables (XVIII), 13614-15.
- Power allocation in Southern States (XV), 5167.
- Power crisis in Delhi (XIII), 1339-92.
- Power plant at Faridabad (XV), 5175-76.
- Power requirements of the country (XIV), 3626-30.
- Power schemes in Punjab (XVIII), 11864.
- Power shortage in the country (XIV), 2699-2700.
- Power shortage in West Bengal (XVI), 7669-70.
- Power supply for industrial purposes in Delhi (XV), 6517.
- Power supply to Kerala from Neyveli (XVI), 9179.
- Power supply to West Bengal (XVIII), 1184.
- Power surplus in Delhi (XVI), 9142-44.
- Purchase of Electricity from Nepal (XV), 6824.

ELECTRICITY—contd.

- Scarcity of electricity in Delhi Cantt. (XVIII), 12610.
- Shortage of electricity in Delhi (XVIII), 11875-876.
- See also 'Power Projects' and 'Power Stations'

ELECTRICITY BOARDS:

- Conference of Chairmen of State Electricity Boards (XIV), 3642-43, (XVIII), 13369.

ELECTRICITY UNDERTAKINGS:

- Licences to private electricity undertakings (XIV), 2713.

ELECTRIFICATION:

- Cost of track electrification (XVIII), 12819.
- Electrification in Orissa (XVII), 10398-99.
- Electrification of Railway line from Howrah to Kharagpur (XIV), 2077.
- Electrification of stations on Southern Railway (XVIII), 12839.
- Electrification of trains (XIV), 3128-30.
- Electrification of Western Railway (XIV), 2061.
- Electrification on Indian Railways (XVII), 9965.
- Electrification Programme (XIII), 120.
- Rural electrification in Delhi (XIV), 2722.
- Rural electrification in Kerala (XV) 5189-90.
- Rural electrification in Punjab (XV), 6628.
- Rural electrification in Rajasthan (XIII), 1421; (XIV), 2705.

EMERGENCY:

- Education during, (XIII), 269-71.
- Special talks on A.I.R. regarding, (XVII), 11071-72.

EMERGENCY INSURANCE SCHEM
(XIV), 2681-83.

EMERGENCY PRODUCTION COMMITTEES (XV), 5833.

EMPLOYEES' STATE INSURANCE SCHEME (XVIII), 12581.

Health survey by Employees' State Insurance Scheme (XIV), 1923.

EMPLOYMENT EXCHANGE(S):

Persons registered in Madras (XIV), 4110.

Persons registered in Maharashtra (XVIII), 12585.

Registration in Employment exchanges in Andhra Pradesh (XIV), 4111.

S.Cs. and S.Ts. registered in, (XIII), 931.

Skilled and Unskilled persons registered in Orissa (XV), 5861.

Technical persons registered in Orissa (XVIII), 12584.

Unemployed technical and non-technical personnel (XIV), 4119.

Women registered in Orissa Employment Exchanges (XVI), 7170-71.

ENGINEERS:

National Institute of Industrial Engineers (XV), 4871-73.

Senior Engineering Officers of C.B.I.P. (XVIII), 13392.

ENGINEERING COLLEGES:

Admission to Regional Engineering College, Srinagar (XVII), 11607-608.

Age limit for admission to engineering colleges (XV), 6373-74.

Delhi Engineering College (XV), 4894-96.

Engineering College, Delhi (XV), 4928.

Engineering colleges in Orissa (XVIII), 13074-76.

Regional Engineering College, Calicut (XVII), 11606-607.

ENGINEERING COLLEGES: contd.

Technical Institutes and Engineering Colleges for border areas (XV), 4909-10.

Engineering industries (XVII), 726-27.

Design and Engineering Unit (XVII), 10125-28.

Export of engineering and machinery products (XV), 5390-94.

Export Incentive Scheme for Engineering goods (XIV), 2944.

Heavy Engineering Projects in U.P. (XVII), 10635-636.

Setting up of manufacturing plants abroad (XIII), 729.

ENGLISH:

English as an associate language (XIV), 2435.

Organisation of a Conference of English Teaching Experts (XVIII), 13110.

ESTATES OFFICER:

Judicial powers for, (XVIII), 13391.

EUROPEAN COMMUNITY MARKET:

Britains entry into, (XIV), 2895.

Export of bananas to ECM countries (XIII), 1673.

India's trade with European Economic Community (XVII), 10622-629.

Heavy engineering plant, Durgapur (XIII), 1653.

EVACUEES:

Rehabilitation of evacuees in NEFA (XVII), 11049-50.

EVACUEE PROPERTY:

Auction of evacuee land in Punjab (XIII), 106.

Evacuee land given to States (XVII), 10409.

Refugees in Muslim houses (XIV), 2713-14.

Transfer of evacuee properties (XVII), 10404.

EXAMINATIONS:

Air Force Flying College examination (XVII), 9671-72.

Calcutta University Examination system (XIV), 2407.

Failures in examination in English (XVIII), 13065-66.

Fees charged from students for General knowledge and other tests (XIV), 2442.

Limited I.A.S. Examinations (XIII), 1152-54.

Sanskrit Examinations (XIV) 2407.

Third Division in examinations (XIII), 286-88.

EXCISE:

Customs and Central Excise Duties on tea (XVI), 9174-75.

Excise duty on small-scale battery manufacturers (XV), 6618.

EXHIBITION(S):

Exhibition of Russian Text books (XIV), 3419.

Exhibition units in Kerala, Laccadives and Andamans (XVI), 7180.

Indian Exhibition in Moscow (XV), 5427-28.

EXPEDITIONS:

Indian Ocean expedition (XV), 4909.

Indian Oceanographic Expedition (XII), 1183.

EXPLOSIONS:

Cracker explosions in Delhi (XIV), 3371.

EXPLOSIVES:

Manufacture of explosives (XVIII), 13612.

Scarcity of explosives for mining industry (XVII), 10176.

EXPORTS:

Confectionery exports (XVI), 9700-02.

Credit facilities for Exporters (XIII), 1627.

EXPORTS: contd.

Decline in export to South-East Asian regions (XIII), 1056.

Delegation for promoting export of Bananas (XV), 5430-31.

Export Advisory Committee for Pearls and Precious Stones (XVII), 10595-598.

Export credit to Asian and African countries (XV), 5417-19.

Export duty on 'Harra' (XV), 6131.

Export in handloom industries (XIV), 2959.

Export Incentive Scheme for Engineering goods (XIV), 2944.

Export of agricultural products (XV), 5431-33.

Export of bamboo to Pakistan (XVIII), 13621-22.

Export of bananas to ECM countries (XVIII), 1673.

Export of bicycles (XVI), 6875-78.

Export of biscuits (XVII), 10614-616.

Export of engineering and machinery products (XV), 5390-94.

Export of green tea to Afghanistan (XIII), 1662.

Export of guar seeds to U.S.A. (XIV), 3879.

Exports of handlooms (XVII), 10631-633.

Export of Handloom products (XV), 5175-76.

Export of hookah tobacco to Belgium (XVII), 10643.

Export of ilmenite to Czechoslovakia (XVII), 9672-73.

Export of Indian films (XIV), 1926; (XVII), 9391.

Export of Indian jute goods (XIII), 1669.

Export of Indian Textiles to U.S.A. (XIV), 3835-38.

Export of iron ore (XVI), 6903-04

Export of iron ore to East European countries (XVI), 6894-95.

EXPORTS: *contd.*

- Export of jewellery (XVIII), 12075—78.
- Export of lathe machines (XVII), 9343.
- Export of manganese (XVIII), 12116-17.
- Export of manganese and iron ores (XVI), 7931, (XVIII), 12125-26.
- Export of manganese ore (XIII), 700—02.
- Export of mica (XVI), 6858—60.
- Export of peacock feathers (XVIII), 13615.
- Export of penicillin (XVI), 7867-68.
- Export of petroleum products (XVII), 9413.
- Export of railway coaches (XVII), 11325.
- Export of raw sugar to Japan (XIII), 1638.
- Export of rice from Punjab (XII), 1708.
- Export of salt (XVIII), 13594-95.
- Export of steam locomotives (XVI), 8111—13.
- Export of steel and aluminium utensils to Malaya and Singapore (XIV), 3895.
- Export of sugar (XVI), 8148—50.
- Export of sugar to Ceylon (XVII), 11297.
- Export of sugar to U.S.A. (XIII), 1620—22.
- Export of textiles to Burma (XVII), 10598—601.
- Export of textiles to East Asian countries (XVI), 6855—58.
- Export of vanaspati (XIV), 3198-99.
- Export of wheat from Punjab (XIV), 3186.
- Export promotion scheme for handicrafts (XIV), 3656-57.
- Exports to Latin American countries (XVII), 10601—604.

EXPORTS: *contd.*

- Export trade targets (XV), 5400—5403.
- Fall in export of ilmenite (XIV), 1886.
- Freight concession for export of mineral ores (XIII), 85-86.
- Handloom Export Organisation (XVII), 10648-649.
- Imports and Exports by S.T.C. (XVII), 726.
- Import and export licences (XIV), 2957.
- Iron-ore export to Japan (XIV), 3844—48.
- Levy of cess on industries (XIII), 722.
- Market price of export commodities (XVII), 9408.
- Production and export of opium (XV), 5173.
- Promotion of export trade (XVIII), 12099—12104.
- Quality control for fish export (XIII), 1677.
- Regional Organisations for export trade (XV), 5425-26.
- Release of foreign exchange to export houses (XVII), 10608—610.
- Targets of production and export (XVII), 9404.
- Tea export to Japan (XIII), 1631.
- Tea export to U.S.S.R. (XVII), 9410.
- Under invoicing export of jute (XV), 6617.
- Value of India's, and imports (XVII), 10660.

EXPORT:

- Refinancing of export credits (XVI), 7658-59.
- Export Houses (XV), 5428.
- Business and Export Houses (XV), 5406—09.

Debate

- Freight Concessions to Export Traffic (St.) (XIII), 1208-09.

EX-RULER(S):

Selling of Heir-loom by ex-rulers (XIII), 1180.

EX-SERVICEMEN (XV), 5853;
(XVII), 9645-46, 11070.

Allotment of land to ex-servicemen (XVII), 11061.

Land for ex-servicemen in NEFA (XVII), 11078.

Recruitment of ex-servicemen (XIV), 1899.

Welfare of Ex-Indian Army Gurkhas (XIV), 4112-13.

EXTRADITION TREATIES (XVII),
9669.

EYES:

Donation of eyes in India (XVIII),
13398.

F**F. A. O. :**

Easing of work load of rural house-
wives (XV), 4616-20.

"Freedom from Hunger" Campaign
(XVI), 8116-20.

FACTORY(IES):

Aluminium factory in Madhya Pra-
desh (XVII), 9384.

Camera, (XVIII), 12059-61.

Cement, (XVII), 9391.

Closure of old Delhi (XV), 6630.

Defence factories at Wardha
(XVIII), 12582.

Factories in Delhi (XVIII), 12605.

Fertilizer, (XV), 5437.

Hindustan Housing Factory (XVI),
7649-50.

Leather, (XVIII), 12113-14.

Machine Tool, (XV), 5380-82.

MIG factories (XVII), 9613-16.

Paper factory at Amlai (XV), 5434.

Portable typewriter, (XIV), 2958.

Precision Instrument, (XV), 5430;
(XVII), 9407.

S: contd.

FA in export to South-East
R regions (XIII), 1635.

CA for promoting export of
Shiftin (XV), 5430-31.

1065 Advisory Committee for
Starch, Precious Stones
Statutes, 598.

(XIV), 1, Asian and African
5417-19.

Tools factory, 'ara' (XV), 6131.
12128-29.

Transformer industries
(XVII), 131.

FAIR PRICE SHO

Supply of articles to Govern-
employees at Fair price (XVIII),
13076-77.

FAMILY PENSIONS (XV), 5663.

FAMILY PLANNING (XIII), 540;
(XVII), 10415-16; (XVIII), 11872,
13357.

Family Planning Centres in Andhra
Pradesh (XVII), 10413-14.

Family planning conference at
Singapore (XV), 5135-37.

Family planning in Delhi (XVI),
7683-84.

Family Planning in Orissa (XVII),
10395.

Family Planning in Rajasthan
(XIV), 2720-21.

Family Planning programme in
Madras State (XV), 6631.

Injections for birth control (XV),
6622.

FAMINE(S):

Eradication of (XVI), 7624-27.

Famine areas (XVII), 11326.

Famine in Sikkim (XVIII), 12619.

FAN(S):

Advances to Class IV employees for
(XIV), 3650.

Electric, (XIV), 2951.

Table, (XVI), 6897-98.

FARAKKA BARRAGE (XIII), 8
1400-03.

FARIDABAD:

- Faridabad Township (XIII), 525.
 Exporter plant at, (XV), 5176.
 93 (S):
 Export cooperative, (XVI), 8666.
 1211: as on India-Tibet border (XIV),
 Export 31.
 (X) m output in Orissa (XVII), 9883.
 Export of manure (XVII), 11285.
 700—02.
 Export of micro farm implements
 Export

FARMER(S):

- Assistance to, (XVII), 9885.
 Disbursement of manure to, (XIII),
 1718.
 Financial assistance to, (XV), 4670-
 71.

FARMING:

- Dry (XV), 4620—23.
 Mechanisation of, (XVI), 8638.
 Study team on modernisation of,
 (XV), 5172.

FELLOWSHIP(S):

- Fellowships for African University
 personnel in India (XV), 4920.

FEROZABAD:

- Glass bangles factories at, (XV),
 5436.

FERRY SERVICE:

- Pandu-Amingaon Marine Ferry
 (XV), 6121.

FERTILISERS:

- Allotment of, to tobacco growers
 (XVII), 9908.
 Chemical, (XV), 4671-72; (XVII),
 9870.
 Distribution of, in Mysore State
 (XVII), 9921.
 Fertilizer Distribution Corporation
 (XIII), 84.
 Fertilizer factory, Durgapur (XIII),
 1652.

FERTILIZERS: contd.

- Fertilizer Plant building of the
 Neyveli Lignite Scheme (XV),
 4927-28.
 Liquid nitrogen fertilizers and
 Food production (XVI), 8680.
 Production of, (XVI), 6869—72.
 Rebate on purchase of, (XIV), 3175-
 76.
 Shortage of, (XVII), 9906.
 Supply of, to tea gardens (XV),
 4696.
FERTILIZER FACTORIES (XIII),
 1657; (XV), 5437; (XVII), 10659-6.
 Fertilizer factory at Hanuman Garh
 (XIV), 3957—60.
 Fertilizer plant (XIII), 720.
 Fertilizer Plant, Katni (XVII),
 10588-591.
 Fertilizer Plant, Rourkela (XIV),
 2958.
 Fertilizer Factory at Neyveli (XV),
 4919.
 Purchase of Fertilizer Plant Equip-
 ment (XVIII), 12106.
 Sindri Fertilizer Factory (XIII),
 695—97.
FIELD DAY (XV), 4649-50.
FILARIA:
 Filaria Eradication in Andhra Pra-
 desh (XVIII), 13385.
FILM(S):
 Bengali film "Dada Thakur"
 (XVIII), 13985.
 Censorship of (XVI), 8422-23.
 Colour, (XVII), 10655—657.
 Documentary, on Folk Dances of
 Andhra Pradesh (XVI), 7166.
 Documentary, on scientific subjects
 (XVI), 8443-44.
 Documentaries for Children (XVI),
 8443.
 Export of India, (XIV), 1926;
 (XVII), 9391.
 Film Consultative Committee
 (XIII), 942.

FILM(S): contd.

Film on removal of untouchability (XVIII), 12578.

Film on Sino-Indian border dispute (XVII), 9635-39.

Hindi certificates to Hindi films (XVI), 7180.

Import of foreign, (XVII), 9390.

Manufacture of, with Russian collaboration (XVI), 7926-27.

"Nine Hours to Rama" (XIII), 919.

Pictures about Chinese occupation in NEFA (XVI), 9660.

Popularity of Indian films abroad (XVI), 7184.

Production of Children's Films (XVII), 9616-18.

FILM INSTITUTE:

Film Institute, Poona (XVI), 8443.

FIRE(S):

Fire in Ambala Cantt. (XVIII), 12617.

Fire in goods train (XVII), 11343.

Fire in Gun Carriage Factory (XIV), 1932.

FIRING RANGES (XIV), 4143-44.

FISH:

Fish rearing (XIV), 3175.

Quality control for fish export (XIII), 1677.

FISHERIES:

Development of, in Madras (XVII), 9912.

Development of, in Orissa (XVI), 8161-62.

Development of, in Punjab (XV), 6134.

Fisheries in Manipur (XV), 4667-68.

Indian Fisheries Corporation (XIV), 2066.

FISHERIES: contd.

Indo-Norwegian fisheries project (XIII), 1720.

FISHERMEN:

Facilities for fishermen in Laccadives (XVII), 10179.

Indian fisherman kidnapped by Pakistanis (XVII), 9658-59.

FISHING:

Deep sea, (XIV), 2134.

Deep sea, in Orissa (XV), 6096.

Deep-sea, projects (XV), 4642.

Fishing Harbour, Vazhinjan (XIV), 2076.

Fishing Harbour, Veraval (XIV), 2087.

Fishing in deep waters (XIII), 1680.

Fishing Station, Mangalore (XIV), 2130.

Shell-fishing licence in Andaman Nicobar (XV), 6386-87.

Synthetic fish net twine making factory (XVIII), 12843-44.

Vessels operating at Fishing stations (XVI), 8682.

FLOODS:

Floods and Power supply in Assam (XIV), 2702-03.

Floods in Brahmaputra (XIV), 3606-610.

Floods in River Teesta (Sikkim) (XVI), 7159-62.

Ghaggar floods (XIV), 3643-44.

FLOOD CONTROL:

Central Flood Control Board (XVII), 10417-18.

Flood Control Schemes (XVII), 10394.

Flood Control Schemes in Kerala (XVII), 10412.

Flood Control Schemes in Orissa (XVIII), 11849.

FLOOD CONTROL: contd.

Gandak-Naraini Flood Control Scheme (XVII), 10354—57.

Highpowered flood Control Board for Assam (XVIII), 13368.

FLOURITE:

Extractions of, in Rajasthan (XVIII), 13108-09.

FLYING CLUB(S):

Flying clubs in M.P. (XVI), 8188.

Flying Training Centre, Allahabad (XIII), 105.

FOLK DANCES:

Documentary films on, of Andhra Pradesh (XVI), 7166.

Documentary film on, of Punjab (XIII), 152.

FOOD:

Canning and food preservation centre (XVI), 8158-59.

Concentrated composite foods (XVIII), 13040-43.

Food articles from U.S.A. (XIV), 2119.

Food stocks in West Bengal (XV), 4637-38.

Food Zone (XIII), 106.

Gift of food materials from U.S.A. (XVIII), 11853.

High protein food for Jawans (XVIII), 12557.

Liquid nitrogen fertilizers and Food production (XVI), 8680.

Multi-purpose food (XIV), 2155.

Partial payment of workers' wages in food (XV), 6181-83.

Payment of wages in shape of food (XIV), 4144-45.

Short term food crops and vegetables (XV), 6108.

Supply of nutritious food (XVI), 8181-82.

World Food Congress (XVII), 11310.

World Food Programme (XV), 6071-81.

FOOD ADULTERATION (XIII), 1395-98.

Food Adulteration Act, 1954 (XVIII), 11861-863.

Food adulteration in Delhi (XVII), 10380-84.

Debates

Food adulteration in Delhi (H.A.H. Dis.) (XVIII), 13304-10.

FOOD POISONING:

Food poisoning, in Bombay (XIII), 539.

FOOD PRODUCTION (XIII), 79-82.**Debates**

Reported shortfall in, targets during the Third Plan period (CA), (XVIII), 12869-75.

FOOD PRESERVATION:

Canning and food preservation centre (XVI), 8158-59.

FOODGRAINS:

Floor price of Rabi Crop (XIII), 1640.

Godown at Cuttack (XV),

Hybrids of Bajra and Jowar (XIV), 2107.

Import of wax maize (XVII), 10643.

Margin of profit of foodgrains dealers (XIII), 115.

Prices of (XIV), 3124-28.

Procurement of (XV), 4657.

Purchase of wheat by Government (XVI), 8129-32.

Purchase of wheat in Madhya Pradesh (XV), 4697.

Restrictions on movement of, (XIV), 3160-61.

Sale of damaged (XVI), 8140-43.

FOOTWEAR INDUSTRIES (XVIII), 13614.**FORAGE CROPS:**

Research on Forage crops (XV), 4694.

FOREIGN AID:

£ 30 million loan from U.K. (XVI),
9145-47.

A.I.D. Loan to India (XVI), 7671.

Agreement \$240 million U.S. loan
(XV), 5187-88.

Agreement with Russia for drilling
machineries (XVII), 11570-571.

Aid from European countries (XVI),
8433.

I.D.A. loan for highways (XIV),
8195.

Interest payment on foreign loans
(XVII), 10400-01.

Japanese Team's visit to India
(XVIII), 12071-75.

Projects in Andhra Pradesh with
Russian aid (XVI), 7915-16.

Public sector enterprises with Soviet
aid (XVIII), 11867-868.

Recovery of goods meant for the
poor in Delhi (XVI), 7419.

Revision of credit agreement (XVI),
6902-03.

U.S. aid to India (XIII), 526.

FOREIGN ASSETS:

Assets in foreign banks (XIV),
2655-58.

FOREIGN COLLABORATION (XVI),
6902.

FOREIGN DIGNITARY (IES):

Mr. Ali Sabry's visit to India
(XVIII), 12589.

U.S. Secretary of state's visit to
India (XVI), 8437.

FOREIGN EMBASSY (IES):

Indians employed in Chinese Em-
bassy in New Delhi (XIII), 928.

FOREIGN EXCHANGE (XV), 5151-
53.

Assets in foreign banks (XIV),
2655-58.

Balance of payments with sterling
area countries (XVI), 9162.

FOREIGN EXCHANGE: contd.

Foreign exchange for business travel
(XVI), 9138-41.

Foreign exchange ceiling for import
of steel (XVIII), 13598-99.

Foreign exchange for students
(XVIII), 13389.

Foreign exchange requirements
(XVII), 10393-94.

Foreign exchange requirements for
N.C.D.C. (XV), 4881-82.

Foreign exchange reserve (XVI),
9147-48.

Release of, to export houses (XVII),
10608-610.

Violation of foreign exchange re-
gulation Act (XVI), 7676.

Violation of foreign exchange rates
(XVI), 9108-9111.

Waste of (XVIII), 12139-40.

FOREIGN INVESTMENT:

Foreign investment in India (XIV),
2690-93.

FOREIGN LANGUAGE(S):

Foreign languages scholarships
scheme (XVI), 8907.

FOREIGN NATIONAL(S):

Employment of foreigners in firms
(XIV), 3892-93.

Foreigners detained under DIR
(IV), 4908.

Foreigners employed in A.I.R.
(XVIII), 13958-965.

Foreigners employed in Central Uni-
versities (XV), 4910.

Foreigners granted Indian citizen-
ship (XIV), 3422.

Foreigners in Indian shipping com-
panies (XIII), 1701.

Marriages of Indians with foreigners
(XIV), 3892.

Unauthorised entry into India
(XVI), 8932.

FOREIGN POST OFFICE:

Foreign Post office, New Delhi
(XVI), 8687.

FOREIGN RELATIONS:

India's relations with foreign countries (XIV), 4065-69.

FOREIGN SERVICE:

Diplomatic assignment of officials and non-officials (XV), 4413.

FOREIGN TECHNICIANS:

Foreign technical personnel (XIV), 3872-73.

Russian experts at Sibsagar project (XIII), 1184.

Visit of U.N. experts for Standardisation in India (XV), 5426.

FOREIGN TRADE:

Balance of trade (XVIII), 12124.

Trade delegations (XVIII), 12127.

U.S. Trade with India (XVII), 9402.

FORESTS:

Forest belt (XIV), 2114.

Forest Plantations (XIII), 117-118.

Forest Research Institute (XVI), 8649.

Forest wealth of Goa (XIV), 4127.

FORWARD AREA(S):

Chief Ministers' visit to forward areas (XV), 5851.

FORWARD TRADING:

Ban on forward trading in gur (XIV), 3843.

Forward trading in edible oils (XVI), 7943.

Forward trading in shares (XIII), 536.

Forward trading in silver (XIII), 716-17.

FOUNDARY FORGE PROJECT (XIV), 2947.**FRANCE:**

Agreement with Government of, (XVI), 8420-21.

Explosion of atom bomb by, (XVI), 7186-87.

FREEDOM MOVEMENT:

History of Freedom movement (XVII), 11571.

FREIGHT AND FARE(S):

Cargo freight rates (XV), 6095.

Freight rates (XVI), 8656.

Freight rates of ships (XVII), 11271.

Freight rates on coir goods (XVIII), 12837-38.

Ocean freights between India and Pakistan (XV), 6109.

FRIGATE(S):

Manufacture of, (XIV), 4142-43.

FRUIT(S):

Development of fruit production (XVII), 11349.

Development of fruit production in Orissa (XVI), 8153-54.

Fruit and cattle farms (XVII), 11285.

Fruit production in Punjab (XV) 4672-73.

Production of fruits and vegetables (XIV), 3182-83.

FUEL:

Fuel efficiency in Indian industry (XVIII), 12084-87.

Fuel wastage (XV), 6613.

FURNACE:

Furnace oil (XVIII), 12116.

Low shaft furnace (XVII), 9366.

G**GANDAK:**

Gandak-Naraini Flood Control Scheme (XVII), 10354-57.

Road bridge on Gandak river (XVIII), 12831-32.

GANDHI, MAHATMA:

Gandhi Memorial at Rajghat (XIII), 1420.

Gandhian literature (XVIII), 12552.

"Nine Hours to Rama" (XIII), 919.

GANGA:

Electric train terminus on, (XVII), 9874.

GANGANAGAR:

- Co-operative Sugar Factory in, (XVI), 8685.
 Recovery of arms in, (XVIII), 13082-83.

GANGTOK:

- Copper deposits near, (XIII), 1191.

GANJA:

- Bhang, Charas and, (XIV), 2718-19.
 Ganja, Bhang, Charas and opium (XV), 6606.

GAS:

- Establishment of gas grids (XVII), 10182-83.
 Gas for cooking purposes (XIV), 3885.
 Gas Plant (XIV), 2139.
 Manufacture of liquified gas (XV), 6374.
 Natural Gas at Avadi (XIII), 329.
 New Gas Field near Ahmedabad (XIV), 2383.
 Oil gasification plant (XIII), 1646.
 Pipelines from Cambay for gas supply (XVII), 11614.

GAZA STRIP:

- Indian troops in, (XVII), 9655-56.

GAZETTERS:

- Completion of District Gazetteers (XIV), 3421.

GEN. KAUL:

- Permission to Lt-Gen. B. M. Kaul for appointment in a commercial concern (XVIII), 13977-980.

GENETICS:

- Genetics and Biometry Unit in Calcutta (XVI), 7409.

GEOLOGICAL SURVEY:

- Hoshiarpur Distt. (Punjab) (XIV), 2431.
 Madras State (XV), 6403-04.
 Naharkatiya Moran Sector (XIV), 2430.
 Orissa (XIV), 3412.

GEOLOGICAL SURVEY: contd.

- Punjab (XIII), 326.
 Rajasthan (XIII), 320.
 U.P. (XVIII), 13088-93.

GHAGGAR FLOODS (XIV), 3643-44.**GHANA:**

- Indian Economists for, (XVII), 9675.

GLASS INDUSTRY (XIV), 2945.

- Glass bangle factories at Ferozabad (XV), 5438.
 Glass Factory at Hyderabad (XVI), 7902-04.
 Ophthalmic Glass factory at Durgapur (XV), 5377-78.

GLIDING CLUBS (XV), 4642-43.**GLOSSARY:**

- Technical, (XIII), 310.

GOA:

- Bombay Goa Highway (XIV), 2143.
 Education in, (XVII), 9643-44.
 Extension of Income Tax Act to, (XVIII), 13375.
 Forest wealth of, (XIV), 4127.
 Funds for liberation of, (XVIII), 12598.
 I.A.C. inaugural flight to, (XVII), 11311.
 Industries in, (XVII), 9351.
 Labour Laws in, (XV), 4418.
 Monuments in Goa, Daman and Diu (XVII), 11079.
 Prices of consumer goods in, (XIV), 4108-09.
 Reclamation of Ravine land in, (XVIII), 12604.
 Steel Plant at Vishakhapatnam and, (XIV), 7942.
 Unemployment in, (XIV), 1892.
- GOLD:**
- Declaration of gold by dealers (XIII), 540.
 Gold Bonds (XIII), 509-13.
 Gold for industry (XVI), 9145-46.

GOLD: contd.

- Gold mines in Andhra Pradesh (XVI), 7412.
- Gold prices and gold smuggling (XIV), 2683—87.
- Gold production (XV), 6604.
- Gold smuggling (XVIII), 11865.
- Hoarded gold (XIII), 525.
- Kolar gold mines (XVIII), 13367.
- Manufacture and export of, ornaments (XVI), 9149-50.
- Permit for purchase of, (XIV), 2678—81.
- Popularising 14-Carat Gold (XVI), 9152-53.
- Recovery of gold in Gwalior (XVIII), 13391.
- Smuggled gold (XV), 6616.
- Smuggling of gold (XIII), 1412.
- Smuggling of gold from India (XVIII), 11828—829.

GOLD CONTROL:

- Gold declared under Gold Control Rules (XVI), 7641—43.
- Licences issued under Gold Control Scheme (XIV), 2710.
- Violation of Gold Control Rules (XIII), 507—09.

Debates

Defence of India (Amendment) Rules relating to, (Pet.) (XIII), 548.

Gold Control Scheme (Dis.) (XIV), 2267—2362, 2594—2650.

GOLD CONTROL BOARD (XIII), 1417.

Chairman of, (XIV), 3648-49.

GOLDSMITHS:

Licence fee for, (XVI), 7677.

Suicide by, (XVI), 9127—31.

Debates

Reported unemployment among artisans and, (CA), (XIII), 336-37.

'GOSHALA DEVELOPMENT' SCHEMES (XIII), 1686.

GOVERNMENT ACCOMMODATION:

- Accommodation for Defence personnel in Delhi (XVIII), 12608.
- Allotment of residential quarters (XV), 6601.
- Flats for M.Ps. (XIII), 1412.
- Houses for M.Ps (XV), 6585.
- Office space in Capital (XV), 6603.
- Quarters for married Policemen in Delhi (XIV), 2441.
- Quarters in Ramakrishnapuram (XIII), 1415.
- Shifting of Hindi Directorate (XIII), 1174.

GOVERNMENT EMPLOYEE(S):

- Advance increments for Manipur employees (XIV), 2428.
- Advances to Class IV employees for fans (XIV), 3650.
- All India Services (XVII), 11569-570.
- Allotment of land to, (XV), 6583.
- C.H.S. Scheme for Central Government Employees at Shahdara (Delhi) (XV), 5119—21.
- Canteens run by, (XVII), 11598.
- Central Government employees in Orissa (XVI), 9151.
- Central Government Officers in Assam (XIV), 2372.
- Confirmation of Upper Division Clerks (XVII), 10176.
- Cut in staff of Central Ministries (XVIII), 13070.
- Dearness allowance to, State Government employees (XIII), 533.
- Declaration contest for non-Hindi speaking, (XVII), 11602-603.
- Declaration of assets and possessions by Ministers and, (XIII), 323.
- Employees dismissed in 1960 strike (XIII), 1685.
- Employees on deputation in Delhi (XIII), 1413.
- Enquiries against, (XVII), 11615.
- Expenditure on tours of officers of Central Government (XVI), 9154.

GOVERNMENT EMPLOYEE(S):*contd.*

- Government officers' visits abroad (XV), 6604.
- Hindi knowing, (XIII), 1189.
- Increments of employees of AEC Centre and School, Pachmarhi (XVIII), 13982.
- Interchange of I.A.S. and I.F.S. Officers (XVI), 7366-91.
- Loans to Class IV employees for fans (XVIII), 11857-858.
- Number of employees in Finance Ministry (XV), 6622.
- Officers from Orissa at Centre (XVII), 11577-578.
- Promotions to S.C and S.T employees (XIV), 2412.
- Punjab Government officers at Centre (XVI), 8930.
- Quarters for Central, (XIV), 2722-23.
- Recruitment of officers (XVII), 10151.
- Relaxation of age limit (XIV), 1926.
- Retirement age of, (XVII), 11534-537.
- Review of punishment (XV), 4686.
- Salary of Government employees served in World War II (XIV), 2421.
- Scheduled Caste Officers (XVII), 10169-70.
- Schools for, (XIII), 333.
- Section Officer Grade Examination (XVIII), 13115-16.
- Senior civil servants in commercial concerns (XVI), 8904.
- State Civil Officers in Centre (XIV), 3425.
- Supply of articles to Government employees at fair price (XVIII), 13976-77.
- U.D.Cs. in Army Headquarters (XVIII), 12622.
- Whitley Councils (XIV), 2367.
- Working conditions of, (XVII), 10152-58.

GOVERNMENT OFFICE(S):

- Declaration of permanent Government posts (XVIII), 11799-804.
- Reduction in staff in, (XIV), 3600-604.
- Retrenchment in Departments (XVII), 10156-57.
- Shifting of, (XVI), 9161.
- Surplus staff (XVI), 7428.
- Use of Hindi in Central, (XVII), 11594.

GOVERNMENT PRESS(ES):

- Block-making in Government Press, Faridabad (XV), 6563.
- Government press at Koratty in Kerala (XIV), 3657.
- Government Press Managers' meeting (XIII), 1413.
- Prices for Parliamentary Work (XVIII), 11807-810.

GOVERNMENT QUARTERS:

- Accommodation for Delhi Administration employees (XV), 7430-32.
- Accommodation for Government employees (XV), 5179.
- Out-of-turn allotment (XVIII), 13379.
- Quarters for Central Government employees (XIV), 2722-23.
- Quarters for staff of Accountant General's Office, Orissa (XVII), 10395-96.
- Quarters in Ramakrishnapuram (XVII), 10406-07.
- Staff quarters at Phulbani (XV), 6452-53.
- Water charges for Class IV employees Quarters (XVI), 7682.

GOVERNMENT SERVICE:

- Reservation in promotions for S.C. & S.T. (XVI), 7429.
- Stoppage of new recruitment for Class III services (XVII), 10167.

GRAM SEVAKS:

- Training period for Gram Sevaks (XIII), 43-46.

GRANTS:

Aid to Utkal University (XVII), 10156.

Grants for Oriya drama (XVI), 7415-16.

Grant for school hostels in Orissa (XVII), 10160.

Grants-in-aid to the non-official organisations (XIII), 1196.

GRASSLAND AND FOLIAGE RESEARCH INSTITUTE (XVI), 8176.**GREECE:**

Trade agreement between India and, (XVI), 7944-45.

GROUND NUT(S):

Package programme for, (XIV), 2128.

Package programme for groundnuts in Madras State (XVII), 9890.

"GROW MORE FOOD" CAMPAIGN:

Assistance to Andhra Pradesh (XV), 4649-50.

"Grow More Food" campaign in Army Units (XV), 4418.

GUAR SEED (XVI), 7911.

Export of guar seeds to U.S.A. (XIV), 5879.

GUJARAT :

Durga Cotton Mills, Kadi (Gujarat) (XIV), 4136-37.

Fluorite and Lignite deposits in, (XV), 4926.

Gujarat oil refineries (XVII), 11567-569.

Koyali oil refinery, (XIV), 2382.

New oil wells in, (XVII), 11811.

Oil wells in Gandhi Nagar area (XIV), 2440.

Shortage of pig iron in, (XIV), 2915.

Small Scale Industries in, (XVII), 10660-661.

Sun Temple at Moghera (Gujarat) (XIV), 3409.

GULHATI COMMISSION REPORT (XIV), 2658-61.**GULMARG:**

Cosmic Rays Research Station at, (XVII), 9640-41.

GUN POWDER:

Use of "Dhup" in, (XVII), 11069.

GUR:

Ban on forward trading in, (XIV), 3843.

Ban on manufacture of Gur and Khandsari (XV), 6057-60.

GURKHAS:

Recruitment of, (XVII), 9660-61.

H**H. M. T.:**

Defects in watches produced by, (XIV), 2943.

Tools manufactured by, (XVIII), 13606.

Wrist watches (XIII), 720-21.

HAJ PILGRIMS (XIV), 3192-93, (XV), 4426.

Haj pilgrims from Kerala (XVIII), 12589.

HALF-AN-HOUR DISCUSSION(S):

Amendment of Article 31A of the Constitution (XVIII), 13009-020.

Food adulteration in Delhi (XVIII), 13304-318.

Parliamentary Proceedings on A.I.R. (XVIII), 13756-61.

HANDICAPPED PERSONS:

Grants to Organisations for the handicapped in Orissa (XVII), 1157.

Handicapped children (XIII), 326.

Training of, (XVII), 11572-573.

HANDICRAFTS:

Export promotion scheme for, (XIV), 3856-57.

Handicrafts emporia in Orissa (XVIII), 12110.

Handicrafts in Assam (XVII), 9393.

Handicrafts industry in Orissa (XVII), 9396.

HANDLOOM INDUSTRY(IES):

- Accumulation of handloom cloth (XV), 5413—17.
- All India Handloom Board (XVII), 10649—65.
- Export in, (XIV), 2959.
- Exports of handlooms (XVII), 10631—633.
- Export of handloom products (XV), 5175-76.
- Handloom Export Organisation (XVII), 10648-49.
- Handloom goods in Madras State (XIV), 2955.
- Handloom industries (XVIII), 13600.
- Handloom industries in Orissa (XVII), 9396.
- Houses for handloom weavers in Orissa (XVIII), 12109.

HASTINAPUR:

- Development of Hastinapur Township (XIV), 3651.

HEALTH:

- Health institutes (XVI), 7673.
- Health Insurance Scheme (XVI), 9107-08.
- Health survey by Employees' State Insurance Scheme (XIV), 1923.
- National School Health Council (XIV), 2704-05.
- Occupational Health hazards in coal mines (XV), 4387.
- Public Health in Major cities in India (XV), 5178.
- Public health problems in India (XVI), 7679.
- State Health Ministers' Conference (XVIII), 11844.
- Subsidiary Health Centres in rural areas (XIII), 1369—71.

HEARING AID(S):

- Hearing aids for children (XVII), 11584-85.

HEART DISEASE:

- Heart operation by Russian doctor (XVIII), 13397.

HEAVY ELECTRICAL(S):

- Fire in Heavy Electricals Ltd., Bhopal (XIII), 724-25.
 - Heavy Electricals Corporation (XVII), 10658.
 - Heavy Electrical Equipment plants (XIV), 3838—42.
 - Heavy Electricals Limited, Bhopal (XIII), 688—90, (XIV), 2935, (XVII), 10630.
- HEAVY INDUSTRY(IES):**
- Heavy Engineering Projects in Vidarbha (XV), 5439.
 - Heavy industries at Madras (XVIII), 12117-18.
 - Heavy industries for Orissa (XVIII), 13599.
 - Heavy machine building project (XIV), 3880-81.
 - Steel and, (XIII), 1667.

HELICOPTERS:

- Helicopters from Russia (XIV), 4085—87.
- Manufacture of engines for Alouttee Helicopters (XIV), 1905.

HERBS:

- Exploitation of rare herbs (XIV), 2146.
- Research on Himalayan, (XVII), 9909.

HIGH COURTS:

- Appointments of additional Judges in Allahabad High Court (XV), 4915.
- High Court Judges (XIV), 3399.
- High Court in Delhi (XVIII), 13100.
- Pending cases in Andhra Pradesh High Court (XVIII), 13110-11.
- Pending cases in High Courts and Supreme Court (XVI), 8919.
- Pending cases in Madhya Pradesh High Court (XV), 6384.
- Retirement of High Court Judges (XVII), 10188.
- Writ petitions in High Courts (XVIII), 13093.

HILL AREAS:

Development of hill areas (XVIII), 12865.

HIMACHAL PRADESH:

Cotton mills in, (XIV), 3885.

Himachal Pradesh State Co-operative Bank (XVIII), 12830.

Industrial survey of Himachal Pradesh and Kangra-Kulu (XVII), 9413.

Primary schools in, (XVI), 8932.

Technical Institutes in hill areas of Punjab and, (XVII), 10172.

HIMALAYAN REGION:

Survey of, (XVII), 11542-545.

Survey of power projects in Himalayas (XIV), 2711.

HINDI:

Car plates in, (XIV), 2427.

Compulsory Hindi examinations in Madras (XVIII), 13032-36.

Declaration contest for non-Hindi speaking Government employees (XVII), 11602-603.

Development of Hindi in Orissa (XVII), 10155.

Grant for Developing, (XIV), 2426.

Hindi as medium of university education (XV), 6400.

Hindi Assistants in Ministry of Economic and Defence Coordination (XIV), 3079-80.

Hindi certificates to Hindi films (XVI), 7180.

Hindi in Central Government offices (XIV), 3413.

Hindi in South India (XIII), 1148-52.

Hindi in U.P.S.C. examinations (XV), 6344-47.

Hindi knowing Government employees (XIII), 1189.

Hindi Law Commission (XVI), 6878-84.

Hindi News Bulletins on A. I. R. (XVIII), 12593.

HINDI: contd.

Hindi Typewriting and Shorthand Scheme (XVI), 7440-41.

Hindi work (XIII), 96.

Hindi writers (XIV), 2435.

Kashi Nagari Pracharini Sabha (XVI), 7411.

Popularisation of Hindi through A. I. R. (XVII), 11012-15.

Propagation of, (XVI), 8945.

Shifting of Hindi Directorate (XIII), 1174.

"Tripitaka" in, (XVI), 8886.

Use of Hindi by Delhi Administration (XVIII), 13096-98.

Use of Hindi dictionaries in A. I. R. (XVII), 11055-56.

Use of Hindi in Central Government Offices (XVII), 11594.

HINDUSTAN AIRCRAFT LTD. (XIII), 892-93.

Production of aircraft in, (XIV), 1929.

HINDUSTAN CABLE FACTORY, RUPNARAINPUR (XIII), 722, (XV), 5424.

HINDUSTAN HOUSING FACTORY (XIII), 537, (XV), 6611, (XVI), 7649-50.

HINDUSTAN SHIPYARD (XIV), 2157.

HINDUSTAN STEEL LIMITED (XVI), 6911, (XVII), 10581-84, 10654, (XVIII), 13566-70.

Directorate Board of, (XVII), 9370.

HIRAKUD DAM PROJECT (XVIII), 11849-50, 13355.

HOLIDAYS:

Declaration of, (XIV), 3431.

HOME GUARDS (XIII), 308, (XVIII), 13061.

Compulsory insurance for, (XVII), 10174.

HOMOEOPATHIC INSTITUTIONS (XIX), 3651-53.

HORSE-BREEDING CENTRE (XIV),
2159.

HORSE SHOWS Army, (XIV),
1930.

HORTICULTURE:

Horticulture Centre in Nepal (XV),
4381.

Horticulture in Punjab (XV), 6119-
20.

HOSPITALS:

Bed-strength of Central Govern-
ment, (XIV), 3645-46.

Cancer, (XIV), 3645.

Cancer hospital at Jabalpur (XIV),
3656-57.

Dental hospitals (XIV), 3664.

Doctors in Government hospitals
(XV), 6627.

Hospital at Bomdila (XIII), 931,
(XVIII), 12591.

Hospitals at Chondwar (XVII),
9649.

Hospital for General medical check-
up (XIV), 3647.

Hospitals in Delhi (XIV), 2667-72.

Kolar Gold Field Hospital (XVIII),
13395.

Leprosy Hospital in Uttar Pradesh
(XVIII), 11842-843.

Lucknow Military Hospitals (XIV),
4112.

Mental hospital at Shahdra,
Delhi (XVI), 7672.

N.E.F.A. hospitals (XVI), 9113-15.

Nursing Home charges (XVIII),
13374.

Regional hospital at Ramagundam
(XVI), 7189.

HOSTEL(S):

Hostel at Cuttack (XVIII), 12827.

Hostel for M.P.s. (XIV), 2716-20.

Hostels for S. C. and S. T. students
in Orissa (XVI), 8912.

Hostels for S. C. and S. T. students
in Punjab (XVII), 10173.

HOSTEL(S): contd.

Hostels for S. C. students in
Rajasthan (XIV), 2432.

Hostel for working girls (XVI),
7673.

International Youth Hostel, Delhi
(XVI), 8923.

Model youth hostel in New Delhi
(XIV), 2409.

HOTELS:

Hotel at Minto Road, Delhi (XV),
5168.

Indian Hotel Industry (XIII), 100.

Janpath Hotel, New Delhi (XVIII),
11838-841.

HOUSING:

Accommodation for families of
jawans (XIV), 4102-03.

Cut in Housing Schemes of States
(XVII), 10350-54.

Delhi Co-operative Housing
Societies (XVIII), 13083-84.

Diversion of funds for housing
(XVIII), 13397.

Facilities to individual house
builders in Delhi (XIV), 2376.

Financial assistance for housing of
S. C. and S. T. (XVI), 7434-35.

House Building Cooperative Socie-
ties in Delhi (XVII), 11572.

House-buildings in hire-purchase
system (XVIII), 13082.

Houses for S.Cs. and S.Ts. in
Rajasthan (XVII), 11580-581.

Housing Boards (XIV), 3612-15.

Housing in Orissa (XVI), 9155.

Housing loans from LIC (XIV),
3639.

Housing Ministers' Conference
(XIII), 1396-1400.

Housing problems (XVI), 9158-59

Housing Schemes (XIV), 2716-17.

Housing Schemes in Andaman
islands (XVI), 9157-58.

Housing Schemes in Delhi (XVII),
11603.

HOUSING: contd.

- Housing Schemes in Punjab (XVII), 10408-09.
- L.I.C. Housing Programme (XIV), 2715-16.
- New buildings for Army (XIV), 4132.
- Office and residential accommodation (XVII), 10410.
- Plantation Labour Housing Scheme (XVIII), 11832-833.
- Quarters for P. & T. employees, Orissa (XVIII), 12828.
- Quarters for staff of coal mines at Kothagudam (XV), 7189-90.
- Quarters on Gua Iron Ore Mines (XVII), 9663.
- Rent of houses in Delhi (XVII), 11503-594.
- Rural Housing programme (XIV), 2728.
- Subsidised Industrial Housing in Orissa (XVI), 9157.
- Subsidised industrial housing schemes (XIV), 3637-39.

HOUSING COLONIES:

- Colonies for Scheduled Castes in Andhra Pradesh (XVI), 8937.
- Colonies in Delhi and New Delhi (XVII), 10171.
- Housing colonies for handloom weavers in Andhra Pradesh (XVII), 9414.
- Housing colonies for tribals (XVI), 8936.

HOWRAH:

- Fire in railway goods shed, (XIV), 3177-78.

HYDERABAD:

- Accident to Hyderabad Flying Club Aircraft (XV), 4612-13.
- Agricultural University at, (XIV), 2127.
- Aircrash near, (XIV), 4126.
- Synthetic drug factory at, (XIII), 1647.

HYDRO-ELECTRIC PROJECT(S):

- Iduky, (XVIII), 514-15.
- Salal, in Jammu and Kashmir (XIV), 2725-26.
- Upper Sileru, (XIII), 1388-89.
- See also "Power Projects"

I

- I.A.C. (XIV), 3160, (XV), 4878.
- Avro-748 for Indian Airlines Corporation (XVIII), 12853.
- Concessions for students by, (XV), 6130.
- Fokker Friendship Aircrafts for, (XV), 6132.
- I.A.C. fares (XVII), 11295.
- I.A.C. inaugural flight to Goa (XVII), 11311.

I. A. F.:

- I.A.F. Canberra air crash (XV), 4420.
- I.A.F. Pilots (XVIII), 12586.
- U.S. fighter planes (XIII), 951.

I.A.S. EXAMINATION(S):

- Age concessions for, (XVIII), 13061-63.
- Limited, (XIII), 1152-54.
- I.A.S. OFFICER(S):
- I.A.S. and I.P.S. Officers (XIII), 1194, (XVII), 10166.
- I.A.S. and I.P.S. Officers for Emergency Commission (XIII), 31193-94.
- I.A.S., I.P.S. and I.F.S. Officers from Andhra Pradesh (XIV), 2443.

- I.A.S. and I.P.S. Officers in Bihar (XV), 6378-79.

- I.A.S. and I.P.S. Officers in Madras State (XVI), 8927.

- I.A.S. and I.P.S. Officers in Punjab (XIII), 1194-95.

- I.A.S. and I.P.S. Officers in U.P. (XVII), 11587-588.

- I.C.S. and I.A.S. Officers in Public sector (XVII), 11588.

I.A.S.:

Interchange of I.A.S. and I.F.S. Officers (XVI), 7388—91.

I.C.S. Officers (XVI), 8982.

Fixation of salary of, (XVI), 7412-13.

LN.A.:

Ex-LN.A. personnel (XVI), 8925.

Ex-I.N.A. personnel employed in Army (XIII), 937.

I.P.S.:

I.A.S., I.P.S. and I.F.S. Officers from Andhra Pradesh (XIV), 2443.

I.A.S. and I.P.S. Officers (XVII), 10166.

I.A.S. and I.P.S. Officers in Bihar (XV), 6378-79.

I.A.S. and I.P.S. Officers in Madras State (XVI), 8927.

I.A.S. and I.P.S. Officers in Punjab (XIII), 1194-95

I.C.A.R.:

Budget of I.C.A.R. (XIII), 1700.

IISCO (XIV), 3853—55.

Loans to TISCO and IISCO (XV), 5421-22.

Payment of interim relief by TISCO and IISCO (XIV), 1902.

IDIKKI HYDRO-ELECTRIC PROJECT (XV), 5180.

ILMENITE:

Fall in export of, (XIV), 1886.

ILLITERACY (XIV), 2442.

IMPHAL:

Imphal water supply (XVI), 7878.

Milk Supply Scheme for Imphal (XV), 6132-33.

IMPORTS:

Cut in (XVI), 6899-6900.

Imports and Exports by S.T.C. (XIII), 726.

Import and export licences (XIV), 2957.

Import and production of newsprint (XVIII), 13600.

IMPORTS: contd.

Import from Pakistan (XVIII), 13603.

Import licences (XV), 5425.

Import of Ammonium sulphate from Japan (XVI), 6993.

Import of auto-rickshaw vehicles (XIV), 2960.

Import of components for automobiles (XVIII), 12094—99.

Import of copra (XIV), 2956, (XVI), 6910-11.

Import of copper from Southern Rhodesia (XIII), 1662.

Import of drugs from U.S.A. (XV), 5164.

Import of dry fruits from Iran (XV), 5405-06, (XVII), 9403.

Import of electric locomotives (XVII), 11299.

Import of foreign films, (XVII), 9390.

Import of foodgrains (XVIII), 12834-35.

Import of kerosene from Russia (XVII), 10184.

Import of maize (XVII), 10645.

Import of raw rubber (XIII), 1663

Import of Russian watches by S.T.C. (XVIII), 13618-19

Import of silk (XVIII), 12138.

Import of small pox vaccines (XV), 6820.

Import of steam turbines from U.S.A. (XVIII), 11852.

Import of steel for industrial purpose (XVIII), 12131

Import of steel from U.S.S.R. (XVII), 10158.

Import of tobacco (XVII), 10811—614.

Import of trucks (XV), 5386—90.

Import of truck tyres from Hungary (XIII), 731-32.

Import of wrought iron pipes (XVII), 10657-658.

Jersey bulls (XVII), 11333.

Pulp imports for rayon industry (XIII), 1634.

IMPORTS: contd.

Value of India's exports and, (XVII), 10660.

Violation of, and export regulations (XVIII), 12121.

IMPORT LICENCE(S):

Enquiry Committee for, in Goa (XVIII), 12616.

Import licences issued in J. & K. (XVIII), 12129.

Issue of, (XIV), 2951.

Issue of, for Bearings (XVIII), 13609.

IMPORT SUBSTITUTION:

Technical panel for, (XVII), 11077.

INACCESSIBLE AREAS COMMITTEE (XVII), 9854.**INCOME, PER CAPITA:**

Per capita income in villages (XVI), 7123-27.

INCOME TAX:

Assessment and collection of, (XIII), 531.

Assessment of, at Bikaner (XV), 5167-68.

Complaints of, evasion (XVI), 7633-35.

Income-tax arrears in Madras (XVI), 9162-63.

Income-tax arrears in Orissa (XVI), 7663.

Income-tax office at Pali (XV), 5184-85.

Extension of, to Goa (XVIII), 13375.

INCOME-TAX DEPTT.:

Contribution to National Defence Fund by Members of, (XIV), 2708-09.

INDIA CHINA DISPUTE:

Anti-Indian Chinese literature (XVI), 7967-72.

Chinese claim on Barsa-Hoti (XIV), 4118-19.

INDIA INTERNATIONAL CENTRE (XV), 4924, (XVIII), 13105

"INDIA NEWS PUBLISHED IN AMERICA (XVIII), 12599.

INDIA OFFICE LIBRARY (XVI), 8876.

INDIA-TIBET BORDER:

Farms on, (XIV), 2131.

INDIA'S TRADE WITH EUROPEAN ECONOMIC COMMUNITY (XVIII), 10622-29.**INDIANS ABROAD:**

Death of an Indian student in U.K. (XVI), 7167-68.

Exodus of Indians from Burma (XVI), 8421-22.

Indian Businessmen in Kenya (XIV), 4103.

Indian delegation of artists for Russia (XVII), 11611.

Indians employed in Ceylon (XVI), 8397-8401.

Indian immigrants to Philippines (XV), 5858.

Indians in Burma (XVI), 7123-34, (XVII), 11024-26.

Indian settlers in Ceylon (XIV), 4107-08.

Indians in South Africa (XVI), 8407-09.

Indian students studying abroad (XVI), 7440.

Indians travelling abroad (XVIII), 13329.

Indians with Peking Radio (XIV), 4132-33.

Rehabilitation of Indians from Mozambique (XVIII), 13933-34.

Repatriation of Indians from Mozambique (XIV), 4088-93.

Scholars sent abroad (XVI), 8930.

Visas for Indian nationals visiting Ceylon (XV), 5865.

INDIAN ADMINISTRATIVE SERVICE (XIV), 3424.

INDIAN AGRICULTURE RESEARCH INSTITUTE:

Field Day (Q) (XV); 4648-49.

INDIAN CANCER RESEARCH CENTRE, BOMBAY (XVI), 8424-25.

INDIAN CHANCERY BUILDING AT TOKYO, (XVI), 7184-85.

INDIAN COUNCIL OF AGRICULTURAL RESEARCH (XIII), 1707.

INDIAN DRUGS AND PHARMACEUTICALS, Ltd., (XVII), 9398.

INDIAN ECONOMIC AND STATISTICAL SERVICE (XVIII), 13119.

INDIAN EDUCATION SERVICE (XIII), 1166-69.

INDIAN FISHERIES CORPORATION (XIV), 2068.

INDIAN FOREST SERVICE:

Indian Agricultural service and Indian Forest Service (XVI), 8669.

INDIAN GOODS SHOW-ROOM IN FOREIGN COUNTRIES (XIV), 3886-87.

INDIAN INSTITUTE OF ASTRONOMICAL AND SANSKRIT RESEARCH (XVIII), 13117-18.

INDIAN MINING ASSOCIATION (XVII), 10174-75.

INDIAN NAVY (XIII), 922.

Strengthening of, (XVIII), 12576.

INDIAN OIL CO.:

Equipment for Indian Oil Company (XVI), 7441-42.

I.O.C. petrol depot in New Delhi (XVI), 8944.

Storage capacity of, (XIV), 2439.

INDIAN SCHOOL OF MINES DHANBAD (XVII), 10164-65.

INDIAN SHIPPING COMPANIES (XV), 6107.

INDIAN STAR LINES (XVIII), 95.

INDIAN TEA DELEGATION (XVII), 10584-88.

INDO-NEPAL BORDER:

Customs hold-up of Tibetan wool on (XVIII), 13384.

INDO-PAKISTAN BORDER:

Boundary pillar removed by Pakistanis (XIV), 4136.

Dacoit gangs on, (XIV), 2440.

East Pakistan-Assam border demarcation (XIV), 4117-18.

Indo-Pak Border Conference (XVIII), 13965-69.

Indo-Pak Border in Rajasthan (XII), 311.

Trespassing by Pakistanis (XVII), 11065-66.

INDONESIA:

Crude oil from, (XIV), 3422.

India-Indonesia Trade Agreement (XIII), 698-99.

Trade agreement with, (XVIII), 13598.

INDORE:

Rehabilitation office at, (XIII), 1417.

Rural institute for women at, (XV), 6393-94.

INDRAVATI RIVER:

Bridge over, on National Highway No. 43 (XVII), 9916.

Dams on, (Orissa) (XV), 5170.

INDUS COMMISSION:

Permanent, (XIII), 542.

INDUSTRIAL CLOSURES (XIV), 4096-98.

INDUSTRIAL COMMITTEES:

Meetings of, (XIII), 931.

INDUSTRIAL DESIGN TRAINING CENTRES (XIV), 2415.

INDUSTRIAL DEVELOPMENT CORPORATION OF ANDHRA PRADESH (XVII), 9415.

INDUSTRIAL DEVELOPMENT:

Industrial development of Assam (XIV), 2912.

U.N. Commissioner, (XV), 6619.

INDUSTRIAL DISPUTES:

Amendments to Industrial Disputes Act (XV), 5855.

Industrial disputes for adjudication (XIII), 933.

INDUSTRIAL ESTATES (XVIII), 12139.

Industrial Estate at Nangal Dam (XIII), 1666.

Industrial Estates in Bihar (XIII), 729.

Industrial Estates in Orissa (XVI), 9395.

Industrial Estates in Uttar Pradesh (XIII), 1651.

INDUSTRIAL EXTENSION CENTRES (XVI), 6911-12.**INDUSTRIAL FINANCE CORPORATION (XVIII), 11858-59.****INDUSTRIAL HAZARDS:**

Potential, (XVIII), 12114.

INDUSTRIAL LICENCES:

Applications for, from Orissa (XV), 5424.

Issue of, (XIV), 2963, (XVIII), 13581-83.

Issue of industrial licences in Madras (XVIII), 13604.

Licences for starting industries to Kerala (XVII), 10651-52.

INDUSTRY PLANT AND MACHINERY (XVII), 12115.**INDUSTRIAL PRODUCTION:**

Stepping up of (XV), 5419-21.

INDUSTRIAL SURVEY OF HIMACHAL PRADESH AND KANGRAKULU (XVII), 9413.**INDUSTRIAL TRAINING INSTITUTES IN DELHI (XVI), 8385-90.****INDUSTRIAL TRUCE (XV), 4397.****INDUSTRIAL UNDERTAKINGS IN M.P. (XVIII), 12606.****INDUSTRIAL UNDERTAKINGS IN M.P. (XVI), 7193.****INDUSTRIAL UNIT (XVI), 7245-08.**

Industrial Units in Assam (XIII), 940.

Industrial Units in backward areas of Punjab (XIII), 733-35.

Industrial units in Madras (XVI), 8435-36.

INDUSTRIAL WORKERS:

Survey on conditions of (XV), 4424.

T.B. and eye diseases amongst, (XIII), 923.

INDUSTRIALISATION OF RURAL AREAS (XVII), 11073.

Industrialisation of under-developed countries (XVI), 3919.

INDUSTRY (IES):

Cottage and small-scale, in U.P. (XVII), 10643.

Defence production in Kerala (XV), 5875.

Development of sericulture, (XV), 5436-37.

Development of small-scale, in Bihar (XV), 5421-22.

Fuel efficiency in Indian, (XVIII), 12084-87.

Glass (XIV), 2945.

Gold for, (XVI), 9146-47.

Handicrafts, in Orissa (XVII), 9396.

Heavy (XIV), 2945.

Heavy, in Jammu and Kashmir State (XIV), 2959.

Hotel (XVII), 11337.

Idle installed capacity of (XIII), 1628.

Industries in backward areas of Uttar Pradesh (XVII), 10692.

Industries in Goa (XVII), 9351.

Industries in Madras State (XV), 5433.

Industries in Orissa with foreign aid (XVII), 10639-640.

Industries in Uttar Pradesh (XVII), 9389.

Khadi and Village Commission (XVII), 9377.

Khadi and Village Commission (XVII), 9415.

Levy of cess on, (XVIII), 722.

INDUSTRY (IES): contd.

- Licences for starting, to Kerala (XVII), 10651-52.
- Liquid gold for, (XVI), 9152.
- Loans to private sector coal (XVIII), 11810-14.
- Panchayat, in Orissa (XVII), 9648-49.
- Productivity team on steel (XVII), 10604-05.
- Publications of various, (XVII), 9651-52.
- Rehabilitation, Corporation (XVII), 730-31.
- Sericulture in Uttar Pradesh (XVII), 9388.
- Silk in Assam (XVII), 9392.
- Small and large scale, (XIV), 2963.
- Small, (XIII), 725-26.
- Small Scale, in Gujarat State (XVII), 10660-61.
- Textile machinery manufacturing (XVII), 9364.
- Training of employees of small (XVII), 9410.

INDUSTRIES, SMALL-SCALE:

- Small-Scale Industries Corporation (XIII), 729-30, 723-24.
- Small-Scale and Cottage Industries in Punjab (XIII), 735.

INFILTRATION:

- Chinese into Indian Army (XVIII), 12604.

INLAND NAVIGATION:

- Joint Steamer company (XV), 4647.

INLAND WATER TRANSPORT (XV), 4665-66.**INQUIRY COMMITTEES:**

- High Level Inquiry Committee on C.S. & I.R. (XVIII), 13070-71.

INSECTICIDES (XIV), 3604-05. (XV), 8134-35.**INSPECTORS:**

- Appointment of in comparis (XVIII), 13620-21.
- Permanent way (XVII), 11327.

INSTITUTES:

- Air for, tropical meteorology (XIV), 3157-58.
- Central Arid Zone Research Jodhpur (XIV), 2149.
- Central, Simla (XVII), 11545-47.
- Central for Labour Research (XIV), 1909.
- Central wool and sheep research (XIV), 3183-85.
- Forest Research (XVI), 8649.
- Grassland and Foliage Research (XVI), 8176.
- Health, (XVI), 7573.
- Institute of Foundry and Forge Technology at Ranchi (XVII), 11598.
- Institute of Journalism (XVII), 9630-34.
- Institute of Physiology (XVIII), 12597.
- Malaria, New Delhi (XIV), 3666-67.
- Mountaineering (XVII), 9657-58.
- National of audio-visual education (XIV), 8941.
- National, of Industrial Engineer (XV), 4871-73.
- Pepper, (XVII), 11313.
- Petroleum Dehradun (XVI), 7402-04.
- Rural, for women at Dharamsala (XVII), 11616.
- Rural universities and rural (XIII), 312.
- Strike by students of Rural Higher Education, Sriniketan (XV), 4906.
- Technical, and Engineering Colleges for border areas (XV), 4909-10.
- Training of National Mineral Development Corporation (XVI), 7458.

INSTITUTIONS:

- Khadi (XVII), 9347.
Research in private (XV), 6335-37.

INSTRUMENT FACTORY (IES):

- National Instruments Factory Calcutta (XVIII), 13604-05.

INSULATING PAPER:

- Manufacturing Unit for (XVI), 7821.

INSURANCE:

- All India, Employees Association (XIII), 1361-63.
Compulsory, for Home Guards (XVII), 101741.
Emergency, Scheme (XIV), 2681-83.
Emergency risk, (XV), 1532-35.
Families of insured workers (XIII), 947.
Lapsed policies (XV), 5173-74.
Life, for Armed Force personnel (XIV), 2673-75.

INSURANCE, GENERAL:

- Nationalisation of, (XVII), 10347-50.

INSURANCE COMPANIES:

- Empire of India Life Insurance Co., Ltd. (XVIII), 13383.
Liquidators, for Empire of India Life Assurance Company (XVIII), 13383.
New Asiatic Insurance Company (XIV), 3659-60.

INTEGRAL COACH FACTORY (XVI), 8295-96, (XVIII), 12822-23.**INTEGRATED POWER GRID (XIV), 3639-40.****INTER-STATE ORGANISATION FOR DACOITY MENACE (XVII), 11589-590.****INTER-STATE PROBLEMS (XIV), 2438.****INTER-STATE SALES TAX (XVIII), 12376.****INTER-UNIVERSITY BOARD (XVI), 7875-80.****INTERIM RELIEF:**

- Payment of interim relief by TISCO and IISCO (XIV), 1902.

INTERNATIONAL CONGRESS ON IRRIGATION AND DRAINAGE (XVI), 9153-54.**INTERNATIONAL FARM YOUTH EXCHANGE PROGRAMME (XIII), 1724.****INTERNATIONAL LABOUR ORGANISATION (XV), 5862.**

- International Law on outer space (XIV), 4129-30.

INTERNATIONAL OPHTHALMOLOGY CONGRESS (XIV), 3636-37.**INTERNATIONAL TRADE:**

- India's trade with European Economic Community (XVII), 10622-629.

INTERNATIONAL YOUTH HOSTEL DELHI (XVI), 8923.**INVENTIONS:**

- Inventions Promotion Board (XVI), 6913-14.
Small-scale, Development Board (XVIII), 12111.

INVESTMENTS:

- Investment by a non-resident Indian citizen in Indian Shipping Co. (XV), 6116-17.
West German private, (XV), 5177-78.

IRAN:

- Import of dry fruits from, (XV), 5405-06.

IRAQ:

- Crude oil from (XVI), 8917.
Relationship with, (IV), 4416.
Training of Indian Oil Technicians (XVII), 10162.

INLAND:

- Tea exports to, (XVIII), 12130-31

IRON AND STEEL:

- Allotment of iron for agricultural implements (XVIII), 12833-34.

- Allotment of iron to Punjab (XIV), 2954.

IRON AND STEEL: contd.

- Alloy Steel Plant (XVIII), 12120-21.
- Bailadila iron ore project (XIV), 2408, (XVII), 11531-534.
- Bhadravati iron and steel works (XIII), 1633.
- C.I. sheet for Orissa (XVII), 9394.
- Collection of surcharge on steel sales (XIII), 1649.
- Committee on distribution of steel (XIV), 2943.
- Continuous Casting Process (XIV), 2953.
- Cost of production of steel (XIV), 2939.
- Distribution of pig iron (XVII), 10655-656.
- Export of manganese and iron ores (XVIII), 12125-26.
- Foreign exchange ceiling for import of steel (XVIII), 13598-99.
- Hindustan Steel Ltd. (XVII), 10561-584.
- Import of pig iron (XVIII), 13553-58.
- Import of steel for industrial purpose (XVIII), 12131.
- Import of steel from U.S.S.R. (XVII), 10158.
- Iron and steel dealers (XIII), 1676.
- Iron and steel for agricultural purposes (XVII), 11291.
- Iron and Steel Plant in Andhra Pradesh (XVI), 71913.
- Iron and Steel output (XVI), 7925.
- Iron factory in Bastar district (XVII), 9420.
- Iron Plant (XIII), 717-18.
- Iron pyrites in Bihar (XVII), 11585-89.
- Manufacture of alloy steel (XIII), 1651.
- Pig iron factory at Barabil (XVI), 7910.
- Pig iron plant in Punjab (XIII), 1631.

IRON AND STEEL: contd.

- Production and distribution of steel tubes (XVIII), 12112-13.
- Production of pig iron (XVII), 10640-41.
- Production of steel castings (XVIII), 13558-61.
- Productivity team on steel industries (XVII), 10604-605.
- Sale of (XIII), 1635.
- Shortage of pig iron in Gujarat (XIV), 1915.
- Steel for Ordnance Factories (IV), 4392.
- Steel Ingot Plant, Ranchi (XVIII), 13592.
- Steel plant in South (XIV), 3855-56.
- Structural steel (XVII), 11829-32.
- Supply of iron and steel to Orissa (XVI), 6898-99.
- Tool alloy steel plant (XIV), 3648-49.
- Wage Board for, (XIV), 1917.
- IRON ORE:**
- Bailadila Project (XVII), 11531-34.
- Export of, (XVI), 6903-04.
- Export of to East European countries (XVI), 6894-95.
- Export of manganese and, (XVI), 7931.
- Iron ore deposits in Madras State (XV), 6380.
- Iron ore export to Japan (XIV), 3844-48.
- Iron ore found in Madhya Pradesh (XV), 6388.
- Iron ore mines (XIII), 319-20.
- Kiriburu project (XVI), 8861.
- Manganese and mines (XVI), 8005.
- Pig Plant in Punjab (XVIII), 13508-08.
- Quarters on Goa Mines (XVII), 9663.
- Shortage of pig iron in Punjab (XIII), 1631.

IRON ORE: contd.

Stoppage of work in iron ore mines (XVII), 9373.

Stoppage of work in (XVII), 9373.

Wage Board for (XV), 4390.

IRON PIPES:

Import of wrought, (XVII), 10657-58.

IRON SCRAP:

Conversion of, pig iron (XVI), 7904-05.

IRRIGATION:

Assistance to Maharashtra for, purposes (XVIII), 12823-24.

Construction of field channels (XVIII), 13389.

Drilling of tube-wells in Orissa (XVII), 9881.

Investments on and power projects (XVIII), 11869.

Medium irrigation projects in Orissa (XVI), 9154-55.

Minor irrigation in Punjab (XV), 4682-83.

Minor, in U.P. (XVI), 8668.

Minor projects (XVI), 8164.

Minor, projects in Orissa (XVII), 11314.

Minor, schemes (XVII), 11276.

Minor, works (XVI), 9894 (XVIII), 12848-49.

Minor, works in Mysore (XVIII), 12866.

Rajasthan canal (XIII), 502-03.

Short-fall in, Rabi and Kharif crops (XV), 6615.

Small and minor, schemes (XIII), 46-49.

Tubewells in Madras (XVII), 9877.

Utilisation of, potential (XIII), 495-99, (XIV), 2728.

Water for, in Union territory of Delhi (XIV), 3658-59.

IRRIGATION AND POWER:

Central Board of, (XIII), 1418.

Irrigation and power projects in Orissa (XV), 6608.

Irrigation and power projects in Orissa (XVI), 7662-63.

Irrigation and power projects in Orissa (XV), 6608.

Major, projects (XIII), 1366-69.

Major, projects in Kerala (XIII), 1418.

IRRIGATION PROJECTS:

Irrigation projects in Kerala (XIV), 2715.

Kishan Dam Project (U.P.) (XIV), 2707-08.

Gandak Project (XIII), 486-88.

Matatila Project (XV), 5121-23.

Modification of irrigation projects (XIII), 530.

Pochampad project (XIV), 2721.

ISAPUR RIFLE FACTORY (XIII), 956.

ISRAEL:

Indians intending to visit, (XVI), 8436-37.

Passports to visit (XVII), 11072-73.

ITALY:

Tourists from, and Spain (XIV), 3164-65.

J**JABALPUR:**

Cancer hospital at, (XIV) 3656-57.

Jabalpur-Itarsi track, (XVIII) 12865.

New transmitters at and Gwalior, (XIV), 1930.

JAIPUR:

Engineering college at, (XIII), 1188.

Over-bridge at Jaipur-Keonjhar Road, (XVII), 11316.

JAISELMER:

Oil Exploration in, (XIII), 322.

JAMA MASJID:

Repairs to, and Red Fort in Delhi, (XVIII), 13077.

JAMMU AND KASHMIR:

- Admission to Regional Engineering College, Srinagar, (XVII), 11607-608.
- Allotment of quota of newsprint to newspapers in, (XVIII), 12681.
- Copper and Bauxite deposits in, (XVI), 7435-36.
- Drug Research Laboratory, Jammu, (XVIII), 1160.
- Extraction of coal in, (XV), 6399.
- Firing by Pakistanis in, (XIV), 4113.
- Heavy industries in, (XIV), 2959.
- Import licences issued in, (XVIII), 12129.
- National Highway from Jammu to Kashmir, (XVI), 8419-20.
- Paper factory in, (XVI), 685-96.
- Sainik school in, (XVI), 8390-91.
- Salal Hydro Electric Project in (XIV), 2725-26.
- Sapphire deposits in, (XV), 6397.
- Steel Plant in, (XIV), 2964.
- Traffic on Banihal cart road in, (XVI), 7182.
- Violation of cease-fire line by Pakistanis in, (XV), 4423.

JAMNAGAR: :

- Air crash near, (XVIII), 12577.

JAMUNA:

- Barages on, in Delhi, (XV), 6602.
- Bridges over, (XIV), 2124.
- Dams on, river (XV), 5185-86.
- Jamuna Hydrel Project, (XIII), 1404.
- Rail bridge over, (XIV), 2070.

JAPAN:

- Barter deal with, (XVIII), 13541-44.
- Import of Ammonium sulphate from, (XVI), 6713.
- Iron-ore export to, (XIV), 3844-48.
- Japanese method of paddy cultivation, (XVII), 11331.

JAPAN: contd.

- Japanese Team's visit to India (XVIII), 12071-75.
- Japanese type of cultivation, (XVII), 11348.
- Purchase of steel from, (XIII), 723.
- Tea export to, (XIII), 1631.
- Trade delegation to, (XVIII), 12136-37.
- Trade with, (XVI), 7882-85.
- Tour by Japanese from youth team, (XVIII), 12823.

JAWANS:

- Books for, (XVIII), 12596.
- Crippled, (XIII), 934.
- Facilities to families of, (XIV), 1913.
- Gifts for, (XVIII), 12590.
- High protein food for, (XVIII), 12557.
- Land for, (XV), 5864.

**JAYANTI SHIPPING COMPANY,
(XV), 4633-36.****JEEPS:**

- Jeeps from UNICEF, (XIV), 3640-41.
- Nissan, (XIV), 4110-11.

JERSY BULLS, (XVII), 11333.**JESTAR:**

- Mechanised farm, (XVI), 8191.

JET AIRCRAFTS:

- Production of, (XV), 5852.

JET FIGHTERS:

- Supersonic, (XVI), 8446.
- See also "Aircrafts".

JEWELLERY:

- Export of, (XVIII), 12075-78.

JEYPORE:

- Transmitter at Jeypore in Orissa, (XVIII), 12584.

JHANSI:

- Teletypewriter services for, (XV), 4644-45.

JHARIA:

- Ropeways in, Coal Mines, (XVII), 10183.

JHUGGIES:

Demolition of, in Delhi, (XVI), 7681-82.

JIND:

Milk powder plant at, (XIV), 3895-96.

JODHPUR:

Murder of Army courier at, (XV), 6063.

JOINT COMMITTEE:

Visit of, to Eastern U.P. (XIII), 893-97.

JOINT FARMING, (XVI), 8145-48.

Joint Farming Pilot Schemes in Orissa, (XVIII), 12851.

JOINT STEAMER COMPANIES, (XIII), 89, (XV), 4647.**JORHAT AIRPORT (XIV), 3191-92.****JOURNAL(S):**

Weeklies for Defence Establishments, (XVII), 11056-57.

JOURNALISM:

Post-Graduate course in, in Delhi University, (XIII), 325-26.

JUDGES:

Appointment of additional, in Allahabad High Court, (XV), 4915.

High Court, (XIV), 3399.

Retirement of High Court, (XVII), 10188.

JUDICIAL POWERS FOR ESTATES OFFICER, (XVIII), 13391.**JULLUNDUR-PATHANKOT HIGHWAY, (XV), 6114.****JUSTICE, ADMINISTRATION OF:**

Administration of Justice, (XIV), 3367.

Administration of Justice in Laccadives, (XVII), 10180.

Separation of judiciary from the Executive, (XVII), 10130-34.

JUTE:

Broad looms for jute manufacture, (XIV), 3873-75.

Broad looms supply to, mills in East Pakistan, (XVIII), 13595.

Central Supervisory Body for, (XVIII), 14174.

Committee for jute goods, (XIII), 719-20.

Development of, in Orissa, (XV), 6101.

Export of Indian, goods, (XIII), 1669.

Jute industry, (XVI), 7897-900.

Jute Mill at Kanpur, (XIV), 2433.

Jute Wage Board, (XIV), 4110.

Loans to jute and cotton textile industries, (XVI), 6911.

Price of raw, (XIV), 2930.

Titagarh, Mills Nos. 1 and 2, (XVII), 10610-11.

Under-invoicing export of, (XV), 6617.

Warehouse for, at Calcutta, (XIII), 99.

K**K.M.T. GOVERNMENT:**

Diplomatic relations with, (XVIII), 12560.

KALAIKUNDA AIR BASE (XVIII), 13984-985.**KALINGA AIRLINES (XIII), 957.**

Crashes of Kalinga Aircraft (XIII), 118.

Katju Committee on Kalinga Airlines (XV), 4639-40.

KALINGA INDUSTRIES LTD:

Low shaft furnace (XVII), 9366.

KALOL:

Oil Reserves in, and Ankleshwar (XIII), 1185.

KAMTEE:

Coal mines at, in Maharashtra (XVI), 8324.

KANDLA:

Potassium Chloride plant at, (XVI),
6862—64.

KANGRA:

Cement factory, (XVI), 6909-10.

Re-alignment of, valley section,
(XIII), 117.

Tea Processing Plant at, (XIV),
2961.

KANPUR:

Closure of one shift in Textile Mills
of, (XVI), 7165.

Jute Mill at, (XIV), 2433.

**KASHI NAGARI PRACHARINI
SABHA, (XVI), 7411.****KATANGA:**

Indian Military personnel in, (XIV),
1916.

KATNI:

Military barracks at, (XIV), 4146-
47.

Rail accident near, (XVII), 9917.

KENYA:

Indian Businessmen in, (XIV), 4103.

KERALA:

Agriculturist families of, (XVI),
8188-89.

Anti-Sea Erosion Projects in,
(XVIII), 13396.

Atomic Power station in, (XVIII),
12608.

Cashew shell oil processing factory
in, (XIV), 3888-89.

Development of agriculture in,
(XV), 4677.

China clay mining in, (XVIII),
13111-12.

Construction of Badagara pier in
Kerala, (XIII), 1704.

KERALA: contd.

Employment situation in, (XIV),
4122.

Exploration of mines in, (XIV), 2424.

Flood Control Schemes in Kerala,
(XVII), 10412.

Government press at Koratty in,
(XIV), 3657.

Haj pilgrims from, (XVIII), 12589.

Harbour expert for, (XVII), 11342.

Hostels for technical institute in,
(XVIII), 13100—02.

Irrigation projects in, (XIV), 2715.

Kerala collection to N.D.F. (XV),
6606.

Kerala River waters (XV), 6605.

Licences for starting industries to,
(XVII), 10651-52.

National Highway in, (XVI), 8687.

Post Offices in, (XIII), 119.

Power supply to, from Neyveli,
(XVI), 9179.

Replanting of rubber in, (XIII),
1664.

Rubber Tappers Training Schools in,
(XVI), 7393.

Rural electrification in, (XV), 5189-
90.

Silent Valley Project in, (XVI),
9163.

Small scale industries in, with Czech
Collaboration (XIV), 3889.

Special assistance for, Government,
(XIII), 943.

Telephone exchanges and public call
offices in, (XVI), 8159-60.

Tewra Dal (XV), 4645.

Urban Water Supply Schemes in,
(XVI), 9176.

Yield of paddy crop in, (XIV), 1931.

KEROSENE OIL, (XIII), 1,190-91.

Import of, from Russia (XVII), 10184.

Kerosene distribution in Andamans (XVI), 7433-34.

Raids on, dealers' shop in Delhi (XV), 6392.

Rise in price of, (XV), 4903.

Sale of superior, (XVII), 10181-82.

Seizure of, in Delhi (XVII), 11610-11.

Debates

Re: Discussion on, (XIV), 2443-44.

KHADI:

Expert Committee on, (XIII), 711-12.

Khadi exports, (XVIII), 12129-30.

Khadi institutions, (XVII), 9347.

Khadi production in Punjab, (XVII), 10648.

KHADI AND VILLAGE INDUSTRIES BOARD IN ORISSA, (XIV), 7919-20; (XVII), 10636.**KHADI AND VILLAGE INDUSTRIES COMMISSION, (XVII), 9377, 9415; (XVIII), 13561-66.****KHAJURAHO:**

Aerodrome at, (XIV), 3189-90.

KHANDSARI:

Ban on manufacture of gur and, (XV), 6057-60.

KIDNAPPING:

Cases of abduction in Delhi, (XVI), 8922.

Doctor kidnapped by Pakistanis (XIV), 1869.

Indians kidnapped by Nepali police, (XVII), 11060-61.

Indian nationals kidnapped by Pakistanis, (XIII), 929.

KIRIBURU IRON ORE PROJECT (XVI), 8861.**KRISHNA WATERS:**

Distribution of, and Godavari waters, (XVIII), 13386.

Sharing of, by Madras and Andhra Pradesh, (XIV), 2727-28.

KOHLUS:

Licence fee for, (XVI), 7679-80.

KOLAGHAT BRIDGE, (XVIII), 14153-57**KOLAR GOLD FIELD, (XVIII), 13394.**

Kolar Gold Field Hospital, (XVIII), 13395.

KOLAR GOLD MINES, (XVIII), 13367, 13395.**KOLAR GOLD MINING UNDERTAKINGS, (XVIII), 13393.****KOPILI HYDEL PROJECT, (XVI), 9111-13.****KOSI RIVER:**

Division of, (XVII), 10384-85.

KOTAH:

Opium cultivation in, (XVIII), 13396.

Rural electrification in Rajasthan, (XIII), 1421.

KOTAH NYLON FACTORY, (XIII), 1675.**KOTHAGUDIUM:**

Barium Chemical Plant at, (XVI), 7941-42.

Deep mining in, (XIII), 1186.

Thermal plant at, (XVI), 7680-81.

KOZHIKODE REGIONAL ENGINEERING COLLEGE, (XIII), 1192-93.**KUTUB MINAR, DELHI, (XVII), 10171.**

KIRIBURU PROJECT:*Debates*

Disturbance in Law and Order situation in Kiriburu Iron Ore Project, (C.A.) (XV), 4433—37.

Mob-violence at Kiriburu Project site (St.), (XV), 4934—38.

LABORATORY (IES):

Drug Research, Jammu (XVII), 11607.

National Chemical, Poona (XV), 4928.

Research Pilot Projects (XVIII), 13084-85.

Vacancies in, (XVII), 11573.

LABOUR:

Andaman force (XVI), 7433.

Central Institute for Research (XIV), 1909.

Central Workers' Education Board (XVII), 11003—05.

Confirmation of, Inspectors (XIII), 954.

Contract (XV), 5860.

Contract in Mines (XIV), 1924.

Dock, Scheme in Cochin Port (XIV), 1929.

Families of insured workers (XIII), 947.

Gorakhpur, Organisation (XIII), 946.

Labour force in Third Plan (XVI), 8427.

Labour Inspectors (XIII), 955.

Labour Laws in Goa (XV), 4418.

Labour Management relations in coal mining industry (XIV), 4134.

Labour Recruiting Depot, Gorakhpur (XVII), 11040-41.

Participation of, in management (XVII), 9603—07.

LABOUR: contd.

Participation of, in Management of Tata collieries (XVI), 7173.

Plantation Housing Scheme (XVIII), 11832-33.

Regional Commissioner (XIV), 1920.

Registration of skilled and unskilled persons in U.P. (XVII), 11059.

Standing Committee, (XVI), 8432.

Training in, and Social Welfare (XVII), 11597-98.

Uniform, Laws (XVII), 9656.

LAC:

Lac procurement centre at Bilaspur, M.P. (XIII), 1670.

Production of, in Bihar (XVII), 9861.

LACCADIVES (XVII), 11613.

A. I. R. broadcasts for, island (XVII), 11073-74.

Administration of justice in, (XVII), 10180.

Sea erosion in (XVII), 11601.

Facilities for fishermen in (XVII), 10179.

Marriages and divorces in (XVIII), 13105-06.

Phosphate salts in, islands (XIII), 313.

Sale of products of, Islands (XVIII), 13078.

Taxation system in, (XVII), 11600-601.

LADAKH:

Air dropping operation in NEFA and, (XIV), 1928.

Check post at Daulat Beg Ouldi, (XVII), 653-54.

Development of (XVIII), 13102-03.

Roads in, and NEFA (XV), 4427.

Withdrawal by Chinese from, (XIII), 877—82.

LAHAUL AND SPTTI:

Documentaries on, (XIII) 946.

LALIT KALA AKADEMI:

Bisdari Malcha Mahal on, Ridge
(XIV), 2707.

LALLAGUDA WORKSHOPS:

Manufacture of 'Box' type wagons
in, (XVI), 8196.

LAND:

Acquisition of, (XVIII), 12857.

Acquisition of, for colonies (XV),
6566.

Allotment of, to Government em-
ployees, (IV), 6583.

Auction of, in New Delhi (XV),
5141-43.

Auction of mortgaged evacuee,
(XIII), 535.

Ceiling on, holdings (XIII), 937.

Encroachments on Government, in
Delhi (XVI), 9115-19.

Estate dealers in Delhi (XVII),
11571-72.

Land development by States (XIII),
1415.

Land for coal production (XIV),
2423.

Land in Delhi (XVI), 8921, 8943.

Land prices in Delhi (XV), 6350-
54.

Land reforms in Mahs (XIV), 1895.

Reclamation of, (XIII), 1694; (XIV),
2129.

Reclamation of Ravine, in Goa
(XVIII), 12604.

Sale of, in Delhi (XV), 4897-4900.

Sale of plots in Defence Colony,
New Delhi (XV), 5183.

**LAND ACQUISITION ACT (XIII),
1699.****LANGUAGE(S):**

Development of Oriya, (XVII),
10161.

English as an associate, (XIV), 2435.

Foreign scholarships scheme (XIII),
1195.

Replacing English by regional, in
States (XVI), 8942.

LANGUAGES: contd.

Study of Arabic (XVII), 11600.

Teaching of foreign, in India (XVII),
11551-555.

IAOS:

Situation in, (XVIII), 12562.

LAXMI BAI:

Places of Maharani Laxmi Bai at
Jhansi, (XVI), 8915.

**LAXMI COTTON TRADERS PRI-
VATE LTD. (XVII), 10641-42.****LEAD:**

Copper, zinc and, deposits in Madras
State (XIV), 3406.

**LEATHER FACTORIES (XVIII),
12113-14.****LEGISLATION:**

Uniform, for Municipal Corporations
(XVIII), 11823-26.

**LEIPSIG SPRING FAIR (XV), 5428-
30.****LEPROSY (XIII), 534.**

Home treatment of patients (XIII),
503-07.

Leprosy Hospital in Uttar Pradesh
(XVIII), 11842-843.

Leprosy Pilot Projects in Orissa
(XIV), 2693-95.

Leprosy treatment Centres, in Orissa
(XVIII), 11846-48.

Transmission of, (XVI), 7656-57.

Yaws, T.B. and, in Orissa (XV),
5171-72.

LIBRARY (IES):

India Office, (XVI), 8878.

Public and school, in Delhi (XIII),
329.

Public, in Madras (XVI), 8926.

Public, in Orissa (XIV), 3412.

LIBYA:

Technical assistance to, (XVII),
11057-58.

LICENCES: contd.

Applications for industrial, (XVI), 7919.

Applications for industrial, from Uttar Pradesh (XVI), 7912.

Issue of industrial, in Andhra Pradesh (XVI), 7915.

Liberal licensing policy (XV), 5382-86.

Licence fee for Kohlus (XVI), 7679-80.

Licences for textile mills in Orissa (XVI), 7920.

Licences to private electricity undertakings (XIV), 2713.

Licence to a Cinema house in Delhi (XVII), 10187-88.

Radio, (XVI), 8689.

LIFE INSURANCE COMPANIES:

Liquidators for Empire of India Life Assurance Company (XVIII), 13383.

LIFE INSURANCE CORPORATION:

Burmese employees of, in Burma (XV), 6617.

Housing loans from, (XIV), 3639.

L. I. C. Housing Programme (XIV), 2715-16.

LIGHTHOUSE IN MANGALORE (XVII), 11319.**LIGNITE PRODUCTION (XVI), 8905.****LIME STONE:**

Lime stone quarries at Dehra Dun (XVIII), 14175-76.

Lime stone quarries near Dehra Dun (XVII), 11586.

Wage Board for Lime Industry (XIV), 1906.

"LINK":

Allotment of newsprint to, (XVI), 7145-48.

LIONS:

Breeding of, (XV), 6097.

Poisoning of Gir, (XVIII), 12843.

LIQUID GOLD FOR INDUSTRIES (XVI), 9152.**LIQUOR:**

Liquor addicts (XVIII), 11870-871.

Sale of illicit, in Delhi (XVI), 7426-27.

Price of country, in Delhi (XIII), 1198.

LITERATURE:

Expenditure on, (XIV), 3162-62.

LOANS:

Companies in Rajasthan for advancing, (XVIII), 13605-06.

House-building, (XVI), 9136-38.

Loan by Rehabilitation Industries Corporation (XVIII), 12105-06.

Loans for private sector coal industry (XVI), 7404-06.

Loans from National Credit Funds (XVIII), 13372.

Loan to autonomous bodies (XV), 5187.

Loans to displaced persons (XIV), 2712-13.

Loans to meritorious students (XIII), 308-09.

Loans to private sector coal industry (XVIII), 11810-814.

Loan to small scale industries in Delhi (XVIII), 12130.

Loans to States from Education Ministry (XVIII), 13116.

Loans to TISCO and IISCO (XV), 5421-22.

Loans to tea gardens (XVIII), 12133-34.

LOCAL BODIES:

Notified areas (XVI), 8923.

LOCAL DEVELOPMENT WORKS (XVIII), 12585.**LOHTA:**

War supply base at, (XIII), 945.

LOK SABHA:

Maintenance of order in House (XV), 6406-07.

LOK SAHAYAK SENA (XVI),
839396, 8425.

Lok Sahayak Sena camp (XV),
4426.

LOOMS:

Broad, for jute manufacture (XIV),
3873-75.

LOUSHI PAT:

Reclamation for, (XIV), 2140.

LOW SHAFT FURNACE:

Sale of, (XVII), 9366.

LUBRICATING OIL PLANT (XVII),
11561-563.

LUCKNOW AERODROME (XIV),
4142.

LUNKARANSAR:

Drinking water to Lunkaransar
(XIV), 3661-62.

LEAVE OF ABSENCE (XVI), 8447;
(XVIII), 14186.

M**M. E. S.:**

M.E.S. Barrackpore (XVIII), 12620.

M.E.S. Delhi Cantt. (XVIII), 12611.

M.E.S. workers, Bikaner (XV),
4419.

MACHINE(S) AND MACHINERY:

Export of engineering and machi-
nery products (XV), 5390-94.

Export of lathe machines (XVII),
9343.

Production of machinery (XVIII),
12107-08.

Purchase of Belgian Mining Machi-
nery (XVI), 11599-11600.

Purchase of Fertilizer Plant Equip-
ment (XVIII), 12106.

Sewing Machines (XIV), 2952.

Textile machinery manufacturing
industry (XVII), 9364.

MACHINE TOOLS:

Large-sized Machine Tools Factory
at Ranchi (XVII), 10633.

Machine Tool Factory (XV), 5380-
82.

Machine Tool plants (XIII), 1673.

Machine Tool Industry (XIII), 1626.

**MACHKUND AND HIRAKUD PRO-
JECTS (XV), 6609.****MADHYA PRADESH:**

Aluminium factory in, (XVII), 9384.

Cement factories in, (XVII), 10651.

Coal and bauxite deposits in,
(XVII), 10128-30.

Coal mines in, (XV), 6401, (XVIII),
13119-20.

Fertilizer Plant, Katni (XVII),
10588-591.

Flying clubs in, (XVI), 8188.

Industrial Undertakings in, (XVI),
7183.

Iron ore found in, (XV), 6388-89.

Jawara Sugar Mills (XIII), 953.

Mineral exploration in, (XVI), 8904.

Mystery diseases in, (XV), 6627.

New universities in, (XIII), 1197.

P. & T. circle for, (XV), 6131.

Patharkhera Coal Mines in, (XVII),
10169.

Pending cases in, High Court (XV),
6384.

Post Office, Bhama (XV), 6100.

Purchase of wheat in, (XV), 4697.

Singrauli Coal Mines in, (XV),
4922.

Vijnan Mandirs in, (XVI), 7427.

MADRAS:

Cement quota for, (XVII), 9412.

Coal deposits in Chingleput district,
Madras State (XV), 4929-30.

Compulsory Hindi examinations in,
(XVIII), 13032-36.

Customs House agents of, (XVII),
10403.

Development of fisheries in, (XVII),
9912.

MADRAS: contd.

- Dock labour scheme in, Port (XVI), 8435.
- Electric trains between Madras and Arkonam (XVI), 8682.
- Electricity Generation in, State (XVII), 10402-03.
- Family Planning programme in, State (XV), 6631.
- Geological survey in, State (XV), 6403-04.
- Handloom goods in, State (XIV), 2955.
- Heavy industries at, (XVIII), 12117-18.
- I.A.S. and I.P.S. Officers in, State (XVI), 8927.
- Income-tax arrears in, (XVI), 8162-63.
- Industrial units in, (XVI), 8435-36.
- Industries in, State (XV), 5433.
- Iron ore deposits in, State (XV), 6360.
- Issue of industrial licences in, (XVIII), 12394.
- Madras Airport (XVI), 8688.
- Madras Port (XIII), 120.
- Monuments in, State (XV), 6303.
- Oil exploration in, State (XVII), 11588.
- Oil refinery in, (XVIII), 13039.
- Persons registered in, (XIV), 4110.
- Public libraries in, (XVI), 8926.
- Radiometric Surveys in Salem District (XVII), 11063-64.
- Rural electrification in, State (XV), 6630.
- Rural housing schemes in, (XVI), 7674-75.
- Salt factories in, (XVI), 6914-15.
- Seats in Engineering Colleges in, (XIV), 3426.
- Sharing of Krishna waters by Madras and Andhra Pradesh (XIV), 2727-28.
- Small scale and Cottage Industries in, State (XVIII), 12117.

MADRAS: contd.

- Small Scale Industries in, (XVIII), 13603-04.
- T.B. clinics in, State (XIV), 2723-29.
- Teleprinter factory at, (XV), 4641.
- Tubewells in, (XVII), 9877.
- Water supply to, city (XIV), 2727.

MAGAZINE(S):

- 'Asia Scene' Magazine (XVII), 10179.

MAGNET:

- Magnet manufacturing plant (XIII), 1676.

MAHALANOBIS COMMITTEE:

- Report of, (XIV), 1881.

MAHARASHTRA:

- Agricultural University in, (XVIII), 12825.
- Assistance to Maharashtra for irrigation purposes (XVIII), 12824.
- Cement factories in, (XVIII), 13600-601.
- Development of agriculture in, (XVIII), 12823-24.
- Development of cotton in, (XVII), 11348.
- Distribution of radio sets in, (XVIII), 12364.
- Hostels for Scheduled Castes and Scheduled Tribes students in, (XV), 6379.
- Persons registered in, (XVIII), 12585.
- Polytechnics in, (XIV), 2433.
- Population of S.C. in, (XIII),
- Small Scale Industries in, (XVIII), 13601-602.
- Spinning mill in, (XIV), 2946.
- Telephone system in, (XVII), 11349.
- Thermal power schemes of, (XV), 5187-88.
- Tubewells in, (XVIII), 12825.

MAHE:

- Tenants in, (XVI), 8437-38.
- Aerodrome in, area (XVII), 9673.

MALARIA:

Malaria eradication in West Bengal (XIV), 2726.

National malaria eradication programme in Orissa (XV), 6610.

MALAYSIA:

Proposed Malaysia Federation (CA) (XIII), 735—37.

MANGALORE:

Lighthouse in, (XVII), 11319.

MANGANESE:

Export of, (XVIII), 12116-17.

Export of manganese and iron ore (XVI), 7931, (XVIII), 12125-26.

Export of, ore (XIII), 700—02.

Grant of mining lease for manganese and chrome ore (XVII), 10137—44.

Manganese and iron ore mines (XVI), 8905.

MANGANESE ORE LTD. (XVIII), 13107-08.

MANGOE(S):

Export of, (XVI), 6892—94.

MANIPUR:

Cotton spinning mill in, (XVI), 7938.

Cultivation in, (XIV), 3180.

Engineers in P.W.D., (XV), 6616.

Fisheries in, (XV), 4667-68.

Handloom production of, (XIII), 1668.

Manipur rice (XIV), 3168.

Manipur State Transport (XV), 4669, 6070—72.

Medical students from, (XIV), 3660-61.

P.W.D. Divisions in, (XIV), 3654-55.

Primary school teachers in, (XVI), 8924.

Registered contractors in, (XIV), 2705.

Revenue appeals in Manipur administration (XIV), 3181.

Sales tax arrears in, (XVI), 7678.

MANIPUR: contd.

Settlement operations in Manipur (XIII), 1700.

Telephones in, (XVI), 8182-83.

Tribal welfare department, (XV), 6393.

U.P.S.C. appointments for (XVII), 10171-72.

MANPOWER:

Idle manpower (XVII), 11035—39.

Manpower training programme (XIII), 1144—48.

MANURE:

Disbursement of, to farmers (XIII), 1718.

Green manure and compost (XV), 6098-99.

MAP(S):

India's map shown in 'The Rotarian' (XVIII), 13120.

MARINE DIESEL ENGINE (XVII), 9611—13.

MARINE PRODUCT PROCESSING CENTRE (XIII), 100.

MARKET INTELLIGENCE (XVI), 8187-68.

MARKETING SOCIETIES (XVIII), 12845.

MARMAGOA HARBOUR (XIII), 882-83.

MARRIAGE(S):

Marriages of Indians with foreigners (XIV), 3892.

MASS COMMUNICATION:

Development of Media of mass communication in India (XIII), 926.

MASTER PLAN(S):

Master Plan for big cities and towns (XIII), 518.

Master Plan for Development of Tourism (XIII), 1595—97.

MATATILA PROJECT (XV), 5121—23; (XVIII), 13080.

MAZAGON DOCK, LTD. (XVII), 11088-89.

MEALS FOR MILLIONS ORGANISATION (XIV), 2150.

MECHANISED FARM(S):

Mechanised farm, Jester (XVI), 8191.

MEDICAL BOOK(S):

Prizes for medical text-books (XIV), 3650.

MEDICAL COLLEGES (XV), 5165-66; (XVI), 7675-76.

Lady Hardinge Medical College, Delhi (XVIII), 11814-819.

Medical College at Gorakhpur (XVIII), 11854-855.

Medical College at Meerut (XIV), 2714-15.

Medical colleges at Rewa and Raipur (XIV), 3655-56.

Medical College in Bikaner (XVI), 7160-61.

Medical Colleges in Punjab State (XVII), 10405.

New, (XVIII), 13387.

MEDICAL COURSE:

University courses in Medicines (XIII), 523.

MEDICAL STUDENT(S):

Medical graduates for rural areas (XVI), 9177-78.

Medical students (XVII), 10417.

Medical students from Manipur (XIV), 3660-61.

MEDICINE(S):

Ayurvedic-cum-allopathic system of medicines (XV), 5137-41.

MEMBER(S) OF PARLIAMENT:

Committee to investigate the conduct of certain Members during President's Address (XIII), 173-74.

Flats for, (XIII), 1412.

Hostels for, (XIV), 2719.

Nomination of M.Ps. to the delegations to U.N.O. (XIV), 1911.

MEMBER(S) OF PARLIAMENT:

Contd.

Re: termination of suspension of, (XVIII), 13401-09.

Release of, (XIII), 3572.

Surrender to custody (XVII), 9923.

MEMORIAL(S):

Martyrs' Memorial in Delhi (XVII), 10402.

MESSAGE FROM PRESIDENT:

Re: Motion of Thanks on President's Address (XIII), 1738.

MESSAGE(S) FROM RA SABHA:

Agricultural Refinance Corpor. Bill:

Agreed to without amendment (XV), 4437.

Amendment to Delhi Rent Control (Amendment) Bill, 1963:

Agreed to (XIII), 1738.

Appropriation Bill, 1963:

Returned without amendment (XV), 5191.

Appropriation (No. 2) Bill:

Returned without recommendation (XVIII), 12142.

Appropriation (Railways) Bill:

Returned without recommendation (XIV), 3901.

Appropriation (Railways) No. 2 Bill:

Returned without recommendation (XV), 4934.

Appropriation (Vote on Account) Bill, 1963:

Returned without recommendation (XV), 5191-92.

Bengal Finance (Sales Tax) (Delhi Amendment) Bill:

Returned without recommendation (XVIII), 13785.

Central Sales Tax (Amendment) Bill:

Returned without recommendation (XV), 5442.

Finance Bill, 1963:

Returned without recommendation (XVIII), 12326.

MESSAGE(S) FROM RAJYA SABHA: contd.
Government of Union Territories Bill:

Concurring in the recommendation of L.S. to join the J.C. on the Bill (XV), 5442-43.

Indian Emigration (Amendment) Bill:

Forwarding the Bill as passed by R.S. (XIV), 3901.

Iron Ore Mines Labour Welfare (Amendment) Bill:

Forwarding the Bill as passed by R.S. (XVIII), 11888.

Marine Insurance Bill:

Forwarding the Bill as passed by the R.S. (XIV), 3668-69.

Public Accounts Committee:

Agreeing to nominate Seven Members to the Committee (XVIII), 13400-01.

Super Profits Tax Bill:

Returned without recommendation (XVIII), 13785.

MESSRS R. AKOOJE JADWET & CO. (XIV), 3187.

METALLURGICAL LABORATORY, ICHAPORE (XIV), 4145-46.

METEREOLOGY:

Meteorological Rockets (XVII), 11061-62.

METTUR DAM:

Aluminium plant at, (XVII), 9369.

MEXICO:

Trade delegation from, (XVIII), 12137.

MICA:

Export of, (XVI), 6858-60.

Mica mines in Bihar (XVI), 8902.

Waste, (XIII), 295-97.

MICRO-HYDEL SCHEMES (XVIII), 11833-836.

MICRO-HYDEL SETS (XVIII), 13386.

MIGs.:

MIGs, and MIG Factory (XIII), 929; (XVII), 9613-16.

MILITARY AID:

Foreign Air Mission's visit to India (XIII),

Foreign Military aid (XIII), 916.

Joint U.S.-Commonwealth Air Mission (XVII), 11043-47.

Military aid from Australia (XVI), 7179.

Military aid from Canada (XVII), 11051-52.

U.S. Task Force in India (XVII), 11047-48.

MILITARY TRAINING:

Compulsory Military Training (XIV), 1904.

MILK:

All day milk stalls (XIV), 2110.

Effect of melted snow water on milk yield (XIV), 3173-74.

Milk drying plants (XVII), 9658.

Milk plants in Punjab (XVI), 8692.

"Milk Production" (XIV), 3158-59.

Milk ration for troops (XIV), 1928.

Milk supplied by D.M.S. (XVI), 8661.

Price of, (XIV), 2144.

Shortage of, in U. P. (XIV), 3186.

Skimmed, (XIV), 3635-36.

MILK POWDER (XIII), 1729.

Milk powder plant (XIII), 113; (XIV), 3895-96.

Milk powder from UNICEF (XVIII), 13380.

MILK SUPPLY SCHEMES (XV), 4662.

Milk Supply Scheme for Imphal (XV), 6132-33.

MILITARY AWARDS (XIV), 1866.

MILITARY CAMP(S):

Deoli, (XIV), 4131-32.

MILITARY HOSPITAL(S):

Lucknow Military Hospital (XIV),
4112.

MILITARY PENSIONERS (XIV),
4119-20.

MILITARY SCIENCE (XVII), 9659-
60.

MILITARY TRUCK(S):

Supply of military trucks by Tatas
(XIV), 4139.

MINES AND MINERALS:

Atomic minerals found in Golbarga
(XV), 4924-25.

Caving methods in coal fields
(XVII), 11600.

Chromite deposits in Mysore (XVI),
8880.

Coal mines at Kamptee in Maha-
rashtra (XVI), 8924.

Contract Labour in Mines (XIV),
1924.

Copper and Bourkite deposits in
J. & K. (XVI), 7435-36.

Copper deposits near Gangtok
(XIII), 1191.

Exploration of mines in Kerala
(XIV), 2424.

Flourite and Lignite deposits in
Gujarat (XV), 4926.

Freight concession for export of
mineral ores (XIII), 85-86.

Garo hills coal bearing area in
Assam (XVI), 7429-30.

Glass sand deposits in Banda dis-
trict (XVI), 7418-19.

Grant of mining lease for manga-
nese and chrome ore (XVII),
10137-44.

Kalakote Coal Mines (XVII), 11607.

Kolar gold mines (XVIII), 13367.

Kynite Mines in Bihar (XVIII),
12119-20.

Limestone deposits in Khammam
district, Andhra Pradesh (XVI),
7435.

MINES AND MINERALS: contd.

Mineral Benefication Committee
(XVI), 8917.

Mineral exploitation in Madhya Pra-
desh (XVI), 8904.

Mineral survey in Bihar (XIII),
313.

Mineral Survey in Orissa (XIV),
3411.

Mining leases for private sector
(XVIII), 13066.

National Mines Safety Council
(XIV), 4103-04.

Phosphate rocks in Bihar (XVI),
7417-18.

Purchase of Belgian Mining Machi-
nery (XVII), 11599-11600.

Scarcity of explosives for mining
industry (XVII), 10175.

Statutes regarding mines and facto-
ries (XIV), 1872.

Stoppage of work in iron ore mines
(XVII), 9373.

Survey of mines (XIII), 306.

Trainees at Khetri copper mines
(XIV), 2.

Wage Board for Iron Ore Mines
(XV), 4390.

MINER(S):

Miners' quarters (XVI), 7188.

Quarters on Gua Iron Ore Mines
(XVII), 9663.

MINERAL OILS (XVI), 8910.

MINICOY ISLAND (XVIII), 13043-
45.

MINISTER(S):

Allowances to, (XVI), 8866.

Telephone bills of, (XVI), 8181.

MINISTRY (IES):

Hindi assistants in Ministry of Eco-
nomic and Defence Coordination
(XIV), 1879-80.

Printing work of, (XVI), 7672.

Review of punishment (XV), 4636.

MISSILES:

Manufacture of missiles in India (XVII), 9678.

Purchase of anti-aircraft, (XIV), 1993.

MISSION(S) ABROAD:

Diplomatic immunity enjoyed by Indian diplomats abroad (XVIII), 13951-54.

Indian missions abroad (XIV), 1999.

Indian Mission for U.S.A. and U.K. (XV), 9856.

MONEY ORDERS:

Bogus Money Orders (XV), 4638-39.

MONKEY(S):

Monkey and rat menace in North and South Avenues, New Delhi (XVIII), 13387.

MONUMENT(S):

Monuments in Madras State (XV), 6403.

MOZAMBIQUE:

Customs duty on goods of repatriates from, (XIII), 1406.

MOPEDS:

Production of, (XVII), 9398.

MORMUGAO HARBOUR (XVIII), 12807-12810.

MORTALITY:

Average age (XMI), 1187.

Average life expectancy in India (XIV), 3410.

MOSCOW:

Indian Exhibition in, (XV), 5427-28.

MOTION(S):

Maintaining prices of essential commodities at reasonable level (XIII), 228-56.

President's Address (XIII), 340-471, 549-68, 743-807, 1209-1352.

Report of the Commission of Inquiry into Dalmia Jain Companies (XVIII), 14001-08, 14112-30, 14215-336.

MOTION(S)—contd.

Report of Committee on Conduct of Certain Members during the President's Address (XV), 4701-90.

MOTOR CARS (XIV), 3165.

MOTOR CYCLES (XIV), 3166-67.

Manufacture of, (XVIII), 13590-91.

MOTOR SHIPS (XVII), 9893.

MOTOR-TAX:

Motor tax in Delhi territory (XVIII), 12849-50.

MOUNTAINEERING INSTITUTE (XVII), 9657-58.

MULE(S):

Breeding of (XVII), 11336.

Purchase of mules from Cyprus (XVI), 8401-04.

MULTI-PURPOSE INSTITUTE(S):

Multi-purpose institutes at Kothagudam (XVI), 8440-41.

MULTI-PURPOSE RIVER VALLEY AND POWER PROJECTS (XVIII), 13378.

MUNICIPAL CORPORATION(S):

Uniform Legislation for, (XVIII), 11823-26.

MUSLIM LAWS:

Enquiry Committee on, (XVIII), 12122.

MUZAFFARPUR:

Assembly Constituency of Muzaffarpur (Bihar) (XVII), 10637.

MYSORE:

Chromite deposits in, (XVI), 8880.

Cooperative Sugar Mills in, State (XIII), 112.

Distribution of fertilizers in, (XVII), 9921.

Minor irrigation works in, (XVIII), 12866.

Ore-carrying road in, (XV), 4691.

Roads in, (XIV), 2153-54.

N

N.C.C.

- A.C.C. and, (XVI), 7157—59.
 N.C.C. Training (XVII), 9675-76.
 Air-wing for, in Gazipur College (XIII), 957.
 N.C.C. cadets (XIV), 1927.
 Refreshment allowance to, cadets (XVI), 8431.
 Rifle training to, cadets (XV), 5836.
 Training school for, women Officers (XIV), 1911.

NAGA HOSTILE(S):

- Ambushing of a civilian convoy by, (XVI), 8431-32.
 Forged Indian currency carried by, (XVI), 8439-40.
 Hostile Nagas (XIV), 4124-25.
 Raid by, (XVI), 8404—07.

Debate

- Attack by, on a Railway passenger train on 9-4-63 (St) (XVII), 10806-07.
 Blasting of Railway lines and firing on train by, A.M. & C.A. (XVI), 9190-91.
 Firing on military Special train on 11-4-63 near Najan Station (C.A.) (XVII), 9420—28.

NAGALAND:

- Elections in, (XIV), 1916.
 Financial powers for, Administration (XVIII), 12606.
 Police force for, (XVII), 11066-67.
 Protection of railway line in Assam and, (XVII), 11302.
 Technical personnel in, (XIV), 2438.

NAGARJUNASAGAR PROJECT
(XVI), 9171, (XVIII), 11878-79.

NANGAL:

- Defence factory at, (XIV), 1906.
 Naya Nangal colony (XVII), 10646.
 Telephone in Nangal Dam (XIV), 3195.

NARCOTIC(S):

- Bhang Charas and Ganja (XIV), 2718-19.

NARMADA VALLEY AUTHORITY
(XVI), 9141-42.NATIONAL ACADEMY OF ADMINIS-
TRATION MUSSOORIE (XVI),
8983.

NATIONAL ANTHEM, (XVI), 3947.

- National Anthem in Delhi cinemas (XIII), 950

- National Anthem on A.I.R. (XIV), 4125-26.

- Shorter National Anthem on A.I.R. (XVIII), 12579.

NATIONAL BIRD (XV), 6127-28.

- National Animal and, (XIII), 1643-44.

NATIONAL BOOK TRUST (XV),
4926, (XVI), 7372—74.NATIONAL CHEMICAL LABORA-
TORY, POONA (XV), 4928.

NATIONAL CREDIT FUNDS:

- Loans from, (XVIII), 18372.

NATIONAL DEFENCE BONDS
(XIII), 538.NATIONAL DEFENCE FUND (XIII),
937, 1380—88, (XVII), 10409-10.

- Collection of, in Ceylon (XVII), 9679.

- Contributions to, (XV), 6615.

- Contribution to, by Members of In-
come-tax Department (XIV),
2708-09.

N.D.F.:

- Contribution to, from Former rulers of princely States (XIV), 2419.
- Government Employees' contribution to, (XIII), 1411.
- Kerala Collection to, (XV), 6606.
- NATIONAL DEVELOPMENT COUNCIL (XIV), 4111-12.**
- NATIONAL DISCIPLINE SCHEME (XIII), 276-80, (XV), 6356-63.**
- National Discipline Scheme in Andhra Pradesh (XIV), 2415.
- National Discipline Scheme in Punjab (XVII), 11615.
- NATIONAL HIGHWAYS (VIII), 96-97, (XV), 4659, 4691-92.**
- Alignment of, in Bhadrak town (XVII), 9906.
- Bridges on, in Punjab (XVII), 11330.
- Bridges on, No. 7 (XVII), 9911.
- Bridge over Indravati river on No. 43 (XVII), 9916.
- Chandigarh-Una, (XIV), 2151.
- Jaipur Bikaner, (XV), 3614-16.
- National Highways and border roads (XVI), 8441.
- National Highway from Jammu to Kashmir (XVI), 8419-20.
- National Highway in Assam (XV), 4684.
- National Highways in Bihar (XIII), 104.
- National Highway in Kerala (XVI), 8681.
- National Highways in Rajasthan (XV), 4680.
- National Highway in Salem district (XVII), 12863.
- National Highway No. 7 (XIV), 3197-98.

NATIONAL HIGHWAYS: contd.

- National Highway No. 34 (XVII), 9900.
- National Highway (Orissa) (XV), 6123-24.
- National highway system in Orissa (XIV), 3191.
- Traffic on Banihal Cart Road in J. & K. (XVI), 7182.
- NATIONAL INCOME (XIV), 1900.**
- NATIONAL VOLUNTEER FORCE (XV), 5824.**
- NATURE CURE:**
- Nature Cure Centres (XVIII), 11850-51.
- Nature cure clinic in U.P. (XVII), 10414-15.
- NAVIGATION:**
- Calcutta-Assam Navigation link (XIII), 1717.
- Navigation along Hooghly (XVII), 9872.
- Navigation in Rajasthan canal (XIII), 1371-73.
- NAVY:**
- Frigates for, (XVII), 9666.
- Naval base in Eastern Zone (XVIII), 13949-51.
- Naval Exercises (XVI), 3152-53.
- Naval shipyard (XVI), 8444-45.
- Naval training centres (XIV), 4135.
- Merchant Rating Navy School (XIV), 2152.
- NEAMATI:**
- Accumulation of cargo at Neamati, Assam (XV), 4692-93.
- N.E.F.A.**
- Air accidents in. (XVIII), 12583.
- Air dropping operations in, and Ladakh (XIV), 1928.

N.E.F.A.: *contd.*

- Assam Rifles for, (XVIII), 13954—58.
- Civil Administration in, (XIII), 907—12.
- Consumers' Cooperative Societies in, (XV), 5872.
- Education Programme for, (XVIII), 12570.
- Enquiry into NEFA reverses (XIV), 4072—81.
- Land for ex-servicemen in, (XVII), 11078.
- Losses suffered by civilians in, (XIV), 4105-06.
- NEFA hospitals (XVI), 9113—15.
- NEFA Reverses (XVI), 7148—52.
- Oil exploration in Assam and, (XIII), 1178.
- Pictures about Chinese occupation in, (XVI), 5660.
- Present population of, (XIII), 949.
- Recruitment from, (XVIII), 13983.
- Rehabilitation of evacuees in, (XVII), 11049-50.
- Rehabilitation of evacuees in, (XVIII), 919.
- Research in NEFA operations (XIV), 1883.
- Roads in, (XIV), 4138-39.
- Tibetan refugees in, (XIV), 4122-23.
- "Tusker" Personnel in Chinese custody (XIV), 4098—4100.

Debate

- Administration Policy in, (Res.) (XV) 7048—80.
- NEPA MILLS (XIII), 1630, (XVII), 9411.
- NEPAL:**
- Archaeological survey of India help to, (XVI), 8942.
- Assistance to Tribhuwan University, (XVII), 11053-54.

NEPAL: *contd.*

- Horticulture Centre in, (XV), 4381.
- Indian currency in, (XVI), 7645—48.
- Indians kidnapped by Nepali police (XVII), 11960-61.
- Joint Board for Water resources of Nepal and India (XVII), 10359—63.
- Pak-Nepal trade agreement (XIII), 709—11.
- Supply of Kerosene oil to (XIV), 1912.
- Transit facilities for, (XVII), 10641.
- Trisuli Project, (XV), 6580.

Debate

- Talks of the Home Minister with the King of Nepal (C.A.) (XIV), 2751—55.

NETAJI:

- Memorial for, (XIV), 2419.
- Steam to commemorate Netaji's Memory (XV), 4648.

NEW DELHI:

- Car-Parking in Connaught Place, (XV), 4923.
- Colonies in Delhi and, (XVII), 10171.
- Collapse of C.P.W.D. godown in, (XVIII), 14168—70.
- Demolition of Constitution House, (XVIII), 14170.
- Foreign Post office, (XVI), 8687.
- Government dues to N. D. M. C. (XIV), 2875—78.
- I.O.C. Petrol depot in, (XVI), 8944.
- India International Centre, (XV), 4924.
- Link road between Sarojini Nagar and Ramakrishnapuram, (XVIII), 11867.

NEW DELHI: *contd.*

Malaria Institute, (XIV), 3666-67.

Ramakrishnapuram colony, (XV), 6632.

Site of plots in Defence Colony, (XV), 5182.

Squatters in the capital, (XIV), 3630-34.

See also "DELHI".

NEWS AGENCIES (XIII), 949.

NEWS EQUIPMENT:

Special news receiving equipment (XVII), 9875.

NEWSPAPERS:

Action against certain, (XIII), 307.

Government advertisement in, (XIII), 920.

Statutory price page schedule (XVIII), 12609.

NEWSPRINT (XIII), 680-85.

Allotment of, (XVII), 9667.

Allotment of, to 'Link' (XVI), 7145-48.

Allotment of quota of newsprint to newspapers in Jammu and Kashmir (XVIII), 12601.

Import and production of, (XVIII), 13600.

Misuse of, (XVII), 9643.

Newsprint Factory in Punjab (XV), 5440.

Newsprint factory in Uttar Pradesh (XIV), 3383.

Price of, (XIV), 2922.

NEYVELI:

Fertilizer Factory at, (XV), 4919.

Fertilizer Plant building of the Neyveli Lignite Scheme (XV), 4927-28.

NEYVELI: *contd.*

Neyveli Thermal Power Station, (XV), 4925.

Power supply to Kerala from, (XVI), 9179.

NIGERIA:

Employment of Indian Armed Forces personnel in, (XIV), 1910.

NIMRI:

Sub-soil water in, (XVIII), 13347.

NON-FERROUS METALS:

Allotment of, to Uttar Pradesh (XVI), 7912-13.

Non-ferrous metals quota for Orissa (XV), 5423.

NYLON FACTORY:

Kotah, (XIII), 1675.

'O'

OBITUARY REFERENCE(S):

Datar, Shri B. N. (XIII), 1-2.

Dube, Shri Munchand (XIII), 1-2.

Gupta, Shri Chedda Lal, (XIV), 3899.

Rajendra Prasad, Dr. (XIII), 1573-84.

Syed Sultan Ahmed (XIV), 1935.

Vyas, Shri Jai Narain (XIV), 3899.

OBSCENITY:

Sale of pens and lighters with obscene poses (XIII), 1199.

OBSERVATORY:

Observatory at Naini Tal (XV), 6394.

OCEANOGRAPHY:

Indian Oceanographic Expedition, (XIII), 1183.

Oceanographic research, (XIII), 1182.

OFFICE ACCOMMODATION:

Office and residential accommodation (XVII), 10410.

OPINIONS ON BILL(S):

Hindu Succession (Amndt.) Bill (XVI), 8202.

Legislative Councils of States Bill (XVI), 7948.

OPIUM:

Ganja, Bhang, Charas and (XV), 6606.

Ghazipur Opium Factory (XIII), 1419.

Opium cultivation in Kotah (XVIII), 13396.

Production and export of, (XV), 5173.

Supply of opium to Russia (XVIII), 13370-73.

OIL:

Ankleshwar oil (XIII), 309-10.

Crude oil from Indonesia (XIV), 3422.

Crude oil from Iraq (XVI), 8917.

Drilling of oil wells in Assam (XVI), 8881.

Drilling operations (XIII), 1185-86.

Exploration of oil in Cauvery basin (XIII), 1174.

Koyali oilfields (XIV), 2436.

Lubricating oil plant (XIV), 2411, 11561-63.

Mineral Oil (XIV), 2414.

Naharkatiya - Barauni, pipeline (XVI), 7384-88.

New oil wells in Gujarat (XVII), 11611.

Oil at Sanand (Gujarat) (XVIII), 13072.

Oil circuit breaker (XVI), 7922.

Oil drilling in Rajasthan (XVII), 11614.

Oil drilling in U.P. (XVI), 7425-26.

Oil exploration (XIV), 2400-2401.

OIL: contd.

Oil explorations abroad (XIV), 3408.

Oil exploration in Assam and NEFA (XIII), 1178.

Oil exploration in Bihar (XIII), 1178-79; (XV), 4918.

Oil Exploration in Jaisalmer (XIII), 322.

Oil exploration in Madras State (XVII), 11588.

Oil exploration in U.P. (XIII), 328.

Oil reserves in Kalol and Ankleshwar (XIII), 1185.

Oil royalty for Assam (XVII), 11541-542.

Oil supply to Nepal (XV), 6348-50.

Oil Survey in Orissa (XVIII), 13075-76.

Oil wells in Gandhi Nagar area (XIV), 2440.

Petrol and oil exploration in Kati-
har sub-division (XIII), 327.

Russian aid for oil production (XV), 6370-71.

Sale of Indian, (XVII), 11583-584.

Scarcity of Lubricating oils (XIV), 3427.

"Solvent Extraction" Plant (XVI), 7382-83.

Supply of kerosene oil to Nepal (XIV), 1912.

Supply of oil to Ceylon (XV), 4927.

Training of Indian Oil Technicians in Iraq (XVII), 10162.

Wagons for U.P. Oil Industry (XV), 6124.

OIL, EDIBLE:

Forward Trading in, (XVI), 7942-43.

Oil mills in Uttar Pradesh (XVI), 1632, 7933.

OIL COMPANIES:

Equipment for Indian Oil Company (XVI), 7441-42.

Merger of, (XVII), 11606.

OIL COMPANIES: *contd.*

Private Oil Companies (XIII),
1163—65.

Tanker for Caltex India Ltd. (XIV),
2111.

OIL REFINERY (IES):

Barauni and Koyali, (XIV), 2411.

Barauni, (XIV), 3397, (XV), 6377.

Digboi, (XIII), 316.

Fourth Oil Refinery in South India
(XIII), 304-305.

Gujarat, (XVII), 11567—569.

Koyali, Gujarat (XIV), 2382, 2437.

Noonmati, (XIV), 2431, (XVII),
11605.

Oil refineries in India (XIV), 3407.

Oil refinery in Madras (XVIII),
13039.

Oil Refinery in private sector in
South India (XIV), 2412.

Public sector, (XVI), 7421-22.

Strike in Barauni, (XVII), 11605-
606.

ORDNANCE DEPOT(S):

Ordnance Depot, Shakurbasti
(XVIII), 12607.

ORDNANCE FACTORIES (XVI),
7128, 9650-51.

Defence factory at Nangal (XIV),
1906.

Defence factories at Wardha
(XVIII), 12582.

Establishment of Ordnance Facto-
ries (XIII), 941.

Fire in Gun Garriage Factory
(XIV), 1932.

Gun factory in Bihar (XIV), 4139-
40.

New ordnance factories (XVIII),
12580.

Ordnance Factory at Bhandara
(XV), 5877.

Ordnance factory workers (XVI),
8381—83.

Production in, (XVI), 5874, 7128—
32.

ORDNANCE FACTORIES: *contd.*

Specialised training for armament
factories (XVII), 11015—18.

Steel for, (XV), 4392.

ORPHANS:

“SOS” villages for, (XVII),
10121-22.

ORISSA:

Adult education in, (XVI), 8911.

Aerodromes in, (XVIII), 14172.

Aid to publishers in, (XVI), 7413.

Ambar Charkhas in, (XVI), 7919-
20.

Ambar Charkha Training Course
in, (XVII), 10638.

Ancient remains in, (XVI), 7410.

Applications for industrial licences
from, (XV), 5424.

Assistance for welfare of scheduled
castes and scheduled Tribes in,
(XVI), 8913.

Assistance to Orissa Government
(XVI), 8667.

Auditoriums in Schools and Col-
leges of, (XV), 4912.

Blood donation in, (XV), 6610.

C.I. sheets for, (XVII), 9394.

Cement supply to, (XVII), 10639.

Central assistance to, (XVI), 8678.

Central Government employees in,
(XVI), 9151.

Central Projects in, (XVII), 11078-
79.

Centrally Sponsored Schemes in,
(XVI), 9156.

Cholera and plague in, (XVI), 9155-
56.

Coal deposits in Assam and,
(XVIII), 13120-21.

Coal Mines in, (XV), 6362—83.

Coal wagons for, (XVIII), 13073.

Coir industries in, (XVII), 10636-
637.

Colonies for Scheduled Castes and
Scheduled Tribes in, (XVII),
11577.

ORISSA: *contd.*

- Common salt industries in, (XVIII), 13599.
- Construction of capital at Bhubaneswar (XVIII), 11845-846.
- Consumption of petroleum products in, (XV), 6381.
- Cottage industries in, (XVIII), 12109-10.
- Cultural centres in, (XVI), 8915.
- Deep sea fishing in, (XV), 6696.
- Development of agriculture in, (XVI), 8153.
- Development of ayurveda in, (XV), 5170-71.
- Development of fisheries in, (XVI), 8161.
- Development of fruit production in, (XVI), 8153-54.
- Development of Hindi in, (XVII), 10155.
- Development of jute in, (XV), 6101.
- Development of sericulture in, (XVI), 6899.
- Development of Sisal Plantation in, (XVIII), 12829.
- Development Schemes in, (XVII), 11052.
- Development works in, (XVII), 11054.
- Drilling of tube-wells in, (XVII), 9881.
- Drinking water supply to municipalities in, (XV), 5169-70.
- Educated unemployed in, (XVI), 8428-29.
- Electrification in, (XVII), 10398-99.
- Engineering colleges in, (XVIII), 13074-78.
- Family Planning in, (XVII), 10395.
- Farm output in, (XVII), 9883.
- Flood Control Schemes in, (XVIII), 11849.
- Geological Survey in, (XIV), 3412.
- Grants for construction of utility Stadia in, (XVII), 11579.

ORISSA: *contd.*

- Grants for development of Sanskrit in (XVII), 11578.
- Grants for encouragement of sports in, (XVII), 11578-79.
- Grant for school hostels in, (XVII), 10160.
- Grants to Organisations for the handicapped in, (XVII), 11578.
- Grants to voluntary organisations in, for Child Welfare (XVII), 11579.
- Handicrafts emporia in, (XVIII), 12110.
- Handicrafts industry in, (XVII), 9396.
- Handloom industries in, (XVII), 9396.
- Hard and soft coke in, (XVI), 7413-14.
- Heavy industries for, (XVIII), 13599.
- Houses for handloom weavers in, (XVIII), 12109.
- Housing in, (XVI), 9155.
- Housing schemes for scheduled castes and scheduled tribes in, (XVI), 8914.
- Improvement of ways and means position in, (XVII), 10696.
- Income-tax arrears in, (XVI), 7663.
- Indravathi Hydro-Electric Project (XVII), 10397-98.
- Industrial Estates in, (XVI), 9395.
- Industries in, with foreign aid (XVII), 10639-640.
- Irrigation and power projects in, (XV) 6608, (XVI) 7662-63.
- Joint Farming Pilot Schemes in, (XVII), 12351.
- Khadi and Village Industries Board in, (XVI), 7919-20, (XVII), 10636.
- Leprosy Pilot Project, in, (XV), 2692-95.
- Leprosy treatment Centres in, (XVIII), 11846-848.
- Licences for textile mills in, (XVI), 7920.

ORISSA: *contd.*

- Machine Tool Factory in, (XVIII), 12138-39.
- Malaria and Filaria in, (XVI), 7663-65.
- Medium Irrigation Projects in, (XVI), 9154-55.
- Mineral Survey in, (XIV), 3411.
- Mining leases in, (XVI), 7393-95.
- Minor irrigation projects in, (XVII), 11314.
- National Highway (Orissa), (XV), 6123-24.
- National highway system in, (XIV), 3191.
- National malaria eradication programme in, (XV), 6610.
- New assignment of Orissa Chief Minister (XVI), 11069.
- Non-ferrous metals quota for, (XV), 5423.
- Notification of vacancies in, (XVI), 8425-26.
- Officers from Orissa at Centre (XVII), 11577-578.
- Oil survey in, (XVIII), 13076.
- Orissa G.M. assignment at New Delhi (XV), 5867.
- Panchayat industries in, (XVI), 7187, (XVII), 9648-49.
- Political sufferers in, (XV), 6380-87.
- Polytechnics in, (XVI), 7414.
- Post Office and Public Call offices in, (XVI), 8678.
- Postal services in, (XV), 4654.
- Primary education in, (XVI), 8911.
- Production of rice in, (XVII), 9882.
- Public Libraries in, (XIV), 3412.
- Quarters for staff of Accountant General's Office, (XVII), 10395-96.
- Radio sets in, (XV), 5861.
- Rly. colony at Rayagada (XV), 6102.
- Recruitment from, (XVIII), 12600.
- Roads and bridges in, (XIV), 3171 (XVI), 8676.

ORISSA: *contd.*

- Scheduled Castes in, (XVII), 11574.
- Settlement of Tibetan refugees in, (XV), 5859, (XVI), 8427-28.
- Slum clearance in, (XVI), 7661-62.
- Small Scale Industries in, (XVII), 10638-639.
- Smallpox in, (XVIII), 11848.
- Spindles and looms in, textile mills (XVII), 10640.
- Stainless steel for, (XVII), 9395.
- State Bank branches in, (XVIII), 13373.
- Students from Orissa for training abroad (XVI), 8907.
- Subsidised Industrial Housing in, (XVI), 9157.
- Sugarcane cultivation in, (XVI), 8676.
- Supply of iron and steel to, (XVI), 6898-99.
- T. B. hospitals in, (XVII), 10399.
- Talcher power station in, (XIV), 3647-48.
- Teachers of affiliated colleges in, (XVI), 7414-15.
- Technical persons registered in, (XVII), 12584.
- Telephones for Panchayat Samithis Offices (XV), 6101-02.
- Telephones in, (XVI), 8162.
- Transmitter at Jeypore, (XVI), 8428, (XVIII), 12584.
- Tribal blocks in, (XVII), 11574-575.
- V. D. Clinics in, (XVI), 7661.
- Vigilance Department of, (XVIII), 13074.
- Vijnan Mandirs in, (XVI), 6913.
- Welfare of denotified tribes in, (XV), 6381.
- Welfare of Scheduled Castes in, (XV), 6388.
- Welfare of Scheduled Castes and Scheduled Tribes in, (XVII), 10160.
- Women registered in, Employment Exchanges (XVI), 7170-71.

OUTER SPACE:

International Law on, (XIV), 4129-30.

OVERBRIDGES:

Construction of, (XVI), 8680.

Over-bridge at Jaipur-Keonjhar Road (XVII), 11316.

Road over-bridges on Railways (XVI), 8666.

See also "Railway Bridges".

OVERSEAS COMMUNICATIONS SERVICE (XIV), 3143-44.**P****P.O.Ws:**

Food parcels for Indian, (XVI), 7177.

Indian, (XIII), 924-25.

Indian, in China (XV), 5854.

Postal facilities to India, (XV), 4431.

Release of, by Chinese (XVIII), 12580.

P.T.Os:

Privilege passes and, (XVIII), 12864.

P.W.D.

Overhaul of P.W.D. at Centre and States (XIII), 1411.

PADDY:

Japanese method of, cultivation (XVII), 11331.

Production of, (XVIII), 12855.

PAKISTAN:

Anti-India propaganda by, (XIII), 920-21.

Assets of limited companies in West, (XII), 513-14.

Broad looms supply to jute mills in East, (XVIII), 13595-96.

Despatch of coal to, (XIII), 1197.

Export of bamboo to, (XVIII), 13621-22.

Import from, (XVIII), 13603.

PAKISTAN:

Migrants from West, (XV), 6618.

Migration of Santhals from East, (XV), 11067-68.

Muslim students migrating to, (XVII), 11588-589.

Pak-Nepal trade agreement (XIII), 709-11.

Passports to visit, (XVIII), 12599.

Settlement of Santhal refugees from East, (XVI), 7668-69.

Shrines left in, (XIV), 4125.

Sino-Pak. agreement to revive caravan routes (XVII), 11071.

Sino-Pak. border agreement (XVII), 11058-59.

Sino-Pak. Border Agreement in Security Council (XVI), 8439.

Sleepers washed away towards, (XV), 5166-67.

Tagore Estate in Kustia (XIV), 1925.

Trade delegation for, (XV), 5436.

Trade with, (XIII), 1666, (XVIII), 13619.

Wooden sleepers washed away towards, (XVIII), 11819-23, 13382.

Debates

Exodus of Hindu families from East, into Tripura (CA) (XVIII), 13780-81.

Harassment of members of minority community in East, (C.A.) (XVI) 7446-49.

PAKISTANI(S):

Alleged arrest of, in West Bengal (XVI), 7416.

Dacoities by, nationals (XVIII), 12588.

Doctor kidnapped by, (XIV) 1869

Employees of Tripura Administration kidnapped by, (XV), 4423.

Firing by, in J & K (XIV), 4113.

Indian fisherman kidnapped by (XVII), 9658-59.

PAKISTAN: contd.

- Indian nationals kidnapped by, (XIII), 929.
- Indian police personnel kidnapped by, (XIV), 4131.
- Pakistani infiltration in Assam (XIII), 272-76.
- Pak. nationals' visit to India and vice versa (XVII), 11055.
- Raids by Pak. Dacoits (XVI), 7163-64.
- 'Seizure of, currency' (XIV), 2717-18.
- Trespassing by, (XVII), 11065-66.
- Trespassing into Tripura by, (XVIII), 12590.
- Unauthorised entry into India (XVI), 8932.
- Violation of cease-fire line by, in Jammu and Kashmir (XV), 4423.

Debates

- Intrusion of armed East Pakistani Policemen into Indian waters in the Ganges on 18-2-1963, (C.A.), (XIII), 1199-1201.
- Reported kidnapping of Indian Nationals by Armed Pakistanis (C.A.), (XVII), 10323-27.
- Reported kidnapping of some Santhals by East Pakistani Police (C.A.), (XVIII), 13775-80.

PALACE OF KOVALAM (XV), 6132.

PALAI CENTRAL BANK:

Palai Central Bank in liquidation (XIII), 543. (XVII), 10365-67.

PALAM:

Terminal for, Airport (Q) (XVIII), 12842-43.

PALANA COALFIELD:

Wagons for Palana Colliery (XV), 6095-96.

Welfare Centre at, (XVI), 7166.

PALANA LIGNITE OPEN CAST MINING PROJECT (XV), 5857.

PALAM SEEDS:

Use of, in betels (XVI), 9166.

PANCHAYAT(S):

Committee on, resources (XIV), 2108.

Elections of, (XV), 4630-33. (XVII), 11340.

Panchayat industries in Orissa State (XVI), 7187.

Trained workers for, (XV), 4666.

PANCHAYAT SAMITIS (XV), 4661.

PANCHAYATI RAJ:

Panchayati Raj Act in Bihar (XIV), 2132.

Panchayati Raj Institutions (XVIII), 12855-56.

Training of officials for, (XV), 6087-88.

PANEL OF CHAIRMEN (XIII), 338.

PAPER INDUSTRY:

Manufacturing Unit for insulating paper (XVI), 7921-22.

Paper factory at Amlai (XV), 5434.

Paper factory at Mansurpur, U.P. (XVI), 7918.

Paper Mill, at Manipur (XIII), 1669.

Paper Mill in Ghazipur (XVII), 9389.

Paper production (XVII), 10643-644.

Production of paper mills (XIV), 3878.

PAPER:

Rise in prices of paper, (XIV), 2927

Security paper mill at Hoshangabad (XII), 499-501.

PAPERS LAID ON THE TABLE:

Amendment to Delhi Motor Vehicles Rules, 1940 (XIV), 3200.

Annual Accounts of All India Institute of Medical Sciences, (XV), 5190.

PAPERS LAID ON THE TABLE:
contd.

- Annual Accounts of Indian Airlines Corporation for 1960-61 and 1961-62 and papers under Air Corporations Rules, 1954 (XVIII), 12876-877.
- Annual Administrative Report of the Tea Board (XIII), 1736.
- Annual Report and annual accounts of the Employees State Insurance Corporation (XV), 437.
- Annual Report and Audited Accounts of Central Warehousing Corporation (XIII), 33.
- Annual Report of the Administrative Vigilance for 1962 (XV), 5900.
- Annual Report of C.S.I.R., Annual Accounts and Audit Report And Annual Technical Report of C.S.I.R. (XVIII), 13133.
- Annual Report of the Damodar Valley Corporation (XIV), 3668.
- Annual Report of Executive Committee of Trustees of Victoria Memorial (XIII), 1207.
- Annual Report of Ganga Brahmaputra Water Transport Board (XVI), 8696.
- Annual Report of Hindustan Aircraft Ltd., Bangalore (XIII), 960.
- Annual Report of the Hindustan Steel Ltd. Hinoo (Ranchi) and review by the Government on the working of the Company. (XIII), 1735-36.
- Annual Report of the Indian Central Arecanut Committee (XV), 4699.
- Annual Report of Indian Central Cotton Committee (XV), 4699.
- Annual Report of Indian Central Jute Committee (XV), 4699.
- Annual Report of Indian Central Oilseed Committee and Indian Central Tobacco Committee for 1961-62 (XIV), 2171.

PAPERS LAID ON THE TABLE:
contd.

- Annual Report of the Indian Central Sugarcane Committee (XV), 4700.
- Annual Report of the Indian Council of Agricultural Research (XV), 6141.
- Annual Report of the Khadi and Village Industries Commission (XVIII), 13624.
- Annual Report of the Nahan Foundry Limited and Annual Report of the Hindustan Salts Limited (XVI), 7947.
- Annual Report of the National Projects Construction Corporation Ltd. for the year 1961-62 together with review by the Government on the working of the Corporation (XIII), 1422.
- Annual Report of the Permanent Indus Commission (XVIII), 14184.
- Annual Reports of Travancore Minerals Limited and Indian Rare Earths Limited. (XIII), 127-128.
- Annual Report on working and Administration of Companies Act (XVI), 2170.
- Annual Report of working of Industrial and Commercial Undertakings of Central Government (XVI), 8201.
- Appointment of Central Wage Board For Iron ore Mining Industry and Limestone and Dolomite Mining Industries (XVIII), 13991.
- Attorney-Generals' Opinions On the Compulsory Deposit Scheme Bill (XVIII), 12641.
- Audit Report, Appropriation Accounts and Block Account Railways (XIII), 31-32.
- Audit Reports, Appropriation Accounts and Notifications under Emergency Risks Insurance Act. (XVII), 10424-25.
- Audit Report and Appropriation Accounts of Defence Services (XV), 4698.

PAPERS LAID ON THE TABLE:
contd.

- Audit Report and Appropriation Accounts of Posts and Telegraphs (XV), 4698.
- Budget estimates of the Damodar Valley Corporation (XIV), 3668.
- Budget estimates of the Employees' State Insurance Corporation (XV), 6404-05.
- Central Sales Tax (Registration and Turnover) Amendment Rules (XV), 5190-91.
- Certified accounts of the Delhi Development Authority for the year 1961-62 (XV), 6632.
- Certified Accounts of Indian Institute of Technology, Kharagpur, along with Audit Report thereon (XVII), 11617.
- Chinese note and Government of India's Reply thereto. (XVI), 7191-94.
- Coal Mines (Conservation and Safety) (Second Amendment) Rules (XVIII), 13782.
- Coal Mines Pithead Bath (Amendment) Rules (XIV), 4148.
- Coal Mines Rescue (Second Amendment) Rules (XIV), 1935-36.
- Coffee Amendment Rules, 1963 (XVII), 10663.
- Coir Industry (Registration and Licencing) Amendment Rules (XIII), 738.
- Coir-Industry (Registration and Licensing) Second Amendment Rules, 1963 and Notifications under Essential Commodities Act, 1955. (XVI), 7946-47.
- Colliery Control (Amendment) order. (XIII), 337.
- Commercial Vehicles (Distribution and Sale) Control Order, 1963 (XVIII), 13989.
- Cotton Control (Amendment) order and Notification No. S.O. 1205 under Industries (Development And Regulation) Act (XVIII), 13989-90.
- Cotton Textile (Control) (Second Amendment) Order (XVII), 9428.

PAPERS LAID ON THE TABLE:
contd.

- Defence of India (Fifth Amendment) Rules And Statistical Information relating to the Working of Preventive Detention Act (XVIII), 13990.
- Delhi Terminal Tax (Second Amendment) Rules (XIV), 2444-45.
- Displaced Persons (Compensation and Rehabilitation) Amendment Rules, 1933 (XV), 6632-33.
- Draft Notification under Companies Act (XIII), 2296.
- Employment Exchanges (Compulsory Notification of Vacancies) Amendment Rules, 1963 (XVII), 11080.
- Exchange of Notes between the Government of India and the Peoples' Republic of China. (XVIII), 14180.
- Finance Accounts of the Central Government for the year 1961-62. (XVIII), 12641.
- Foreign Exchange Regulation (Amendment) Rules (XVIII), 13134.
- Government Regulation on Grant of interim Wage increase to Workmen in Coal Mining Industry (XIII), 132.
- Government Resolution on the Recommendations of the Central Wage Board for Coffee Plantation industry (XVIII), 13784.
- Hindi version of Report of Ganga Brahmaputra Water Transport Board for 1962. (XVIII), 12875-876.
- Import Trade Control Policy Statement (XVII), 11183.
- Indian Maize (Temporary use in Starch Manufacture) Order, (XIII), 131.
- Indian Naval Reserve and the Indian Naval Volunteer Reserve (Amendment) Regulations. (XVI), 7686.

PAPERS LAID ON THE TABLE:
contd.

- Indian Wireless Telegraphy (Possession) Amendment Rules 1962 and Licensing of Wireless Receiving Apparatus (Amendment) Rules, 1962 (XIII), 1735.**
- International Copyright (First Amendment) order (XIII), 1207.**
- International Copyright (Second Amendment) Order (XVIII), 13133.**
- Letters exchanged between the Prime Minister of China and the Prime Minister of India (XIV), 3199-20.**
- Lifeboatmen's (Qualifications and Certificates) Rules, 1963 (XV), 4699.**
- Medicinal and Toilet Preparations (Excise Duties) Amendment Rules, 1963.**
- Mineral Concession (First Amendment) Rules (XIII), 337.**
- Mineral Concession (Fifth Amendment) Rules and Coal Bearing Areas (Acquisition and Development) Amendment Rules (XIII), 1206.**
- Ministers (Allowances, Medical Treatment and other Privileges) Amendment Rules. (XVI), 8947.**
- National Co-operative Development Corporation Rules (XVI), 8696.**
- Notifications regarding the Delhi Cement Control Order, 1963 (XIII), 1737-38.**
- Notification Re. Market Loans floated by the Central Government in 1963-64 (XVIII), 14180-81.**
- Notification re: surveys for broad gauge link to Assam (XV), 6141.**
- Notifications under the All India Services Act, etc. (XIII), 3432-33 (XV), 4933 (XVII), 10327, (XVIII), 13134.**
- Notifications under the Bengal Finance (Sales Tax) Act (XIII), 1422-23.**

PAPERS LAID ON THE TABLE:
contd.

- Notification Under Bengal Finance (Sales Tax) Act, 1941, As In Force in Delhi; etc. (XIII), 2729-30.**
- Notifications under the Central Excises and Salt Act, 1944. (XIII), 1424, (XIV), 3900.**
- Notification under the Coal Mines (Conservation and Safety) Act. (XIII), 3432.**
- Notifications under Coffee Act (XVIII), 12140.**
- Notifications under the Companies Act (XIV), 3899, (XVIII), 12140-41.**
- Notification under the Constitution and All India Services Act (XIII), 1205-06.**
- Notification under Customs Act. (XIII), 129-31, 1423-24, (XIV), 3900-01, (XVIII), 13782-83.**
- Notification under Customs Act, Central Excise and Salt Act and Gift-tax Act, (XVI), 7685-86.**
- Notification under Delimitation Commission Act (XV), 6918**
- Notifications under the Defence of India Act (XIII), 131-32, (XIV), 3668.**
- Notifications Under Displaced Persons (Compensation and Rehabilitation) Act (XVIII), 14184.**
- Notification under Employees Provident Funds Act (XIII), 33, (XV), 5900-01, (XVIII), 13783-84, 14184-85.**
- Notification under the Employees' Provident Fund Act, 1952 and Report of the Chief Inspector of Mines on the Accident in A & B Pits Colliery, West Bengal, (XVII), 9679-80.**
- Notifications under the Essential Commodities Act (XIII), 1737, (XIV), 3201, (XV), 5618, (XVI), 8202, (XVIII), 12876, 13783.**
- Notification under the Estate Act (XIV), 3900.**
- Notification under Extradiction Act (XIII), 1207, (XVIII), 13990-91.**

PAPERS LAID ON THE TABLE:
contd.

Notifications under the Foreign Regulation Act, 1947 (XIII), 1423.

Notification under Industries (Development and Regulation) Act (XVIII), 12875.

Notification under the Inter-State Corporation Act (XV), 6494.

Notification under the Mines and Minerals (Regulation and Development) Act (XV), 6494.

Notifications under the Motor Vehicles Act (XV), 6140, (XVIII), 14182-84.

Notification under Motor Vehicles Act and Merchant Shipping Act, etc. (XIII), 128-29.

Notifications under the Motor Vehicles Act, 1933; Shipping Development (Loans) Amendment Rules, 1962 and amendments to the Andaman and Nicobar Islands Motor Vehicles Act, 1939 (XIII), 1736-37.

Notifications under the National Highways Act (XV), 6140.

Notifications under the Sea Customs Act, 1878. (XIII), 1424.

Notification under Tariff Commission Act and Annual Report of Hindustan Insecticides Ltd., with Audited accounts and comments and review by Government on the Company's working (XIII), 32-33.

Order under Industries (Development and Regulation) Act and Annual Report of Coffee Board (XV), 5442.

Papers under Deposit Insurance Corporation Act (XVIII), 13134.

Petroleum Pipelines (Acquisition of Right of user in Land) Rules (XVII), 11617.

Progress of the Third Five Year Plan (XVIII), 13782.

Report of Coal Board (XVIII), 13623.

PAPERS LAID ON THE TABLE:
contd.

Report of the Comptroller and Auditor General on the Accounts of the Coal Board for 1960-61 (XV), 4933.

Reports of Indian Production Team etc. (XVII), 9428-29.

Reports of the Orissa Road Transport Company Limited, Berhampur (XVII), 10805.

Report (1962) of the Tariff Commission (XIII), 739-41.

Report on Fatal Accident in Jamuna Colliery. (XVI), 7195.

Salient Features of the Agreement for the establishment of an oil Refinery at Cochin (XVIII), 14181.

Statement correcting Reply to Supplementary on Starred Question No. 34 (XVI), 7194.

Statement of cases in which lowest tenders have not been accepted (XV), 6918.

Statement re: Krishna Godavari Waters (XV), 5618.

Statement showing action taken by Government on assurances, promises and undertakings given (XIII), 737-38, (XIV), 4147-48, 9191-93, (XVIII), 14181-82.

Summary of the recommendations of the Committee appointed by Government to examine the existing system of grants of subsidy and subventions to the Flying and Gliding Clubs (XVII), 11350.

Tripura Lord Reverse and Land Reforms (Amendment) Rules (VIII), 961.

Twenty-Third Report of Land Commission (XIII), 33.

U.P.S.C. (Exemption from Consultation) Amendment Regulations (XVII), 11618.

Wealth-Tax (Exemption of Heirloom Jewellery of Rulers) (Amendment Rules) (XIII), 1424-25.

Working Journalists Wage Board (Amendment) Rules (XIV), 1936.

PARLIAMENT:

Parliamentary proceedings on A.I.R. (XVII), 9625-30.

Press for Parliamentary Work (XVIII), 11807--810.

Debates

Parliamentary Proceedings on A.I.R. (H.A.H. Discussion) (XVIII), 13756-61.

PARACHUTES:

Import of, (XVI), 8443-46.

PASSPORT(S):

Forged, (XV), 5850.

Forged, in Calcutta (XVII), 9662.

'p' form (XIV), 3665.

Passports for U.K. (XVIII), 12583.

Passport Racket case in Punjab (XVIII), 12602.

Passports to visit Israel (XVIII), 11072-73.

Passports to visit Pakistan (XVIII), 12599.

PAY COMMISSION:

Pay Commission for primary and secondary school teachers (XIII), 318-19.

Recommendations of Second, (XVII), 10173.

Second, (XIV), 3172.

PEACOCK(S):

Preservation of, (XV), 6097-98.

PEDIATRICS:

Research scheme in, (XIII), 1179.

PENICILLIN:

Export of, (XVI), 7867-68.

PENSIONS:

Pensions (XIV), 4128-29, (XVII), 10118-21, (XVIII), 11854.

Pension cases (XVIII), 11848.

Pension Commutation Rules (XVI), 9151.

Pensions to Widows (XVI), 7184-86.

PENSIONERS (XV), 6613.

Educational concessions to pensioners' children (XVII), 10157.

PAPER:

Forward market for, (XIII), 1667.

Paper industries (XVII), 11313.

PERAMBUR:

Cost of Integral Coaches Manufactured at, (XVII), 11304.

PERMANENT INDUS COMMISSION (XVIII), 13372.**PERSONALITY TEST (XIII), 1176.****PETITIONS:**

Committee on:

Minutes of the Third and Fourth Sittings laid on the Table (XV), 6633.

Re: Defence of India (Amendment) Rules relating to Gold Control (XIII), 548.

Re: Report of the Enquiry Commission on the working of certain Dalmia-Jain concerns (XVIII), 13624.

PETRO-CHEMICALS:

Petro-chemicals industry (XVIII), 13056.

Petro-Chemical Development at Barauni (XVIII), 13029-32.

PETROLEUM:

Degree in technology (XV), 4931-32.

Petroleum-engineering course 10151-52.

Petroleum Institute, Dehra Dun (XVI), 7462-64.

Petroleum Products (XIV), 3428.

Consumption of, in Orissa (XV), 6381.

Consumption of, in Punjab (XVII), 10173.

Export of, (XVII), 9413.

Supply of, by Russia (XIV), 3432.

Supply of, to Ceylon (XVII), 10184-85.

PESTICIDE(S):

Distribution of, (XVI), 8691.

PHARMACY:

Central Institute of, (XIV), 2729.

Pharmaceutical Research Laboratories (XVI), 7935-36.

PHILIPPINES:

Indian immigrants to, (XV), 5858.

PHOSPHATE SALTS:

Phosphate salts in Laccadive islands (XIII), 313.

PHYSICAL EDUCATION:

Committee on, Recreation and Youth Welfare (Q), (XVI), 7407-08.

Compulsory physical education in Delhi Schools (XVI), 6397-98.

PHYSICALLY HANDICAPPED (XVI), 8919.

Education of the, persons (XVI), 7420-21.

PHYTO-CHEMICAL PROJECT:

Phyto-Chemical Project at Neriamangalam (XVII), 10579-581.

PILGRIM(S):

Enhancement of, Tax (XVII), 9515.

Haj, from Kerala (XVIII), 12569.

PILOTS:

I.A.F., (XVIII), 12586.

Training of Air Force, (XVII), 9619-20.

Unemployed civilian, (XVIII), 1693.

PLAN(S):

Division of plan funds (XVIII), 12601.

Planning Boards in States (XV), 4401.

PLAN, FOURTH:

Blueprint for Fourth Plan (Q), (XVI), 8426.

PLAN, THIRD:

Industry Plant and Machinery (XVIII), 12115.

Labour force in, (XV), 8427.

Non-Project loan from U.S.A. for, (XIII), 537.

Plan allocations for the Andamans and Nicobar Islands (XIV), 2422.

Plan publicity in Punjab (XIV), 1931.

Progress of, (XVII), 11065, (XVIII), 12591.

Teachers for, (XVI), 8943.

Third Plan targets for Bihar (XVII), 11052.

Third Plan target for Punjab (XVII), 9669.

Third Plan targets for Rajasthan (XIV), 4134.

Third Plan targets for U.P. (Q), (XVI), 7163.

Transport needs (XIV), 4111.

PLAN PROJECTS (XVIII), 12587.

Soviet collaboration in, (XIV), 2206.

West German aid for, (XIII), 517-18.

PLANNING COMMISSION:

Planning Commission Adviser's visit to Andhra Pradesh (XVII), 11028-31.

Reorganisation of, (XVIII), 12566.

Visit of Joint Committee to Eastern U.P. (XIII), 893-97.

PLANTATIONS:

Plantation Labour Housing Schemes (XVIII), 11832-833.

PLASTICS:

Plastic and Chemical products (XVI), 6914.

Plastic working machine manufacturing factory (XIV), 3687.

PLAGUE:

Cholera and Plague in Orissa (XVI), 9155-56.

POCHAMPAD PROJECT (XIV), 2721.

POISONING:

Poisoning cases in Delhi (XIV), 3420.

POLICE:

Code of Conduct for, (XVIII), 13085-86.

Complaints against, (Q), (XVII), 11590-591.

Police Administration (XIV), 3381.

Police force for Nagaland (XVII), 11066-67.

Police Strength of Delhi (XVIII), 13087.

Soognu, outpost (XIV), 2428.

Debates

Delay in arrival of Police at Town Hall on 6th March, 1963, (C.A.) (XIII), 2965-71.

POLICE ACT:

Persons arrested under, (XVI), 8933.

POLIO VACCINE (XIII), 541.

POLITICAL SUFFERERS (XVIII), 13045-50.

Political sufferers in Orissa (XV), 6380-81.

POLYTECHNICS:

New (XVI), 8938.

Polytechnic at Cannanore (XVIII), 1399-100.

Polytechnic in Bastar district (XVII), 10182.

Polytechnics in Maharashtra (XIV), 2433.

Polytechnics in Orissa (XVI), 7414.

Polytechnics in Punjab (XVIII), 13124.

PONDICHERRY:

Education in, (XVI), 9644-45.

POPULATION:

Population of S.Cs. in Maharashtra (XIII), 325.

Present, of NEFA (XIII), 949.

PORT(S):

Beypore, (XIV), 3193-94.

Bombay docks (XIV), 2100.

Construction of Wharf at Vishakhapatnam (XV), 5866.

Dock Labour scheme in Cochin (XIV), 1929.

Dredger for Calcutta (XV), 4603-04.

Express Highway to Paradip, (XIII), 1728.

Free trade, (XIV), 2901.

Haldia, (XIII), 86.

Harbour expert for Kerala (XVII), 11342.

Port charges at Calcutta (XVI), 8200.

Port facilities in southern region (XIV), 3154-55.

Situation of Calcutta, (XVI), 8643.

Unauthorised construction of jetty at Port Blair (XV), 6385.

Visakhapatnam, (XIII), 1720.

Wharf at Reypore (XVII), 11342.

POSTS AND TELEGRAPHS:

Bogus money Orders (XV), 4638-39.

Departmental Examinations for Clerks and Postmen (XIII), 110.

Express delivery system (XIV), 2096.

Goan telegraph system (XVII), 2921.

Headquarters of P.M.G. Assam (XVI), 8185-86.

Loss of mail at Bhagalpur P.O. (XVII), 11324.

"Maps of India" postage stamps (XVI), 8113-16.

Night Air Mail Services (XVI), 8143-45.

P. & T. Advisory committees (XVII), 9892.

P. & T. buildings (XVII), 11328.

P. & T. circle for Madhya Pradesh (XV), 6131.

P. & T. colony, Bikaner (XIII), 1719.

POSTS AND TELEGRAPHS: contd.

P. & T. facilities in backward hilly areas (XVII), 11329.

P. & T. facilities in hilly districts of U. P. (XVIII), 12840.

P. & T. offices (XVI), 8686, (XVIII), 12830-31.

P. & T. offices in Orissa (XVII), 9883.

P. & T. quarters at Bhubaneswar (XV), 6103-04.

Post Office accounts of displaced persons (XIII), 1681.

Postal facilities for Jawans (XVII), 9664-65.

Postal facilities to Indian P.O.Ws. (XV), 4431.

Postal services in Orissa (XV), 4654.

Postal services in Punjab (XVII), 9695.

Postal services in U.P. (XVI), 8154-55.

Quarters for P. & T. employees, Orissa (XVIII), 12828.

Recruitment of workmen and line-men (XVII), 9922.

Scheduled Castes and Scheduled Tribes employees (XV), 6126.

Staff quarters at Phulbani (XV), 6452-53.

Tamil telegraphy (XIV), 3196-97.

Telegraph link (XIV), 3181-82.

Telegraph office at Rehra (XVI), 8171-72.

Thefts of telegraph wires (XIV), 3168-69.

POST OFFICE(S):

Head Post Office at Kurnool (XIII), 103.

Head Post Office at Vellore (XIV), 3182.

Head Post Office for Hamirpur (U. P.) (XVII), 9884.

Patnagarh sub-post office (XIV), 3169-70.

Post Office and Public Call offices in Orissa (XVI), 8678.

POST OFFICE(S): contd.

Post Office, Bhama (M.P.) (XV), 6100.

Post Offices in Andhra Pradesh (XVII), 11345.

Post Offices in Kerala (XIII), 119.
Promotion of, (XVII), 9902.

Upgrading of Branch Post Offices (XV), 4674-75.

POST-WAR RECONSTRUCTION FUND (XVI), 7185-86.**POTASSIUM CHLORIDE:**

Potassium Chloride plant at Kandla (XVI), 6862-64.

POTATO(S):

Potato research centre (XVI), 8669.

POULTRY FARMING:

Poultry development (XIV), 3167.

Regional Poultry Farm, Bhubaneswar (XVI) 8677.

POWER CABLES:

Manufacture of power cables (XVIII), 13614-15.

POWER PROJECTS (XIII), 1375-79.

Expansion of D.V.C. (XVIII), 11842.

Hydro-Electric Schemes in Manipur (XIII), 1421.

Investments on irrigation and, (XVIII), 11869.

Mettur Tunnel Hydro Electric Project (XIII), 1408.

Micro-Hydel Schemes (XVIII),

Srisaillam Hydro-electric project (XIII), 1420

Survey of power projects in Himalayas (XIV), 2711.

Yamuna Hydro-electric Scheme (XVIII), 11871-872.

POWER STATION(S):

Bandel, (XIV), 3663-64.

Barauni Thermal, (XIII), 527.

'C' Thermal station in Delhi (XV), 6614.

POWER STATION(S): contd.

- Chandrapura Thermal, (XVIII), 11860.
- Chandrepure Thermal Station, Bihar (XIV), 2721-22.
- Coal for Pathratu Thermal Plant (Bihar), (XVI), 7418.
- Durgapur, (XIII), 1405.
- Dhuvaran Thermal, (XVII), 10397.
- New Power Station in Delhi (XIV), 2695-97.
- Power House at Obara (U.P.) (XVI), 9171-72.
- Rihand Hydel Power House (XVI), 7657-58.
- Talcher power station in Orissa (XIV), 3647-48.
- Thermal Power Stations (Q) (XVII), 10393, (XVIII), 11853.

POWER SUPPLY:

- Floods and Power supply in Assam (XIV), 2702-3.
- Power failures in Delhi (XIII), 524.
- Power shortage in the country (XIV), 2699-2700.
- Power supply at Durgapur (XIII), 520.
- Power supply for industrial purposes in Delhi (XV), 6577.

POWERLOOM INDUSTRY (XIII), 690-94**PRECISION INSTRUMENT FACTORY (XV), 5430**

- Precision instruments factory at Kotah (XIV), 2944.

PRECIOUS STONES:

- Export Advisory Committee for Pearls and, (XVII), 10595-598.

PRESIDENT'S ADDRESS:

- Committee to investigate the conduct of certain Members during, (XIII), 173-74.
- Laid on the Table (XIII), 10.
- Motion on, (XIII), 340-471, 549-66, 745-807, 1200-1352.
- Re. incident during — (XIII), 124.

PRESIDENT'S ADDRESS: contd.

- Re: Interruptions and walk-out during President's Address (XIII), 2-10.

PRESS CONSULTATIVE COMMITTEE (XVII), 9666-67, (XVIII), 12594**PRESS COUNCIL (XV), 5828****PRICES:**

- Display of retail, (XVII), 9355.
- Market price of export commodities (XVII), 9408.
- Prices of sanitary goods (XIV), 3382-83.
- Yarn, (XVII), 9387.

Debates

- Price support for rice and wheat in 1963-64 season (st.) (XVIII), 12142-46.

PRIVILEGE(S):

- Point of privilege (XVIII), 13130-133.

PRIZE(S):

- Incentive to cane growers (XVII), 9380.
- Prizes for medical textbooks (XIV), 3650.

PRIZE BOND(S):

- Premium Prize Bonds (XIII), 438-90.

PRODUCTION:

- Targets of production and export (XVII), 9404.

PRODUCTION CENTRE(S):

- Prototype Production and Training Centre at Rajkot (XVII), 10591-595.

PRODUCTION PLAN(S):

- Village, (XVII), 6842.

PRODUCTIVITY COUNCIL (XVI), 7927-29**PROHIBITION (XV), 4864-71, (XVIII), 12579**

- Central Prohibition Committee (XVI), 7423-24.

- Prohibition in Delhi (XVII), 10115-18.

PROJECT(S):

- Bailadik iron ore, (XIV), 2408.
 Balimala Dam, (XV), 5171.
 Commissioning of, (XVII), 9406.
 Construction of Badagara pier in Kerala (XIII), 1704.
 Idikki Hydro-electric, (XV), 5180.
 Indo-Norwegian fisheries, (XIII), 1720.
 Irrigation and power projects in Orissa (XVI), 7662-63.
 Kosi, (XIII), 1406.
 Mackkund and Hirakud (XV), 6609.
 Mettur Tunnel Hydro Electric, (XIII), 1408.
 Minor irrigation, in Orissa (XVII), 11314.
 Nagarjunasagar, (XIII), 1408.
 Pong Dam, (XIV), 3637-39.
 Srisilam Hydro-electric, (XIII), 1420.
 Tawa Multipurpose, (XIII), 533.
 Tungabhadra High Level, (XV), 6612.
 Water and electricity from Mata Tila, to M.P. (XIV), 2410.

PROVIDENT FUND (XVI), 9164.

- Arrears of P.F. Contribution (XIV), 4145.
 Depositing of, Contribution (XIII), 948.
 Interest on, (XVI), 8419.
 Provident Fund Contributions (XV), 4422.
 Withdrawal from Employees', (XVI), 7162.

PUNJAB:

- Additional funds for roads in, (XV), 4429.
 Adult women's education in, (XVII), 11615-616.
 Agricultural colleges of, (XVII), 11325.
 Allotment of iron to, (XIV), 2954.

PUNJAB: contd.

- Ambar Charkha in, (XVII), 10634-655.
 Anti-T.B. measures in, (XVIII), 11881-882.
 Archaeological excavations near Chandigarh (XVII), 11602.
 Archaeological survey in, (XV), 6391-92.
 Auction of evacuee land in (XII), 106.
 Ball Bearing Unit in, (XIV), 2914.
 Blood donations in, (XVIII), 11859.
 Community receiving sets for, (XVI), 8434-35.
 Consumption of petroleum products in, (XVII), 10173.
 Co-operative sugar mills in, (XIV), 3185-86.
 Development of Ayurveda in, (XVI), 9170.
 Development of fisheries in, (XV), 6134.
 Documentary film on folk dances of, (XIII), 952.
 Expenditure on Punjab Hills (XVI), 8441-42.
 Export of wheat from, (XIV), 3186.
 Food Control Schemes in, (XVIII), 11864.
 Fruit production in, (XV), 4672-73.
 Geological survey in, (XIII), 326.
 Grants for books on Social education in, (XVIII), 13124-25.
 Horticulture in, (XV), 6119-20.
 Hostels for S.C. and S.T. students in, (XVII), 10173.
 Housing Schemes in, (XVII), 10408-09.
 I.A.S. and I.P.S. Officers in, (XIII), 1194-95.
 Industrial co-operative societies in, (XIV), 3886.
 Industrial Units in Backward areas of, (XIII), 733-35.
 Industrialisation of backward areas (XVI), 7934.
 Khadi production in, (XVII), 10648.

PUNJAB: contd.

- Local Development Works in, (XVII), 9673-74.
- Medical Colleges in, (XVII), 10405-06.
- Milk plants in, (XVI), 8692.
- Motor irrigation in, (XV), 4682-83.
- National Discipline Scheme in, (XVII), 11615.
- Newsprint Factory in, (XV), 5440.
- Passport Racket Case (XVIII), 12602.
- Pig Iron Plant in, (XIII), 712-13.
- Pig Iron Ore Plant in, (XVIII), 13608-09.
- Plan publicity in, (XIV), 1931.
- Polytechnics in, (XVIII), 13124.
- Postal services in, (XVII), 9895.
- Power Schemes in, (XVIII), 11864.
- Production of sugar in, (XVII), 11330.
- Punjab Government officers at Centre (XVI), 8930.
- Rehabilitation work in, (XVIII), 11857.
- Roads and bridges in, (XVI), 8691.
- Rural electrification in, (XV), 6628.
- Rural Institution for women at Dharamsala (XVII), 11616.
- Scholarships for training in Foreign countries (XIII), 1195-96.
- Scholarships in Technical institutes in, (XV), 8928.
- Small-Scale and Cottage Industries in, (XIII), 735.
- Small Scale Industries in, (XVIII), 12127, 12135-36.
- Sugar quota for, (XVI), 8686.
- Tax collections in, (XV), 6628.
- Tea production in, (XVIII), 12128.
- Technical Institutes in hill areas of Punjab and Himachal Pradesh (XVII), 10172.
- Third Plan target for, (XVII), 9669.
- Unemployed registered in, (XIII), 953.

PUNJAB: contd.

- Village housing in, (XV), 5177.
- Visits of Commissioner for Scheduled Castes and Scheduled Tribes to, (XIV), 2439.
- Welfare of backward areas of, (XVIII), 12119-19.
- Welfare of S. Cs. and backward classes in, (XVIII), 13087-88.
- Welfare of Scheduled Castes and Scheduled Tribes in, (XV), 6387.
- PUBLIC UNDERTAKINGS (XIV), 2902.**
- I.C.S. and I.A.S. Officers in public sector (XVII), 11588.
- Public sector enterprises with Soviet aid (XVIII), 11867-868.
- Public sector oil refineries (XVI), 7421-22.
- Public sector projects (XV), 5831.

Debates

- Re: Motion on Standing Committee for Public Enterprises (XVI), 8203-06.

PUBLICATIONS:

- Education Ministry's (XIV), 3418.
- Publications of various industries (XVII), 9651-52.

PUBLICITY:

- Commercial, (XVI), 7909-10.
- Expenditure on publicity against Chinese aggression (XVIII), 12600.
- Publicity material on Kerala State (XVII), 9903.

PUBLISHERS:

- Aid to publishers in Orissa (XVI), 7413.
- Publishers from U.S.S.R. (XVI), 7432-33.

PURCHASE ORGANIZATION:

- Overseas Purchase Organisations (XVII), 9399.

Q

- QUALITY CONTROL (XIII), 87.**
 Quality Control and pre-shipment inspections (XIV), 2919.
 Quality Control on exportable coir products (XIV), 2959.
- QUARTERS:**
 Allotment of, to Class IV employees (XVIII), 11882.
 Quarters for Class IV employees (XVIII), 11852-853.
- QUOTA**
 Allotment of newsprint to newspapers in Jammu and Kashmir (XVIII), 12601.

R

- R.M.S.:**
 BK 17 section of R.M.S. (XVII), 9913.
 R.M.S. section at Dindigul (XVII), 9913.
- RADAR(S):**
 Radars for airports (XVI), 8194-95.
 Radars for Indian ships (XV), 6114.
- RADIO LICENCES (XVI), 8689.**
- RADIO PEKING:**
 Indians with Peking Radio (XIV), 4132-33.
- RADIO SET(S):**
 Community Listening sets in India (XIV), 1907.
 Community receiving sets for Punjab (XVI), 8434-35.
 Distribution of, (XIV), 1913.
 Distribution of, in Andhra Pradesh (XVII), 9678.
 Distribution of, in Maharashtra (XVIII), 12584.
 Radio Industry (XIII), 1660.
 Radio sets in Orissa (XV), 5861.
 Radio sets in Punjab (XIV), 4135.
 Semi-conducting rock in Rajasthan (XVIII), 1391-93.

RADIO TRANSMITTER(S):

- New transmitters at Jabalpur and Gwalior (XIV), 1930.
 Transmitter at Chandigarh (XVI), 7180-81.
 Transmitter at Prabhandi (XVI), 7178.
 Radio transmitter at Sambalpur (XVI), 7168-69.
 Transmitter from Australia (XIV), 4118.

RADIOMETRIC SURVEY:

- Radiometric Surveys in Salem District (XVII), 11063-64.

RAILWAYS:

- Alarm chains (XIII), 1624-25; (XVII), 9889.
 Booking from Sambhar for Kangra valley (XIII), 1717.
 Brakeblocks for South-Eastern Railway (XVII), 9899.
 Civil Defence on, (XIV), 3174-75.
 Code of Discipline in Railways and Defence (XVI), 8423-24.
 Corruption cases on Northern Railway (XV), 6133-34.
 D.B.K. Railways (XV), 4655.
 D.B.K. Railway head office (XIV), 3169.
 Demurrage paid by, (XV), 6159.
 Device to prevent railway collisions (XV), 4667.
 Divisional system in Railways (XIV), 2157.
 Economy in, (XIV), 2116.
 Electrification of Indian, (XVII), 9865.
 Electrification of stations on Northern Railway (XIII), 1708.
 Electrification of stations on Southern Railway (XVIII), 12838-39.
 Electrification of Western Railway (XIV), 2061.
 Emergency posts in, (XVII), 11327.

RAILWAYS: contd.

- Fire in railway goods shed, Howrah (XIV), 3177-78.
- Fish-plates and tie bars for southern railway (XVI), 8196-97.
- Gunupur-Naupada light Railway (XVIII), 12829-30.
- Income from Sarhind-Nangal section (XVII), 11330.
- Indo-Ceylon passengers at Dhanushkodi (XIII), 94-95.
- L.G.S. Grade posts in Eastern Railway (XVII), 9901.
- Loading time (XIII), 1690.
- Looting at Sehla Railway station (XVI), 8183.
- Looting of goods train (XIII), 1640.
- Looting of railway property by students (XIII), 1587-89.
- Loss to, (XV), 6139-40.
- Mechanical instruments to detect fault in track (XV), 4663-64.
- Meetings between Mazdoor Union and North-Eastern Railway Administration at Gorakhpur (XIII), 119-120.
- Miraj-Poona section (XVIII), 12856.
- Monthly Season Tickets (XIV), 2121.
- Movement of coal by, (XIV), 2117.
- North-Eastern Railway (XV), 6090.
- Pandu-Amingaon Marine Ferry (XV), 6121.
- Permanent Negotiating Machinery meetings (XIV), 2132.
- Permanent way inspectors (XVII), 11327, (XVIII), 12852-53.
- Post of Financial Commissioner, (XVII), 9898.
- Posts of Office Superintendents in E. Railway (XVII), 9902.
- Post retirement passes (XV), 6186-87.
- Privilege passes and P.T.Os. (XVIII), 12864.
- Promotion of A.P.O. (XVII), 9902.
- Protection of railway line in Assam and Nagaland (XVII), 11302.

RAILWAYS: contd.

- Rail transport facilities (XIII), 1718.
- Railway Colony at Rayagada (XV), 6102.
- Railway concession for Courtallam (XV), 6099-6100.
- Railway hostel, at Cuttack (XVIII), 12826.
- Railway Saloons (XV), 6114-15 (XVI), 8200-01.
- Recruitment in, (XV), 4649-50.
- Reservation Rule (XIII), 92-93.
- Rudimentary interlocking (XVIII), 12852.
- Rupar-Nangal Dam section (XV), 4695.
- Second Class travel facilities (XVI), 8665.
- Selection of General Manager (XVI), 8688.
- Signalling on Central Railway (XVII), 11334.
- Stones in a parcel from abroad (XVII), 11326.
- Thugs operating on Railway (XVII), 12864.
- Ticketless travelling (XIII), 1616-20.
- Time tables (XVII), 11334.
- Training establishments for Railway officers (XVII), 9900.
- Training stipend (XV), 6123.
- Travelling Ticket Examiners (XVIII), 12839-40.
- Upper quadrant two aspect signals (XVIII), 12851-52.
- Wastage of railway capacity (XIII), 1689.
- World Bank Loan for, (XVI), 8127-29.
- Yeotmal Murtazapur Railway (XV), 6125-26.
- Zonal office of Railways in Andhra Pradesh (XVI), 8389.

RAILWAY ACCIDENT(S):

- Accident at Cuttack station level crossing (XIV), 3170-71.
- Accident between Shoagpur-Piparia (XV), 4673-74.
- Accident near Anandnagar Station (XV), 6135.
- Accident near Lasina (XV), 4693-94.
- Accident near Munirabad station (XIV), 3159-60.
- Accident near Patalpani (XV), 4658.
- Accident near Patna (Railway) Station (XV), 6122-23.
- Accident near Ujjain Railway station (XV), 4687-88.
- Bomb explosion on Railway track (XVI), 8653.
- Collision of a car with Express train (XVIII), 12859-60.
- Collision of goods train (XVI), 8158.
- Collision of goods trains near Raipur (XVII), 9917.
- Derailment at Malhor station (XVI), 8681.
- Derailment of 8 Down Express (XIV), 2129.
- Derailment near Rourkela (XIII), 107-108.
- Derailment of goods train (XVI), 8695, (XVIII), 12854-57.
- Device to prevent railway collisions (XV), 4667.
- Enquiry into Railway Accident (XIII), 1646.
- Fire in goods train (XVII), 11343.
- Level-crossing accidents (XVII), 9907.
- Mishap at Bangalore Railway station (XVII), 9869.
- Naroj Bridge Accident (XIII), 1614-15.
- Permanent Zonal Railway Accident Committees (XIII), 1715.
- Prevention of Railway accidents (XV), 6136-37.
- Rail accident (XVII), 9907, (XIII), 119.

RAILWAY ACCIDENT(S): contd.

- Railway accident near Dhanbad (XVII), 11315.
- Rail accident near Katni (XVII), 9917.
- Railway Accidents Enquiry Committee (XIII), 55-58, (XVII), 11313.
- Railway accident on the Bhimavaram-Gudivada line (XVIII), 12841.
- Train accident at Ludhiana (XIII), 1643.
- Train collision (XVI), 8192.
- Train collision near Bara Banki (XIV), 3174.

Debates

- Reported railway accident in the Allahabad section (C.A.) (XIV), 1933-35.

RAILWAY AMENITY (IES):

- Latrines in Electrical Locomotives Driven trains (XV), 4675-77.
- Passenger amenities (XIII), 1706.
- Passenger amenities on Northern Railway (XIII), 1709.
- Water coolers on Railway Stations (XVIII), 12847-48.

RAILWAY BRIDGES (XIII), 1638.

- Bridge across Ganges at Ghazipur (XIII), 1716.
- Bridge at Bakhtiarpur Station (XIV), 2122.
- Bridge at level-crossing at Narsinghpur (XVIII), 14172-73.
- Bridge at Warangal (XVI), 8160.
- Bridge on Rewa Chhatarpur Road (XIV), 2133.
- Bridge on Sutlaj near Kiratpur Sahib (XVII), 9894.
- Construction of overbridges (XVI), 8680.
- Kolaghat bridge (XVIII), 14153-57.
- Over-bridge at Aunrihar Jn. (XV), 6123.
- Over-bridge at level crossing, Itarsi (XVIII), 14173-74.
- Overbridge in Bikaner city (XV), 6117-18.

RAILWAY JUDGES: contd.

- Rail bridge over Jamuna (XIV), 2070.
- Railway bridge at Sawai Madhopur (XVI), 8190.
- Railway bridge over Shipra river in Ujjain (XVI), 8684.
- Railway overbridge at Dhanbad (XIV), 2131.
- Road overbridges on Railways (XVI), 8666.
- Rupnarayan Railway Bridge (XVI), 8692.
- Traffic on Railway bridge, Delhi (XV), 6050-53.

RAILWAY CATERING:

- Railway restaurants (XIV) 2088.
- Restaurant car in Delhi-Kalka Mail (XV), 4655-56.
- Tea for catering on Railways (XV), 6120-21.

RAILWAY COACH(ES):

- Air conditioned train coaches (XVII), 11311.
- Class I coaches (XVII), 9892.
- Cost of integral coaches manufactured at Perambur (XVII), 11304.
- Export of railway coaches (XVII), 11325.
- Sleeper coaches (XIII), 102.

RAILWAY EMPLOYEE(S):

- Casual workers in Railways (XV), 6096-97.
- Class IV Railway employees (XVI), 8153.
- Class IV employees on N. Ry (XV), 4672.
- Dearness allowance of Railway servants and rent recoveries (XVIII), 12860-61.
- Extension of age of retirement of Railway employees (XIII), 1698.
- Fortnightly rest for railway employees (XIV), 3171-72.
- Man-handling of Railway employees (XIII), 123.

RAILWAY EMPLOYEE(S): contd.

- Overtime allowance for R.M.S. workers (XVI), 8173.
- Privilege passes and P.T.O.s. (XVIII), 12864.
- Prizes for Railway employees (XVIII), 12859-60.
- Promotion of S.C. and S.T. employees in Railways (XIII), 94.
- Psychological tests for railmen (XVIII), 12814-17.
- Quarters for Railway employees (XV), 4678-79, (XVII), 9878.
- Quarters for Railway employees, Ujjain (XV), 4688.
- Railway employees' Co-operatives (XV), 4683-84.
- Railway High School clerks (XVII), 11328.
- Rain coats for Trollymen (XV), 6118.
- Retired Railway officials in commercial concerns (XVIII), 12861.
- S.C. and S.T. employees on Railways (XIII), 93-94, (XVI), 8690.
- School for training engine drivers (XV), 4681.
- Senior scale officers in Railway Board (XVI), 8688.
- T.A. of railway officers (XVII), 11323.
- Training establishments for Railway officers (XVII), 9900.
- Transfer of Railway employees (XVII), 9876.
- RAILWAY ENGINES (XVIII), 12847.**
 - A.C. Electric locomotives (XV), 4682.
 - Chittaranjan Railway engine (XV), 4680-81.
 - Diesel engines (XIV), 3199.
 - Diesel locomotives (XVI), 8152-53.
 - Engines to run with Methan Gas (XIII), 1723.
 - Export of steam locomotives (XVI), 8111-13.

RAILWAY ENGINES: contd.

Import of electric locomotives (XVII), 11299.

W.P. Engine (XV), 6091-92.

RAILWAY LEVEL CROSSINGS (XIV), 2113.

Bridge at level-crossing at Narsinghpur (XVIII), 14172-73.

Level crossing at Rohtak Road, Delhi (XVII), 11338.

Patel road railway crossing, Delhi (XVII), 11339.

Railway crossing at Feroke (XVI), 8170.

Under-bridge at Cuttack station level crossing (XVII), 9877.

RAILWAY LINE(S):

Berhampur-Phulbani Railway line (XV), 4653.

Broad Gauge line between Hatgamaharia and Rairangpur (XVIII), 12846-47.

Broad Gauge lines in Eastern U.P. (XIV), 2142.

Broad gauge line to Hubli (XV), 6115-16.

Bukhtiapur-Rajgir branch line (XVII), 11332.

Circular Railway for Calcutta (XV), 4637.

Darwha-Pusad Railway line (XVI), 8670.

Doubling of track between Shoranpur and Coimbatore (XIV), 2159.

Electrification of Railway line from Howrah to Kharagpur (XIV), 2077.

Fatehpur-Churu Railway Line (XIII), 1701.

Ganganagar-Hindumalkot railway line (XIII), 1719.

Guna-Maksi Railway line (XV), 4689.

Hassan-Mangalore Railway line (XV), 4658-59.

Hospet Railway line (XV), 4659.

Kalighat-Dharma Nagar Railway line (XVII), 9905.

RAILWAY LINES: contd.

Lucknow-Barabanki Railway track (XVI), 8199.

Mukerian-Talwara Railway line (XV), 4694-95.

New Railway lines in Andhra Pradesh (XV), 6108-09.

Pathankot-Jammu Railway line (XIV), 2099.

Protection of railway line in Assam and Nagaland (XVII), 11302.

Railway line from Satna to Singrauli (XIII), 1693.

Railway line from Supaul to Bhaupatiya (XIII), 103-104.

Railway lines in North Eastern region (XIII), 53-55.

Railway line in U.P. (XVII), 11329.

Railway line to Haldia Port (XV), 4644.

Railway line to J. & K. coal mines (XIV), 2161.

Raipur Waltair Railway line (XVI), 8163.

Sambalpur-Titalgarh Railway line (XV), 6100-02.

Siliguri-Jogighopa Railway line (XVI), 8150-51.

Siroj-Tonk Railway line (XVI), 8194.

Tirunelveli Kanyakumari Railway line (XV), 4698.

Train service around Delhi (XV), 6047-50.

Udaipur-Himmatnagar Railway Line (XVIII), 12849.

Underground rail system for Delhi (XIII), 1612-13.

Visakhapatnam-Bhilai Railway line (XV), 4653.

RAILWAY MUSEUM:

Railway museum in Delhi (XVI), 8133.

RAILWAY OUT-AGENCY (IES):

Railway out-agency, Tikamgarh (XIII), 1678.

RAILWAY PROTECTION FORCE (XVIII), 12839.**RAILWAY QUARTERS (XIV), 3193, (XV), 4678-79, 6137-38.**

Railway quarters in Bikaner Division (XV), 6118-19.

RAILWAY SCHOOLS (XVI), 8693.

Railway High school clerks (XVII), 11328.

Railway technical training schools (XVII)

School for training engine drivers (XV), 4681.

RAILWAY SERVICE COMMISSION (XVIII); 12861-62.

Railway Service Commission offices (XIV), 3185.

RAILWAY SLEEPERS:

Cast iron sleepers (XV), 6138-39.

Concrete sleepers for Railways (XVII), 11272.

Import of wooden sleepers from Burma (XVI), 8134-37.

Sleepers purchased from U.P. Government forests (XV), 4659-60.

Wooden sleepers washed away towards Pakistan (XVIII), 11819-823.

RAILWAY STATION(S):

Bridge at Bakhtiarpur Station (XIV), 2122.

Crossing stations (XV), 6102-03.

Electrification of stations on Southern Railway (XVIII), 12838-39.

Flag station between Nangloi and Gheore (XVII), 11339.

Gandhigram railway station (XIII), 1641.

Guler Railway Station (XIV), 2142.

Halt station between Arhanpur and Nihalgarh (XVI), 8157.

Kazipet Junction (XIV), 2123.

Kolayat station (XVII), 11320.

RAILWAY STATION(S): contd.

Looting at Khudaganj station (XVI), 8186.

Methitukur Railway station (XIV), 3166.

New Railway stations in Bikaner Division (XVI), 8187.

Platforms at Safipur and Bangarman stations (XIV), 3165-66.

Scarcity of water at Banaras Railway station (XVI), 8667.

Regaul station (XVI), 8679.

Umaria station (XV), 4684-85.

Waiting hall at Jawad Road Railway station (XIII), 1710.

Water coolers on Railway Stations (XVIII), 12847-48.

RAILWAY THEFT(S):

Goods lost in transit (XIV), 3190, (XVI), 8201.

Sugar bags lost in transit (XV), 4686-87.

Theft in Southern Railway workshops (XVII), 9892.

Theft of coal from Julu Railway yard (XIII), 1695.

RAILWAY TRACK (XVI), 8687.

Cochin Harbour-Coimbatore Railway track (XV), 4682.

Jabalpur-Itarsi track (XVIII), 12865.

Mechanical instruments to detect fault in track (XV), 4663-64.

Replacement of rail tracks (XVII), 9894.

Track between Bhadrachellam Road and Colliery siding (XVII), 9920.

Zund-Kandla Railway track (XVII), 9918.

RAILWAY TRAIN(S):

Air conditioned trains coaches (XVII), 11311.

Collision of a car with Express train (XVIII), 12859-60.

Crack goods trains (XV), 6109-10.

Deluxe trains (XIII), 1730.

RAILWAY TRAIN(S): contd.

- Dust in passenger compartments (XVII), 11321.
- Electric trains between Madras and Arkonam (XVI), 8682.
- Electric train terminus on Ganga 9874.
- Electrification of trains (XIV), 3128-30.
- Equipment for Calcutta suburban trains (XVII), 6837.
- Janata Express from Howrah to Bombay (XV), 6106.
- Howrah-Madras Express (XVIII), 12825-26.
- Latrines in Electrical Locomotives Driven trains (XV), 4675-77.
- Lucknow-Kanpur electric train service (XIV), 2119.
- Passengers travelling on roof of train (XVIII), 12831.
- Rail trolley service by Bharat Tramways (XIV), 2155.
- Special train for South (XVIII), 12819-20.
- Thefts in G.T. Express (XVII), 11345.
- Ticketless travelling in trains (XIII), 123.
- Train from Silcher to Lumding (XIII), 1715.

RAILWAY UNION(S):

- Meetings between Mazdoor Union and North-Eastern Railway Administration at Gorakhpur (XIII), 119-120.

RAILWAY WAGON(S):

- Box type wagons (XIV), 2126.
- Coal loading in railway wagons (XV), 6374-75.
- Hopper wagons on Southern Railway (XVI), 8664.
- Manufacture of 'Box' type wagons in Lallaguda (XVI), 8196.
- Wagons (XIII), 1726.
- Wagons at Neamati (XVII), 9905.
- Wagons for Orissa (XVI), 8156-57.

RAILWAY WAGON(S): Contd.

- Wagons for Palana Colliery (XV), 6095-96.
- Wagons for U.P. Oil Industry (XV), 6124.
- Wagon-holding for Jodhpur division (XVII), 9888.
- Wagon shortage (XIII), 74-79.

RAILWAY WORKSHOP(S):

- Jamalpur, (XIV), 2136.
- Jodhpur, (XIII), 1689.
- Thefts in, (XIII), 99-100.
- Wagon Workshop, Matunga (XIII), 89-90.

RAILWAY YARD(S):

- Mechanisation of, (XIII), 1638.
- Mughalsarai yard (XV), 6092-93.
- Shifting of Railway mineral siding from New Delhi Yard (XVII), 9873.

RAIPUR:

- A.I.R. Station at, (XV), 4425.
- Collision of goods trains near, (XVII), 9917.
- Medical colleges at Rewa and, (XIV), 3655-56.
- Teleprinter line to, (XVII), 9917.

RAJASTHAN:

- Agricultural University in, (XVII), 11316.
- Archaeological monuments in Badmer (XIV), 3409.
- Chinese internees in, (XVII), 9642-43.
- Coal for, (XV), 6396-97.
- Coal wagons for, (XVIII), 13073.
- Companies in Rajasthan for advancing loans (XVIII), 13605-06.
- Explorations of Flourite in, (XVIII), 13108-09.
- Family Planning in, (XIV), 2720-21.
- Geological survey of, (XIII), 320.
- Geological Survey of Aravali range in, (XVII), 11594.

RAJASTHAN: contd.

Hostels for S.C. students in, (XIV), 3432.

Houses for S.Cs. and S.Ts. in, (XVII), 11580-581.

Income-tax office at Pali (XV), 5184-85.

Indo-Pak Border in, (XIII), 311.

Indo-Pak campaign to liquidate dacoits in, (XVIII), 13104.

Installation of tube-wells in, (XVI), 8172-73.

Jaipur Bikaner National Highway (XV), 4614-16.

Language statistics for, (XVIII), 13112.

National Highways in, (XV), 4680.

Notified area of Rajasthan State (XVIII), 13112.

Oil drilling in, (XVII), 11614.

Precision instruments factory at Kotah (XIV), 2944.

Rural electrification in, (XIV), 2705.

S.Cs. and S.Ts. in, (XVII), 11580.

Semi-conducting rock in, (XVI), 7391-93.

Soda Ash Factory in, (XVII), 10634-635.

Telephones in Bhimgan Mandi (XV), 4685-86.

Telephones in, (XV), 4690-91, (XV), 6451-52, (XVIII), 12836.

Third Plan targets for, (XIV), 4134.

Welfare of Scheduled Castes and Scheduled Tribes in, (XVII), 11581-582.

RAJASTHAN ARMED CONSTABULARY:

Missing officers of, (XVIII), 12592.

RAJASTHAN CANAL PROJECT (XVI), 7659.**RAJENDRA PRASAD, DR.:**

Books on, (XVII), 11058.

RAJGHAT:

Gandhi Memorial at, (XIII), 1420.

RAJKOT:

Pre-historic remains near, (XVII), 10135-37.

RAW MATERIALS:

Availability of, (XVI), 6908-09.

RAYON INDUSTRY:

Pulp imports for, (XIII), 1634.

RECRUITMENT:

Recruiting Centres (XVII), 11650-60.

Recruitment from NEFA (XVIII), 13983.

Recruitment from Orissa (XVII), 12609.

Recruitment in the Army (XVI), 8426-27.

Recruitment of airmen (XVII), 9676.

Recruitment of ex-servicemen (XIV), 1899.

Recruitment of Gurkhas (XVII), 9660-61.

Recruitment of Jawans (XIII), 939.

Recruitment of officers (XVII), 10151-.

Recruitment of workmen and linemen (XVII), 9922.

Recruitment Rules in Union Territories (XV), 4918-19.

Stoppage of new recruitment for Class III services (XVI), 10167.

Recruitment to Army (XIV), 4115-16, (XVII), 11075-76.

RED CROSS:

Blankets from Ceylon Red Cross (XVII), 10399-400.

REGIMENTAL SCHOOLS (XVII), 11595.

REGIONAL DISPARITY (Res.) (XIV), 4047-58, (XVII), 8626-66.

REHABILITATION:

Rehabilitation of Assam hills people (XVII), 11587.

Rehabilitation of Indians from Mozambique (XVIII), 13983-84.

REHABILITATION; contd.

- Rehabilitation work (XIV), 3644.
Settlement of Santhal refugees from East Pakistan (XVI), 7668-69.

REHABILITATION DEPARTMENT:

- Confirmation of employees in, (XVIII), 11880.
Employees in, (XVIII), 11879.
Rehabilitation office at Indore (XIII), 1417.
Retrenched employees of, (XVIII), 11880.

REHABILITATION FINANCE ADMINISTRATION:

- Prosecution of, guarantors (XIII), 1414.

REHABILITATION INDUSTRIES CORPORATION (XIII), 730-31.**REHABILITATION GRANTS (XVI), 9166.**

- Loan by, (XVIII), 12105-06.

RELEASE OF MEMBER(S):

- Imbichibava, Shri E. K. (XV), 6405.
Kolla Venkaiah, Shr. (XVI), 9336.
Warior, Shri K. K. (XV), 6405.
Yallamanda Reddy, Shri G. (XVII), 11617.

REPATRIATION:

- Repatriates from Singapore and Ceylon (XVII), 10395.
Repatriation of accumulated funds (XVIII), 11866.

REPORT(S):

- Gauhati Commission, (XIV), 2658-61.
Nalagarh Committee, (XIV), 2135.
Neogy Committee's Report (XIV), 4100-02.
Report of the Aligarh Muslim University Enquiry Committee (XV), 4904-05.

REPUBLIC DAY:

- Republic Day celebrations (XIV) 1906, (XVI) 7420.
Republic Day Parade (XIV), 4147.

RESEARCH:

- Oceanographic, (XIII), 1182.
Research at Toklai (XV), 6395.
Research in private institutions (XV), 6335-37.
Research scheme in Padiatrics (XIII), 1179.
Research Scheme in progress in Andhra Pradesh (XVIII), 12642.
Research through balloons (XVI), 8683.

RESEARCH CENTRE(S):

- Central Arid Zone Research Institute (XVI), 8672.
Cosmic Rays Research Station at Gulmarg (XVII), 9640-41.
Potato, (XVI), 8669.
Research Centre in Bombay (XV), 4932.
Research centre on spices (XIV), 3181.
RESEARCH PILOT PROJECTS (XVIII), 13084-85.

RESIGNATION BY MEMBER(S):

- Shri U. N. Dhebar (XV), 5901.

RETRENCHMENT:

- Reduction in staff in Government offices (XIV), 3600-604.
Retrenchment in Departments (XVII), 10156-57.

RESOLUTION(S):

- Administrative Policy in NEFA (XV), 7048-80.
Concentration of Economic Power (XIV), 3995-4047.
Defence of India Act (XVIII), 12536-38.

RESOLUTION(S): contd.

Nationalisation of Banks (XV) 7081,
(XVI) 9566-92, (XVIII) 12533-
35.

Regional Disparity (XIV) 4047-58,
(XVII) 9520-66.

RICE:

Export of, from Punjab (XIII),
1708.

Manipur, (XIV), 3168.

Price of, in West Bengal (XIV),
2103.

Procurement of, in Andhra Pradesh
(XVII), 9885.

Production of, in Orissa (XVII),
9882.

Rice prices (XV), 6112-13.

Debates

Reported rise in price in West Ben-
gal (C.A.) (XVIII), 11883-87.

RIFLES (XVI), 7182.

Air-guns and rifles (XVI), 6907-08.

Rifle shortage (XV), 4932-33.

Rifle training (XIV) 1920, (XV)
6389, (XVI) 8920.

Rifle training to N.C.C. cadets (XV),
5836.

RIHAND DAM (XIII) 1135-40,
(XIV) 3666, (XVII) 10154.

Electricity from Rihand Dam Pro-
ject (XV), 6568.

RIVERS:

Floods in River Teesta (Sikkim)
(XVI), 7159-62.

Godavari and Krishna rivers (XIII),
526.

Kerala River waters (XV), 6605.

Pollution of rivers by Sewage waters
(XVI), 7684.

Survey of Chenab basin (XIV),
2725.

U.N. expert for river basin surveys
in India (XVI), 4132-35.

RIVER BOARDS (XV), 6572.

RIVER VALLEY:

Water resources of, (XVII), 10392-
93.

ROAD(S):

Additional funds for roads in Pun-
jab hills (XV), 4429.

Bilaspur, (XVII), 11306.

Bombay Goa Highway (XIV), 2143.

Central Road Reserve Fund (XIV),
2135.

Chamba-Bhadarwah, (XIV), 2154.

Express Highway to Paradip Port
(XIII), 1728.

G.T., (XIV), 2073.

L.D.A. loan for highways (XIV),
3195.

Non-completion of road in Delhi
State (XVIII), 13096-98.

Ore-carrying road in Mysore (XV),
4691.

Ring road (XV), 4664-65.

Roads and Bridges in Andhra (XVI),
8174.

Roads and bridges in Mysore (XIV),
2153-54.

Road and bridges in Orissa (XIV)
3171, (XVI) 8676.

Roads and bridges in Punjab (XVI),
8691.

Road between Leh and Ladakh
(XVII), 9676-77.

Road Board (XIV), 3141-43.

Road crust of Indian Highways
(XIII), 97.

Roads in border districts of U.P.
(XVI), 8175-76.

Roads in Ladakh and NEFA (XV),
4427.

Roads in NEFA (XIV), 4138-39.

Road to Barahoti (XIV), 1922.

Srinagar-Leh Road (XIV), 4135-36.

ROAD ACCIDENTS (XIII), 1695.

Accident at Bikaner-Delhi Highway
road (XVIII), 12858.

ROAD TAX:

Payment of road tax in Delhi
(XVII), 11299.

ROAD TRANSPORT:

Water and Road Transport in India (XIII), 98.

ROCKET(S):

Launching of sounding rockets (XV), 5852.

ROLLING MILLS:

Electric sheet rolling mill (XVII), 9361.

ROPEWAY:

Ropeway at Bantihal cart road in J. & K. (XVI), 7181.

ROURKELA:

Derailment near, (XIII), 107-108.

Expansion of Rourkela Steel Plant (XIII), 1629.

Fertilizer Plant, (XIV) 2958 (XVI) 6916.

Rourkela and Durgapur steel plants (XIV), 3869-72.

Rourkela Steel Plant (XV) 5304-96; (XVI) 7929.

Rourkela Steel Works (XVII), 9379.

Tool Alloy Steel Plant, (XIII), 718-19.

RUBBER:

Import of raw, (XIII), 1663.

Re-plantation of, (XVIII), 13615-16.

Replanting of rubber in Kerala (XIII), 1664.

Rubber and ceramic factories with Czech Collaboration (XIV), 3890.

Rubber plantation in Andamans (XVIII), 13616.

Rubber requirements (XVIII), 13597-99.

Rubber Tappers Training Schools in Kerala (XVI), 7939.

Synthetic rubber factories (XVIII), 13580-81.

RULES OF PROCEDURE:

Suspension of Proviso to Rule 66 (XVII), 11183-187.

Suspension of Proviso to Rule 74 (XIV), 4313-19.

Suspension of Rule 214 (XIV), 4248-81.

RURAL AREAS:

Easing of work load of rural housewives (XV), 4616-20.

Industrialization of, (XVII), 11073.

Subsidiary Health Centres in, (XIII), 1369-71.

RURAL ELECTRIFICATION:

Rural electrification in Andhra Pradesh (XVII), 10413.

Rural electrification in Assam (XVII), 10411-12.

Rural electrification in U.P. (XVII) 10401-02.

RURAL HOUSING SCHEMES:

Rural housing schemes in Madras (XVI), 7674-75.

RURAL INDUSTRIAL PROJECTS (XVIII), 13983.**RURAL INSTITUTE(S):**

Rural institute for women at Indore (XV), 6393-94.

Rural institutes of higher education (XVI), 8934.

RURAL LABOUR ENQUIRY (XVII), 9620-25.**RURAL WATER SUPPLY:**

Pilot projects for, (XV), 5123-26.

RUMANIA:

Trade teams from Czechoslovakia and, (XV), 5403-04.

S**SAGAR DISTRICT:**

Historical finds in, (XV), 4892-93.

SAHITYA AKADEMI AWARDS (XVII), 3413, 10179-80.**"SAINIK SAMACHAR" (XV), 5860.****SAINIK SCHOOLS:**

Sainik schools (XIII), 912-16.

Sainik School in Assam (XVIII), 12558.

SAINIK SCHOOLS: contd.

- Sainik school in J & K (XVI), 8390-91.
 Sainik School in Uttar Pradesh (XVII), 11022-24.

SALARY AND ALLOWANCES:

- Allowances to families of Chinese internees (XIV), 3390.
 Allowances to Ministers (XVI), 8866.
 Compensatory allowance (XIV), 3426.
 Dearness allowance of Railway servants and rent recoveries (XVIII), 12860-61.
 Dearness allowance to State Government employees (XIII), 533.
 Discontinuance of Compensatory Allowances (XV), 4900-01.
 Fixation of salary of I.C.S. Officers (XVI), 7412-13.
 House rent allowance rules (XVI), 7677.
 Pay scales of University teachers (XVI), 8890.
 Scales of pay of technical assistants and translators (XVIII), 11868-869.
 T.A. of railway officers (XVII), 11323.

SALES-TAX:

- Sales tax arrears in Manipur (XVI), 1678.
 Sales tax in Delhi (XVI), 7645-49.
 Sales Tax evasion (XVI), 7684-85.

SALT:

- Common, industries in Orissa (XVIII), 13599.
 Export of (XVIII), 13594-95.
 Manufacture of, Tablets (XVIII), 12132-33.
 Plant for iodisation of, (XVIII), 13349.
 Reclamation of, lakes near Calcutta (XVII), 11066.
 Salt cess (XIV), 3815.

SALT: contd.

- Salt cess fund (XIV), 3884.
 Salt factories in Madras (XVI), 6914-15.
 Salt Factories in West Bengal (XIV), 2949.

SAMBALPUR:

- Radio transmitter at Sambalpur (XVI), 7168-69.

SAMBHAR:

- Washery-cum-Sodium Sulphate Recovery Plant at, (XVIII), 12131-32.

SANDAL TREES (XVII), 9914.**SANFORISING PROCESS (XIV), 3890-92.****SANGEET NATAK AKADEMI (XIII), 318.****SANITARY GOODS:**

- Prices of, (XIV), 3882-83.

SANSKRIT:

- Aid to, Pandits (XV), 6395-96.
 Grants for development of, in Orissa (XVII), 11578.
 Indian Institute of Astronomical and, Research (XVIII), 13117-18.
 Sanskrit Examinations (XIV), 2407.

SANTA CRUZ:

- Catering arrangements at, (XVII), 9897.
 Seizure of diamonds at, Airport (XV) 6625.

SANTHALS

- Migration of, from East Pakistan (XVII) 11667-68.
 Settlement of, refugees from East Pakistan (XVI) 7668-69.

DEBATES

- Reported kidnapping of some, Santals by East Pakistan police (C.A.) (XVIII), 13775-80.

SAPPHIRE:

- Sapphire deposits in Jammu and Kashmir (XV), 6398-99.

SARDAR PATEL:

- Biography of, (XVII), 9657.
Published speeches of, (XIV), 4126-27.

SAUGAR:

- Collapse of wall of masonry tank in Military Lines, Saugar (XIII), 958-59.

SAVINGS BANK(S):

- Embezzlement of, deposits (XVIII), 12854.

SCAVANGING:

- Improvement of, conditions (XVII), 11608-609.

SCHEDULED CASTES AND SCHEDULED TRIBES:

- Assistance for welfare of scheduled castes and scheduled Tribes in Orissa (XVI), 8913.

- Central Advisory Board for Harijan Welfare (XIV), 3411.

- Colonies for, in Orissa (XVII), 11577.

- Colonies for Scheduled Castes in Andhra Pradesh (XVI), 8937.

- Consolidated List of Scheduled Tribes (XIII), 1154-57.

- Denotified tribes (XVII), 11575-576.

- Dhebar Commission (XVII), 11547-561.

- Development of Scheduled Tribes (XV), 4861-64.

- Filling up reserved quota for, (XIV), 2432.

- Financial assistance for housing of, (XVI), 7434-35.

- Gazetted Officers in Textile Commissioner's Office (XVIII), 12134-35.

- Grants-in-aid to the non-official organisations (XIII), 1196.

- Hostels for, students in Orissa (XVI), 8912.

- Hostels for, students in Punjab (XVII), 10173.

SCHEDULED CASTES AND SCHEDULED TRIBES: contd.

- Hostels for, students in Maharashtra (XV), 6379.

- Houses for, in Rajasthan (XVII), 11580-587.

- Housing schemes for Scheduled Castes (XVI), 8927.

- Housing schemes for, in Orissa (XVI), 8914.

- Inclusion of Passi' community in the list of S.C. (XIII), 827.

- Namasudra Community (XIV), 2712.

- Nomination of Scheduled Castes to Advisory Committees in Delhi (XVII), 11609-610.

- Number of, in the Central Secretariat (XIII), 312.

- Post-matric scholarships to Scheduled Caste students in Delhi (XVIII), 13103-04.

- Post Matric Scholarships to Scheduled Caste students in Punjab (XVII), 11616.

- Posts reserve for Scheduled Castes (XIV), 3430.

- Promotions to, employees (XIV), 2412.

- Recruitment of assistants from Scheduled Tribes (XVII), 11612.

- Reservation for promotion (XVII), 10396-97.

- Reservations for, (XIV), 2140.

- Reservation in promotions for, (XVI) 7429.

- S.Cs. in Delhi (XVII), 11592.

- Scheduled Castes in Orissa (XVII), 11574.

- Scheduled Caste employees in the Ministry of Home Affairs (XIV), 3429.

- Scheduled Caste Officers (XVII), 10169-70.

- S.C. and S.T. employees in Dandakaranya Project (XV), 6607.

- S.C. and S.T. employees in the I & B Ministry (XIV), 4138.

SCHEDULED CASTES AND SCHEDULED TRIBES: contd.

- S.Cs. and S.Ts. in Rajasthan (XVII), 11580.
- S.Cs. and S.Ts. registered in Employment Exchanges (XIII).
- Scheduled castes and backward classes in Delhi (XIII), 1189-90.
- Scheduled Castes and Scheduled Tribes Agriculturists (XV), 4923-24.
- Scheduled Castes and Scheduled Tribes employees (XV), 6125.
- Scheduled Castes and Scheduled Tribes on Railways (XVI), 8890.
- Tharu and Bhuksa Communities of U.P. (XIII), 323.
- Tribal blocks in Orissa (XVII), 11574-575.
- Visits of Commissioner for, to Punjab (XIV), 2439.
- Welfare of denotified tribes in Orissa (XV), 6382.
- Welfare of S.Cs. and Backward Classes in Punjab (XVIII), 13087-88.
- Welfare of, (XV), 4906-07.
- Welfare of, in Andhra Pradesh (XVIII), 13111.
- Welfare of, in Delhi (XVII), 10170.
- Welfare of Scheduled Castes in Orissa (XV), 6388.
- Welfare of, in Orissa (XVII), 10160.
- Welfare of, in Punjab (XV), 6387.
- Welfare of, in Rajasthan (XVII), 11581-582.
- SCHOLARS SENT ABROAD (XV), 6379-80, 8930.**
- SCHOLARSHIPS (XVI), 8911.**
- Foreign languages, scheme (XIII), 1195.
- Foreign languages, scheme (XVI), 8907.
- National Scholarships Scheme (XV), 4912.
- Post-Matric, (XV), 4913.
- Post-Matric, in Santhal parganas (XIV), 2413.

SCHOLARSHIPS: contd.

- Post-matric, for backward classes (XIV), 3427.
- Post Matric, to backward class students in Yeotmal (XV), 4911.
- Post-matric, to Scheduled Caste students in Delhi (XVIII), 13103-04.
- Post-matric, to Scheduled Caste students in Punjab (XVI), 11616.
- Scholarships for research work (XVIII), 12838.
- Scholarships for studies abroad (XIII), 335.
- Scholarships for training in Foreign countries (XIII), 1195-96.
- Scholarships in Andhra Pradesh (XVII), 10154-55.
- Scholarships in technical institutes in Punjab (XVI), 8928.
- Scholarships to poor students (XVIII), 13109-10.

SCHOOLS:

- Admission in Delhi, (XVI), 8931.
- Affiliation of Higher Secondary, (XIV), 3406.
- Cantt., at Yol Khas (XIV), 4120.
- Charging of unauthorised fees from students by, of Delhi (XVIII), 13078-79.
- Clerical staff in Delhi (XVI), 7439-40.
- Development of Multipurposes, (XIII), 1176.
- Extension services programme in secondary, (XVI), 8864.
- Government and Public. in Delhi (XVI), 7428.
- Home nursing course in, (XV), 63991-6400.
- Junior technical, in Cannanore and Calicut (XVIII), 13102.

SCHOOLS: contd.

- Delhi Cantonment Board (XVIII), 12609.
- Delhi, buses (XIV), 2158.
- Higher Secondary School, Malviya Nagar (XVII), 10178-79.
- Home nursing course in schools (XV), 6399-6400.
- Merchant Rating Navy, (XIV), 2152.
- Multi-purpose, (XVI), 7409-10.
- National School Health Council (XIV), 2704-05.
- New, in Delhi (XVI), 8943.
- Orientation of Primary, (XV), 4884.
- Primary, in Himachal Pradesh (XVI), 8932.
- Railway, (XVI), 8693.
- Regimental, (XVII), 11595-597.
- Retirement benefits to Delhi, teachers (XVII), 11612-613.
- School Defence Corps (Programme (XIV), 3417.
- Schools for Government employees (XIII), 333.
- Schools in Manipur (XV), 4921.
- School of catering, Kerala (XIII), 1706.
- Schools with U. N. Ideals (XV), 4919-20.
- Special pay for handling cash in Delhi (XVII), 11590.
- Teaching civics in Delhi Secondary, (XIII), 330.
- Tuition fees in Delhi, (XVII), 11597.
- School atlases (XV), 4901-02.
- SCHOOL DEFENCE CORPS** programme (XIV), 3417.
- SCHOOL HEALTH COMMITTEE** (XVIII), 13367.

SCIENCE:

- National Seminar on Science (XIV), 3405.
- Science education in India (XIV), 2409.
- SCIENCE SYMPOSIUM** (XVIII), 13122-23.
- SCIENCE TALENT:**
"National Science Talent Search" (XIV), 2369.
- SCIENTIFIC HYDROLOGY:**
International Programme on, (XVII), 10122-25.
- SCIENTIFIC RESEARCH:**
Coordination Committee on, (XVIII), 12616.
Coordination of, (XIII), 280-82.
High altitude scientific problems (XVI), 8896.
Professor Blackett's visit to India (XIII), 304.
- SEA EROSION IN LACCADIVES** (XVII), 11601.
- SEA HAWK JET FIGHTERS** (XIV), 4140.
- SEAMEN:**
Foreign, in India (XIV), 2137.
- SECOND PAY COMMISSION** (XIV), 3172.
Recommendations of, (XVII), 10161-62.
- SECTION OFFICER GRADE EXAMINATION** (XVIII), 13115-16.
- SEEDS:**
Distribution of improved, (XIII), 1729.
Supply of, to farmers (XVI), 8165-67.
- SEED FARMS** (XVII), 9915.
- SEISMOLOGICAL OBSERVATORY** (XVI), 8674.
- SEMINAR ON SPACE PHYSICS** (XVII), 11048-49.

SERAJUDDIN & CO. (XVIII), 13572-79.

Debates

Statement on Affairs of, (St.) (XVIII), 14207-15.

SERI-CULTURE:

Development of, industry (KV), 5436-37.

Development of, in Orissa (XVI), 6399.

SETHUSAMUDRAM PROJECT (XVI), 6642.

SEWING MACHINES:

Bicycles and, (XVI), 7936-37.

Sewing Machines (XIV), 2952, 6897.

Sewing machine components (XVIII), 12105.

SEWAGE:

Pollution of rivers by, waters (XVI), 7684.

SHANKAR COMMITTEE (XVI), 9429-30.

SHEEP:

Purchase of, from Somalla (XVIII), 12845.

Sheep breeding farm in Kulu (XIII), 1727.

SHEET ROLLING MILL:

Electric, (XVII), 9361.

SHIPPING OF GOVERNMENT OFFICES (XIII), 521.

SHIKAR TOURIST INDUSTRY (XV), 4656.

SHIPS:

Dry docking and repairing of, (XIV), 3178-79.

Foreign, for transportation of coal (XVIII), 12781-84.

Mazagon dock, Ltd. (XVII), 11068-69.

Purchase of, by Indian Shipping Company (XVI), 8150.

SHIPS: contd.

Replacement of (XV), 4666-67.

Ships (XIII) 1701

Ships and vessels purchased from abroad (XIV) 3186.

Ships carrying Indian Cargo (XVIII) 12061-62.

Sighting of Unidentified ships off the Andhra coast (C.A.) (XVII) 10418-22.

SHIPPING

Cargo freight rates (XV) 6096.

Cargo service between India and U.S.A. (XV) 4610-12.

Freight rates of Ships (XVII), 11271.

Investment by a non-resident Indian citizen in Indian, Co. (XV), 6116-17.

Ocean freights between India and Pakistan (XV), 6100.

Radars for Indian ships (XV) 6114.

Ship building installations (XV) 4697.

Ships for overseas trade (XIV) 3131-32.

SHIPPING COMPANIES (XVI), 8664

Foreign participation in Indian, (XIII), 1597-1600.

Foreigners in Indian, (XIII), 1701.

Indian, (XV), 6107.

Jayanti, (XV), 4638-36.

Shipping companies (XVI), 8664.

SHIPPING DEVELOPMENT FUNDS, (XIII), 1696.

SHIPPING SERVICES:

Shipping services between India and East Asian countries (XIII), 1667.

SHIPYARD:

Second, (XV), 6060-63.

SHOPS:

Fire in timber, in Delhi (XV), 6394-95.

SHRINES LEFT IN PAKISTAN (XIV), 4125.

SIBSAGAR PROJECT:

Russian experts at, (XIII), 1184

SIGNALS:

Upper quadrant two aspects,
(XVIII), 12651-52.

SUKKIM:

Famine in, (XVIII), 12619.
Visit of Indrani Rehman's troupe
to, (XVII), 11576-577.

**SILENT VALLEY PROJECT IN
KERALA (XVI), 9163.**

SILK:

Import of, (XVIII), 12138.
Price of, cloth (XVIII), 13616-18.

SILK:

Silk Industry in Assam (XVII),
9392.
Silk industry in Uttar Pradesh
(XVI), 7931-33.
Silk production (XVI), 7935.
Tassar silk industry (XV), 5435.

SILVER:

Forward trading in, (XIII), 716-17.
Silver prices (XVII), 10357-59.

SINGAPORE:

Repatriates from. and Ceylon
(XVII), 10395.

SINGARENI COLLIERIES CO.:

Drilling operations (XIII), 1185-86.

SINGARENI COLLIERIES:

Singareni colieries (XVI), 8162-63.
Singareni colieries company
(XIV), 4116-17. (XVI), 8441,
8445, 8934.

**SINGRAULI COAL MINES IN
MADHYA PRADESH (XV), 4922.****SINO-PAK BORDER AGREEMENT
(XIII), 903-07.**

Sino-Pak Border Agreement in
Security Council (XVI), 8439.

Debates

Sino-Pak Border Agreement (C.A.)
(XIV), 2162-70.

SISAL PLANTATION:

Development of, in Orissa (XVIII),
12829.

SKIMMED MILK (XIV), 3635-36.

**SLAUGHTER HOUSES (XV), 6183-
86.**

SLEEPERS:

Sleepers washed away towards
Pakistan (XV), 5166-67.

Wooden sleepers washed away
towards Pakistan (XVIII), 13382.

SLUMS:

Slum clearance in Orissa (XVI),
7661-62.

Slum in big cities (XV), 5126-30.

Slums in Delhi (XIII), 1403.

SMALLPOX:

Import of, vaccines (XVI), 6620.

Smallpox in Delhi (XVIII), 13351.

Smallpox in Orissa (XVIII), 11948.

Smallpox in the country (XIII),
490-95.

Small pox vaccination (XV), 6601.

SMALL SAVINGS (XVIII), 13379.

Small savings in Hoshiarpur
(XVI), 9165.

**SMALL SAVINGS CERTIFICATES
(XV), 6629.****SMALL SAVINGS SCHEME:**

Agents for, (XVIII), 14149-43.

**SMALL SCALE INDUSTRIES
(XVI), 7926-27.**

Cottage and, in Andhra Pradesh
(XIV), 3878.

Development of, in Bihar (XV),
5421-22.

Loan to, in Delhi (XVIII), 12130.

Small scale and Cottage Industries
in Madras State (XVIII), 12117.

Small Scale Industries Corporation
(XIII), 723-24, 729-30.

Small Scale Industries in Andhra
Pradesh (XVI), 7914-15.

Small Scale Industries in Assam
(XVIII), 13606-07.

SMALL SCALE INDUSTRIES: contd

- Small scale industries in Kerala with Czech. Collaboration (XIV), 3889.
- Small Scale Industries in Madras (XVIII), 13603-04.
- Small Scale Industries in Maharashtra (XVIII), 13601-602.
- Small Scale Industries in Orissa (XVII), 10638-639.
- Small Scale Industries in Punjab (XVIII), 12127, 12135-36.
- Small Scale Industries in Union Territories (XVI), 7923-24.
- Small Scale Industries in Uttar Pradesh (XVI), 6907.
- Small scale units in Andhra Pradesh (XVII), 9419.

SMOKING:

- Effect of, on lungs (XVIII), 11874-875.
- Increase in, (XIV), 3597-3600.

SMUGGLING:

- Gold, (XVI), 9124-27, (XVIII), 11865.
- Recovery of smuggled articles in Delhi (XVI), 9170-71.
- Seizure of Pakistani currency (XIV), 2717-18.
- Seizure of wrist watches by Bombay customs (XIV), 2717.
- Smuggled gold (XV), 6616.
- Smuggling (XVI), 7660.
- "Smuggling along coastline" (XVII), 10367-68.
- Smuggling of currency (XVI), 7682.
- Smuggling of gold from India (XVIII), 11826-829.
- Smuggling of golds near Amritsar (XVI), 9175.
- Smuggling of Russian watches (XIV), 2708.
- Smuggling on Rajasthan-Pakistan border (XVIII), 12225.

SNAKE POISON:

- Ayurvedic research on snake poison (XV), 5182.

SOCIAL EDUCATION PROGRAMME:

- Social Education Programme (XIV), 2160.

SOCIAL WELFARE:

- Training in Labour and, (XVII), 11597-598.

SODA ASH:

- Soda Ash Factory in Rajasthan (XVII), 10634-635.

SODA ASH PLANT IN MADRAS (XIII), 1649.

SODIUM SILICATE FACTORY AT HOSHIARPUR (XVIII), 13086-87.

SODIUM SULPHATE:

- Washery-cum-Sodium Sulphate Recovery plant at Sambhar (XVIII), 12131-32.

SOIL CONSERVATION:

- Soil Conservation in Bhakra Catchment areas (XIV), 2145.
- Soil conservation in Catchment area, (XVIII), 12844-45.

SOIL SURVEY (XV), 4643.

SOLDIERS' SAILORS' AND AIRMEN'S BOARD (XV), 5879, (XVI), 7164-65.

SOMALIA:

- Purchase of sheep from, (XVIII), 12845.
- Trade with, (XVIII), 13611.

SOUTH AFRICA:

- Indians in, (XVI), 9407-08.

SOUTH ARCOT:

- Spinning mill in South Arcot, Madras (XVI), 6915.

SOVIET UNION:

- Cultural agreement with, (XIV), 2422.
- Trade agreement with, (XVI), 7686-87.

SOVIET UNION:

See also U.S.S.R.

SOYA BEANS:

Soya Bean Oil (XIV), 3897.

Soyabbeans for protein needs (XVIII), 13381.

SPACE RESEARCH:

Seminar on space physics (XVII), 11048-49.

SPECIAL NEWS RECEIVING EQUIPMENTS (XVII), 9875.**SPECIAL POLICE ESTABLISHMENT (XIV), 2425.****SPICES:**

Research centre on, (XIV), 3181.

SPINNING MILLS:

Spinning mills in Madras (XIII), 1653.

Spinning mill in Maharashtra (XIV), 2948.

Spinning mill in South Arcot, Madras (XVI), 6915.

SPORTS AND GAMES:

Grants for construction of utility Stadia in Orissa (XVII), 11579.

Grants for encouragement of sports in Orissa (XVII), 11578-79.

National Sports Organisation, Patiala (XIII), 331.

Rail concessions to Sports teams (XIII), 84-85.

Tragedy at National Cycling Championship (XVI), 8899.

SPORTS ENQUIRY COMMITTEE (XV), 6363-66.**SQUATTERS IN THE CAPITAL (XIV), 3630-34.****STAINLESS STEEL:**

Import of, (XVI), 6891.

Stainless steel for Orissa (XVII), 9395.

STAMPS:

Stamp to commemorate Netaji's birthday (XVIII), 14137-140.

Stamp to commemorate Netaji's Memory (XV), 4648.

STAMP DUTY:

Stamp duty under advocates Act (XIII), 1658.

STANDING LABOUR COMMITTEE (XVI), 8482.**STARCH FACTORIES (XVI), 8675.****STATES:**

Directions to, by Centre (XIV), 2415.

STATES:

Loans to, from Education Ministry (XVIII), 13116.

Replacing English by regional languages in, (XVI), 8942.

STATE BANK:

Branches in Orissa (XVIII), 13373.

STATE CIVIL OFFICERS IN CENTRE (XIV), 3425.**STATE COOPERATIVE BANKS (XVII), 9919.****STATE FINANCE CORPORATIONS (XVI), 9159.****STATE HEALTH MINISTERS' CONFERENCE (XVIII), 11844.****STATE TRADING CORPORATION (XVIII), 12139.**

Barter deal with Japan (XVIII), 13341-44.

Barter link arrangements by, (XIV), 2948.

Credit facilities to foreign countries by S.T.C. (XVI), 7896.

Disposal of vehicles by S.T.C. (XVII), 10646-47.

Imports and Exports by S.T.C. (XVIII), 726.

Import of Russian watches by S.T.C. (XVIII), 13618-19.

Indirect trade handled by, (XVIII), 13607-08.

Price checking by S.T.C. (XVIII), 13591-92.

Second, (XVII), 9346.

Supply of bearings by S.T.C. (XVIII), 13610.

STATEMENT(S):

Debates

- Affairs of Serajuddin and Company (XVIII), 14207-15.
- Allegations against the Minister of Scientific and Cultural Affairs (XVII), 11062-065.
- Allegations against the Minister and officers of the Ministry of Scientific Research and Cultural Affairs (XVIII), 12325-31.
- Attack by Naga Hostiles on a Railway passenger train on 9-4-63, (XVII), 10806-07.
- Discussion with Foreign Dignitaries (XVIII), 14193-206.
- Freight concessions to Export traffic (XIII), 1208-09.
- Mob violence at Kiriburu Project site (XV), 4634-38.
- Price support for rice and wheat in 1963-64 season (XVIII), 12142.
- Report of Attorney-General and Shri A. V. Viswanatha Sastry (XVIII), 12642-12649.
- Report (Pt. I) of the Attorney-General and Shri A. V. Viswanatha Sastri (XVIII), 13893-96.
- Statements by Members (XVI), 8447-63.
- Statement by Member *re.* A Bengali pamphlet referred to by the Home Minister in his reply to the debate on the Demand for Grants for Home Affairs (XVII), 10426-10432.
- Statement by a member and Minister in connection with the changes against P. S. P. (XVI), 7449-50.
- Statement by the Minister of Economic and Defence Co-ordination in connection with certain transactions of a mine-owner operating in Orissa from Calcutta (XVI), 7698.
- Sugar situation and measures to deal with it (XVII), 10322-35.

STATIONERY:

Government's, Bill (XV), 6603.

STEAM BOILERS (XV), 6630.

STEAMER COMPANY (IES):

Joint Steamer company (XV), 4647.

STEEL:

- Capacity of alloys and special (XIII), 1636.
- Cost of, production (XIII), 673-76.
- Equalisation surcharge on, sale (XIII), 708-09.
- Expansion of, industry (XIII), 1671.
- Iron and, for agricultural purposes (XVII), 11291.
- Purchase of, from Japan (XIII), 723.
- Retention price of, (XVI), 7917-18.
- Steel and heavy industries (XIII), 1667.
- Steel production (XIII), 1630.
- Structural, (XVIII), 11829-32.
- Target of, production (XIII), 1637; (XVII), 9381.

STEEL PLANT(S):

- Bokaro, (XIII), 697-98; (XVIII), 12078-08.
- Coal for, (XVI), 6864-66.
- Expansion of, (XVIII), 12081-84.
- Hindustan Steel Ltd. (XVII), 10581-584.
- Medium-sized, (XIII), 676-78.
- Rourkela (XIV), 2950.
- Rourkela and Durgapur, (XIV), 2937, 3869-72.
- Rourkela Steel works (XVII), 9379.
- Setting up of New Steel Plants (XVIII), 13980-861.
- Special alloy, (XV), 4417.
- Special, in Durgapur (XVIII), 12106-07.
- Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
- Steel Plant in Jammu and Kashmir State (XIV), 2964.
- Tool Alloy, Rourkela (XIII), 718-19.

STEEL PRICES:

Equalisation surcharge on steel sale (XIII), 708-09.

STEEL EQUALISATION FUND (XVII), 10631.

STEEL SCRAP No. 1 (XVI), 6910.

STEEL TUBES:

Production and distribution of, (XVIII), 12112-13.

STEN BORER DISEASE (XIII), 1699.

STENOGRAPHERS:

Appointment of, (XIII), 317-18.

STORES:

Purchases by D.G.S. & D. (XVI), 6883.

STRAY DOGS (XV), 6117.

STRIKE(S):

Employees dismissed in 1960, (XIII), 1685.

Strike in Barauni Oil Refinery (XVII), 11605-606.

STUDENTS:

Admission of, (XIV), 3426.

Bhutanese, in India (XVI), 7430.

Concessions for, by I.A.C. (XV), 6130.

Death of an Indian, in U.K. (XVI), 7167-68.

Evaluation of character of, (XIV), 2420.

Exchange of, scheme (XVII), 10168.

Eye-sight standard for engineering, (XVIII), 13096.

Fees charged from, for General knowledge and other tests (XIV), 2442.

Foreign exchange for, (XVIII), 13369.

Foreign scholarships to Indian, (XV), 6989-90.

Foreign, in Delhi (XVI), 8940.

Foreign, in India (XIV), 2484.

Hostels for S. C., in Rajasthan (XIV), 2432.

STUDENTS: contd.

Hostels for S. C. and S. T., in Orissa (XVI), 8912.

Hostels for S. C. and S. T., in Punjab (XVII), 10173.

Indian, in America (XVII), 10167-68.

Indian, studying abroad (XVI), 7440.

Indiscipline among, (XVII), 11537-540.

Loans to meritorious, (XIII), 308-09.

Looting of railway property by, (XIII), 1587-89.

Medical examination of Delhi school, (XVII), 10168.

Muslim, migrating to Pakistan (XVII), 11588-89.

Post-matric scholarships to Scheduled Caste, in Delhi (XVIII), 13103-04.

Post-Matric Scholarships to Scheduled Caste, in Punjab (XVII), 11616.

Scholarships to poor, (XVIII), 13109-10.

Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.

Students from Orissa for training abroad (XVI), 8907.

Students sent abroad (XVI), 8907.

Students studying abroad (XVIII), 13337.

STUDY GROUP ON PRIMARY EDUCATION (XV), 6390-91.

STUDY TEAM ON MODERNISATION OF FARMING (XV), 5172.

SUB-SOIL WATER:

Sub-soil water in Delhi (XIV), 3941-42.

Sub-soil water in Nimari (XVIII), 13347.

SUGAR:

- Andhra Sugars Limited (XVII), 9387.
- Committee on, industry (XIII), 1681.
- Excise duty on, (XIII), 93.
- Ex-factory price of, (XVIII), 12821.
- Export of raw, to Japan (XIII), 1638.
- Export of, (XVI), 8148-50.
- Export, to Ceylon (XVII), 11297.
- Export of, to U.S.A. (XIII), 1620-22.
- Movement of, outside Delhi (XVIII), 12820-21.
- Price of, (XVIII), 14143-53.
- Production of, (XIV), 2064-65.
- Production of, in Punjab (XVII), 11330.
- Rise in price of sugar (XIII), 49-53.
- Sugar bags lost in transit (XV), 4686-87.
- Sugar production (XV), 6094.
- Sugar quota for Punjab (XVI), 8686.
- Sugar recovery in U.P. (XIII), 116.
- Sugar shortage (XIII), 83-84.
- Sugar trade in Delhi (XV), 6072-74.

Debates

- Alleged Scarcity of, in Punjab (CA) (XVIII), 13985-89.
- Sugar Situation and Measures to deal with it (Stu.) (XVII), 10328-35.

SUGAR INDUSTRY:

- Issue of licences for, (XIV), 3177.

SUGAR MILLS (XIII), 88-89.

- Bonus to, (XIV), 3145-46.
- Co-operative Sugar Factory in Ganganagar (XVI), 8685.
- Co-operative, (XVI), 2175.
- Co-operative, in Mysore State (XIII), 112.
- Co-operative, in Punjab (XIV), 3185-86.

SUGAR MILLS: contd.

- Discharge of filthy water by, (XVIII), 13369.
- Hospet and Salarjung Sugar Factories (XIII), 1702.
- Jaora Sugar Mills Ltd. (XIV), 2139.
- Jawara, (XIII), 953.
- Sugar factories (XIII), 1609-12.
- Sugar factory in U.P. (XIV), 2121.
- Sugar mills taken over by Government (XIII), 105.

SUGAR WAGE BOARD (XIV), 4106-07.**SUGARCANE:**

- Cane (XIV), 3877-78.
- Cane research centres in Bihar (XVII), 9879.
- Crushing season of, in U.P. (XV), 6092.
- Package programme for, (XIV), 2124.
- Payment of, price (XIII), 64-66.
- Production of, (XV), 4624-28.
- Seed farm for, (XIII), 107.
- Sugarcane cultivation in Orissa (XVI), 8676.
- Supply of, to Mills (XV), 6091.

SUICIDES (XIV), 3408.

- Suicide by goldsmiths (XVI), 9127-31.
- Suicide by Liaison Officer (XIII), 1650.

SULPHURIC ACID UNITS (XVI), 6916.**SUN TEMPLE AT MOGHERA (GUJARAT) (XIV), 3409.****SUPER CHAMBAL BHAKRA GRID (XIV), 3624-25.****SUPER MARKET IN NEW DELHI (XIII), 1363-66.**

SUPER-PHOSPHATE:

Preparation of, at Trombay (XV), 4429.

SUPER TANKER (XIII), 1592-94.

SUPERANNUATION AGE (XVI), 8912.

SUPPLY DEPTT.:

Purchase by, (XVII), 10638.

SURGERY:

Demonstration on, (XV), 5164.

SURPLUS STAFF (XVI), 7428.

SURVEY(S):

Geological of Aravali range in Rajasthan (XVII), 11599.

Survey of Himalayan region (XVII), 11542-545.

Survey on conditions of industrial workers (XV), 4424.

Techno-Economic, of Assam (XV), 4429.

U.N. expert for river basin, in India (XVI), 9132-35.

SURVEY OF INDIA:

College of Survey (XVI), 7383-84.

SUSPENSION OF MEMBER(S):

Debates

SUSPENSION OF MEMBER (XVIII), 12881-883.

Re. Suspension of Member (XVIII), 12630-40.

Re-termination of, (XVIII), 13135-39, 13401-09.

SUSPENSION OF RULES:

Suspension of Proviso to Rule 68 (XVII), 11183-187.

Suspension of Proviso to Rule No. 74 (XIV), 4313-19.

SWEDEN:

Trade agreement with, (XVIII), 13584-85.

SWITZERLAND:

Tibetan refugees in, (XVII), 9648.

SYMPOSIUM ON EDUCATIONAL STATISTICS (XVI), 8909.

Symposium on protein structure (XV), 6383.

SYNTHETIC DRUG FACTORY AT HYDERABAD (XIII), 1647.

SYNTHETIC RUBBER FACTORIES (XVIII), 13580-81.

T**T.B.:**

Anti-T.B. measures in Punjab (XVIII), 11881-882.

T.B. and eye diseases amongst industrial workers (XIII), 923.

T.B. Clinics (XIII), 481-86.

T.B. clinics in Madras State (XIV), 2728-29.

T.B. Conference (XIV), 2723-24.

T.B. hospitals in Orissa (XVII), 10399.

Yaws, T.B. and Leprosy in Orissa (XV), 5171-72.

TISCO

Loans to and IISCO (XV), 5421-22.

Payment of interim relief by, and IISCO (XIV), 1902.

Table fans (XVI), 6897-99.

TAGORE ESTATE IN KUSTIA (EAST PAKISTAN) (XIV), 1925.

TALCHER COLLIERIES (XVII), 9650.

TALCHER POWER STATION IN ORISSA (XIV), 8647-48.

TAMIL:

Tamil artistes (XVI), 8442-43.

Tamil telegraphy (XIV), 3196-97.

TANKS:

Production of, (XIV), 4104.

Collapse of Wall of masonry, in Military Lines, Saugar, (XIII), 958-59.

TANKERS:

Indian, (XIII), 101.

TARAPORE:

Atomic power plant at, (XIV), 4118.

TARGET OF STEEL PRODUCTION (XVII), 9381.

TARIFF COMMISSION REPORT ON CLOTH AND YARN (XIII), 1964.**TASSAR SILK INDUSTRY (XV), 5435.****TATAS:**

Supply of military trucks by, (XIV), 4139.

TAXES:

Central Sales Tax (XVIII), 13377.

Collection of, (XVII), 10405.

Expenditure tax (XVI), 7673; 7674.

Tax collections in Punjab (XV), 6628.

TAX EVASION:

Sales Tax evasion (XVI), 7684-85.

TAXATION:

Excise duty on tractors (XVII), 10363-65.

Taxation system in Laccadives (XVII), 11600-601.

TEA:

Black and Green, production (XVI), 7940-41.

Ceylon Tea Board (XIV), 2954.

Co-operative, factories (XIII), 1635.

Cost of, production (XIV), 2956.

Customs and Central Excise Duties on, (XVI), 9174-75.

Export of green, to Afghanistan (XIII), 1662.

Graduate course in, (XVI), 7692-96.

Hire-Purchase Scheme of, machinery (XVIII), 12119.

Improvement of, culture (XVI), 7939-40.

Indian, delegation (XVII), 10584-588.

Manufacture of caffeine from, waste (XVII), 9362.

Tea auction centre at Coonoor (XVII), 9416.

Tea auction market in Assam (XIV), 2953.

TEA: contd.

Tea exports to Ireland (XVIII), 12130-31.

Tea export to Japan (XIII), 1631.

Tea export to U.S.S.R. (XVII), 9401.

Tea for catering on Railways (XV), 6120-21.

Tea industry (XVI), 6689-90.

Tea industry in Kangra valley (XIII), 1637.

Tea Processing Plant at Kangra (XIV), 2961.

Tea production in Punjab (XVIII), 12128.

TEA ESTATES:

Finance, for, (XIV), 3889-90.

TEA GARDENS:

Loans to, (XVIII), 12133-34.

Supply of fertilizers to, (XV), 4696.

Uneconomic, (XIV), 3893-94.

TEACHERS:

B.A., B.T., in Delhi (XVIII), 13114-15.

Grants for increase in pay of, (XVIII), 13125.

Income of primary school, (XVIII), 13067.

Pay Commission for primary and secondary school, (XIII), 318-19.

Pay scales of University, (XVI), 6890.

Primary school, in Manipur (XVI), 8924.

Retirement benefits to Delhi School, (XVII), 11612-613.

Services of, after superannuation (XIV), 3385.

Training of Primary, (XIV), 3422.

Teachers for Third Five Year Plan (XVI), 8943.

Teachers of affiliated colleges in Orissa (XVI), 7414-15.

Teachers' Workshop Project (XVIII), 13106.

TECHNICAL AID:

Technical assistance to Libya (XVII), 11057-58.

Training in England under the Colombo Plan (XVII), 10400.

U.N. Technical assistance (XIV), 2703.

TECHNICAL EDUCATION:

Wastage in, (XV), 4916-17.

TECHNICAL GLOSSARY (XIII), 310.**TECHNICAL INSTITUTE(S):**

Hostels for, in Kerala (XVIII), 13100-02.

Technical Institutes in hill areas of Punjab and Himachal Pradesh (XVII), 10172.

Scholarships in, in Punjab (XVI), 8928.

TECHNICAL QUALIFICATIONS (XVII), 10163.**TECHNICAL PERSONNEL:**

Technical persons registered in Orissa (XVIII), 12584.

Technical personnel (XVI), 8936.

Technical personnel in Nagaland, (XIV), 2438.

Technical personnel in private service (XVI), 8918.

Transfer of Technical Officers (XVIII), 13118.

TECHNICAL SCHOOLS:

Junior, in Cannanore and Calicut (XVIII), 13102.

TECHNICIANS:

Training of Indian Oil Technicians in Iraq (XVII), 10162.

TECHNO-ECONOMIC SURVEY (XVIII), 12117-18.**TEMPLE(S):**

Abu Simbel, in Egypt (XIV), 4114.

TELE-COMMUNICATION(S):

Micro-wave link in Assam (XV), 4628-30.

Tele-communication buildings (XV), 4640.

TELEGRAPH AND TELEPHONE FACILITIES IN KANGRA DISTRICT (XIV), 2138.**TELEGRAPH ENGINEERING SERVICE (XVI), 8191-92.****TELEGRAPH LINK (XIV), 3181-82. Bikaner-Jodhpur, (XIV), 2147.****TELEGRAPH OFFICES:**

Telegraph office at Rahra (XVI), 8171-72.

Telephone and Telegraph Offices (XVI), 8187-88.

Telephone and Telegraph Offices (XVI), 8187-88.

TELEGRAPHISTS:

Non-departmental, (XVII), 9875.

TELEPHONES:

Automatic, in Warangal (XIV), 2122.

Direct, dialling facilities (XVIII), 12818-19.

New, system (XVIII), 12811-14.

Rayagada Jeypore, link (XVIII), 12827-28.

Special services to Delhi, (XVII), 11317.

Telegraph and, facilities in Kangra district (XIV), 2138.

Telephones for Delhi (XV), 6112.

Telephones for Panchayat Samithis Offices (XV), 6101-02.

Telephones in Bhimgan Mandi (XV), 4685-86.

Telephones in Bikaner (XV), 6119.

Telephones in D.C. Block Headquarters (XVI), 8691.

Telephones in Delhi (XIII), 113.

Telephones in Delhi villages (XVI), 8198.

Telephones in Kozhikode District (XIII), 1705.

TELEPHONES: contd.

Telephones in Manipur (XVI),
8182-83.

Telephones in Nangal Dam (XIV),
3195.

Telephones in Orissa (XVI), 8162.

Telephones in Rajasthan (XV),
4690-91, 6451-52; (XVIII), 12836.

Telephones in South Arcot and
Trichy Districts (XVII), 9891.

Telephones in U.P. (XVI), 8155.

Trunk, lines (XVI), 8151-52.

TELEPHONE CONNECTIONS:

Telephone connection in Delhi
(XVI), 8679, (XVII), 11335.

Telephone connections in Madhya
Pradesh (XIII), 1711.

Telephone connections in Najafgarh
(XVII), 11340.

Telephone connections in Rajasthan
(XVII), 11321.

Telephone system in Maharashtra
(XVII), 11349.

TELEPHONE EXCHANGES:

Telephone exchanges and public call
offices in Kerala (XVI), 8159-60.

Telephone Exchange buildings in
Assam (XVI), 8671.

Telephone connections in Delhi
(XVI), 8189.

TELEPHONE FACTORY:

Second, (XV), 6088-89.

TELEPHONE REVENUE (XIV), 3194,
(XVII), 11322.

TELEPRINTER(S):

Teleprinter line to Raipur (XVII),
9917.

Teleprinter factory at Madras (XV),
4641.

Teleprinter service (XV), 4651.

Teleprinter services for Jhansi
(XV), 4644-45.

TELEVISION:

Education through, (XVI), 8433-34.

Television documentary on the In-
dian caste system in U.S.A. (XV),
5878.

TERRITORIAL ARMY (XVI), 8434.

TEWRA DAL (XV), 4645.

TEXTILES:

Capture of foreign, markets by
China (XVII), 10635.

Export of Indian, to U.S.A. (XIV),
3835-38.

Export of, to Burma (XVII),
10598-601.

Export of, to East Asian countries
(XVI), 6855-58.

**TEXTILE COMMISSIONER'S
OFFICE:**

Gazetted Officers in, (XVIII), 12134-
35.

TEXTILE INDUSTRY:

French Count system for, (XVIII),
12092-94.

Issue of licences for, (XIV), 2949.

TEXTILE MILLS (XVII), 10644,
(XVIII), 13618.

Asthama patients in, (XIII), 947.

Bengal Nagpur Cotton Mills, Raj-
nandgaon (XV), 5440.

Closure of one shift in, of Kanpur
(XVI), 7165.

Egyptian cotton for Indian, (XVII),
9407.

Licences for, in Orissa (XVI), 7920.

Spindles and looms in Orissa,
(XVII), 10640.

TEXTILE WORKERS:

Bonus for, (XVII), 9673-74.

TEZPUR:

Loss of money in, (XVI), 7169-70.

THEFT(S):

- Bus, in Delhi (XV), 6401.
- Stones in a parcel from abroad (XVII), 11326.
- Thefts in G.T. Express (XVII), 11345.
- Theft in Southern Railway workshops (XVII), 9892.

THERMAL PLANT AT KOTHAGUDAM (XVI), 7680-81.**THERMAL POWER SCHEMES OF MAHARASHTRA (XV), 5188-89.****THERMAL POWER STATION IN INDIA (XVI), 9174.****THREE-YEAR DEGREE COURSE (XIV), 2390.****THUGS OPERATING ON RAILWAY (XVII), 12864.****TIBETANS:**

- Tibetan children's homes (XVIII), 13121-22.

TIBETAN REFUGEES (XV), 5838.

- Settlement of, in M.P. (XIV), 1927.
- Settlement of, in Orissa (XVI), 8427-28.
- Settlement of, in Orissa (XV), 5859.
- Tibetan refugees in NEFA (XIV), 4122-23.
- Tibetan refugees in Switzerland (XVII), 9648.

TIKKERAPARA:

- Dam at, on Mahanadi (XVI), 7187. 88.

TIMBER:

- Extraction of, (XIV), 2152.
- Recovery of dues from, contractor (XVII), 9409.
- Royalty on, (XIV), 2161.
- Timber shortage (XVI), 7913.
- Timber trade in Burma (XIV), 3873.

TIME TABLES (XVII), 11334.**TIN CONTAINERS:**

- Manufacture of, (XVIII), 13595.
- Shortage of, (XVIII), 13591.

TIN PLATES:

- Production of, in Kerala (XVII), 9418

TIN SHEETS (XIV), 3176.**TIN RESERVES (XIII), 1191.****TITANIUM FACTORY AT TRIVANDRUM (XIII), 1671.****TOBACCO:**

- Allotment of fertilisers to, growers (XVII), 9908.
- Export of Hookah, to Belgium (XVII), 10643.
- Export of Virginia, (XVI), 7945-46.
- Import of, (XVII), 10611-614.
- Prices of Virginia, (XVI), 7945.
- Sale of, goods (XVI), 6904-05.
- Unauthorised cultivation of, (XVIII), 13384.

TOKLAI:

- Research at, (XV), 6375.

TOKYO:

- Boeing service to (XVI), 8684.
- Conference of Atomic Scientists held in, (XVIII), 12550.
- Indian Chancery building at, (XVI), 7184-85.

TOOLS:

- Machine, Factory in Orissa (XVIII), 12138-39.
- Tools manufactured by H.M.T. (XVIII), 13606.

TOOL ALLOY STEEL PLANT, DURGAPUR (XIV), 2912.**TOOL ALLOY STEEL PLANT, ROURKELA (XIII), 718-19.****TOURS:**

- Tour by Japanese farm youth team (XVIII), 12823.
- Tour programme of Minister (XVIII), 13612.

TOURISM:

- Accommodation for Middle class tourists (XV), 4646-47.
 Foreign tourists (XIII), 122.
 Master Plan for Development of, (XIII), 1595-97.
 Promotion of, (XVI), 8177-81.
 Shikar tourist industry (XV), 4656-57.
 Special car parks for, (XIII), 1686.
 Tourists from Italy and Spain (XIV), 3164-65.
 Tourist industry (XIII), 91.

TRACTORS:

- Excise duty on, (XVII), 10363-65.
 Manufacture of, (XVII), 10630-31.
 Production of small, (XVIII), 13544-46.
 Production of, and trucks (XVII), 11018-22.

TRADE:

- Barter deal with Czechoslovakia (XVI), 7888-89.
 Forward trading in silver (XIII), 716-17.
 Ships for overseas, (XIV), 3131-32.
 Trade agreement between India and Greece (XVI), 7944-45.
 Trade teams from Czechoslovakia and Rumania (XV), 5403.
 Trade with African countries (XIV), 2947.
 Trade with Australia (XVI), 7879-82.
 Trade with East European countries (XVII), 9397.
 Trade with Japan (XVI), 7882-85.
 Trade with Pakistan (XIII), 1686.

TRADE AGREEMENT(S):

- India-Indonesia Trade Agreement (XIII), 698-99.
 Indo-Soviet Trade Agreement (XIII), 725.
 Pak-Nepal trade agreement (XIII), 709-11.

TRADE AGREEMENT(S): contd.

- Trade agreement with Hungary (XVII), 9416.
 Trade agreement with Soviet Union (XVI), 7886-87.
 Trade agreement with Sweden (XVIII), 13584-85.

TRADE ADVISORY BOARD FOR DELHI (XVI), 7892-93.**TRADE DELEGATIONS (XVIII), 12127.**

- Trade delegation for Pakistan (XV), 5436-37.
 Trade delegation from Mexico (XVIII), 12137.

TRADE MARKS:

- Exploitation of, (XVII), 9403.

TRADE MISSION(S):

- Afghan, visit to Delhi (XIV), 2933.
 Czech Trade Team's visit to India (XIII), 1627.

TRAFFIC:

- Traffic problem in Delhi (XVII), 10152.

TRAFFIC OFFENCES:

- Postal intimation of, in Delhi (XVII), 11604.

TRAFFICKING IN TRIBAL FEMALES (XVII), 10170-71.**TRAGEDY AT NATIONAL CYCLING CHAMPIONSHIP (XV), 8399.****TRAINEES:**

- Resignation by Emergency Commission, (XVIII), 12602.

TRAINING:

- Centres for, of Bal Sevikas (XVI), 8909.
 Training in helicopter flying (XVI), 7179.
 Training of craftsmen (XV), 5668.
 Training of employees of small industries (XVII), 9410.
 Training of Primary teachers (XIV), 3422.
 Training of technicians in U.S.S.R. (XVII), 10652.

TRAINING CENTRES:

Training Centres for emergency commissioned officers (XIV), 1890.

Military, (XIV), 1915.

Prototype production and, at Okhla (XVII), 8405.

Prototype production and, at Rajkot (XVII), 10591-95.

TRAINING INSTITUTE OF NATIONAL MINERAL DEVELOPMENT CORPORATION (XI), 3417.

Training school for N.C.C. women Officers (XIV), 1911.

TRAINING STIPEND (XV), 6123.**TRAM SERVICE:**

Electric, between Tambaram and Madras Beach (XIV), 3197.

TRAMP VESSELS AND BULK CARRIERS (XIV), 3159.**TRANSFORMERS:**

Auto-transformer manufactured in India (XVIII), 13596.

Transformer factory at Ankamali (XVII), 12194-05.

TRANSLATION OF CANTONMENT LAWS (XVIII), 12613.**TRANSLATORS:**

Scales of pay of technical assistants and. (XVIII), 11868-69.

TRANSMITTERS:

A.I.R., (XVI), 8427.

Transmitter at Jeypore, Orissa (XVI), 8428, (XVIII), 12584.

Transmitter at Prabhani (XVI), 7178.

TRANSISTORS:

Semi-conducting rock in Rajasthan (XVI), 7391-93.

Shortage of battery cells for, (XVIII), 13596-97.

TRANSPORT:

Credit facilities to vehicle operators (XIII), 1684.

Road, from West Bengal to Assam (XVI), 8629.

Transport aeroplanes (XV), 5844.

Transport co-operative societies (XVII), 11344.

Transport facilities in North-Eastern Zone (XIV), 3180.

Transport facilities to Andaman islands (XIV), 2389.

Transport needs (XIV), 4111.

Transport of Bauxite ore in Bihar (XIV), 3420.

U.N. Assistance for, problem (XVII), 11309.

Zonal, Corporation (XVI), 8121-24.

TRANSPORT COOPERATIVE SOCIETIES (XV), 6130-31.**TRANSPORT, WATER:**

Inland water transport (XIII), 1683, (XV), 4665-66.

TRAVEL AGENCIES (XVI), 8198-99, (XVIII), 13381.**TRAVEL FACILITIES:**

Second Class (XVI), 8665.

TRAVELLING TICKET EXAMINERS (XVIII), 12839-40.**TREATIES & AGREEMENTS:**

Agreement with Government of France (XVI), 8420-21.

Sino-Pak border agreement (XIII), 903-07.

TRESPASSING BY PAKISTANIS IN COOCH-BEHAR (XV), 5859.**TRESPASSING INTO TRIPURA BY PAKISTANIS (XVIII), 12590.****TRIBAL(S):**

Housing colonies for, (XVI), 8836.

Rehabilitation of, people in NEFA (XII), 919.

Trafficking in, females (XVII), 10176-71.

Tribal Blocks (XIII), 296-301.

TRIBAL(S): contd.

Tribal Development Blocks (XIV),
3190.

**TRIBAL WELFARE DEPARTMENT,
MANIPUR (XV), 6393.**

TRICHUR:

Package programme in, (XVI),
8690.

**TRIPARTITE CONFERENCE (XIII),
921-22.**

**"TRIPITAKA" IN HINDI (XVI),
8836.**

TRIPURA:

Central Marketing Organisation at
(XIII), 1659.

Employees of, Administration kid-
napped by Pakistanis (XV), 4423.

Spurs on river Feni in, (XVII),
11063.

Trespassing into, by Pakistanis
(XVIII), 12590.

Debates

Exodus of Hindu families from East
Pakistan into, (C.A.), (XVIII),
13780-81.

**TRISULI PROJECT IN NEPAL (XV),
6580.**

TROLLEY BUSES (XVII), 9914.

TROMBAY:

Gamma garden in, (XIV), 1918.

Preparation of super-phosphate at,
(XV), 4429.

TROPICAL METEOROLOGY:

Aid for institute of, (XIV), 8157-58.

TRUCKS:

Import of, (XV), 5386-90.

Import of, tyres from Hungary
(XIII), 731-32.

Production of motor, (XIII), 713-
16.

Production of tractors and, (XVII),
11018-22.

Trucks and tractors (XVIII), 15971-
75.

**TRUST FOR DEVELOPING PARA-
DIP PORT (XIII), 1641-42.**

TUBE WELLS (XIII), 1690, 1692.

Drilling of, in Andhra Pradesh
(XVII), 11333.

Drilling of, in Orissa (XVII), 9881.

Installation of, in Rajasthan (XVI),
8172-73.

Tubewells in Maharashtra (XVIII),
12825.

TUITION FEES:

Fees charged from students for
General knowledge and other
tests (XIV), 2442.

**TUNGABHADRA HIGH LEVEL
CANAL (XV), 6612, (XVIII),
11841-42.**

**TUNGABHADRA HYDRO-ELECTRIC
SCHEME (XVI), 7681.**

**TUNGABHADRA RESERVOIR (XVI),
9158.**

TUSKER PROJECT (XIV), 1859.

"Tusker" Personnel in Chinese cus-
tody (XIV), 4098-4100.

TUTICORIN PORT (XV), 4679-80.

TYPEWRITERS:

Portable, factory (XIV), 2958.

TYRE(S):

Import of truck, from Hungary
(XIII), 731-32.

Prices of cycle, and tubes (XVI),
7916-17

U**U.A.R.:**

Educational delegation to, (XVI),
8908.

Indian delegation for, (XVII),
11041-42.

Trade delegation from, (XV),
5411-13.

U.K.:

- £30 Million loan from, (XVI), 9145-17.
- Britain's entry into E.C.M. (XIV), 2895.
- Cut in U.K. Bank rate (XIV), 3651.
- Death of an Indian student in, (XVI), 7167-68.
- Deportation of Indians from, (XV), 5872.
- Passports for, (XVIII), 12583.
- Publication of American and U.K. text-books in India (XV), 6372-73.
- Settlement of Tibetan children in, (XVII), 9655.
- Defence Mission to U.S.A. and, (C.A.) (XVII), 10422-24.

U.N.:

- Committee for U.N. Trade and Development Conference (XVI), 6912.
- Nomination of M.Ps. to the delegations to, (XIV), 1911.
- Sino-Pak Border Agreement in Security Council (XVI), 8439.
- U.N. Assistance for transport problem (XVII), 11309.
- U.N. Commissioner Industrial Development (XV), 6619.
- U.N. General Assembly (XVI), 7165-66.
- U.N. peace-keeping operations (XVII), 11050-51.
- U.N. Technical assistance (XIV), 2703.
- Visit of U. N. experts for Standardisation in India (XV), 5426.

UNICEF:

- Jeeps from, (XIV), 3640-41.
- Milk power from, (XVIII), 13380.

U.P.:

- Aerodrome at Kasia (XVII), 9658.
- Allotment of non-ferrous metals to, (XVI), 7912-13.
- Aluminium factory at Pipri (XVII), 10616-618.
- Applications for Industrial licences from, (XVI), 7912.
- Asbestos deposits in, (XVII), 11595.
- Bye elections in, (XV), 5422-23.
- Cottage and Small Scale Industries in, (XVII), 10643.
- Crushing season of sugarcane in, (XV), 6092.
- Development of agriculture in, (XVI), 8156.
- Development of Eastern distts. of, (XV), 6089-90.
- Drinking water in States (XV), 5147-51.
- Electricity generation in, (XIII), 1183-84.
- Geological Survey in, (XVIII), 13088-93.
- Glass sand deposits in Banda district (XVI), 7418-19.
- Grants to, Colleges (XV), 4910-11.
- Heavy Engineering Projects in, (XVII), 10635-86.
- I.A.S. and I.P.S. officers in, (XVII), 11587-88.
- Industrial Cooperatives Societies in, (XVIII), 12108.
- Industries in backward areas of, (XVII), 10642.
- Industries in, (XVII), 9389.
- Kishau Dam Project, (XIV), 2707-08.
- Labour Recruiting Depot, Gorakhpur (XVII), 11040-41.

U.P.: contd.

- Leprosy Hospital in, (XVIII), 11842-843.
- Lime stone quarries near Dehra Dun (XVII), 11586.
- Matatila Project (XV), 5121-23.
- Medical College at Gorakhpur (XVIII), 11854-55.
- Minor irrigation in, (XVI), 8668.
- Nature cure clinic in, (XVII), 10414-15.
- Newsprint factory in, (XIV), 3883.
- Oil drilling in, (XVI), 7425-26.
- Oil mills in, (XVI), 7933.
- P. & T. facilities in hilly districts of, (XVIII), 12840.
- Postal services in, (XVI), 8154-55.
- Railway line in, (XVII), 11329.
- Registration of skilled and unskilled persons in, (XVII), 11059.
- Roads in border districts of, (XVI), 8175-76.
- Rural electrification in, (XVII), 10401-02.
- Sainik School in, (XVII), 11022-24.
- Sericulture industry in, (XVII), 9388.
- Shortage of milk in, (XIV), 3186.
- Sleepers purchase from U.P. Government forests (XV), 4659-60.
- Small scale industries in, (XVI), 6907.
- Sugar recovery in, (XIII), 116.
- Synthetic rubber factory, Bareilly (XIV), 3860-63.
- Tharu and Bhukna Communities of, (XIII), 323.
- Third Plan targets for U.P. (XVI), 7168.
- Tools factory at Bareilly (XVIII), 12128-29.

U.P.: contd.

- U.P.-Bihar boundary dispute (XV), 4903-04.
- Wagons for U.P. Oil Industry (XV), 6124.
- Wool industry in, (XVI), 6909.

U.P.S.C.:

- Hindi in, examinations (XV), 6344-47.
- U.P.S.C. appointments for Manipur (XVII), 10171-72.

U.S.A.:

- Agreement 240 million U.S. Loan (XV), 5187-88.
- Aid by U.S.A. for agricultural research (XV), 4661.
- Cargo service between India and, (XV), 4610-12.
- Export of guar seeds to, (XIV), 3879.
- Export of Indian Textiles to, (XIV), 3835-38.
- Food articles from, (XIV), 2119.
- Gift of good materials from, (XVIII), 11853.
- Import of drugs from, (XV), 5164.
- Import of steam turbines from, (XVIII), 11852.
- Indian students in America (XVII), 10187-88.
- India's relations with foreign countries (XIV), 4065-69.
- Non-project loan from U.S.A. for Third Plan (XIII), 537.
- Publication of American and U.K. text-books in, (XV), 6372-73.
- Television documentary on the Indian caste system in, (XV), 5878.
- U.S. aid to India (XIII), 526.
- U.S. Military aid (XIII), 901-02.

U.S.A.: contd.

U.S. Secretary of State's Visit to India (XVI), 8437.

U.S. Task Force in India (XVII), 11047-48.

U.S. Trade with India (XVII), 9402.

Visit by team of U.S. Farm-leaders (XIII), 1639.

Withdrawal of U.S. Transport planes (XIV), 4109-10.

Debate

Defence Mission to U.S.A. and U.K. (CA) (XVII), 10422-24.

U.S.S.R.:

Extradition treaty with, (XIV), 4137.

Import of kerosene from Russia (XVII), 10184.

Import of steel from, (XVII), 10158.

Indo-Soviet Trade Agreement (XIII), 725.

Publishers from, (XVI), 7432-33.

Russian aid for Defence needs (XIII), 925.

Russian system of Higher Secondary Education (XIII), 316.

Soviet collaboration in Plan projects (XIV), 2706.

Supply of opium to, (XVIII), 13570-73.

Supply of petroleum products by Russia (XIV), 2432.

Tea export to, (XVII), 9410.

Training of technicians in, (XVII), 10652.

Treatment of measles in Russia (XIV), 2723.

UDAIPUR:

Udaipur - Himmatnagar Railway Line (XVIII), 12849.

UJJAIN:

Accidents near, Railway station (XV), 4687-88.

Explosion at, Railway Station (XVI), 8192-93.

Quarters for Railway employees, (XV), 4688.

Railway bridge over Shipra river in, (XVI), 8684.

UNEMPLOYMENT (XV), 5819.

Educated unemployed in Orissa (XVI), 8428-29.

Unemployed graduates (XIII), 952.

Unemployed registered in Punjab (XIII), 953.

Unemployment in Goa (XIV), 1892.

Debate

Reported unemployment among artisans and goldsmith (CA), (XIII), 336-37.

UNION TERRITORIES:

Formation of service cadre in, (XVI), 7380-82.

Recruitment Rules in, (XV), 4918-19.

Small Scale Industries in, (XVI), 7923-24.

UNIVERSITY (IES):

Advance courses in Defence Sciences in, (XIV), 4083-85.

Agricultural University at Hyderabad (XIV), 2127.

Agricultural University in Rajasthan (XIII), 1679, (XVII), 11316.

Aid to Utkal University (XVII), 10156.

Assistance to Tribhuvan University, Nepal (XVII), 11053-54.

Banaras and Aligarh Universities (XVIII), 13069.

Calcutta University Examination system (XIV), 2407.

UNIVERSITY (IES): contd.

- Complaints against Visva-Bharati, (XVII), 11593.
- Cultural festivals in Utkal University (XVII), 10161.
- Employment and Guidance Bureaux in, (XVI), 8417-18.
- Foreigners employed in Central, (XV), 4910.
- Home science colleges in agricultural universities (XVII), 11289.
- Indians in Russian Universities (XIV), 3402.
- Inter-University Board (XVI), 7375-86.
- Living conditions of University students (XVIII), 13084.
- Model constitution in, (XV), 6375.
- New University in Delhi (XVI), 7412.
- New Universities in Madhya Pradesh (XIII), 1197.
- New Universities in U.P. (XIV), 2418.
- Overcrowding in, (XIV), 2398.
- Rural universities and rural institutes (XIII), 312.
- Setting up of, (XIII), 265-67.
- University courses in Medicine (XIII), 523.
- Hindi as medium of university education (XV), 6400.

UNIVERSITY GRANTS COMMISSION:

- Grants from, (XVI), 7436-37.
- U.G.C. Building (XIII), 315.

UNIVERSITY TEACHERS:

- Lecturers in Delhi University (XIII), 1198, (XVI), 8935, (XVII), 11592.

UNTOUCHABILITY:

- Film on removal of, (XVIII), 12578.
- Untouchability in education (XIII), 1180-81.

UZBEKISTAN:

- Archaeological excavations in Uzbekistan (XVIII), 13071.

V**VACCINATION:**

- Small pox, (XV) 6601.

VALLABHBHAI PATEL CHEST INSTITUTE, (XVI), 9148.**VANDAIUM-BEARING IRON:**

- Utilisation of vanadium, (XV), 5433-34.

VANASPATI:

- Colouring of, (XIII).
- Export of, (XIV), 3198-99.

VEGETABLES:

- Demands for, (XVII), 9910.
- Production of fruits and, (XIV), 3182-83.

VEHICLES:

- Credit facilities to, (XIII), 1684.
- Import of auto rickshaw, (XIV), 2960.

VELLORE:

- Head Post office at, (XIV), 3182.

VESSELS operating at Fishing stations (XVI), 8682.**VIDARBHA:**

- Heavy Engineering Projects in, (XV) 5439.

VIGILANCE DEPARTMENT of Orissa, (XVIII), 13074.

VIJNAN MANDIRS:

Vijnan Mandirs in Madhya Pradesh, (XVI), 7427.

Vijnan Mandirs in Orissa (XVI), 8913.

VILLAGE(S):

Best village, (XVII), 11312.

Model, (XVI), 8137—40.

Per capita income in, (XVI), 7123—27.

"SOS", for orphans (XVII), 10121-22.

Village housing in Punjab, (XV), 5177.

Village level worker, (XIII) 1703.

Village Panchayats (XV) 6110—12.

Village Volunteer Force, (XIII), 1604—1609.

VILLAGE INDUSTRIES:

Development of Khadi and, (XVII), 10653-54.

Khadi and, Commission, (XVII), 9377.

VISHAKHAPATNAM:

Construction of wharf at, (XV), 5866.

Visakhapatnam-Bhilai Railway line (XV), 4653.

VISVA BHARATI UNIVERSITY:

Complaints against, (XVII), 11593.

VIVIDH BHARATI, (XVI), 7134—37.

Vividh Bharati Programme from AIR, Nagpur, (XV), 5877.

VOCATIONAL COURSES:

Diversion of students to, (XVIII) 13063—65.

W**WAGES:**

Partial payment of workers' wages in food (XV), 6181—83.

Payment of wages in shape of food (XIV), 4144-45.

WAGE BOARD(S):

Wage Board for Coal Mining (XV), 4383.

Wage Board for Iron and Steel (XIV), 1917.

Wage Board for Iron Ore Mines (XV), 4390.

Wage Board for lime industry (XIV), 1906.

'WAR ON WANT MOVEMENT' (XIV), 2127.

WARANGAL:

Automatic telephones in, (XIV), 2122.

Warangal Medical College (XVI), 9168-69.

WARDHA:

Defence factories at, (XVIII), 12582.

WAREHOUSING:

Warehouse for jute at Calcutta (XIII), 99.

Warehousing corporations (XVII), 11334.

WATCHES:

Defects in watches production by H.M.T. (XIV), 2943.

Manufacture of matches (XVIII), 12108.

Seizure of watches at Santa Cruz airport (XV), 6591.

Seizure of watches in Calcutta (XIV), 3659.

Smuggling of, (XIII), 536.

Wrist watches (XIII), 720-21.

WATER:

Ceiling on consumption of water and electricity by Ministers (XVIII), 13371.

WATER: contd.

- Discharge of filthy water by sugar mills (XVIII), 13369.
- Hand-operated device for lifting water (XIV), 2123.
- High Power Commission for Water and Power (XIV), 2687-90.
- Joint Board for Water resources of Nepal and India (XVII), 10359-63.
- Sweet ground water near Calcutta (XV), 63885-86.
- Training for underground water prospecting (XVII), 10159.
- Water resources of river valleys (XVII), 10392-93.

WATER CHARGES:

- Water charges for Class IV employees Quarters (XVI), 7682.

WATER METERS (XVIII), 12123-24.

- Manufacture of, (XVI), 7942-43.

WATER SUPPLY:

- Delhi water supply (XIV), 2661-67, (XV), 6598.
- Drinking water in Manipur, Tripura and Andamans (XIII), 1419.
- Drinking Water Supply for Banaras (XVI), 9119-24.
- Drinking Water Supply in Kurnool district (XVIII), 11861.
- Drinking Water Supply Scheme in Andhra Pradesh (XVI), 9172-73.
- Free water and electricity to Central Ministers (XIV), 3615-24.
- Improved water supply plan (XVIII), 13370.
- Scarcity of water at Banaras Railway station (XVI), 8667.
- Scarcity of water in Delhi (XVIII), 13368.
- Urban Water Supply Schemes in Kerala (XVI), 9176.

WATER SUPPLY: contd.

- Water for irrigation in Union territory of Delhi (XIV), 3658-59.
- Water supply for greater Calcutta (XVII), 10368-71.
- Water supply in Agra (XVIII), 11877.
- Water supply in cities (XIV), 2724-25.
- Water supply to Delhi from Punjab and U.P. (XVI), 9176-79.
- Water supply to Madras city (XIV), 2727.

Debates**WATER SUPPLY IN DELHI (CA), (XVIII), 12620-30.****WATER TRANSPORT:**

- Inland, (XIII), 1663.

- Water and Road Transport in India (XIII), 98.

WEAVERS SERVICE CENTRES (XVIII), 1214.**WELDING PLANTS:**

- Mobile, (XVI), 8195.

WEST BENGAL:

- Ajoy valley development scheme (XIV), 3664-65.
- Alleged arrest of Pakistanis (XVI), 7416.
- Cement factory in, (XVII), 10685-608.
- Coal development in, and Bihar (XVI), 7431-32.
- Food stocks in, (XV), 4637-38.
- Malaria eradication in, (XIV), 3728.
- Persons registered in, (XVII), 9647-48.
- Power shortage in, (XVI), 7669-70, (XVIII), 11841, 11881.
- Price of rice in, (XIV), 2103.
- Re-naming of West Bengal as Bengal (XVI), 8916.
- Review of cases of arrested persons in, (XIII), 309.

WEST BENGAL: contd.

Road transport from, to Assam (XVI), 8629.

Squatters colonies in, (XVIII), 11836-838.

Debate

Reported rise in the price of rice in, (C.A.) (XVIII), 11883-87.

WEST GERMANY:

West German aid for Plan projects (XIII), 517-18.

West German private investments (XV), 5177-78.

WHEAT:

Export of wheat from Punjab (XIV), 3186.

Purchase of wheat by Government (XVI), 8129-32.

Reserve stock of, (XVI), 8664.

WHITE TIGERS (XVII), 6838.

WHITLEY COUNCILS (XIV), 2367.

WILD LIFE:

Indian Board for, (XIV), 2109.

Wild life sanctuary in Andamans (XVII), 11316.

WIND POWER (XVI), 8925.

WINDING ENGINES (XVI), 7942.

WOMEN:

Allocation for, education (XVIII), 10157-58.

Conditions of work for women 5869.

Training of, workers (XV), 4689-90.

WOOL (XIV), 2148.

Fall in, exports (XVI), 7935.

Wool industry in Rajasthan (XVII), 9400.

Wool industry in Uttar Pradesh (XVI), 6909.

WOOL PRODUCTION:

Wool production (XIII), 90.

Wool shortage (XVII), 10618-822.

Wool spinning Charkha (XVI), 6906.

Woollen hosiery units (XIII), 1678.

WORKERS EDUCATION CENTRES (XVII), 9649-50.

WORLD FOOD CONGRESS (XVII), 11310.

WORLD FOOD PROGRAMME (XV), 6074-77, 6077-81.

WORLD HEALTH ORGANISATION (XIII), 1405.

India's contribution to, (XVI), 9161-62.

World Health Day (XVII), 10416-17.

WORLD POLICE FORCE (XVI), 7171-72.

WORLD WAR II:

Salary of Government employers served in, (XIV), 2421.

WRIT PETITIONS:

Writ petitions in High Courts (XVIII), 13093.

WALK-OUT(S):

Re: Interruptions and walk-out during President's Address (XIII), 2-10.

Y

YALLANDU:

Fatal accidents in collieries in, (XVII), 9667-68.

YARN:

Cotton, prices (XVI), 7920-21.

Price stamping of, (XIV), 3872.

YAWS, T.B. and Leprosy in Orissa,
(XV), 5171-72.

YEOTMAL MURTAZAPUR RAIL-
WAY, (XV), 6125-26.

YOL KHAS:

Cantt. school at, (XIV), 4120.

YOUTH WELFARE:

Committee on Physical Education
Recreation and, (XVI), 7407-08.

YUGOSLAVIA:

Arms from, (XVII), 9634-35.

Z

ZINC:

Copper, and lead deposits in Madras
State, (XIV), 3406.

ZONAL OFFICE OF RAILWAYS IN
ANDHRA PRADESH (XVI), 8689.

ZONAL TRANSPORT CORPORA-
TION (XVI), 8121-24.

ZOO:

Austerity diet in Delhi, (XVII),
11282.

Bird population of Delhi, (XVI),
8184.

ZUND-KANDLA RAILWAY TRACK
(XVII), 9918.

PART II

695 (Ai) LSD-10.

INDEX
TO
THE FOURTH LOK SABHA DEBATES

Fourth Session, 1963/1884-85 (Saka) (Fourth Lok Sabha)

18th February to 17th May, 1963/29th Magha, 1884
to 27th Vaisakha, 1885 (Saka)

‘A’

ABDUL WAHID, SHRI T. :

B. G. (General Discussion) (XIV),
3734—42.

Export (Quality Control and Inspection) Bill.

Motion to consider (XVIII) 13533-34.

ACHAL SINGH, SHRI:

Barter deal with Czechoslovakia (XVI), 7889.

Cost of integral coaches manufactured at Perambur (XVII), 11305.

Cracker explosions in Delhi (XIV), 3372.

Glass Factory at Hyderabad (XVI), 7903.

Janpath Hotel, New Delhi (XVIII), 11840.

Manufacture of jet fighters (XV), 4380.

Trade with Japan (XVI), 8884.

Debates

D.G. (1963-64):

Min. Fin. (XVII), 10086—90.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14256—59.

AKKAMMA DEVI, SHRIMATI:

Fruit and cattle farms (XVII), 11287.

Graduate course in tea (XVI), 7895.

T. B. Clinics (XIII), 484.

Tribal blocks (XIII), 300.

Debates

B.R. (1963-64):

General Discussion (XIV), 2490—93.

D. G. (1963-64):

Min. Com. and Ind. (XVI), 8557—61.

Official Languages Bill:

Motion to Consider (XVIII), 11937—39.

P.A.M. (XIII), 1047—52.

ALAGESAN, SHRI:

D. G. (1963-64):

Min. Irr. and Power (XV), 6261—84.

ALVĀ, A. S.:

B.R. 1963-64, General Discussion (XIV), 1991—95.

D.G. (1963-64):

Min. H.A. (XV), 6981—86.

Official Languages Bill:

Motion to consider (XVII), 11450—54.

ALVA, SHRI JOACHIM:

- A.I.R. broadcast to West Asia (XVII), 11033.
- Afro-Asian Journalists' Conference (XVIII), 14161-64.
- Air crash near Jamnagar (XVIII), 12577.
- Boeing aircraft for Air India (XIV), 3149.
- Directorate Board of Hindustan Steel Ltd. (XVII), 9373.
- Doctor kidnapped by Pakistanis (XIV), 1870.
- Foreign Air Mission's visit to India (XIII), 900.
- Gandhian literature (XVIII), 12585.
- Goan economy (XIV), 1878.
- High Court Judges (XIV), 3401.
- Hindustan Steel Limited (XVIII), 13569-70.
- Indians employed in Ceylon (XVI), 8398.
- Indians in Burma (XVII), 11024-25.
- Indians in South Africa (XVI), 8408.
- Issue of industrial licences (XVIII), 13582-83.
- Jayanti Shipping Company (XV), 4636.
- Joint U.S.—Commonwealth Air Mission (XVII), 11047.
- Parliamentary proceedings on A.I.R. (XVII), 9629-30.
- Pensions to widows (XVI), 7155-56.
- Situation in Laos (XVIII), 12565.
- Unemployment in Goa (XIV), 1893.

Debates

- B.O.H. (XIII), 2979.
- Constitution (Fifteenth Amendment) Bill:
- Consid. cl. (XVIII), 13165-171.
- D.G. (1963-64):
- Min. Def. (XVI), 8221-31.
- Min. Ex. Affairs (XV), 4504-13.

ALVA, SHRI JOACHIM—contd.

- Min. Trpt. and Communi. (XVI), 8989-96.
- D.S.G. (General), 1962-63 (XIV), 3247-54.
- D.S.G. (R) 1962-63 (XIII), 1455-61.
- Official Languages Bill:
- Int. (XVII), 9458.
- Motion to pass, (XVIII), 12495-98.
- ANEY, DR. M.S.:
- Bhilai Steel Project (XVIII), 13619-20.
- Britain's entry into E.C.M. (XIV), 2895.
- Cooperative movement (XIII), 1642.
- Display of retail prices (XVII), 9360.
- Food production (XIII), 81.
- High altitude scientific problems (XVI), 8897.
- Historical finds in Sagar district (XV), 4892-93.
- Indians working in Afro-Asian Solidarity Conference Secretariat (XV), 4410.
- Prices of foodgrains (XIV), 3126-28.
- Subsidiary Health Centres in rural areas (XIII), 1371.
- Target of Cotton Production (XVI), 8660.
- Training Centres for goldsmiths (XIII), 480.
- Withdrawal by Chinese from Ladakh (XIII), 881.

Debates

- Agricultural Refinance Corporation Bill:
- Motion to Pass as amended (XIII), 1524-25.
- B.G. (General Discussion) (XIV), 3766-77.
- Child Marriage Restraint (Amendment) Bill:
- Motion to circulate (XIII), 3076-77.
- Motion to circulate (XIII), 3076-77.

ANEY, DR. M. S.—contd.

Compulsory Deposit Scheme Bill:

Motion to Consider (XVII),
11500—503.

Consid. cl. (XVIII), 12309—40.

Constitution (Amendment) Bill:

(Amendment of articles 100 and
189) by Shri M. L. Dwivedi.

Motion to consider (XVIII), 13713—
15.

**Constitution (Amendment) Bill,
1962:**

(Insertion of new Article 115A and
amendment of article 167) by
Shri Paliwal.

Motion to consid. (XVI), 8105—10.

D.G. (1963-64):

Min. Def. (XVI), 8341—45.

Min. H.A. (XV), 8722—80.

Min. M. & F. (XVI), 9291—04.

Min. S.R. & C.A. (XV), 5740—
44.

D.G. (R) 1963-64 (XIV), 2543—
47.

**Government of Union Territories
Bill:**

Motion to refer to Joint Commit-
tee (XIV), 4358—61.

Motion to consider (XVIII), 13857—
64.

Obituary Reference:

Demise of Dr. Rajendra Prasad
(XIII), 1578-79.

Official Languages Bill:

Motion to consider (XVIII),
11930—36.

Consid. Cl. (XVIII), 12415-16.

P.A.M. (XIII), 1011—17.

Re: Interruptions and walk-out
during President's Address (XIII).

7.

Re: Statement by Member (XVI),
7951.

Re. termination of suspension of
Member (XVIII), 13137.

Regional Disparity (Res.) (XVII),
9538—40.

ANEY, DR. M. S.—contd.

Report of Committee on the conduct
of certain Members during the
President's Address (M) (XV),
4778—80.

**Working Journalists (Conditions of
Service) and Miscellaneous Pro-
visions (Amendment) Bill:**

(Insertion of new section 7A) by
Shri C. K. Bhattacharyya.

Consid. (XV), 5566—68.

ANTHONY, SHRI FRANK:

B.R. (1963-64), General Discussion
(XIV), 1937—48.

**Constitution (Fifteenth Amend-
ment) Bill:**

Motion to consider (XVIII),
12970—976.

D.G. (1963-64):

Min. Def. (XVI), 8207—21.

Obituary Reference:

Demise of Dr. Rajendra Prasad
(XIII), 1577-78.

Official Languages Bill:

Motion to consider (XVII),
11470—88, 11653.

Consid. cl. (XVIII), 12154,
12158—61, 12163, 12278, 12281-
82, 12284, 12285—92 12390-91.

Motion to pass (XVIII), 12475-
76.

Point re. Vivian Bose Commission
Report (XVIII), 12334.

Re: Interruptions and walk-out
during President's Address (XIII),
8.

Re. Suspension of Member (XVIII),
12636.

ARUNACHALAM, SHRI :

Adulteration of cement (XVIII),
13613-14.

Debates

B.R. (1963-64), general discussion
(XIV), 2249—52.

Finance Bill, 1963.

Motion to consid. (XVII), 10481—84

AZAD, SHRI BHAGWAT JHA :

- A.C.C. and N.C.C. (XVI), 7158-59.
 A.I.R. broadcasts from B.E.C. Singapore (XIII), 941.
 Acquisition of land for colonies (XV), 6567.
 "Adalati Panchayats" (XIII), 106.
 Afro-Asian Journalists' Conference (XVIII), 14163-64.
 Afro-Asian Solidarity Conference (XIII), 916-17.
 Agricultural production (XIV), 2079.
 Aid India Club (XV), 6611.
 Air raid precautions (XV), 4068-69.
 Alarm chains (XIII), 1624-25.
 Aluminium factory at Pipri (XVII), 10616-618.
 Amendment of article 311 of the Constitution (XIII), 1179-80.
 Annual Plan for Delhi (XIV), 4121-22.
 Anti-Indian propaganda by Pakistan (XIII), 920-21.
 Appointment of additional Judges in Allahabad High Court (XV), 4116.
 Archaeological survey of India help to Nepal (XVI), 8942.
 Asbestos deposits in U.P. (XVII), 11595.
 Asian Economic Development Institute (XVIII), 12091-92.
 Attorney-General's advice on affairs of a firm (XVIII), 13053, 13055.
 Ban on manufacture of Gur and Khandsari (XV), 6098-60.
 Banaras and Aligarh Universities (XVIII), 13069.
 Bank advances against pledge of warehouse receipts (XIV), 3612.
 Barauni Oil Refinery (XIV), 3396.
 Barter deal with Japan (XVIII), 13542-44.
 Black-marketeering in imported cars (XVIII), 13552-54.

- AZAD, SHRI BHAGWAT JHA
 —contd.
 Blood Plasma Freeze Drier Units (XIII), 538.
 Britain's entry into E.C.M. (XIV), 2896.
 Bye-elections (XIII), 679-80.
 'C' Thermal station in Delhi (XV), 6613.
 Cement trade in Delhi (XVI), 6866-69.
 Central Government Officers in Assam (XIV), 2372.
 Central Housing Board (XVI), 9149.
 Central Workers' Education Board (XVII), 11064.
 Chinese nationals (XIII), 1140-43.
 Civil Administration in NEFA (XIII), 907-12.
 Civil Defence Plan (XIII), 1158-63.
 Coal Mines (XIV), 3396.
 Coal preparation and coal carbonisation (XV), 4904.
 Coal transport problems (XVIII), 12089.
 Colombo proposals (XIII), 883-92.
 Committee on distribution of steel (XIV), 2943.
 Community Development (XVIII), 12784-89.
 Concrete sleepers for railways (XVII), 11274.
 Conference of Chairmen of State Electricity Boards (XIV), 3642-43.
 Conference of State Ministers of Cooperation (XIV), 2091.
 Continuous Casting Process (XIV), 2953.
 Contribution to National Defence Fund from former rulers of princely States (XIV), 2419.
 Cooperative movement (XIV), 3136-41.
 Cosmic Rays Research Station at Gulmarg (XVII), 9640-41.

AZAD, SHRI BHAGWAT JHA

—contd.

Cost of integral coaches manufactured at Perambur (XVII), 11366.

Cost of living of salaried persons (XVI), 7655.

Cottage industries (XVI), 6888.

Crippled Jawans (XIII), 934.

D.V.C. (XVIII), 13342.

Defence of India Rules (XIII), 303.

Delhi State Sanskrit World Council (XVI), 8906.

Delhi water supply (XIV), 2664.

Departmental candidates in All-India Services (XVII), 10177.

Departmental Examinations for Clerks and Postmen (XIII), 110.

Development of Media of mass communication in India (XIII), 926.

Distribution of radio sets (XIV), 1918.

Drilling of oil wells in Assam (XVI), 8882.

Drinking (XIV), 2385.

Education cess (XV), 4873-77.

Educational facilities to students joining army (XV), 6341-44.

Emergency Production Committees (XV), 5834.

Employment and guidance Bureaux in Universities (XVI), 8418.

Enquiry into NEFA reverses (XIV), 4072-81.

Entertainment of jawans on borders (XVI), 7137-39.

Expansion of steel plants (XVIII), 12081-84.

Export credit to Asian and African countries (XV), 5418.

Export of bicycles (XVI), 6877.

Export of Engineering and Machinery Products (XV), 5394.

Export of mica (XVI), 6860.

Export of textiles to Burma (XVII), 10599.

Facilities to individual house builders in Delhi (XIV), 2381.

AZAD, SHRI BHAGWAT JHA

—contd.

Family Planning (XVIII), 13360.

Farms on India-Tibet border (XIV), 2131.

Fertilizer factory at Hanuman Garh (XIV), 3859-60.

Fire in Gun Carriage Factory (XIV), 1932.

Fire in Heavy Electricals Ltd., Bhopal (XIII), 724-25.

Flats for M.Ps. (XIII), 1412.

Floods in River Teesta (Sikkim) (XVI), 7161-62.

'Fokker Friendship' aircraft (XIV), 2130.

Fokker Friendship Service for Patna (XVIII), 12835.

Foreign Air Mission's visit to India (XIII), 897-900.

Foreign investment in India (XIV), 2691.

Foreign Military aid (XIII), 916.

Foreign participation in Indian shipping companies (XIII), 1597-1600.

Foreigners employed in A.I.R. (XVIII), 13963.

Forest Research Institute (XVI), 8652.

Free water and electricity to Central Ministers (XIV), 3621-24.

Fruit and cattle farms (XVII), 11285.

Gandak-Naraini Flood Control Scheme (XVII), 10354-57.

Government advertisement in newspapers (XIII), 920.

Government Degree college at Nahan (XVII), 10176-77.

Graduates in agriculture (XIV), 3135.

"Grow More Food" campaign in Army Units (XV), 4418.

Gujarat Oil Refineries (XVII), 11568.

Handing over of equipment by Chinese (XIV), 4093-96.

AZAD, SHRI BHAGWAT JHA—
—contd.

- Heavy electrical equipment plants (XIV), 3840—42.
- High Power Commissions for water and power (XIV), 92687—90.
- Hindi in South India (XIII), 1151.
- Hindi Law Commission (XVI), 6682—83.
- Hindi News Bulletins on A.I.R. (XVIII), 12593.
- Hindustan Housing Factory (XVI), 7649—50.
- Hindustan Steel Ltd. (XVII), 10581—584.
- Houses for M.Ps. (XV), 6589.
- I.O.C. Petrol depot in New Delhi (XVI), 8944.
- Iduky Hydro-Electric Project (XIII), 514—15.
- IISCO (XIV), 3854—55.
- Import of components for automobiles (XVIII), 12098.
- Import of electric locomotives (XVII), 11302.
- Indian Education Service (XIII), 1166—69.
- Indian P.O.Ws. (XIII), 924—26.
- Industrial development of Assam (XIV), 2913.
- Inland water transport (XV), 4665—66.
- Institute of Journalism (XVII), 9630—34.
- Integrated Power Grid (XIV), 3639—40.
- Inter-University Board (XVI), 7375—80.
- Intrusion by Chinese on Indian territory (XIII), 922.
- Iron and steel for agricultural purposes (XVII), 11295.
- Issue of industrial licences (XVIII), 13582—83.
- Japanese Team's visit to India (XVIII), 12073—74.
- Kiriburu iron ore project (XVI), 8863.
- Kolaghat bridge (XVIII), 14155—57.

AZAD, SHRI BHAGWAT JHA—
—contd.

- Land for jawans (XV), 5864.
- Lecturers of Delhi University (XVII), 11592.
- Liberal licensing policy (XV), 5386.
- Limited I.A.S. Examinations (XIII), 1152—54.
- Liquor addicts (XVIII), 11870—71.
- Loans to private sector coal industry (XVIII), 11812.
- Lok Sahayak Sena (XVI), 8396.
- Losses suffered by civilians in NEFA (XIV), 4105—06.
- Major irrigation and power projects (XIII), 1367.
- Manufacture and export of gold ornaments (XVI), 9149—50.
- Manufacture of engines for Alouette Helicopters (XIV), 1905.
- Manufacture of warships and helicopters (XV), 4394.
- Medium-sized steel plants (XIII), 477—79.
- Medical colleges (XV), 5165—66.
- Medium-sized steel plants (XIII), 676—78.
- Mental diseases (XV), 6597.
- Micro-Hydel Schemes (XVIII), 11835.
- MIGs and MIG Factory (XIII), 929.
- MIG factories (XVII), 9613—16.
- Mountain Divisions in Indian Army (XVI), 8415.
- Mouth cancer centre at Agra (XVIII), 13334.
- Movement of coal by Railway (XIV), 2117.
- Naharakatiya-Barauni Oil pipeline (XVI), 7387.
- National animal and bird (XIII), 1643—44.
- National Defence Fund (XIII), 1380—88.
- National Discipline Scheme (XII), 276—80, (XV), 6358.
- National Mines Safety Council (XIV), 4103—04.

AZAD, SHRI BHAGWAT JHA—
—contd.

- "National science talent search"
(XIV), 2371.
- National Volunteer force (XV),
5824.
- Naval Exercises (XVI), 7153.
- New Gas Field near Ahmedabad
(XIV), 2384.
- New Power Station in Delhi (XIV),
2695—97.
- New Radio Stations in border areas
(XIII), 943.
- Newsprint factory in Uttar Pradesh
(XIV), 3883.
- Newsprint paper (XIII), 680—85.
- Ocean freights between India and
Pakistan (XV), 6109.
- Ordnance factories (XVI), 7128.
- P. & T. buildings (XVII), 11328.
- P. & T. facilities in Hilly districts of
U.P. (XVIII), 12840.
- Pay scales of University teachers
(XVI), 8893.
- Per capita income in villages
(XVI), 7123—27.
- Permanent Indus Commission
(XIII), 542.
- Pilot projects for rural water supply
(XV), 5124—26.
- Plant for iodisation of salt (XVIII),
13350.
- Potassium Chloride plant at Kandla
(XVI), 6862—64.
- Power crisis in Delhi (XIII), 1389—
92.
- Power requirements of the country
(XIV), 3629-30.
- Press Consultative Committee
(XVIII), 12594.
- Press Council (XV), 5830.
- Price of newsprint (XIV), 2925.
- Price of sugar (XVIII), 14146—53.
- Production in Ordnance Factories
(XVI), 7128—32.
- Production of steel castings (XVIII),
13560-61.
- Prohibition (XV), 4864—71.

AZAD, SHRI BHAGWAT JHA—
—contd.

- Prototype Production and Training
Centre at Rajkot (XVII), 10593.
- Provision for Corporation (XVIII),
12801.
- Public Undertakings (XIV), 2908.
- Quarters for Class IV employees
(XVIII), 11852-53.
- Quarters in Ramakrishnapuram
(XIII), 1415.
- Rail bridge over Jamuna (XIV),
2070.
- Railway Accidents Enquiry Com-
mittee (XIII), 55—58.
- Reclamation of land (XIII), 1694.
- Recruitment of ex-servicemen
(XIV), 1899.
- Regimental Schools (XVII), 11595—
97.
- Rehabilitation of displaced persons
in Dandakaranya (XVIII), 11804—
10.
- Rehabilitation of tribal people in
NEFA (XIII), 919.
- Relationship with Iraq (XV), 4416.
- Relaxation of age limit (XIV), 1926.
- Repatriation of Indians from Mozam-
bique (XIV), 4089—93.
- Report on coal gradation (XVI),
7398-99.
- Report on Dalmia-Jain concerns
(XIII), 1625.
- Republic Day Celebrations (XVI),
7420.
- Research in NEFA operations
(XIV), 1883.
- Reservation of posts for war ser-
vices candidates (XIII), 1176.
- Rifle training to N.C.C. cadets (XV),
5838.
- Rihand Dam (XIII), 1135—40.
- Rupee loans for collieries (XVIII),
13038-39.
- Sainik schools (XIII), 912—16.
- Sainik School in Uttar Pradesh
(XVII), 11022—24.
- Scarcity of coal (XIV), 3379.

AZAD, SHRI BHAGWAT JHA—
—contd.

- School Defence Corps programme (XIV), 3417.
- Schools for Government employees (XIII), 333.
- Services of teachers after superannuation (XIV), 3386.
- Setting up of a Bengali regiment (XVII), 9599-9603.
- Shifting of Government offices (XIII), 521.
- Ship carrying Indian Cargo (XVIII), 12061.
- Ships for movement of coal (XVI), 8638.
- Sino-Pak border agreement (XIII), 903-07, (XVII), 11058-59.
- Small Savings (XVIII), 13379.
- Smallpox in the country (XIII), 490-95.
- "Solvent Extraction" Plant (XVI), 7383.
- Special news receiving equipments (XVII), 9875.
- Specialised training for armament factories (XVII), 11016.
- Sports Enquiry Committee (XV), 9385.
- Spurs on river Feni in Tripura (XVII), 11063.
- Structural steel (XVIII), 11832.
- Students studying abroad (XVIII), 13341.
- Sugar mills (XIII), 88-89.
- Supply of inferior quality coal (XIV), 2397.
- Supply of petroleum products to Ceylon (XVII), 10184-85.
- Survey of mines (XIII), 306.
- Synthetic rubber factory, Bareilly (XIV), 3860-63.
- Tea Industry in Kangra valley (XIII), 1637.
- Telephones for Delhi (XV), 6112.

AZAD, SHRI BHAGWAT JHA—
—contd.

- Tool Alloy Steel Plant, Durgapur (XIV), 2913.
- Traffic on Railway bridge, Delhi (XV), 6050-53.
- "Tripitaka" in Hindi (XVI), 8889.
- Trisuli Project in Nepal (XV), 6582.
- Tuition fees in Delhi Schools (XVII), 11597.
- Tusker project (XIV), 1859.
- U.G.C. Building (XIII), 315.
- U.N. expert for river basin surveys in India (XVI), 9134.
- Uniform Legislation for Municipal Corporations (XVIII), 11825.
- University courses in Medicine (XIII), 523.
- Use of Hindi in Central Government Offices (XVII), 11594.
- Village volunteer force (XIII), 1604-1609.
- Violation of Indian airspace (XVII), 9607-11.
- Withdrawal of ex-Defence personnel from Civil departments (XVIII), 13971.
- World Food Programme (XV), 6080-81.
- Zoological Survey in U.P. (XVIII), 13088-93.

Debates

- B.G. (General Discussion) (XIV), 3678-85.
- B.R. (1963-64) general discussion (XIV), 1974-82.
- Concentration of Economic Power (Res.) (XIV), 3995-4006.
- D.G. (1963-64):
- Min. Def. (XVI), 8265-70.
- Min. H.A. (XV), 7083-97.
- Min. Lab. and Emp. (XV), 6501-07.
- Min. M. & F. (XVI), 9213-29.
- D.G. (R) 1963-64 (XIV), 2796-97.

AZAD, SHRI BHAGWAT JHA
—*contd.*

Re: alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13936, 13940.

B

BADE, SHRI:

Admission of students (XIV), 3476.
Advertisement of drugs (XV), 5143—47.
Agents for Small Savings Scheme (XVIII), 14143.
Allowances to Ministers (XVI), 8866.
Anti-Indian Chinese literature (XVI), 7367—72.
Area under cultivation (XIV), 3157.
Ayurvedic graduates (XVI), 7635—41.
Ball Bearing Unit in Punjab (XIV), 2914.
Barter deal with Japan (XVIII), 13543-44.
Bilaspur road (XVII), 11308.
Bokaro Steel Plant (XVIII), 13585—90.
Britain's entry into E. C. M. (XIV), 2899.
Central Government Officers in Assam (XIV), 2372.
Chinese internees in India (XVIII), 13060.
Clerical staff in Delhi schools (XVI), 7439-40.
Coal and Bauxite Deposits in M.P. (XVII), 10130.
Coal Mines (XIV), 3397.
Collection of National Defence Fund in Ceylon (XVII), 9679.
Colombo proposals (XIII), 887.
Compulsory military training (XIV), 1904.
Compulsory physical education in Delhi Schools (XV), 6397.
Compulsory primary education (XIII), 285.
Consolidated list of Scheduled Tribes (XIII), 1155-56.
Co-operative farming (XVII), 9847.

BADE, SHRI—contd.

Credit guarantee scheme (XIV), 3850—53.
Crippled Jawans (XIII), 934.
Death of a New Delhi Journalist (XVI), 7407.
Defence of India Rules (XIII), 303.
Degree in petroleum technology (XV), 4931-32.
Development of agriculture in frontier hilly areas (XV), 6126-27.
Doctor kidnapped by Pakistanis (XIV), 1871.
Drinking Water Supply Board (XVIII), 13365.
Enquiry into NEFA reverses (XIV), 4072—81.
Export of engineering and machinery products (XV), 5393.
Export of Indian textiles to U.S.A. (XIV), 3835—38.
Export of sugar to Ceylon (XVII), 11298.
Family allowances to political detenus (XIV), 3381.
Family planning in Delhi (XVI), 7684—86.
Fire in Heavy Electricals Ltd., Bhopal (XIII), 724-25.
Forward trading in silver (XIII), 717.
Fuel efficiency in Indian industry (XVIII), 12087.
Gold Bonds (XIII), 509—13.
Gold prices and gold smuggling (XIV), 2683—87.
Government dues to N.D.M.C. (XIV), 2677.
Gulhati Commission Report (XIV), 2661.
Heavy electrical equipment plants (XIV), 3842.
Heavy Electricals Limited, Bhopal (XIII), 688—90.
Hindustan Steel Limited (XVIII), 13568—70.
Idle manpower (XVII), 11037.
Import of raw rubber (XIII), 1663.
Indian P.O.Ws. (XIII), 924-25.
Interest payment on foreign loans (XVII), 10400-01.
Jaora Sugar Mills Ltd. (XIV), 2139.

BADE, SHRI—*contd.*

- Japanese Team's visit to India (XVIII), 12071-75.
- Jawara Sugar Mills (XIII), 953.
- Journey to Badri Nath (XVII), 10321.
- Liberal licensing policy (XV), 5385.
- Life Insurance for Armed Forces (XIV), 2674-75.
- Lucknow aerodrome (XIV), 4142.
- Marine diesel engines (XVII), 9611-13.
- Mechanised Brick Plant (XIII), 479.
- Micro-Hydel Schemes (XVIII), 11835-836.
- Mineral oils (XVI), 8910.
- Minor irrigation schemes (XVII), 11281.
- National Discipline Scheme (XIII), 276-80.
- Newsprint (XIII), 680-85.
- Pak. Nepal trade agreement (XIII), 710.
- Payment of sugarcane price (XIII), 64-66.
- Permit for purchase of gold (XIV), 2680.
- Power projects (XIII), 1378.
- Powerloom industry (XIII), 693.
- Precision instrument factories (XVII), 9407.
- Price of newsprint (XIV), 2926.
- Quarters on Gua Iron Ore Mines 9663.
- Radio licences (XVI), 8689.
- Railway restaurants (XIV), 2069.
- Reduction in staff in Government offices (XIV), 3604.
- Rehabilitation grants (XVI), 9160-65.
- Religious and moral education (XV), 6376.
- Repatriation of Indians from Mozambique (XIV), 4089-93.
- Retrenchment in Census offices (XVI), 7422-23.

BADE, SHRI—*contd.*

- Return of mortgaged gold (XVII), 10375-77.
- Security paper mill at Hoshangabad (XII), 501.
- Setting up of universities (XIII), 266.
- Ship building installation (XV), 4697.
- Silver prices (XVII), 10357-59.
- Sino-Pak. border agreement (XIII), 903-07.
- Slaughter houses (XV), 6183-86.
- Smuggling of gold from India (XVIII), 11828.
- Special pay for handling cash in Delhi Schools (XVII), 11590.
- Supply of sugarcane to Mills (XV), 6091.
- T.B. clinics (XIII), 485.
- Telephone connections in Madhya Pradesh (XIII), 1711.
- Train service around Delhi (XV), 6047-50.
- Trucks and tractors (XVIII), 13974.
- U.N. technical assistance (XIV), 2703.
- U.S. Military aid (XIII), 901-02.
- Unemployment in Goa (XIV), 1893.
- Use of palm seeds in betels (XVI), 9166.
- Village volunteer force (XIII), 1608.
- Violation of Gold Control Rules (XIII), 509.
- Waiting hall at Jawad Road Railway station (XIII), 1710.
- Withdrawal of ex-Defence personnel from civil departments (XVIII), 13971.

Debates

Appropriation (No. 3) Bill:

- Motion to consider (XVIII), 12887.

- B.G., General Discussion (XIV), 3716-25.

BADE, SHRI—contd.*Debates—contd.*

B.R. (1963-64), General Discussion (XIV), 1995—2003.

Central Sales Tax (Amendment) Bill:

Motion to consider (XIV), 4294—98.

Central Silk Board (Amendment) Bill (*Amendment of sections 4 and 6*) by Shri Sham Lal Saraf.

Motion to refer to S.C. (XIII), 827—29.

Compulsory Deposit Scheme Bill:

Motion to consider (XVII), 11257—263.

Consid. cl. (XVIII), 12024, 12027, 12044—48, 12900.

Motion to pass (XVIII), 12914-15.

Committee on Private Members' Bills and Resolutions:

Fourteenth Report (XIII), 3067.

Constitution (Fifteenth Amendment) Bill:

Consid. cl. (XVIII), 13235-236.

Constitution (Sixteenth Amendment) Bill:

Consid. Cl. (XVIII), 13481-82.

D.E.G. (General), 1960-61 (XVIII), 12676—80.

D.G. (1963-64):

Deptt. of Atomic Energy (XV), 5780—83.

Deptt. of Parly. Affairs (XVII), 10037—40.

Min. Econ. and Def. Coord. (XVII), 9980—87.

Min. Fin. (XVII), 10226—37.

Min. S.R. & C.A. (XV), 5695—5700.

D.G. (R) (1963-64) (XIII), 3007—12.

D.S.G. (R) 1962-63 (XIII), 1434—40.

Gold Control Scheme (Dis.) (XIV), 2328—38.

BADE, SHRI—contd.*Debates—contd.*

Government of Union Territories Bill:

Motion to consider (XVIII), 13682—84, 13830—38.

Consid. Cl. (XVIII), 13876—83, 13891—93, 13897—13901.

Motion to pass (XVIII), 13907.

Official Languages Bill:

Consid. Cl. (XVIII), 12017, 12150, 12155, 12279-80, 12194—203, 12412—15.

Motion to pass (XVIII), 12481-82.

Re: Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13912-13.

Re: Shri Ansar Harvani's letter to Finance Minister (XVII), 11621.

Re: Suspension of Member (XVIII), 12631, 37.

Re. termination of suspension of Member (XVIII), 13135—139.

Reported entry of Naga Hostiles into India through Manipur (CA) (XIII), 1733.

Visit of Joint United States-Commonwealth Air Mission to India (C.A.) (XIII), 547.

Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill—

(*Insertion of new section 7A*) by Shri C. K. Bhattacharyya.

Motion to consid. (XV), 5570—74.

BAGRI, SHRI:

Allowances to Ministers (XVI), 8866.

Anti-Indian Chinese literature (XVI), 3367—72.

Assets in foreign banks (XIV), 2655—58.

Britain's entry into E.C.M. (XIV), 2895.

Committee on sugar industry (XIII), 1681.

Compulsory military training (XIV), 1904.

BAGRI, SHRI—contd.

Incidence of crimes in Delhi (XVI), 8871.

Modernisation of armed forces (XIV), 1879.

Production and distribution of steel tubes (XVIII), 12112-13.

Rehabilitation of tribal people in NEFA (X), 919.

Rise in price of kerosene oil (XV), 4903.

Russian aid for Defence needs (XIII), 925.

Sugar recovery in U.P. (XIII), 116.

War supply base at Dohra (XIII), 945.

Debates

Accident between Tiruchi-Reni Express and a Bus (CA) (XV), 5899.

Allegations against the Minister of Scientific Research and Cultural Affairs (St.) (XVII), 1325-31.

B.R. (1963-64), general discussion (XIV), 2191-99.

Business Advisory Committee, 14th Report (XIV), 2446.

D.G. (1963-64):

Min. M. & F. (XVI), 9283-86.

Min. S.R. & C.A. (XV), 5729-34.

Min. Trpt. and Communi. (XVI), 9043-49.

Min. W.H. & Reh. (XVI), 7461-71.

Gold Control Scheme (Dis.) (XIV), 2607-14.

Official Languages Bill:

Int. (XVII), 9440-47.

Consid. cl. (XVIII), 12204-06, 12338-42, 12375-77, 12418-19.

Motion to pass (XVIII), 12490-92.

P.A.M. (XIII), 473-76.

Re: Discussion on Kerosene (XIV), 2443-44.

Report of Committee on the conduct of certain members during the President's Address (M) (XV), 4728-39.

Reported Statement made in Washington by Shri B. Patnaik (CA) (XV), 5891-92.

BAJAJ, SHRI KAMAL NAYAN:

Colombo proposals (XIII), 890.

Food adulteration in Delhi (XVII), 10394.

Gold smuggling (XVI), 9125.

Jaipur Bikaner National Highway (XV), 4616.

Production of sugarcane (XV), 4628.

Unlicensed radios (XVII), 9851.

Wagon shortage (XIII), 78.

Debates

Finance Bill, 1963:

Motion to consider (XVII), 10474-81.

Gold Control Scheme (Dis.) (XIV), 2346-52.

Official Languages Bill:

Motion to pass (XVIII), 12499-502.

BAKLIWAL, SHRI:

D.G. (1963-64):

Min. S. & H. I. (XVI), 9495-9502.

BAL KRISHNA SINGH, SHRI:

Drinking water in States (XV), 5147-51.

Debates

D.G. (1963-64):

Min. Irr. and Power (XV), 6204-09.

P.A.M. (XIII), 1085-90.

BALAKRISHNAN, SHRI:

Consumers Co-operative Societies (XVI), 8636.

Incidence of crimes in Delhi (XVI), 8876.

Model villages (XVI), 8139.

Provision for Corporation (XVIII), 12601.

Smallpox in Delhi (XVIII), 13354.

Debates

D.G. (1963-64):

Min. Def. (XVI), 8281-84.

BALMIKI, SHRI:

- Allotment of land to ex-servicemen (XVII), 11061.
- Bombs lost in Suratgarh area (XV), 5841.
- Confirmation of employees in Rehabilitation Department (XVIII), 11880.
- Employees in Rehabilitation Department (XVIII), 11879.
- Eye-sight standard for engineering students (XVIII), 13096.
- Fertilizer factory at Hanuman Garh (XIV), 3857-60.
- Indiscipline among students (XVII), 11537-540.
- Khadi institutions (XVII), 9347.
- Kolayat station (XVII), 11320.
- Medical examination of Delhi School students (XVII), 10168.
- National Highways in Rajasthan (XV), 4680.
- New Railway stations in Bikaner Division (XVI), 8187.
- Overbridge in Bikaner city (XV), 6117-18.
- Price of sugar (XVIII), 14143-53.
- Railway quarters in Bikaner Division (XV), 6118-19.
- Rain coats for Trollymen (XV), 6118.
- Rajasthan canal project (XVI), 7659.
- Recruitment to Army (XIV), 4115-16.
- Retrenched employees of Rehabilitation Department (XVIII), 11880.
- Sale of plots in Defence Colony, New Delhi (XV), 5183.
- Supply of nutritious food (XVI), 8181-82.
- Telephones in Bikaner (XV), 6119.
- Telephones in Rajasthan (XVIII), 12836.

Debates

- Agricultural Refinance Corporation Bill:
Motion to pass (XIII), 1523-24.

BALMIKI, SHRI:—Contd.*Debates—contd.*

- Child Marriage Restraint (Amendment) Bill:
Motion to circulate (XIII), 3096-3100.
- Compulsory Deposit Scheme Bill:
Consid. cl. (XVII), 11763, 11777-80.
- D.G. (1963-64):
Min. W.H. & R. (XVI), 7471-77.
- Official Languages Bill:
Consid. cl. (XVIII), 12156, 12189-94.
- P.A.M. (XIII), 1026-35.
- BANERJEE, SHRI S. M.:**
- A.C.C. and N.C.C. (XVI), 7157-59.
- Action against certain newspapers (XIII), 307.
- Accident in Ballihari Colliery (XVII), 11042-43.
- Accommodation for families of jawans (XIV), 4102-03.
- Agricultural Administration (XIV), 1903.
- Agricultural production (XIII), 87-74, (XIV), 2079.
- Air transport service (XVII), 9618-19.
- All India Insurance Employees Association (XIII), 1361-63.
- Aluminium factory at Pipri (XVII), 10618.
- Amendment of article 311 of the Constitution (XIII), 1179-80.
- Anti-Indian Chinese literature (XVI), 7367-72.
- Anti-Indian propaganda by Pakistan (XIII), 920-21.
- Appointment of Inspectors in companies (XVIII), 1362-21.
- Assam rifles for NEFA (XVIII), 13955.
- Assessment and collection of Income-tax (XIII), 531.

BANERJEE, SHRI S. M.:—Contd.

- Assets in foreign banks (XIV), 2655—58.
- Auction of land in New Delhi (XV), 5141—43.
- AVRO-748 (XV), 4415.
- Ball bearing unit in Punjab (XIV), 2914.
- Bank advances on gold and shares (XIII), 520-21.
- Black-marketeering in imported cars (XVIII), 13551—54.
- Bokaro Steel Plant (XVIII), 12079-80, 13586—90.
- Bonus to Sugar Mills (XIV), 3145-46.
- Britain's entry into E.C.M. (XIV), 2895.
- C.O.D., Delhi Cantt. (XV), 5856.
- Calcutta Gas Company (XVII), 11027.
- Central Workers' Education Board (XVII), 11005.
- Chairman of Gold Control Board (XIV), 3648-49.
- Civil Administration in NEFA (XIII), 907—12.
- Closure of one shift in Textile Mills of Kanpur (XVI), 7165.
- Col. Bhattacharjee (XIV), 1889.
- Colombo proposals (XIII), 883—92.
- Collapse of C.P.W.D. godown in New Delhi (XVIII), 14168—70.
- Compulsory primary education (XIII), 283—86.
- Concrete sleepers for Railways (XVII), 11272.
- Contract Labour in Mines (XIV), 1924.
- Coronary thrombosis (XIII), 541.
- Cost of steel production (XIII), 672—76.
- Crack^{er} explosions in Delhi (XIV), 337⁸.
- Crimes in Delhi (XIII), 1175.

BANERJEE, SHRI S. M.—Contd.

- Cut in Housing Schemes of States (XVII), 10350—54.
- Cut in staff of Central Ministries (XVIII), 13070.
- Declaration of permanent Government posts (XVIII), 11803.
- Defence of India Rules (XIII), 303.
- Delhi Water Supply (XIV), 2666.
- Demolition of quarters at Bela Road, Delhi (XVII), 10146.
- Design and Engineering Unit (XVII), 10127.
- Dhebar Commission (XVII), 11549.
- Display of retail prices (XVII), 9358.
- Drinking Water Supply for Banaras (XVI), 9120.
- Employees dismissed in 1960 strike (XIII), 1685.
- Enquiry into Railway accident 1646.
- Evening Colleges (XIII), 305.
- Export of Agricultural Products (XIV), 5431—33.
- Export of bamboo to Pakistan (XVIII), 13621-22.
- Export of Indian textiles to U.S.A. (XIV), 3835—38.
- Export of lathe machines (XVII), 9345.
- Export of sugar to Ceylon (XVII), 11298.
- Ex-servicemen (XV), 5853.
- Family allowances to political detenus (XIV), 3381.
- Family pensions (XV), 5863.
- Film on Sino-Indian border dispute (XVII), 9639.
- Flying Training Centre, Allahabad (XIII), 105.
- Goan economy (XIV), 1875.
- Health Insurance Scheme (XVI), 9108.
- Homeless persons in Delhi (XIV) 3389.
- House-building loans (XVI), 9138.

BANERJEE, SHRI S. M.—Contd.

- Import of components for Automobiles (XVIII), 12097.
- Import of dry fruits from Iran (XVII), 9403.
- Import of food grains (XVIII), 12834-35.
- Inaccessible areas committees (XVII), 9856.
- Incidence of crimes in Delhi (XVI), 8871.
- India's relation with Foreign countries (XIV), 4065-69.
- Indian military personnel in Congo (XV), 5819.
- Indian P.O.Ws. (XIII), 924-25.
- Indo-Pak Border Conference (XVIII), 13965-66.
- Industrial closures (XIV), 4096-98.
- Industrial training institutes in Delhi (XVI), 8389-90.
- Industrial truce (XV), 4397.
- Industries in Goa (XVII), 9351.
- International Programme on Scientific Hydrology (XVII), 10124-25.
- Iron and steel for agricultural purposes (XVII), 11294.
- Issue of industrial licences (XIV), 2963, (XVIII), 13583.
- Jamuna Hydrel Project (XIII), 1404.
- Joint U.S.—Commonwealth Air Mission (XVII), 11045-47.
- Journey to Badri Nath (XVII), 10322.
- Jute Mill at Kanpur (XIV), 2433.
- Jute Wage Board (XIV), 4110.
- Labour Laws in Goa (XV), 4418.
- Labour Recruiting Depot, Gorakhpur (XVII), 11041.
- Land for Jawans (XV), 5864.
- Life Insurance for Armed Force personnel (XIV), 2673.
- Looting of railway property by students (XIII), 1588.
- Low shaft furnace (XVII), 9368.
- M.E.S. Barrackpore (XVIII), 12620.

BANERJEE, SHRI S. M.—Contd.

- Manpower training programme (XIII), 1144-48.
- Manufacture of automatic weapons (XIV), 1863, (XVIII), 13976.
- Manufacture of Defence stores by private sector (XV), 5809.
- Matatila Project (XV), 5121-23.
- Medical colleges (XV), 5165-66.
- Meetings of Industrial Committees (XIII), 932.
- MIGs, and MIG Factory (XIII), 929.
- Minor irrigation schemes (XVII), 11281.
- National Defence Fund (XIII), 1380-88.
- Negotiating machinery in Defence Industry (XV), 5863.
- New Asiatic Insurance Company (XIV), 3659-60.
- New Civil Airport tax at Delhi (XVIII), 11791.
- New ordnance factories (XVIII), 12580.
- New Power Station in Delhi (XIV), 2697.
- New Universities in U.P. (XIV), 2418.
- Ordnance Depot, Shakurbasti (XVIII), 12607.
- Ordnance factory workers (XVI), 8381-83.
- Ordnance factories (XVI), 7128.
- Overcrowding in universities (XIV), 2398.
- Overtime allowance for R.M.S. workers (XVI), 8173.
- Participation of labour in management (XVII), 9603-07.
- Passport Racket Case in Punjab (XVIII), 12602.
- Pay Commission for primary and secondary school teachers (XIII), 318-19.
- Pay scales of University teachers (XVI), 8894.

BANERJEE, SHRI S. M.—Contd.

- Payment of interim relief by TISCO and IISCO (XIV), 1902.
- Pension (XVII), 10120.
- Per capita income in villages (XVI), 7123—27.
- Permission to Lt-Gen. B.M. Kaul for appointment in a commercial concern (XVIII), 13980.
- Plantation Labour Housing Scheme (XVIII), 11833.
- Power projects (XIII), 1375—79.
- Prices of foodgrains (XIV), 3124—28.
- Price of sugar (XVIII), 14147—53.
- Production of lac in Bihar (XVII), 9863.
- Production of Children's Films (XVII), 9616—18.
- Production of small tractors (XVIII), 13546.
- Prohibition (XV), 4864—71.
- Protection of railway line in Assam and Nagaland (XVII), 11304.
- Prototype Production and Training Centre at Okhla (XVI), 7930, (XVII), 9405.
- Prototype Production and Training Centre at Rakot (XVI), 10591—595.
- Provident Fund Contributions (XV), 4422.
- Psychological tests for railmen (XVIII), 12816.
- Public Sector Undertakings (XVIII), 12069.
- Raids on Kerosene Dealers' Shops in Delhi (XV), 6392.
- Railway Accidents Enquiry Committee (XIII), 55—58.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11807.
- Release of foreign exchange to export houses (XVII), 10609—610.
- Release of Indian P.O.Ws. by Chinese (XVIII), 14187.
- Report on Dalmia-Jain concerns (XIII), 1625.

BANERJEE, SHRI S. M.—Contd.

- Retirement age of Government employees (XVII), 11534—35.
- Rihand Dam (XIII), 1135—40.
- Rise in prices of paper (XIV), 292P'
- Runway at Panagarh aerodrome (XVIII), 11874.
- Sainik School in Assam (XVIII), 12560.
- Sangeet Natak Akademi (XIII), 318.
- Serajuddin & Co., (XVIII), 13574—79.
- Setting up of a Bengali regime (XVII), 9600—9603.
- Shankar committee (XVI), 8429—30.
- Shortage of Army Officers (XVII), 11011.
- Sleeper coaches (XIII), 102.
- Smuggling of gold from India (XVIII), 11828—829.
- Special alloy steel plant (XV), 4417.
- Specialised training for armanent factories (XVII), 11016—17.
- Squatters colonies in West Bengal (XVIII), 11838.
- Squatters in the capital (XIV), 2632—34.
- Stamp to commemorate Netaji's birthday (XVIII), 14139—140.
- Statutes regarding mines and factories (XIV), 1874.
- Sugar factories (XIII), 1611.
- Sugar mills (XIII), 83—89.
- Sugar shortage (XIII), 83—84.
- Sugar Wage Board (XVI), 11106—07.
- T. B. Clinics (XIII), 481—86.
- Target of steel production (XVII), 9383.
- Theft of coal from Julu Railway yard (XIII), 1696.
- Trucks and tractors (XVIII), 13973.
- Tusker project (XIV), 1859.
- U.D.Cs. in Army Headquarters (XVIII), 12622.

BANERJEE, SHRI S. M.—Contd.

Unaccounted buttons found in
G.S.I.D., Delhi (XV), 4421.

Unemployed civilian pilots (XIII),
1693.

Unlicensed radios (XVII), 9850.

Violation of Companies Act (XIV),
3363-64.

Violation of foreign exchange rules
(XVI), 9111.

Violation of Gold Control Rules
(XIII), 507-09.

Wagons for U.P. Oil Industry (XV),
6124.

Welfare of coal-mine workers
(XVIII), 12543.

Withdrawal by Chinese from Ladakh
(XIII), 877-82.

Withdrawal of ex-Defence person-
nel from civil departments
(XVIII), 13970.

Whitley Councils (XIV), 2367.

Debates

Accidents at Mithani and Sripur
Collieries (C.A.) (XVII), 10662.

Accident to Aircraft of Delhi Fly-
ing Club (C.A.) (XVIII), 14177-
80.

Affairs of Serajuddin and Company
(St.) (XVIII), 14209-10.

B.G. 1963-64, (General Discussion),
(XIV), 3824-30.

B.O.H. (XVII), 9436, 10810-17.

B. R. (1963-64), General Discussion
(XIV), 2479-84.

Bengal Finance (Sales Tax) (Delhi
Amendment) Bill:

Motion to consider (XVIII),
12652-53.

Blasting of railway line and firing
on train by Naga hostiles (XVIII),
(C.A. & Ad. motion) 9180-81,
9182.

BANERJEE, SHRI S. M.—Contd.

Business Advisory Committee:
14th Report (XIV), 2447.

Child Marriage Restraint (Amend-
ment) Bill:

Motion to circulate (XIII), 3072-
74.

Compulsory Deposit Scheme Bill:

Motion to consider (XVII),
11215-220.

Consid. cl. (XVII), 11761, 11771-
74, (XVIII), 12024, 12305, 12524.

Motion to pass (XVIII), 12908-09.

Committee on Private Members'
Bills and Resolutions:

Fourteenth Report (XIII), 3065.

Constitution (Amendment) Bill
(Amendment of Articles 100 and
189) by Shri M. L. Dwivedi:

Motion to consider (XVIII),
13734-37.

Constitution (Fifteenth Amendment)
Bill:

Motion to consider (XVIII),
12981-985.

D. E. G. (General) 1960-61 (XVIII),
12665-69.

D. G. (1963-64):
Min. Def. (XVI), 8326-31.

D. G. (1963-64):
Min. Econ. and Def. Coord.
(XVII), 9925-31, 9833-36.

D. S. G. (General), 1962-63 (XIV),
3243-47.

D. S. G. (R) 1962-63 (XIII), 1429-
34.

Election to Committee on Public
Accounts (XVII), 10336-37.

Finance Bill, 1963:

Consid. cl. (XVII), 10942-43,
10965-67.

Motion to pass (XVII), 10971-
73.

Firing by Naga hostiles on a military
special train on 11-4-1963 near
Noajan station (C.A.) (XVII),
9424, 9425.

BANERJEE, SHRI S. M.—Contd.

Industrial Licencing Policy (C.A.) (XVII), 11351—356.

Insurance (Amendment) Bill (Amendment of sections 31A and 40C) by Shri Indrajit Gupta:

Motion to consider (XVII), 10793—96.

Mines (Amendment) Bill (Amendment of sections 12, 64, 66, 67, 70, 72C and 73) by Shri S. C. Samanta.

Motion to consider (XVII), 10767—71.

Nationalization of Banks (Res.), (XVIII), 12534.

Official Languages Bill:

Int. (XVII), 9445—56, 9460, 9464—66.

Consid. cl. (XVIII), 12148—50, 12351—53.

Debates

Point re. Vivien Bose Commission Report (XVIII), 12331—34.

Re: Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13913—15.

Re: Suspension of Member (XVIII), 12633.

Report of the Commission of Inquiry into Dalmia-Jain Companies (XVIII), 14247—56.

Reported kidnapping of some Santhals by East Pakistan Police (C.A.) (XVIII), 13775—80.

Reported shortfall in food production targets during third Plan period (C.A.) (XVIII), 12872—873.

Sighting of Unidentified Ships off the Andhra Coast (C.A.) (XVII), 10420.

Sixteenth Report of Business Advisory Committee (XVII), 11067—91.

Super Profits Tax Bill:

Motion to consider (XVII), 10967—92.

BARKATAKI, SHRIMATI RENUKA:

All India Services (XVII), 11569—570.

Aromatics Production in India (XV), 4929.

Canteens run by Government employees (XVII), 11598.

Cement factory in Assam (XVI), 6872—73.

Consumers' Cooperative Societies in NEFA (XV), 5872.

Declaration of permanent Government posts (XVIII), 11789—304.

Easing of work load of rural housewives (XV), 4616—20.

Ex-servicemen (XVII), 11070.

Food adulteration in Delhi (XVII), 10380—84.

Manufacture of liquefied gas (XV), 6373.

Micro-wave link in Assam (XV), 4628—30.

National Highway in Assam (XV), 4684.

Office and residential accommodation (XVII), 10410.

Provision for Corporation (XVIII), 12798—12801.

Retrenchment in Department (XVII), 10155—56.

Rihand Dam (XIV), 3666.

Sainik School in Assam (XVIII), 12558.

Small Scale Industries in Assam (XVIII), 13606—07.

Training in Labour and Social Welfare (XVII), 11597—598.

Water meters (XVIII), 12123—24.

Debates

D. G. (1963-64):

Min. Lab. and Emp. (XV), 6449—54.

P. A. M. (XIII), 643—50.

BARROW, SHRI:

D. G. (1963-64):

Min, Ed. (XV), 5640—49.

BARUA, SHRI HEM:

- A.I.R. broadcasts from B.B.C. Singapore (XIII), 941.
- Abu Siubel Temples in Egypt (XVII), 11501.
- Afro-Asian Journalists' Conference (XVIII), 14163-64.
- Afro-Asian Solidarity Conference (XIII), 918-17.
- Agricultural Administration (XIV), 1903.
- Agricultural programmes (XVI), 8649.
- Air Defence requirements (XVI), 7142-44.
- Allotment of newsprint to 'LINK' (XVI), 7147-48.
- Allowances to families of Chinese internees (XIV), 3392.
- Anti-Indian Chinese literature (XVI), 7367-72.
- Anti-Indian propaganda by Chinese Embassy in Colombo (XIV), 4082-83.
- Anti-Indian propaganda by Pakistan (XIII), 920-21.
- Appointment of Inspectors in companies (XVIII), 13620-21.
- Asia Scene' Magazine (XVII), 10179.
- Assam rifles for NEFA (XVIII), 13955-956.
- Assets in foreign Banks, (XIV), 2657.
- Attorney-General's advice on affairs of a firm (XVII), 13054, 13056.
- Auxiliary Air Force (XVII), 9663.
- Bank of China (XVIII), 11869-870.
- Bokaro Steel Plant (XVIII), 13586-90.
- Explosion on Railway track (XVI), 8653.
- Border Roads Organisation (XIV), 4069-72.
- Borrowing programmes (XV), 5130-32.
- Brahmaputra bridge (XVII), 8903.

BARUA, SHRI HEM.—Contd.

- Britain's entry into E.C.M. (XIV), 2895.
- Cement factory in Assam (XVI), 6873.
- Central Bureau of Investigation (XIV), 3415.
- Central Government Officers in Assam (XIV), 2374.
- Change in Delhi Administration (XV), 4877-81.
- Chinese nationals (XIII), 1142.
- Civil Administration in NEFA (XIII), 907-12.
- Civil Aerodromes (XV), 4387.
- Coal for Steel plants (XVI), 6863.
- Colombo proposals (XIII), 883-82.
- Complaints of income-tax evasion (XVI), 7634-35.
- Committee for negotiation with foreign collaboration (XV), 6577.
- D. V. C. (XVIII), 13347.
- "Detection of Chinese Coins" (XVI), 9163-64.
- Development of Mizo hills (XVIII), 12805-07.
- Diplomatic relations with 'KMT' Government (XVIII), 12561.
- Doctor kidnapped by Pakistanis (XIV), 1870.
- Drilling of oil wells in Assam (XVI), 8882.
- Easing of work load of rural housewives (XV), 4619-20.
- Economy measures in D.V.C. (XIII), 1409.
- Education Programme for NEFA (XVIII), 12372.
- Electricity from Ribhand Dam Project (XV), 6370.
- Emergency risk insurance (XV), 5132-33.
- Engineering industries (XIII), 726-27.
- Excise duty on sugar (XIII), 93.
- Exploration of oil in Cauvery basin (XIII), 1174.

BARUA, SHRI HEM—*contd.*

- Export of sugar to U.S.A. (XIII), 1622.
- Export of textiles to East Asian countries (XVI), 6857.
- Family Planning (XVIII), 13360.
- Film on Sino-Indian border dispute (XVII), 9635—39.
- Floods in Brahmaputra (XIV), 3608—10.
- Food adulteration in Delhi (XVII), 10382—83.
- Food production (XIII), 82.
- Foreign Air Mission's visit to India (XIII), 897—900.
- Foreign investment in India (XIV), 2693.
- Foreign participation in Indian shipping companies (XIII), 1597—1600.
- Foreign ships for transportation of coal (XVIII), 12783—84.
- Foreigners employed in A.I.R. (XVIII), 13960—965.
- Gandak Project (XIII), 488.
- Goan economy (XIV), 1877.
- Graduate course in tea (XVI), 7894.
- Grant of mining lease for manganese and chrome ore (XVII), 10142—44.
- Gulhati Commission Report (XIV), 2660—61.
- Handing over of equipment by Chinese (XIV), 4094—96.
- Heart attack (XVII), 10407—08.
- High Power Commissions for water and power (XIV), 2689.
- Hindustan Steel Limited (XVIII), 13567—70.
- Home Guards (XIII), 308.
- Homeless persons in Delhi (XIV), 3387.
- Houses for M.Ps. (XV), 6587.
- India Office Library (XVI), 8879.
- India's relation with foreign countries (XIV), 4067—69.

BARUA, SHRI HEM—*contd.*

- Indians employed in Ceylon (XVI), 8398—99.
- Indians in Burma (XVII), 11025—26.
- Indians in Russian Universities (XIV), 3402.
- Indians intending to visit Israel (XVI), 8436—37.
- Indian military personnel in Congo (XV), 5822.
- Indians working in Afro-Asian Solidarity Conference Secretariat (XV), 4408.
- Indiscipline among students (XVII), 11539—40.
- Indo-Pak Border Conference (XVIII), 13966.
- Joint U.S.-Commonwealth Air Mission (XVII), 11044—45.
- Lady Hardinge Medical College, Delhi (XVIII), 11817—18.
- Lecturers in Delhi University (XIII), 1198.
- Lecturers in Pure Science and Humanities (XIV), 3423.
- Level crossings (XIV), 2113.
- Licences to private electricity undertakings (XIV), 2713.
- Losses suffered by civilians in NEFA (XIV), 4105—06.
- Low shaft furnace (XVII), 9368, 9369.
- Manpower training programme (XIII), 1144—48.
- Manufacture of automatic weapons (XVIII), 13976.
- Manufacture of jet fighters (XV), 4381.
- Manufacture of warships and helicopters (XV), 4396.
- Manuscripts with Asiatic Society, Calcutta (XV), 6361.
- Medical College, Bikaner (XVI), 9160—61.
- MIG factories (XVII), 9615—16.
- MIGs and MIG Factory (XIII), 929.
- "Mining leases in Orissa" (XVI), 7394.

BARUA, SHRI HEM: *contd.*

- Mountain Divisions in Indian Army (XVI), 8414-17.
- Naharkatiya-Barauni Oil pipeline (XVI), 7386.
- National animal and bird (XIII), 1643-44.
- "Nine Hours to Rama" (XIII), 919.
- Oil Emploration in Assam and NEFA (XIII), 1178.
- Oil supply to Nepal (XV), 6349.
- Pakistan infiltration in Assam (XIII), 274.
- Parliamentary proceedings on A.I.R. (XVII), 9627-30.
- Pay scales of University teachers (XVI), 8895, 96.
- Permission to Lt. Gen. B. M. Kaul for appointment in a commercial concern (XVIII), 13978.
- Prices of foodgrains (XIV), 3124-28.
- Price of sugar (XVIII), 14152-53.
- Private Oil Companies (XIII), 1166.
- Prohibition (XV), 4864-71.
- Psychological tests for railways (XVIII), 12815.
- Purchases by Air India (XVIII), 12797.
- Quality control and pre-shipment inspections (XIV), 2921.
- Raid by hostile Nagas (XVI), 8404-07.
- Railway lines in North Eastern region (XIII), 53-55.
- Relationship with Iraq (XV), 4416.
- Release of communists during Bye-elections (XV), 5182-63.
- Release of Indian P.O.Ws. by Chinese (XVII), 14167.
- Repatriation of Indians from Mozambique (XIV), 4089-93.
- Report on coal gradation (XVI), 7397.
- Rihand Dam (XIII), 1135-40.
- Rise in price of sugar (XIII), 53.

BARUA, SHRI HEM: *contd.*

- Road transport from West Bengal to Assam (XVI).
- Serafuddin & Co., (XVIII), 13575-79.
- Setting up of a Bengali regiment (XVII), 9600-9603.
- Ships for overseas trade (XIV), 3132.
- Shortage of Army Officers (XVII), 11007-12.
- Sino-Pak Border Agreement in Security Council (XVI), 8439.
- Situation in Laos (XVIII), 12562.
- Smuggling of gold from India (XVIII), 11827-28.
- Sports Enquiry Committee (XV), 9365.
- Suicide by goldsmiths (XVI), 9131.
- Survey of mines (XIII), 306.
- Television documentary on the Indian caste system in U.S.A. (XV), 5878.
- Tibetan refugees (XV), 5840.
- Tragedy at National Cycling Championship (XVI), 8901.
- Training Centres for emergency commissioned officers (XIV), 1891.
- Training of armed forces (XVI), 8411.
- "Tusker" Personnel in Chinese custody (XIV), 4098-4100.
- Tusker project (XIV), 1859.
- University courses in Medicine (XIII), 523.
- Utilisation of border people in Defence services (XIII), 945.
- Violation of Indian airspace (XVII), 9607-11.
- Withdrawal by Chinese from Ladakh (XIII), 877-82.
- Wives of Chinese internees (XV), 4893-94.
- Debates*
- Accident at Jamuria Colliery (C.A.) (XV), 5609-10.

BARUA, SHRI HEM: *contd.*

Administrative policy in NEFA (Res.) (XV), 7048-60.

Blasting of Railway line and firing on train by Naga hostiles (XVIII), (C.A. and Ad. Motions) 9180, 9182, 9184-85, 9186, 9188.

Concentration of Chinese Troops in Tibet (C.A.) (XV), 5617.

D. G. (1963-64):

Min. I. and B. (XV), 5306-13.

Min. M. & F. (XVI), 9239-48.

Min. S. R. & C.A. (XV), 5713-18.

D. S. G. (General), 1962-63 (XIV), 3227-37.

Firing by Naga hostiles on a military special train on 11-4-1963 near Noajan station (C.A.) (XVII), 9424, 9426.

Official Languages Bill:

Motion to consider (XVII), 11454-463.

P. A. M. (XIII), 744-53.

Point of privilege (XVIII), 13130-133.

Re. Divisions (XVIII), 13303-304.

Reported entry of Naga Hostiles into India through Manipur (C.A.) (XIII), 1730-34.

Reported kidnapping of some Santhals by East Pakistan Police (C.A.) (XVIII), 13777.

Reported statement made in Washington by Shri B. Patnaik (C.A.) (XV), 5880, 5684-84.

Sighting unidentified ships off the Andhra Coast (C.A.) (XVII), 10420, 21.

Treatment of Chinese internees in India (C.A.) (XVIII), 12866-69.

BARUA, SHRI R.:

Agreement with Russia for drilling machineries (XVII), 11570-71.

Air traffic (XVII), 11341.

Aluminium Factory in Madhya Pradesh (XVII), 9334.

BARUA, SHRI R.: *contd.*

Bridge at level-crossing at Narsinghpur (XVIII), 14172-73.

Cement factories in Madhya Pradesh (XVII), 10651.

Complaints of Income-tax evasion (XVI), 7633-35.

Crushing season of sugarcane in U.P. (XV), 6092.

Deep shaft coal mine at Sudamdih (XVI), 7400-02.

Export trade targets (XV), 5400-03.

Floods in Brahmaputra (XIV), 3069-10.

Fuel efficiency in Indian industry (XVIII) 12084-87.

Handicrafts in Assam (XVII), 9399.

Import of wooden sleepers from Burma (XVI), 8134-37.

Interest payment on foreign loans (XVII), 10400-01.

Manufacture of caffeine from tea waste (XVII), 9363.

Market price of export commodities (XVII), 9408.

Medical students (XVII), 10417.

Milk drying plants (XVII), 9868.

Movement of coal (XV), 6367-70.

Over-bridge at level crossing, Itard (XVIII), 14173-74.

Silk industry in Assam (XVII), 9392.

Siltation of Calcutta Port (XVI), 8643.

Telephone Exchange buildings in Assam (XVI), 8671.

Terminal buildings at airports in Assam (XVII), 11340.

Zonal Transport Corporation (XVI), 8124.

Debates

D.G. (1963-64):

Min. Law (XVI), 7546-51.

Min. S. & H. I. (XVI), 9502-08.

Min. Trpt. & Communi. (XVI), 8633-42.

BARUA, SHRI R.: *contd.*

Super Profits Tax Bill:

Motion to consider (XVII), 10996—11000.

BARUPAL, SHRI P. L.:

Allotment of land to ex-servicemen (XVII), 11061.

Bombs lost in Suratgarh area (XV), 5841.

Cases of abduction in Delhi (XVI), 8922.

Companies in Rajasthan for advancing loans (XVIII), 13605-06.

Consolidated list of Scheduled Tribes (XIII), 1156.

Fertilizer factory at Hanuman Garh (XIV), 3857—80.

Hindi Law Commission (XVI), 6883.

Indiscipline among students (XVII), 11537—540.

Installation of tube-wells in Rajasthan (XVI), 8172-73.

Khadi institutions (XVII), 9347, 9348, 9349.

Kolayat station (XVII), 11320.

Lok Sahayak Sena (XVI), 8395.

Medical College, Bikaner (XVI), 9160-61.

Mental Diseases (XV), 6597.

Naal aerodrome (XVIII), 12588.

National Highways in Rajasthan (XV), 4680.

New Railway stations in Bikaner Division (XVI), 8187.

Overbridge in Bikaner city (XV), 6117-18.

Powerful transmitter on A.I.R. (XIV), 1898.

Railway quarters in Bikaner Division (XV), 6118-19.

Rain coats for Trollymen (XV), 6118.

Rajasthan canal project (XVI), 7659.

Recruitment to Army (XIV), 4118-16.

BARUPAL, SHRI P. L.: *contd.*

Replacement of Railway line in Bikaner division (XVII), 9887.

Smuggling on Rajasthan-Pakistan border (XVIII), 13325.

Telephone connections in Rajasthan (XVII), 11321.

Telephones in Bikaner (XV), 6119.

Telephones in Rajasthan (XVIII), 12836.

Welfare of coal-mine workers (XVIII), 12544.

D. G. (1963-64):

Min. H.A. (XV), 7104—09.

BASANT KUNWARI, SHRIMATI:

Port charges at Calcutta (XVI), 8200.

Siliguri-Jogighopa Railway line (XVI), 8150-51.

Smallpox in Delhi (XVIII), 13354.

BASAPPA, SHRI:

All India Insurance Employees Association (XIII), 1361—63.

Bhadravathi Iron and Steel Works (XIII), 1633.

Bharat Sewak Samaj (XIV), 4116.

Bokaro Steel Plant (XIII), 697-98.

Bonus to sugar mills (XIV), 3145-46.

Chromite deposits in Mysore (XVI), 8880.

Coal transport in India (XIII), 1359—61.

Committee on distribution of steel (XIV), 2943.

Consumers' cooperatives (XVI), 7175.

Cooperative Sugar Mill, in Mysore State (XIII), 112.

Cut in Housing Schemes of States (XVII), 10350—54.

Delimitation of Constituencies (XIV), 2946.

Distribution of improved seeds (XIII), 1729.

Economic criteria for backwardness (XVII), 10148.

BASAPPA, SHRI: contd.

- Economy measures in D.V.C. (XIII), 1469.
- Emergency Insurance Scheme (XIV), 2681—83.
- Emergency risk insurance (XV), 5132-33.
- Foreign participation in Indian shipping companies (VIII), 1597—1600.
- Fourth Oil Refinery in South India (XIII), 304-05.
- Food adulteration (XIII), 1395—98.
- Gulhati Commission Report (XIV), 2658—61.
- Hassan-Mangalore Railway line (XV), 4658-59.
- Hospet Railway line (XV), 4659.
- India's relation with Foreign Countries (XIV), 4065—69.
- Iron and steel dealers (XIII), 1676.
- Lok Sahayak Sena (XVI), 8396.
- Manufacture of Defence stores by private sector (XV), 5803.
- MIGs, and MIG Factory (XIII), 929.
- "Milk Production" (XIV), 3158-59.
- Mishap at Bangalore Railway Station (XVII), 9869.
- Ordnance factories (XVI), 7128.
- Per capita income in villages (XVI), 7127.
- Power projects (XIII), 1375—79.
- Private Oil Companies (XIII), 1163—65.
- Production in Ordnance Factories (XVI), 7128—32.
- Production of sugar (XIV), 2064-65.
- Prohibition (XV), 4864—71.
- Purchase of mules from Cyprus (XVI), 8403.
- River Boards (XV), 6573.
- Small Scale Industries Corporation (XIII), 723-24.
- Storage capacity of India Oil Company (XIV), 2439.
- Sugar factories (XIII), 1611.
- Ticketless travelling (XIII), 1619.

BASAPPA, SHRI: contd.

- Tusker Project (XIV), 1859.
- Village volunteer force (XIII), 1604—1609.
- Debates
- Agricultural Refinance Corporation Bill: Motion to consider, (XIII), 225-26.
- B. R. (1963-64), General Discussion (XIV), 2256—61.
- D. G. (1963-64):
- Min. Def. (XVI), 8303—06.
- Min. Food and Agri. (XV), 5214—19.
- Min. H. A. (XV), 6951—55.
- Official Languages Bill:
- Consid. Cl. (XVIII), 12369—71.
- P. A. M. (XIII), 11274—79.

BASU, SHRI G.:

- Coal Controller (XVI), 7424.
- Coking coal (XVI), 7406.

BASUMATARI, SHRI:

- Air Defence requirements. (XVI), 7139—44.
- Aromatics Production in India (XV), 4929.
- Assam rifles for NEFA (XVIII), 13955.
- Border Roads Organisation (XIV), 4071-72.
- Cement factory in Assam (XVI), 6872-73.
- Chittaranjan Works (XIV), 2115.
- Consolidated list of Scheduled Tribes (XIII), 1156.
- Consumers' Co-operative Societies in NEFA (XV), 5872.
- Easing of work load of rural housewives (XV), 4616—20.
- Education Programme for NEFA (XVIII), 12572.
- Export of steam locomotives (XVI), 8113.
- Heavy electrical equipment plants (XIV), 3039—42.

BASUMATARI, SHRI: contd.

- Import of wooden sleepers from Burma (XVI), 8135-36.
- Indo-Pak Border Conference (XVIII), 13968.
- Intensive agriculture programme (XVI), 8143.
- Iron-ore export to Japan (XIV), 3844-48.
- Manufacture of liquefied gas (XV), 6374.
- Marriages of Indians with foreigners (XIV), 3892.
- Micro-wave link in Assam (XV), 4623-30.
- Mineral beneficiation committee (XVI), 8917.
- National Highway in Assam (XV), 4684.
- Neyveli Thermal Power Station (XV), 4925.
- Oil refineries in India (XIV), 3407.
- Pakistani infiltration in Pakistan (XIII), 273.
- Powerful transmitter on A. I. R. (XIV), 1898.
- Railway lines in North Eastern region (XIII), 55.
- Release of property of Ex-ruler of Bastar (XV), 6355.
- Rihand Dam (XIV), 3666.
- Road transport from West Bengal to Assam (XVI), 8632.
- Sainik School in Assam (XVIII), 12559.
- Sea Hawk jet fighters (XIV), 4140.
- Village volunteer force (XIII), 1604-1609.
- Visit of Joint Committee to Eastern U. P. (XIII), 896-97.
- West German private investments (XV), 5177-78.
- Withdrawal by Chinese from Ladakh (XIII), 880.
- Withdrawal of U. S. Transport planes (XIV), 4109-10.

BASUMATARI, SHRI: contd.

Zonal Transport Corporation (XVI), 8124.

Debates

B. R. (1963-64), General Discussion (XIV), 2041-47.

D. G. (1963-64):

Min. H. A. (XV), 6724-28.

BASWANT, SHRI:

B. R. (1963-64), General Discussion (XIV), 2056.

D. G. (1963-64):

Min. Fin. (XVII), 10272-77.

Min. W. H. & R. (XVI), 7334-38.

BERWA, SHRI ONKARLAL:

£30 Million loan from U.K. (XVI), 9145-46.

Accident at Bikaner-Delhi Highway road (XVIII), 12858.

Accident in Ballihari Colliery (XVII), 11042-43.

Accident near Lasina (XV), 4693-94.

Accommodation for Government Employees (XV), 5179.

Accumulation of handloom cloth (XV), 5416.

Admission of students (XIV), 3426.

Advertisement of drugs (XV), 5143-47.

Agreement with Russia for drilling machineries (XVII), 11570-71.

Air Force Flying College examination (XVII), 9671-72.

Air services to steel towns, (XVI), 8797-98.

Air transport service (XVII), 9618-19.

All-India Printers' Conference (XVIII), 13547-49.

Allotment of land to Government employees (XV), 6584.

Andaman and Nicobar Islands (XIII), 1170-73.

Anti-Indian Chinese literature (XVI), 7367-72.

BERWA, SHRI ONKAR LAL: contd.

- Anti-Indian propoganda by Pakistan (XIII), 620-21.
- Army Commissions to doctors (XVIII), 12621.
- Austerity diet in Delhi zoo (XVII), 11282.
- Ayurvedic and Homoeopathic Dispensaries under the Contributory Health Service Scheme (XVI), 9150-51.
- Ayurvedic graduates (XVI), 7635-41.
- Ball Bearing Unit in Punjab (XIV), 2914.
- Bicycles and sewing machines (XVI), 7936-37.
- Bilaspur road (XVII), 11306.
- Black marketing in electrical goods in Delhi (XVII), 9412.
- Blood donations for Jawans (XV), 5183-84.
- Bomb Explosion on Railway track (XVI), 8653.
- Boundary pillar removed by Pakistanis ((XIV), 4136.
- Breathing at high altitude (XV), 5873.
- Burmese employees of L. I. C. in Burma (XV), 6617.
- Capture of foreign textile markets by China (XVII), 10635.
- Cash awards (XVII), 11073.
- Cement trade in Delhi (XVI), 6868.
- Central Government Officers in Assam (XIV), 2372.
- Central Social Conservation Research and Training Centre, Kotah (XIII), 1721.
- Chandrapura Thermal Power Station (XVIII), 11860.
- Chinese internees in India (XVIII), 13057-60.
- Chinese internees in Rajasthan (XVII), 9642-49.
- Chinese nationals (XIII), 1149.

BERWA, SHRI ONKAR LAL: contd.

- Chittaranjan Railway engine (XV), 4680-81.
- Cloth and Yarn prices (XIII), 1629.
- Coal for Rajasthan (XV), 6396-97.
- Coal washeries (XVIII), 13113-14.
- Coffee production (XIV), 3897-98.
- Collection of National Defence Fund in Ceylon (XVII), 9679.
- Collision of a car with Express train (XVIII), 12859-60.
- Compulsory Hindi examinations in Madras (XVIII), 13034.
- Copper and Bouxite deposits in J. & K. (XVI), 7435-36.
- Cost of steel production (XIII), 676.
- Crimes in Delhi (XIII), 1173.
- Cut in staff of Central Ministries (XVIII), 13070.
- Dakotas from Canada (XV), 5667.
- Death of a New Delhi Journalist (XVI), 7407.
- Declaration contest for non-Hindi speaking Government employees (XVII), 11602-03.
- Degree in petroleum technology (XV), 4931-32.
- Delhi water supply (XV), 6598.
- Deluxe trains (XIII), 1730.
- Demolition of quarters at Bela Road, Delhi (XVII), 10145-46.
- Dental hospitals (XIV), 3664.
- Deoli Military camp (XIV), 4131-32.
- Development of agriculture in frontier hilly areas (XV), 6126-27.
- Development of Scheduled Tribes (XV), 4663-64.
- Direct telephone dialling facilities (XVIII), 12819.
- Display of retail prices (XVII), 9355, 9357.
- Dog squad in Delhi (XVI), 6906.

BERWA, SHRI ONKAR LAL: contd.

- Donation of eyes in India (XVIII), 13399.
- Economic criteria for backwardness (XVII), 10146—50.
- Education cess (XV), 4873—77.
- Emergency Insurance Scheme (XIV), 2681—83.
- Emergency risk insurance (XV), 5132—35.
- Encroachments on Government land in Delhi (XVI), 9115—19.
- Engines to run with Methan Gas (XIII), 1723.
- Engineering College at Allahabad (XVI), 8937.
- Enquiry into NEFA reserves (XIV), 4072—81.
- Entertainment of jawans on borders (XVI), 7137—39.
- Expansion of steel plants (XVIII), 12081—84.
- Export Advisory Committee for Pearls and Precious Stones (XVII), 10596.
- Export of manganese and iron ore (XVI), 7931; (XVIII), 12125-26.
- Export of sugar to Ceylon (XVII), 11297.
- Extension of C.H.S. Scheme (XVII), 10379.
- Factory for cutting machine (XVI), 7944.
- Family Planning (XVII), 10415-16, (XVIII), 11872.
- Family planning in Delhi (XVI), 7683-84.
- Fertilizer factory at Hanuman Garh (XIV), 3857—60.
- Film on Sino-Indian border dispute (XVII), 9635—39.
- Fire in goods train (XVII), 11343.
- Firing ranges (XIV), 4143—44.
- Flood Control Schemes (XVII), 10394.
- Floor price of raw cotton (XVIII), 13579.
- Food adulteration (XIII), 1395—98.

BERWA, SHRI ONKAR LAL: contd.

- Food Adulteration Act, 1954 (XVIII), 11861—63.
- Foreign scholarships to Indian students (XV), 6389.
- Foreign students in Delhi (XVI), 8940.
- French Count system for textile industry (XVIII), 12092—94.
- Goan telegraph system (XVII), 9921.
- Gold prices and gold smuggling (XIV), 2683—87.
- Gun factory in Bihar (XIV), 4139-40.
- Heart operation by Russian doctor (XVIII), 13397.
- High Level Inquiry Committee on C.S. & I.R. (XVIII), 13070-71.
- Hindi knowing Government employees (XIII), 1189.
- Hindustan Steel Ltd. (XVII), 10583, (XVIII), 13566—70.
- Home Guards (XVIII), 13081.
- Home nursing course in schools (XV), 6399—6400.
- Homeless persons in Delhi (XIV), 3388.
- Hostels for S.C. students in Rajasthan (XIV), 2432.
- House rent allowance rules (XVI), 7677.
- Import of electric locomotives (XVII), 11299.
- Import of steel for industrial purpose (XVIII), 12131.
- Import of tobacco (XVII), 10611—14.
- Import of wooden sleepers from Burma (XVI), 8134—37.
- Improved water supply plan (XVIII), 13370.
- India's trade with European Economic Community (XVII), 10622—629.
- Indian delegation for U.A.R. (XVII), 11041-42.
- Indian delegation of artists for Russia (XVII), 11611.

BERWA, SHRI ONKAR LAL: *contd.*
 Indian P.O.Ws. (XIII), 924—26.
 Indian settlers in Ceylon (XIV), 4197-98.
 Indians in Burma (XVI), 7133-34.
 Industrial closures (XIV), 4098.
 Insecticides (XV), 6134-35.
 Insurance currency in Nepal (XVI), 7645—48.
 International farm youth exchange programme (XIII), 1724.
 International Ophthalmology, Congress (XIV), 3636-37.
 Inventions Promotion Board (XVI), 6913-14.
 Japanese Team's visit to India (XVIII), 12071—75.
 Khadi exports (XVIII), 12129-30.
 Kotah Nylon Factory (XIII), 1675.
 Kutub Minar, Delhi (XVII), 10171-72.
 Liberal licensing policy (XV), 5385.
 Licence fee for goldsmiths (XVI), 7677.
 Licences issued under Gold Control Scheme (XIV), 2710.
 Loans for private sector coal industry (XVI), 7404—06.
 Loan to autonomous bodies (XV), 5187.
 Loss of mail at Bhagalpur P.O. (XVII), 11324.
 Manufacture and export of gold ornaments (XVI), 9149-50.
 Manufacture of aircrafts (XVII), 9641-42.
 Manufacture of fighter planes (XVI), 7156-57.
 Manufacture of liquefied gas (XV), 6374.
 Manufacture of tin containers (XVIII), 13595.
 Manufacture of water meters (XVI), 7942-43.
 Marine diesel engines (XVII), 9611—13.
 Mechanisation of farming (XVI), 8640.

BERWA, SHRI ONKAR LAL: *contd.*
 Medicinal herbs (XVIII), 11876-77.
 Merger of Oil Companies (XVII), 11605.
 Meteorological Rockets (XVII), 11061-62.
 Mica Mines in Bihar (XVI), 8902.
 MIGs, and MIG Factory (XIII), 929.
 MIG factories (XVII), 9613—16.
 Military awards (XIV), 1868.
 Milk powder plant at Jind (XIV), 3895-96.
 Mineral oils (XVI), 8910.
 Minicoy Island (XVIII), 13044.
 Motor ships (XVII), 9893.
 Motor tax in Delhi territory (XVIII), 12849-50.
 Mountain Divisions in Indian Army (XVI), 8412—17.
 Muslim students migrating to Pakistan (XVII), 11588-89.
 N.C.C. Training (XVII), 9675-76.
 National Defence Fund (XIII), 1380—88.
 National Mines Safety Council (XIV), 4103-04.
 Nationalisation of General Insurance (XVII), 10349.
 Naval shipyard (XVI), 8444-45.
 Navigation in Rajasthan Canal (XIII), 1372.
 New buildings for Army (XIV), 4132.
 New Polytechnics (XVI), 8938.
 New agencies (XIII), 949.
 Neyveli Thermal Power Station (XV), 4925.
 Oil exploration (XIV), 2460-01.
 Oil refinery in Madras (XVIII), 13039.
 Opium cultivation in Kotah (XVIII), 13396.
 Orientation of Primary schools (XV), 4685-86.
 Pak-Nepal trade agreement (XIII), 709—11.

BERWA, SHRI ONKAR LAL: contd.

- Passengers travelling on roof of train (XVIII), 12831.
- Plastic and Chemical products (XVI), 6914.
- Power House at Obara (U.P.) (XVI), 9171-72.
- Power requirements of the country (XIV), 3626-30.
- Premium Prize Bonds (XIII), 490.
- Present population of NEFA (XIII), 949.
- Press Council (XV), 5828.
- Price of coal (XVII), 10153-54.
- Price of country liquor in Delhi (XIII), 1198.
- Price of silk cloth (XVIII), 13616-18.
- Price of sugar (XVIII), 14147-53.
- Prizes for Railway employees (XVIII), 12859-60.
- Production of fertilizers (XVI), 6869-72.
- Production of tractors and trucks (XVII), 11018-22.
- Prohibition (XV), 4864-71.
- Provident Fund (XVI), 9164.
- Purchase of mules from Cyprus (XVI), 8401-04.
- Purchase of wheat by Government (XVI), 8129-32.
- Quarters for married policemen in Delhi (XIV), 2441.
- Radio licences (XVI), 8689.
- Raids on kerosene dealers' shops in Delhi (XV), 6392.
- Railway bridge at Sawai Madhopur (XVI), 8190.
- Reclamation of Ravine land in Goa (XVIII), 1280.
- Recovery of diamonds in Bombay (XVII), 10406.
- Recovery of gold in Gwalior (XVIII), 13391.
- Recovery of smuggled articles in Delhi (XVI), 9170-71.
- Recruitment of airmen (XVII), 9676.

- BERWA, SHRI ONKAR LAL: contd.**
- Recruitment of Jawans (XIII), 939.
- Rehabilitation grants (XVI), 9166-67.
- Religious and moral education (XV), 6376.
- Reparticipation of Chinese detenus (XVII), 11573-74.
- Research Centre in Bombay (XV), 4932.
- Research on zoto-bacter and phospho-bacterin (XV), 6064-70.
- Research through balloons (XVI), 8683.
- Retrenchment in Census offices (XVI), 7422-23.
- Rifle training (XIV), 1920; (XV), 6389.
- Rifle training to N.C.C. Cadets (XV), 5836.
- Rise in price of kerosene oil (XV), 4903.
- Road between Leh and Ladakh (XVII), 9676-77.
- Ropeway in Jharia Coal Mines (XVII), 10183.
- Rourkela Steel Works (XVII), 9379.
- C.Cs. in Delhi (XVII), 11597.
- Sale of illicit liquor in Delhi (XVI), 7426-27.
- Sale of pens and lighters with obscene poses (XIII), 1199.
- School for training engine drivers (XV), 4681-82.
- Science symposium (XVIII), 13122-23.
- Seizure of Kerosene oil in Delhi (XVII), 11610-11.
- Seizure of watches at Santa Cruz airport (XV), 6591.
- Seizure of watches in Calcutta (XIV), 3659.
- Shortage of Army Officers (XVII), 11005-12.
- Shortage of electricity in Delhi (XVIII), 11875-76.
- Shortage of fertilizers (XVII), 9906.

BERWA, SHRI ONKAR LAL—*contd.*

Shorter National Anthem on A.I.R. (XVIII), 12579.

Silver prices (XVII), 10357—59.

Siroj-Tonk Railway line (XVI), 8194.

Slaughter houses (XV), 6185-86.

Slum in big cities (XV), 5129-30.

Slums in Delhi (XIII), 1403.

Small Savings certificates (XV), 6629.

Smallpox in Delhi (XVIII), 13353.

Small-pox vaccination (XV), 6601.

Smuggling on Rajasthan-Pakistan border (XVIII), 13328.

Special steel plant in Durgapur (XVIII), 12106-07.

Special train for South (XVIII), 12819-20.

Spurs on river Feni in Tripura (XVII), 11063.

State Health Ministers' Conference (XVIII), 11844.

Stones in a parcel from abroad (XVII), 11326.

Study team on farm implements (XVI), 7674.

Supply of inferior quality coal (XIV), 2397.

Supply of opium to Russia (XVIII), 13570—73.

Supply of petroleum products to Ceylon (XVII), 1084-85.

Survey of Himalayan region (XVII), 11542—545.

Target of Cotton Production (XVI), 8660.

Teaching of foreign languages in India (XVII), 11551—555.

Tele-communication buildings (XV), 4640.

Telephone exchange in Tonk District (XVI), 8189.

Telephones in Bhimganj Mandi (XV), 4685-86.

Telephones in Delhi village (XVI), 8198.

BERWA, SHRI ONKAR LAL—*contd.*

Telephones in Rajasthan (XV), 4690-91.

Tibetan children's homes (XVIII), 13121-22.

Timings of Central Government offices (XV), 4929.

Tools factory at Bareilly (XVIII), 12128-29.

Trade agreement between India and Greece (XVI), 7944-45.

Trade delegation to Japan (XVIII), 12136-37.

Train accident at Ludhiana (XIII), 1643.

Train collision (XVI), 8192.

Training in helicopter flying (XVI), 7179.

Training of armed forces (XVI), 8410.

Training of technicians in U.S.S.R. (XVII), 10652.

Training of women workers (XV), 4689-90.

Tusker Project (XIV), 1859.

U.N. expert for river basin surveys in India (XVI), 9132—35.

Use of palm seeds in betels (XVI), 9166.

Violation of Indian airspace (XVII), 9607—11.

Water supply in Agra (XVIII), 11877.

Water supply to Delhi from Punjab and U.P. (XVI), 9178-79.

Withdrawal of U.S. Transport planes (XIV), 4109-10.

Wooden sleepers washed away towards Pakistan (XVIII), 13362.

Debates

Concentration of Chinese Troops in Tibet (C.A.) (XV), 5618.

D.E.G. (R) 1960-61 (XVIII), 12700—02.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8530—36.

BERWA, SHRI ONKAR LAL.—Contd.

- Min. H. A. (XV), 6994—96.
 Min. Irr. and Power (XV), 6295—6300.
 Min. Lab. and Emp. (XV), 6526—30.
 Min. S. & H. I. (XVII), 9708—12.
 Min. W. H. & R. (XVI), 7351—58.
 D. G. (R), 1963-64 (XIV), 2775—81.
 D.S.G. (R), 1962-63 (XIII), 1963—65.
 Delhi Rent Control (Amdt.) Bill:
 Motion to Consider as passed by R.S. (XIII), 176-77.
 Export (Quality Control and Inspection) Bill:
 Motion to consider (XVIII), 18527—30.
 Reported entry of Naga hostiles into India through Manipur (CA), (XIII), 1734.

Super Profits Tax Bill:

- Motion to consider (XVII), 11122—123.

Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill:

(Insertion of new section 7A) by Shri C. K. Bhattacharyya.

- Motion to consider (XV), 5579—80.

BESRA, SHRI:

Chittaranjan Locomotive Works (XVII), 9663-64.

Dbehar Commission (XVII), 11547—51.

BHAGAT, SHRI B. R.:

Agricultural Refinance Corporation Bill.

Motion to consider 1494—1502.

Motion to pass as amended (XIII), 1519, 1527-28.

B. G. (General Discussion) (XIV), 3968—89.

BHAGAT SHRI B. R.—contd.

Central Sales Tax (Amendment) Bill:

Motion to consider (XIV), 4282—84, 4306—11.

Motion to pass (XIV), 4313.

D. E. G. (General), 1960 61.

(XVIII), 12681—87.

D.S.G. (General), 1962-63 (XIV), 3264—71.

Finance Bill, 1963:

Consid. Cl. (XVII), 10936-37, 10960—54, 10961-62, 10966.

Insurance (Amendment) Bill (Amendment of sections 31A and 40C) by Shri Indrajit Gupta.

Motion to consider (XVIII), 13694—702.

Marine Insurance Bill, as passed by R.S.:

Motion to consid. (XVI), 8066.

BHAKT DARSHAN, SHRI:

A.C.C. and N.C.C. (XVI), 7158 59.

A.I.R. Broadcasts (XVI), 8434.

A.I.R. Broadcasts from B.B.C. Singapore (XIII), 941.

Adalati Panchayats (XIII), 108.

Afro-Asian Solidarity Conference (XIII), 916-17.

Age concessions for I.A.S. examination (XVIII), 13062-63.

Agents for Small Savings Scheme (XVIII) 14142-43.

Agricultural production (XIV), 2079.

Aid India Club (XV), 6611.

Air raid precautions (XV), 4668-69.

Alarm chains (XIII), 1624-25.

Aluminium factory at Pipri (XVII), 10616—818.

Amendment of article 311 of the Constitution (XIII), 1179-80.

Annual Plan for Delhi (XIV), 4121-22.

Anti-Indian propoganda by Pakistan (XIII), 328-21.

BHAKT DARSHAN, SHRI: contd.

- Appointment of additional Judges in Allahabad High Court (XV), 4915.
- Archaeological survey of India help to Nepal (XVI), 8942.
- Asbestos deposits in U.P. (XVII), 11595.
- Asian Highways (XVII), 9852.
- Banaras and Aligarh Universities (XVIII), 13069.
- Barahoti (XVI), 8384.
- Barrages on Jamuna in Delhi (XV), 6602.
- Basic education in Delhi (XV), 6396.
- Biography of Sardar Patel (XVII), 9657.
- Black-marketeering in imported cars (XVIII), 13551-54.
- Blood Plasma Freeze Drier Units (XIII), 538.
- Books on Dr. Rajendra Prasad (XVII), 11058.
- Border districts (XVIII), 13079-80.
- Border Roads Organisation (XIV), 4072.
- Breeding of mules (XVII), 11336.
- Bull-dozer accident (XV), 5873.
- Bye-elections (XIII), 679-80.
- Catering contracts in Constitution House (XVII), 10390.
- 'C' Thermal station in Delhi (XV), 6614.
- C.H.S. Scheme (XV), 6603.
- C.H.S. Scheme for Central Government Employees at Shahdara (Delhi) (XV), 5119-21.
- Cement factory, Kangra (XVI), 6909-10.
- Censorship of films (XVI), 8422-23.
- Cement trade in Delhi (XVI), 6866-69.
- Central Excise Reorganisation Committee (XVII), 10371-73.
- Central Government Officers in Assam (XIV), 2372.
- Central Housing Board (XVI), 9149.

BHAKT DARSHAN, SHRI: contd.

- Central Institute, Simla (XVII), 11546-47.
- Central Prohibition Committee (XVI), 7423-24.
- Chamba-Bhadarwah Road (XIV), 2154.
- Children's Book Trust (XVII), 11557.
- Chinese nationals (XIII), 1140-43.
- Civil Administration in NEFA (XIII), 907-12.
- Civil aerodromes (XV), 4386.
- Civil Defence Plan (XIII), 1158-63.
- Coal preparation and coal carbonisation (XV), 4904.
- College of Survey (XVI), 7383-84.
- Colombo proposals (XIII), 883-92.
- Committee on distribution of steel (XIV), 2943.
- Committee on Physical Education, Recreation and Youth Welfare (XVI), 7407-08.
- Community Development (XVI), 12784-89.
- Compulsory Hindi examinations in Madras (XVIII), 13032-36.
- Conference of Chairmen of State Electricity Boards (XVIII), 13369.
- Conference of Chairmen of State Electricity Boards (XIV), 3312-43.
- Conference of State Ministers of Cooperation (XIV), 2091.
- Continuous Casting Process (XIV), 2953.
- Contribution to National Defence Fund from Former rulers of princely States (XIV), 2419.
- Cooperative movement (XIV), 3136-41.
- Cooperative sugar mills (XVI), 2175.
- Cosmic Rays Research Station at Gulmarg (XVII), 9640-41.
- Cottage industries (XVI), 6886-89.

BHAKT DARSHAN, SHRI—contd.

- Crippled Jawans (XIII), 934.
- Customs hold-up of Tibetan wool on Indo-Nepal border (XVIII), 13384.
- Dairy Development Schemes (XVII), 9873.
- Dams on Jamuna river (XV), 5185-86.
- Defence of India Rules (XIII), 303.
- Delhi State Sanskrit World Council (XVI), 8906.
- Departmental candidates in All India Services (XVII), 10177.
- Departmental Examinations for Clerks and Postmen (XIII), 110.
- Derailment at Malhor station (XVI), 8681.
- Development of Media of mass communication in India (XIII), 928.
- Discontinuance of Compensatory Allowances (XV), 4900-01.
- Distribution of radio sets (XIV), 1918.
- Drinking (XIV), 2385.
- Drinking Water Supply Board (XVIII), 13365.
- Drinking Water Supply for Banaras (XVI), 9123.
- Earthquake in Eastern parts of India (XVIII), 12821-22.
- Education cess (XV), 4873-77.
- Educational facilities to students joining army (XV), 6341-44.
- Electric crematorium in Delhi (XV), 6625.
- Electricity from Rihand Dam Project (XV), 6570.
- Enquiry into N.E.F.A. reverses (XIV), 4072-81.
- Entertainment of jawans on borders (XVI), 7137-39.
- Eradication of famine (XVI), 7625-27.
- Ex-I.N.A. personnel (XVI), 8925.

BHAKT DARSHAN, SHRI—contd.

- Expansion of steel plants (XVIII), 12081-84.
- Facilities to individual house builders in Delhi (XIV), 2381.
- Farms on India-Tibet border (XIV), 2131.
- Fire in Gun Carriage Factory (XIV), 1932.
- Fire in Heavy Electricals Ltd., Bhopal (XIII), 724-25.
- Flats for M.Ps. (XIII), 1412.
- Floods in River Teesta (Sikkim) (XVI), 7159-62.
- Fokker Friendship' aircraft (XIV), 2130.
- Fokker Friendship Service for Patna (XVIII), 12835.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Foreign Military aid (XIII), 916.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Forest Research Institute (XVI), 8649.
- Formation of service cadre in Union territories (XVI), 7380-82.
- "Freedom from Hunger" Campaign (XVI), 8118, 8120.
- Fruit and cattle farms (XVII), 11285.
- Gandak-Naraini Flood Control Scheme (XVII), 10354-57.
- Geological Survey in U.P. (XVIII), 13088-93.
- Government advertisement in newspapers (XIII), 920.
- Government Degree College at Nahan (XVII), 10176-77.
- Grassland and Foliage Research Institute (XVI), 8176.
- "Grow More Food" campaign in Army Units (XV), 4418.
- Handing over of equipment by Chinese (XIV), 4093-96.

BHAKT DARSHAN, SHRI—contd.

- Heavy industries in Jammu and Kashmir State (XIV), 2959.
- Helicopters from Russia (XIV), 4086-87.
- High altitude sickness among Defence Forces (XVII), 9677-78.
- High Power Commissions for water and power (XIV), 2687-90.
- High protein food for Jawans (XVIII), 12538.
- Hindi certificates to Hindi films (XVI), 7180.
- Hindi in South India (XIII), 1150.
- Hindi Law Commission (XVI), 6878-84.
- Hindi News Bulletins on A.I.R. (XVIII), 12593.
- Hindu Religious Endowments Commission (XVIII), 12062-66.
- Hindustan Steel Ltd. (XVII), 10581-84.
- Home Guards (XVIII), 13081.
- Horticulture Centre in Nepal (XV), 4363.
- Hospital at Bomdila (XVIII), 12591.
- Housing Boards (XIV), 3613-15.
- I.O.C. petrol depot in New Delhi (XVI), 8944.
- Iduky Hydro-Electric Project (XIII), 514-15.
- Import of stainless steel (XVI), 6892.
- Inaccessible areas committees (XVII), 9654.
- Indian Education Service (XIII), 1166-69.
- Indian fisherman kidnapped by Pakistanis (XVII), 9653-59.
- Indian P.O. Ws. (XIII), 924-25.
- Inland water transport (XV), 4665-66.
- Industries in backward areas of Uttar Pradesh (XVII), 10642.
- Institute of Journalism (XVII), 9630-34.
- Integrated power grid (XIV), 3639-40.

BHAKT DARSHAN, SHRI—contd.

- Inter-University Board (XVI), 7375-80.
- Intrusion by Chinese on Indian territory (XIII), 922.
- Joint power pool of Punjab Delhi and U.P. (XVI), 7630-33.
- Journey to Badri Nath (XVII), 10319, 21, 22.
- Khadi and Village Industries Commission (XVIII), 13561-66.
- Labour Recruiting Depot, Gorakhpur (XVII), 11041.
- Land for jawans (XV), 5864.
- Leprosy Hospital in Uttar Pradesh (XVIII), 11842-43.
- Life Insurance for Armed Forces Personnel (XIV), 2674.
- Limited I.A.S. Examinations (XIII), 1152-54.
- Liquor addicts (XVIII), 11870-71.
- Lok Sahayak Sena (XVI), 8393-96.
- Looting at Khudaganj station (XVI), 8186.
- Looting at Sehla Railway station (XVI), 8183.
- Losses suffered by civilians in NEFA (XIV), 4105-06.
- MIGs, and MIG Factory (XIII), 929.
- Major irrigation and power projects (XIII), 1368.
- Manufacture and export of gold ornaments (XVI), 8144-50.
- Manufacture of engines for Alouette Helicopters (XIV), 1905.
- Manufacture of warships and helicopters (XV), 4294.
- Manuscripts with Asiatic Society Calcutta (XV), 6362.
- "Maps of India" postage stamps (XVI), 8114.
- Mechanised Brick Plant (XIII), 477-79.
- Medical colleges (XVI), 7675-76.
- Medical colleges (XV), 5165-68.

BHAKAT DARSHAN, SHRI—contd.

- Medium-sized steel plants (XIII), 676—78.
- Mental diseases (XV), 6595.
(XVI), 7672.
- Mental hospital at Shahdara, Delhi
- Military awards (XIV), 1868.
- Military truck accident (XVI), 7177-78.
- Mouth cancer centre at Agra (XVIII) 13336.
- Movement of coal by Railways (XIV), 2117.
- Movement of sugar outside Delhi (XVIII), 12820 21.
- National academy of administration, Mussoorie (XVI), 6883.
- National animal and bird (XIII), 1643-44.
- National bird (XV), 6127-28.
- National Defence Fund (XIII), 1380—88.
- National Discipline Scheme (XIII), 278—80.
- National Discipline Scheme (XV), 6357.
- National Mines Safety Council (XV), 4103-04.
- National volunteer force (XV), 5824.
- Nature cure clinic in U.P. (XVII), 1041-15.
- NEFA Reverses (XVI), 7150—52.
- New Power Station in Delhi (Q) (XVV), 2695—97.
- New Radio Stations in border areas (XIII), 943.
- Newsprint factory in Uttar Pradesh (XIV), 3883.
- Newsprint papers (XIII), 680—85.
- Notified areas (XVI), 8923.
- Ocean freight between India and Pakistan (XV), 6109.
- Oil mills in Uttar Pradesh (XVI), 7933.
- Ordnance factories (XVI), 7128.
- P. & T. Advisory Committee (XIV), 3153, (XVII), 9892.

BHAKAT DARSHAN, SHRI—contd.

- P. & T. buildings (XVII), 11328.
- P. & T. facilities in hilly districts of U.P. (XVIII), 12840.
- Pathankot-Jammu Railway Line (XIV), 2099.
- Pension (XVII), 10118—21.
- Per capita income in villages (XVI), 7123—27.
- Permanent Indus Commission (XIII), 542.
- Petroleum Institute, Dehradun (XVI), 7402—04.
- Phyto-Chemical Project at Neriamangalam (XVII), 10579—581.
- Pilot projects for rural water supply (XV), 5124—29.
- Popularisation of Hindi through A.I.R. (XVII), 11013.
- Potassium Chloride plant at Kandla (XVI), 6862—64.
- Power crisis in Delhi (XIII), 1389—92.
- Power supply for industrial purposes in Delhi (XV), 6579.
- Press Consultative Committee (XVIII), 12594.
- Press Council (XV), 5828.
- Press for Parliamentary work (XVIII), 11807—810.
- Production in Ordnance Factories (XVI), 7128—32.
- Production of Children's Films (XVII), 9616—18.
- Prohibition (XV), 4964—71.
- Prohibition in Delhi (XVII), 10115—18.
- Promotion of tourism (XVI), 8177—81.
- Purchase of wheat by Government (XVI), 8130.
- Quarters in Ramakrishnapuram (XIII), 1415.
- Rail bridge over Jamuna (XIV), 2070.
- Railway Accidents Enquiry Committee (XIII), 55—58.

BHAKAT DARSHAN, SHRI—contd.

- Railway museum in Delhi (XVI), 8133.
- Reclamation of land (XIII), 1694.
- Recruiting Centres (XVII), 11059-60.
- Recruitment of ex-servicemen (XIV), 1899.
- Regimental Schools (XVII), 11595-597.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804-810.
- Relationship with Iraq (XV), 4416.
- Relaxation of age limit (XIV), 1926.
- Release of Indian P.O.Ws. by Chinese (XVIII), 14165-67.
- Religious and moral education (XV), 6376.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Repatriation of Indians from Mozambique (XIV), 4089-91.
- Republic Day Celebrations (XVI), 7420.
- Report on Dalmia-Jain concerns (XIII), 1625.
- Research in NEFA operations (XIV), 1883.
- Reservation of posts for war services candidates (XIII), 1176.
- Rihand Dam (Q) (XIII), 1135-40, (XVII), 10154.
- Rise in prices of paper (XIV), 2929.
- Road bridges in Delhi (XV), 6128-30.
- Roads in border districts of U.P. (XVI), 8175-76.
- Sainik schools (XIII), 912-16.
- Sainik School in Uttar Pradesh (Q) (XVII), 11022-24.
- Scarcity of water in Delhi (XVIII), 13368.
- School Defence Corps Programme (XIV), 3417.

BHAKAT DARSHAN, SHRI—contd.

- Schools for Government employees (XIII), 333.
- Second Telephone Factory (XV), 6088-89.
- Seizure of watches at Santa Cruz Airport (XV), 6592.
- Selection grade for Assistants (XV), 6375-76.
- Setting up of a Bengali regiment (XVII), 9599-9603.
- Shifting up Government offices (XIII), 521.
- Shifting up of Government offices (XVI), 9161.
- Shortage of Army Officers (XVII), 11009.
- Silk industry in Uttar Pradesh (XVI), 7931-33.
- Sino-Pak border agreement (XIII), 903-07.
- Sino-Pak border agreement (XVII), 11088-89.
- Small Savings (XVIII), 13379.
- Smallpox in Delhi (XVIII), 13353.
- Smallpox in the country (XIII), 490-95.
- Soldiers, sailors and airmen's boards (XV), 5879.
- Special news receiving equipments (XVII), 9875.
- Sports Enquiry Committee (XV), 6363-66.
- Spurs on river Feni in Tripura (XVII), 11063.
- Stamp to commemorate Netaji's birthday (XVIII), 14138-40.
- Supply of petroleum products to Ceylon (XVII), 10184-85.
- Survey of Himalayan region (XVII), 11544.
- Survey of mines (XIII), 306.
- Synthetic rubber factory, Bareilly (XIV), 3880-83.
- Synthetic rubber factories (XVIII), 13581.
- Tea industry in Kangra Valley (XIII), 1637.

BHAKAT DARSHAN, SHRI—contd.

- Telephone for Delhi (XV), 6112.
 Teleprinter factory at Madras (XV), 4641.
 Thugs operating on Railway (XVIII), 12884.
 Traffic on Railway bridge, Delhi (XV), 6050—53.
 Training Centres for emergency commissioned officers (XIV), 1891.
 Tour by Japanese farm youth team (XVIII), 12823.
 Tregedy at National Cycling Championship (XVI), 8900.
 "Tripitaka" in Hindi (XVI), 8886.
 Trisuli Project in Nepal (XV), 6581.
 Tuition fees in Delhi Schools (XVII), 11597.
 Tusker project (XIV), 1859.
 U.G.C. Building (XIII), 315.
 Uniform Legislation for Municipal Corporations (XVIII), 11823.
 University courses in Medicine (XIII), 523.
 Use of Hindi in Central Government Offices (XVII), 11594.
 Use of Hindi on A.I.R. (XVIII), 12544.
 Village volunteer force (XIII), 1604—1609.
 Violation of Indian airspace (XVII), 9607—11.
 Visit of Joint Committee Eastern U.P. (XIII), 893—97.
 Vividh Bharati (XVI), 7137.
 Water resources of river valley (XVII), 10392-93.
 Wind power (XVI), 8925.
 Water supply to Delhi from Punjab and U.P. (XVI), 9178-79.
 Wool industry in Uttar Pradesh (XVI), 6909.
 Working conditions of Government employees (XVII), 10152-53.
 Yamuna Hydro-electric Scheme (XVIII), 11871-872.

BHAKAT DARSHAN, SHRI—contd.**Debates**

- B.G.(1963-64), general discussion (XIII), 3531—41.
 D.G. (1963-64):
 Min. Def. (XVI), 8359—65.
 Min I and B (XV), 5343—51.
 D.S.G.(General), 1962-63 (XIV), 3237—43.
 Government of Union Territories Bill.
 Motion to refer to Joint Committee (XIV), 4361—65.
 Official Languages Bill:
 Consid Cl. (XVIII), 12416—418,
 Motion to pass, (XVIII), 12479-80.

BHANJA DEO, SHRI L. N.:

- I.A.C. (XIV), 3160.

Debates

- D.G.(R) 1963-64 (XIV), 2559—63.
 P.A.M. (XIII), 1242—46.
BHANU PRAKASH SINGH, SHRI:
 Drinking water in States (XV), 5150-51.
BHARGAVA, SHRI M.B. :
 Constitution (Fifteenth Amendment) Bill:
 Motion to consider (XVIII), 12959-963.
BHATTACHARYYA, SHRI C. K. :
 Archaeological excavations in Uzbekistan (XVIII), 13071.
 Declaration of holidays (XIV), 3431.
 Doctors for Army Medical Service (XVII), 9668-69.
 Economic Criteria for backwardness (XVII) 10146—50.
 Electrification of Indian Railways (XVII), 9867.
 Gold smuggling (XVIII), 11865.
 Japanese method of paddy Cultivation (XVII), 11331.

BHATTACHARYYA, SHRI C. K.—
Contd.

- National Highway No. 34 (XVII),
9900.
- Smuggling on Rajasthan-Pakistan
border (XVIII), 13327.
- Students studying abroad (XVIII),
13339.
- Trespassing by Pakistanis (XVII),
11065-66.
- Wooden sleepers washed away
towards Pakistan (XVIII), 11819-
823.

Debates

- Child Marriage Restraint (Amend-
ment) Bill:
- Motion to circulate (XIII), 3091-
94.
- Committee on Private Members'
Bills and Resolutions:
- Fourteenth Report (XIII), 3065.
- Constitution (Fifteenth Amend-
ment) Bill:
- Motion to consider (XVIII),
12977-981, Consid. Cl. 13179-
180, 13213-214.
- D.G. (1963-64).
- M'n. H. A. (XV), 6818-21.
- Min. S. R. & C.A. (XV), 5718-22.
- D.G.(R) 1963-64 (XIII), 3038-42
(XIII), 2816-19.
- G.S.G. (R) 1963-64 (XVIII), 12724-
25.
- Delivery of Books and Newspapers
(Public Libraries) Amendment
Bill (*Amendment of section 2*)
by Shri C. K. Bhattacharyya.
- Motion to consider (XVIII),
13754-56.
- Finance Bill, 1963:
- Consid. Cl. (XVII), 10964-65.
- Government of Union Territories
Bill:
- Motion to pass (XVIII), 13904-05.

BHATTACHARYYA, SHRI C. K.—
Contd.

- Industrial Disputes (Amendment)
Bill: (*Amendment of Section 3*).
Int. (XVIII), 13692.
- Jharkhand Colliery Accident (CA.)
(XVIII), 13622-23.
- Mines (Amendment) Bill (*Amend-
ment of sections 12, 63, 64,
66, 67, 70, 72C and 73*) by Shri
S. C. Samanta.
- Motion to consider (XVII),
10774-76.
- Official Languages Bill:
- Motion to consider (XVIII),
11952-58, Consid. Cl. 12253-255.
- Re. termination of suspension of
Member (XVIII), 13138.
- Regional Disparity (Res.) (XVII),
9542-44.
- Report of the Commission of Inquiry
into Dalmia Jain Companies (M)
(XVIII), 14058-66.
- Reported kid'napping of some
Santhals by East Pakistan Police
(C.A.) (XVIII), 13777.
- Working Journalists (Conditions of
Service) and Miscellaneous Pro-
visions (Amendment) Bill—
(*Insertion of new section 7A*) by
Shri C. K. Bhattacharyya
- Motion to consid. (XIII), 3109-
10, (XV), 5544-56, 5587-90.
- Young Persons (Harmful Publica-
tions) Amendment Bill (*Amend-
ment of Sec. 27*).
Int. (XIII), 807-8.
- BHATTACHARYYA, SHRI DINEN:**
- Accumulation of handloom cloth
(XV), 5416-17.
- Ajoy valley development scheme
(XIV), 3664-65.
- Arrears of P.F. Contribution (XIV),
4145.
- Collapse of C.P.W.D. godown in
New Delhi (XVIII), 14161-70.

BHATTACHARYA, SHRI DINEN.—
Contd.

- Cement factory in West Bengal (XVII), 10607.
- Conference of State Ministers of Cooperation (XIV), 2091.
- Education Cess (XV), 4576-77.
- Employees' State Insurance Scheme (XVIII), 12581.
- Extension of C.H.S. Scheme (XVII), 10380.
- Farakka barrage (XIII), 1400-1403.
- Fertilizer factories (XIII), 1657.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Freight rates (XVI), 8656.
- Import of trucks (XV), 5388.
- Jute Wage Board (XIV), 4110.
- Loan by Rehabilitation Industries Corporation (XVIII), 12105-06.
- Major irrigation and power projects (XIII), 1368.
- Metallurgical Laboratory Ichapore (XIV), 4145-46.
- Power shortage in West Bengal (XVIII), 11881.
- Price of raw jute (XIV), 2930.
- Price of rice in West Bengal (XIV), 2103.
- Purchase of wheat by Government (XVI), 8132.
- Railway employees' Cooperatives (XV), 4683-84.
- Release of Communists during Bye-elections (XV), 5158-63.
- Report on Dalmia-Jain concerns (XIII), 1625.
- Scheduled Castes and Scheduled Tribes on Railways (XVI), 8690.
- Sindri Fertilizer Factory (XIII), 695-97.
- Slum in big cities (XV), 5126-30.
- Squatters colonies in West Bengal (XVIII), 11836-838.

BHATTACHARYA, SHRI DINEN.—
Contd.

- Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.
- Survey of mines (XIII), 306.
- Transfer of evacuee properties (XVII), 10404.
- Unemployment (XV), 5819.
- Wage Board for Iron Ore Mines (XV), 4392.

Debates

D.C. (1963-64):

- Min-Lab. and Emp. (XV), 6482-84.
- Min. Trpt. & Communi. (XVI), 8773-86.
- D.S.G.(R) 1962-63 (XIII), 1452-55.
- Defence of India Act (Rs.) (XVIII), 12538.

BHAWANI, SHRI LAKHMU:

- Bridge over Indravati river on National Highway No. 43 (XVII), 9916.
- Collection of National Defence Fund in Ceylon (XVII), 9679.
- Collision of goods trains near Raipur (XVII), 9917.
- D.B.K. railway project (XVII), 11332.
- Dandakaranya Project (XVIII), 11856-857.
- Export duty on 'Harra' (XV), 6131.
- Iron factory in Bastar district (XVII), 9420.
- Maintenance assistance for D.Ps. (XVIII), 11855-856.
- Polytechnic in Bastar district (XVII), 10182.
- Rail accident near Katni (XVII), 9917.
- Release of property of Ex-ruler of Bastar (XV), 6354-56.

BHAWANI, SHRI, LAKHMU—contd.

Teleprinter line to Raipur (XVII), 9917.

Use of Dhup in gun powder (XVII), 11069.

Work centres in Dandakaranya (XV), 6628.

BIREN DUTTA, SHRI:

Leave of Absence (XVI), 8447, (XVIII), 14186.

BIRENDRA BAHADUR SINGH, SHRI:

Agriculturist families of Kerala (XVI), 8188-89.

Air service's Bhopal (XV), 4640-41.

Bengal Nagpur Cotton Mills, Rajnandgaon (XV), 5440.

Fertilizer Plant, Katni (XVII), 10588-591.

Flying clubs in M.P. (XVI), 8188.

Heavy Engineering Projects in Vidarbha (XV), 5439.

Industrial Undertakings in M.P. (XVI), 7183.

Mystery disease in Madhya Pradesh (XV), 6627.

Ordnance Factory at Bhandara (XV), 5877.

Permission to Lt-Gen. B. M. Kaul for appointment in a commercial concern (XVIII), 13980.

Purchase of wheat in Madhya Pradesh (XV), 4697.

Release of property of Ex-ruler of Bastar (XV), 6354-56.

Vijnan Mandirs in Madhya Pradesh (XVI), 7427.

White tigers (XVII), 6838.

Debates

D.G. (1963-64):

Min. Econ. and Def. Coord. (XVII), 9975-80.

Min. Trpt. and Communi. (XVI), 9038-43.

D.G. (R) 1963-64) (XIII), 3025-29.

BIST, SHRI J. B. S.:

Civil Defence Plan (XIII), 1158-63.

Crimes in Delhi (XIII), 1175.

Crude oil from Indonesia (XIV), 3422.

Defence of India Rules (XIII), 363.

Emergency Commission (XIV), 1914.

Entertainment of jwans on borders (XVI), 7137-39.

Exploitation of rare herbs (XIV), 2146.

Foreign exchange requirements for N.C.D.C. (XV), 4881-82.

Gauhati Commission Report (XIV), 2658-61.

Gold prices and gold smuggling (XIV), 2683-87.

High pressure boiler plants (XIV), 3867-69.

Housing Ministers' Conference (XIII), 1398-1400.

Link road between Sarojini Nagar and Ramakrishnapuram (XVIII), 11867.

Lok Sahayak Sena (XVI), 8395.

Oil Refinery in private sector in South India (XIV), 2412.

Power supply for industrial purposes in Delhi (XV), 6577.

Prices of foodgrains (XIV), 3124-28.

Production of copper (XIV), 3688.

Rail transport facilities (XIII), 1718.

Revision of credit agreement (XVI), 6902-03.

Rihand Dam (XIII), 1135-40.

Russian aid for Defence needs (XIII), 926.

Semi-conducting rock in Rajasthan (XVI), 7391-93.

Shifting of Government offices (III), 521.

Tripartite Conference (XIII), 921-22.

BIST, SHRI J. B. S.: *contd.*

Debates

B.G. (General Discussion) (XIV),
3712—16.

Min. H. A. (XV), 6780—83.

Hindu Succession (Amendment)
Bill

Opinion on, (XIII), 742.

BAROOAH, SHRI P. C.:

A.I.D. Loan to India (Q.) (XVI),
7671.

AVRO-748 (XV), 4415.

Abu Simbel temples in Egypt
(XVII), 11557—561.

Accident in Ballihari Colliery
(XVII), 11042-43.

Accident near Anandnagar Station
(XV), 6135.

Accident to Hyderabad Flying Club
Aircraft (XV), 4612-13.

Accumulation of cargo at Neamati,
Assam (XV), 4692-93.

Accumulation of handloom cloth
(XV), 5413—17.

Advances to Class IV employees for
Fans (XIV), 3650.

Advisory Committee for the Chief
Commissioner of Andamans (XIII),
1169-70.

Afghan Trade Mission's visit to
Delhi (XIV), 2939.

Afro-Asian Solidarity Conference
(XII), 916-17.

Agricultural Administration (XIV),
1905.

Agricultural demonstration (XIII),
1682.

Agricultural price policies (XIV),
3163-64.

Agricultural production (XIII), 67—
74, (XIV), 2079.

Air Defence requirements (XVI),
7139—44.

Air lanes (XVI), 8151.

BAROOAH, SHRI P. C.—*Contd.*

All-India newspaper editors con-
ference (XIV), 4114.

All-India Printers' Conference
(XVIII), 13547—49.

All India Water Grid (XVIII),
13371.

Allotment of quarters to Class IV
employees (XVIII), 11882.

Allowances to families of Chinese
internees (XIV), 3392.

Anti-Indian Chinese literature
(XVI), 7367—72.

Anti-Indian propaganda by Pakistan
(XIII), 920-21.

Archaeological survey of India help
to Nepal (XVI), 8942.

Arms from Yugoslavia (XVII),
9634-35.

Assam Rifles for NEFA (XVIII),
13954-958.

Auction of land in New Delhi (XV),
5141—43.

Auto-transformer manufactured in
India (XVIII), 13596.

Balance of trade (XVIII), 12124.

Ball-bearing factories (XVI), 7937—
39.

Bandel Power station (XIV), 3663-
64.

Bank advances on gold and shares
(XIII), 520-21.

Barauni and Koyali refineries (XIV),
2411.

Barter deal with Japan (XVIII),
13541—44.

Basic Jet Trainer aircraft (XV),
4422.

Boeing aircraft for Air India (XIV),
3147—49.

Bokaro Steel Plant (XVIII), 12078—
81, 13585—90.

Bonus for textile workers (XVII),
9613—74.

Border Road Development Board
(XVI), 8438.

Booking restrictions to Assam
(XVI), 8685.

BOROOAH, SHRI P. C.—Contd.

- Britain's entry into E.C.M. (XIV), 2895.
- Calcutta Gas Company (XVII), 11026—28.
- Capture of foreign textile markets by China (XVII), 10635.
- Cargo freight rates (XV), 6095.
- Cement factory in Assam (XVI), 6874.
- Central Allocation for Dandakarnaya Project (XVIII), 11882.
- Central Engineering and design Bureau (XIV), 3884-85.
- Central Excise Reorganisation Committee (XVII), 10371—73.
- Central Housing Board (XVI), 9149.
- Central Supervisory Body for Jute (XVIII), 14174.
- Central Tea Wage Board (XIII), 927.
- Ceylon Tea Board (XIV), 2954.
- Chinese in India (XVI), 7176.
- Chinese infiltration into Indian Army (XVIII), 12604.
- Chinese Internees in Rajasthan (XVII), 9642-43.
- Coal deposits in Assam and Orissa (XVIII), 13120-21.
- Coal dumps (XIII), 311.
- Coal production (XVI), 8940.
- Coal transport in India (XIII), 1359—61.
- Code of Discipline in Railway and Defence (XVI), 8423-24.
- Collapse of C.P.W.D. in New Delhi (XVIII), 14168—70.
- Collection of National Defence Fund in Ceylon (XVII), 9679.
- Collision of goods train (XVI), 8158.
- Complaints of Income-tax evasion (XVI), 7633—35.
- Committee for U.N. Trade and Development Conference (XVI), 6912.

BOROOAH, SHRI P. C.—Contd.

- Conference of State Ministers of Co-operation (XIV), 2091.
- Concrete sleepers for Railways (XVII), 11272.
- Conference of Chairmen of State Electricity Boards (XIV), 3642-43.
- Consumer price index number (XV), 4430.
- Cost of living of salaries persons (XVI), 7654-55.
- Cost of steel production (XIII), 673—76.
- Cost of tea production (XIV), 2956.
- Cotton power-loom owners in Bombay (XIV), 3648.
- Co-operative tea factories (XIII), 1635.
- Co-ordination of Scientific Research (XIII), 280—82.
- Crude Conditioning Plant (XVII), 10135.
- Customs and Central Excise Duties on tea (XVI), 9174-75.
- Customs duty on goods of repatriates from Mozambique (XIII), 1406.
- Czech Trade Team's visit to India (XIII), 1627.
- Dakota air crash (XVI), 7108.
- Deep shaft coal mine at Sudamdih (XVI), 7401.
- Delhi Electric Supply Undertaking (XVI), 9179.
- Delhi Kennel Club (XVIII), 13398.
- Delhi Water Supply and Sewage Disposal Undertaking (XVII), 10391.
- Derailment of goods train (Q.) (XVI), 8695, (XVIII), 12850.
- Development of Mizo hills (XVIII), 12805.
- Development projects in Assam (XV), 5867.
- Digboi oil refinery (XIII), 316.
- Diversion of students to vocational courses (XVIII), 13063—65.

BOROOAH, SHRI P. C.: contd.

- Dredger for Calcutta Port (XV), 4603-05.
- Easing of work load of rural housewives (XV), 4616-20.
- East Pakistan-Assam border demarcation (XIV), 4117-18.
- Education Programme for NEFA (XVIII), 12570.
- Encroachments on Government land in Delhi (XVI), 9115-19.
- Engines for supersonic jet fighter aircraft (XIV), 1951.
- Enquiry into Railway accident (XIII), 1646.
- Eradication of famine (XVI), 7624-27.
- Establishment of gas grids (XVII), 10182-83.
- Expansion of steel plants (XVII), 12081-84.
- Export credit to Asian and African countries (XV), 5417-19.
- Exports of handlooms (XVII), (XVII), 10631-633.
- Export of Indian textiles to U.S.A. (XIV), 3835-38.
- Export of sugar to Ceylon (XVII), 11297.
- Export of textiles to Burma (XVII), 10601.
- Field Day (XV), 4648-49.
- Film on Sino-Indian border dispute (XVII), 9635-39.
- Finances for tea estates (XIV), 1889-90.
- Financial powers for Nagaland Administration (XVIII), 12606.
- Fire in Heavy Electricals Ltd., Bhopal (XIII), 724-25.
- Fire in railway goods shed, Howrah (XIV), 3177-78.
- Flood Control Schemes (XVII), 10399.
- Floods and Power supply in Assam (XIV), 2702-3.

BOROOAH, SHRI P. C.: contd.

- Floods in Brahmaputra (XIV), 3608-10.
- Floor price of raw cotton (XVIII), 13579.
- Fokker Friendship Aircrafts for I.A.C. (XV), 6132.
- Foreign Air Mission's visit to India (XII), 897-900.
- Foreign exchange (XV), 5151-53.
- Foreign exchange requirements (XVII), 10393-94.
- Foreign investment in India (XIV), 2690-93.
- Foreign Military aid (XIII), 916.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Foreign Post office, New Delhi (XVI), 8687.
- Foreign technical personnel (XIV), 3872.
- Forged Indian currency carried by Hostile Nagas (XVI), 80439-40.
- Forged passports in Calcutta (XV-II), 9662.
- Fourth Oil Refinery in South India (XIII), 304-305.
- Freight rates (XVI), 8656.
- Free water and electricity to Central Ministers (XIV), 3615-24.
- Fuel efficiency in Indian industry (XVIII), 12084-87.
- Garo hills coal bearing area in Assam (XVI), 7429-30.
- Geological survey of Naharkatiya Moren Sector (XIV), 2430.
- Goan company (XIV), 1875.
- Headquarters of P.M.G. Assam (XVI), 8185.
- High altitude scientific problems (XVI), 8896.
- Higher Secondary Education in Delhi (XVI), 7438.
- Highpowered flood Control Board for Assam (XVIII), 13388.
- Hostile Nagas (XIV), 4124-25.

BOROOAH, SHRI P. C.: *contd.*

- House-buildings in hire-purchase system (XVIII), 13082.
- Housing loans from LIC (XIV), 3639-40.
- Housing Ministers' Conference (XIII), 1398-1400.
- Idle manpower (XVII), 11035-39.
- Import of Ammonium sulphate from Japan (XVI), 6913.
- Import of steel for industrial purpose (XVIII), 12131.
- Import of tobacco (XVII), 10611-614.
- Import of wooden sleepers from Burma (XVI), 8134-37.
- India's relation with Foreign countries (XIV), 4065-69.
- India's trade with European Economic Community (XVII), 10622-629.
- Indian Industrialists Delegation for Canada (XVI), 9173-74.
- Indian military personnel in Congo (XV), 5820.
- Indian Mining Association (XVII), 10174-75.
- Indian P.O.Ws. (XIII), 924-25.
Indian P.O.Ws. in China (XV), 5854.
- Indians in South Africa (XVI), 8407-09.
- Indian tea delegation (XVII), 10584-588.
- Indo-Pak Border Conference (XV-III), 13965-969.
- Indo-Pak campaign to liquidate dacoits in Rajasthan (XVIII), 13104.
- Indo-Soviet Trade Agreement (XI-II), 725.
- Industrial truce (XV), 4397.
- Industrial Truce Resolution (XV-III), 12606.
- Industrial Units in Assam (XIII), 940.
- Industrialisation of under-developed countries (XIV), 3419.

BOROOAH, SHRI P. C.: *contd.*

- Intensification of work on farms (XIV), 3162.
- Institute of Foundry and Forge Technology at Ranchi (XVII), 11598.
- Inter-State problems (XIV), 2438.
- Iron-ore export to Japan (XIV), 3844-48.
- Issue of capital by companies (XV), 6619.
- Janpath Hotel, New Delhi (XVIII), 11838-841.
- Japanese Team's visit to India (XVIII), 12071-75.
- Jayanti Shipping Company (XV), 4633-36.
- Joint Board for water resources of Nepal and India (XVII), 10359-63.
- Joint Steamer Companies (XIII), 89, (XV), 4647.
- Jorhat airport (XIV), 3191-92.
- Jute industry (XVI), 7897-900.
- Kalakot Coalmines (XIV), 3393.
- Kopili Hydel Project (XVI), 9111-13.
- Land prices in Delhi (XV), 6350-54.
- Large-sized Machine Tools Factory at Ranchi (XVII), 10633.
- Launching of countries rockets (XV), 5852.
- Level-crossing accidents (XVII), 9907.
- Levy of cess on industries (XIII), 722.
- Loans for private sector coal industry (XVI), 7404-06.
- Losses suffered by civilians in NEFA (XIV), 4105-06.
- Looting of railway property by students (XIII), 1587-89.
- Manganese and iron ore mines (XVI), 8905.
- Manganese Ore Ltd. (XVIII), 13107-08.

BOROOAH, SHRI P. C.—contd.

- Manufacture and export of gold ornaments (XVI), 9149-50.
- Manufacture of automatic weapons (XVIII), 13975—977.
- Manufacture of Caffeine from tea waste (XVII), 9363.
- Manufacture of engines for Alouette Helicopters (XIV), 1905.
- Manufacture of jet fighters. (XV), 4379.
- Manufacture of light alloys and forgings (XV), 5875.
- Manufacture of liquefied gas (XV), 6374.
- Manufacture of warships and Helicopters (XV), 4394.
- Marine Product Processing Centre (XIII), 100.
- Medical colleges (XV), 5165-66.
- Medium-sized steel plants (XIII), 676—78.
- Mica Mines in Bihar (XVI), 8902.
- MIGs, and MIG Factory (XIII), 929.
- Migration of Santhals from East Pakistan (XVII), 11067-68.
- Mineral oils (XVI), 8910.
- Minor Irrigation Works (XVIII), 12848-49.
- Modification of educational system (XV), 4901—03.
- Mormugao Harbour (XVIII), 12807—10.
- Mountain Divisions in Indian Army (XVI), 8412—17.
- Mughalsarai yard (XV), 6092-93.
- Naharkatiya-Barauni oil pipeline (XVI), 7384—88.
- National Highways and border roads (XVI), 8441.
- Nationalised Indian banks in Burma (XVIII), 13366.
- Natural Gas at Avadi (XIII), 329.
- Navigation along Hooghly (XVII), 9872.

BOROOAH, SHRI P. C.—contd.

- NEFA hospitals (XVI), 9113—15.
- NEFA Reverses (XVI), 7148—52.
- Neyveli Thermal Power Station (XV), 4925.
- New Colleges in Delhi (XVI), 8941.
- Oil exploration (XIV), 2400—2406.
- Oil exploration abroad (XIV), 3408.
- Oil exploration in Assam and NEFA (XIII), 1178.
- Oil refinery in Madras (XVIII), 13039.
- Oil Refinery in private sector in South India (XIV), 2412.
- Oil royalty rate for Assam (XVII), 11541-542.
- Overcrowding in universities (XIV), 2398.
- Pakistani infiltration in Assam (XIII), 272—76.
- Permanent Indus Commission (XVIII), 13372.
- Phyto-Chemical Project at Neriamangalam (XVII), 10579—581.
- Police force for Nagaland (XVII), 11066-67.
- Popularity of Indian films abroad (XVI), 7184.
- Postal facilities for Jawans (XVII), 9664-65.
- Power requirements of the country (XIV), 3629-30.
- Power shortage in the country (XIV), 2699-2700.
- Premium Prize Bonds (XIII), 488—90.
- Preparation of super-phosphate at Trombay (XV), 4429.
- Press Consultative Committee (XVII),
- Price of coal (XVII), 10153-54.
- Price of raw jute (XIV), 2930.
- Prices of automobiles (XIII), 702—08.
- Prices of foodgrains (XIV), 3124—28.

BOROOAH, SHRI P. C.—contd.

- Procurement of foodgrains (XV), 4657.
- Production in Ordnance Factories (XVI), 7128—32.
- Production of drugs (XV), 5396—5400.
- Promotion of export trade (XVIII), 12099—12104.
- Production of fertilizers (XVI), 6869—72.
- Production of jet aircrafts (XV), 5852.
- Production of tractors and trucks (XVII), 11018—22.
- Prohibition (XVII), 12579.
- Protection of railway line in Assam and Nagaland (XVII), 11303.
- Public sector projects (XV), 5831.
- Purchase of anti-aircraft missiles (XIV), 1903.
- Purchase of electricity from Nepal (XV), 6624.
- Purchase of mules from Cyprus (XVI), 8401—04.
- Purchase of wheat by Government (XVI), 8129—32.
- Quarters for Class IV employees (XVIII), 11852-853.
- Radars for airports (XVI), 8194-95.
- Raid by hostile Nagas (XVI), 8406.
- Raids by Pak dacoits (XVI), 7163-64.
- Rail accident (XVII), 9907.
- Railway Accidents Enquiry Committee (XIII), 55—58.
- Railway lines in North Eastern region (XIII), 53—55.
- Recruitment from NEFA (XVIII), 13983.
- Rehabilitation of Assam hills people (XVII), 11587.
- Repatriation of Chinese detenus (XVII), 11573-574.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804—810.

BOROOAH, SHRI P. C.—contd.

- Rehabilitation of Indians from Mozambique (XVIII), 13983-984.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Release of foreign exchange to export houses (XVII), 10608—10.
- Release of P.O.Ws. by Chinese (XVIII), 12580.
- Repatriation of Indians from Mozambique (XIV), 4089—93.
- Road transport from West Bengal to Assam (XVI), 8629, 8630.
- Road in NEFA (XIV), 4138-39.
- Rourkela Fertilizer Plant (XVI), 6916.
- Rourkela Steel Works (XVII), 9379
- Rural electrification in Assam (XVII), 10411-12.
- Rural electrification in Delhi (XIV), 2722.
- Sainik School in Assam (XVIII), 12559.
- Scarcity of explosives for mining industry (XVII), 10175.
- 'Seizure of Pakistani currency' (XIV), 2717-18.
- Seizure of watches at Santa Cruz airport (XV), 6591.
- Sex of unborn babies (XV), 5185.
- Shifting of Government officers (XIII), 521.
- Ships for movement of coal (XVI), 8636, 8637.
- Siliguri-Jogighopa Railway line (XVI), 8150-51.
- Sino-Pak border agreement (XIII), 903—07.
- Situation in Laos (XVIII), 12562.
- Steepers washed away towards Pakistan (XV), 5166-67.
- Smallpox in the country (XIII), 490—95.
- Smuggling of currency (XVI), 7682.
- Socio-Economic Development of people of border areas (XVI), 7408.

BOROOAH, SHRI P. C.: *contd.*

Special steel plant in Durgapur (XVIII), 12106-07.

Spurs on river Feni in Tripura (XVII), 11063.

Srinagar-Leh Road (XIV), 4135-36.

State Health Ministers' Conference (XVIII), 11844.

Steel Plant at Vishakhapatnam and Goa (XIV), 2942.

Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.

Structural steel (XVIII), 11829-832.

Subsidised for collieries (XVII), 10153.

Subsidised industrial housing schemes (XIV), 3637-39.

Supply of fertilizers to tea gardens (XV), 4696.

Supply of opium to Russia (XVIII), 13570-73.

Surplus staff (XVI), 7428.

Survey of mines (XIII), 306.

Target of steel production (XVII), 9381.

Targets of production and export (XVII), 9404.

Tea auction centre at Coonoor (XVII),

Tea auction market in Assam (XIV), 2983.

Tea export to Japan (XIII), 1631.

Tea exports to Ireland (XVIII), 12130-31.

Tea industry (XVI), 6889-90.

Tea industry in Kangra valley (XIII), 1637.

D. Min.technical personnel in Nagaland

BUTA (XIV), 2438.

Adminno-Economic Survey of Assam Col (XV), 4429.

608.

Agri. telegraph and telephone facilities in Kangra district (XIV), 2138.

BOROOAH, SHRI P. C.—*contd.*

Television documentary on the Indian caste system in U.S.A. (XV) 5878.

Test flights at High altitudes (XV), 5876.

Textile machinery manufacturing industry (XVII), 9364, 9365.

Thermal Power Stations (XVII), 10393.

Thermal Power Stations in India (XVI), 9173-74.

Tibetan refugees in NEFA (XIV), 4122-23.

Tibetan refugees in Switzerland (XVII), 9648.

Timber trade in Burma (XIV), 3813.

Tool Alloy Steel Plant, Durgapur (XIV), 2912.

Tourists from Italy and Spain (XIV), 3164-65.

Trade agreement with Hungary (XVII), 9416.

Trade agreement with Indonesia (XVIII), 13598.

Trade delegation to Japan (XVIII), 12138-37.

Trade teams from Czechoslovakia and Rumania (XV), 5403-04.

Trade with Japan (XVI), 7882-85.

Trade with Somalia (XVIII), 13611.

Train accident at Ludhiana (XIII), 1643.

Training of armed forces (XVI), 8409-11.

Transit facilities for Nepal (XVII), 10641.

Transport facilities to Andaman islands (XIV), 2389.

Tusker project (XIV), 1859.

U.G.C. Bildung (XIII), 315.

U.N. Commissioner Industrial Development (XV), 6619.

U.N. technical assistance (XIV), 2703.

U.S. Military aid (XIII), 901-02.

BOROOAH, SHRI P. C.—contd.

Uneconomic tea gardens (XIV),
3893-94.

University courses in Medicine
(XIII), 523.

Violation of foreign exchange rules
(XVI), 9108-11.

Visit of U.N. exports for Standar-
disation in India (XV), 5426-27.

Wage Board for Coal Mining (XV),
4383.

Wage Board for Iron Ore Mines
(XV), 4390.

Wage Board for lime industry
(XIV), 1906.

Wagons at Neamati (XVII), 9905.

Water charges for Class IV em-
ployees Quarters (XVI), 7682.

Withdrawal of U.S. Transport planes
(XIV), 4109-10.

Lives of Chinese internees (XV),
4894.

World Bank Loan for Railways
(XVI), 8127-29.

World Food Programme (XV),
6074-77.

World Health Day (XVII), 10416-17.

Debates

Administrative Policy in NEFA
(Res.) (XV), 7060-85.

Concentration of Chinese Troops in
Tibet (C.A.) (XV), 5615-18.

D.G. (1963-64):

Min. Def. (XVI), 8270-75.

Min. Irr. and Power (XV), 6290-
95.

Firing by Naga hostiles on a Mili-
tary Special train on 11-4-63 near
Newjam Station (C.A.) (XVII),
9426.

Official Languages Bill:

Motion to consider (XVIII),
11913-16.

P.A.M. (XIII), 661-68.

BRAHM PARKASH, SHRI:

D.G. (1963-64):

Min. Com. Dev. and Coop. (XVI),
7711-18.

P.A.M. (XIII), 400-09.

BRAJESHWAR PRASAD, SHRI:

Palace of Kovalam (XV), 6132.

Swahili Unit in A.I.R. (XVII), 9662-
63.

Debates

Constitution (Amendment) Bill,
1962:

(Insertion of new Article 115A
and amendment of article 167)
by Shri Paliwal.

Motion to consid. (XVI), 8099.

D. G. (1963-64):

Min. Ex. Affairs (XV), 4576-82.

P.A.M. (XIII), 1280-85.

BRIJ RAJ SINGH, SHRI:

Afro-Asian Solidarity Conference
(XIII), 916-17.

Agricultural production (XIII), 67-
74.

Air crashes (XIII), 121-22.

Bokaro Steel Plant (XVIII), 13585-
90.

Bye-elections (XIII), 679-80.

Clerical staff in Delhi schools
(XVI), 7439-40.

Cost of steel production (XIII),
673-76, (XIV), 2939.

Czech. Trade Team's visit to India
(XIII), 1627.

Dakotas from Canada (XV), 5851.

Demolition of quarters at Bela Road,
Delhi (XVII), 10145-46.

Gliding clubs (XV), 4642-43.

Journey to Badri Naih (XVII),
10323.

National Defence Fund (XIII),
1380-88.

Panna Diamond Mines (XV), 4386-
92.

BRAHAM PRAKASH, SHRI—contd.

Precision instruments factory at Kotah (XIV), 2944.

Production of tanks (XIV), 4104.

Public and school libraries in Delhi (XIII), 329.

Rihand Dam (XIII), 1135—40.

Special pay for handling cash in Delhi Schools (XVII), 11590.

Subsidised industrial banking Schemes (XIV), 3637—39.

Teaching civics in Delhi Secondary schools (XIII), 330.

Telephones in Rajasthan (XV), 6451-52.

U.S. Military aid (XIII), 901-02.

Debates

Compulsory Deposit Scheme Bill—Consid. Cl. (XVII), 10947—950, 11762, 11769—71.

Obituary Reference:

Demise of Dr. Rajendra Prasad (XIII), 1577.

P.A.M. (XIII), 804—07, 962—65.

Re. Suspension of Member (XVIII), 12630.

RAJ RAJ SINGH-KOTA:

CARE Organisations (XV), 6377.

Colour films (XVII), 10655—657.

Manufacture of aircrafts (XVII), 9641-42.

Manufacture of fighter planes (XVI), 7156-57.

Murder of Army courier at Jodhpur (XV), 6063.

Orpheus-704 Jet engines (XVII), 9639-40.

Poultry development (XIV), 3167.

Debates

G. (1963-64):

Def. (XVI), 8231—36.

KaSINGH, SHRI:

Accession to Regional Engineering College, Srinagar (XVII), 11607-

Cultural service co-operative societies (XVII), 11345.

BUTA SNGH, SHRI: contd.

Allotment of quota newsprint to newspapers in Jammu and Kashmir (XVIII), 12601.

Bogus Money Orders (XV), 4638-39.

Borrowing programmes (XV), 5130—32.

Budget of I.C.A.R. (XIII), 1700.

Chinese internees in India (XVIII), 13059.

Crimes in Union Territories (XIII), 1190-91.

Customs duty on goods of repatriates from Mozambique (XIII), 1406.

Declaration of permanent Government posts (XVIII), 11803.

Development of Ladakh (XVIII), 13102-03.

Drug Research Laboratory, Jammu (XVII), 11607.

Emergency Commission (XVII), 11076-77.

Emergency Commission (XVII), 11077-78.

Excise duty on small-scale battery manufacture (XV), 6618.

Evacuee land given to States (XVII), 10409.

Fees charged from students for General knowledge and other tests (XIV), 2442.

Foreign Military aid (XIII), 916.

Gold Control Board (XIII), 1417.

Graduate course in tea (XVI), 7894

Hirakud Dam Project (XVIII), 13355.

Houses for M.Ps. (XV) 6586.

I.A.C. fares (XVII), 11296.

Import licences issued in J. & K. (XVIII), 12129.

Import of copper from Southern Rhodesia (XIII), 1662.

Import of Russian matches by S. T. C. (XVIII), 13618-19.

BUTA SINGH, SHRI—contd.

- Improvement of scavenging conditions (XVII), 11608-609.
- Incidence of crime in Delhi (XVI), 8871.
- Indians traveling abroad (XVII), 13331.
- Kalakote Coal Mines (XVII), 11607.
- Liberal licensing policy (XV), 5382-86.
- Looting of goods train (XIII), 1640.
- M.I.Gs., and M.I.G. Factory (XIII), 929.
- National Anthem in Delhi cinemas (XIII), 950.
- Oil refinery in Madras (XVIII), 13039.
- Pig iron (XIV), 3866-67.
- Popularisation of Hindi through A.I.R. (XVII), 11013.
- Post retirement passes (XV), 6186-87.
- Quality control and pre-shipment inspections (XIV), 2919.
- Resignation by Emergency Commission trainees (XVIII), 12602.
- Specialised training for ornament factories (XVII), 11017.
- Steel production (XIII), 1630.
- Survey of mines (XIII), 306.
- Technical panel for Import substitution (XVII), 11077.
- Telegraph engineering service (XVI), 8191-92.
- Ticketless travelling (XIII), 1616-20.
- Transport co-operative societies (XVII), 11344.
- U.S. fighter planes (XIII), 951.
- Violation of Gold Control Rules (XIII), 507-09.
- Wooden sleepers washed away towards Pakistan (XVIII), 13382.
- Wool shortage (XVII), 10618-622.

Debates

- B.O.H. (XVII), 10817-19, (XVIII), 13999.

BUTA SINGH, SHRI—contd.

- D.G. (1963-64):
- Min. Lab. and Emp. (XV), 6515-20.
- Reported drastic cut in pig iron quota supplied to foundries in Punjab (C.A.) (XVIII), 13129-130.

C**CHAKRAVARTTY, SHRIMATI RENU:**

- 507 Army Base workshop, (XIV), 4120-21.
- Afro-Asian Journalists' Conference, (XVIII), 14159-64.
- Afro-Asian Solidarity Conference, (XIII), 916-17.
- Agricultural Administration, (XIV), 1903.
- Air Defence Missions, (XVII), 11071.
- Air Defence requirements, (XVI), 7141-44.
- Ankleshwar oil, (XIII), 309-10.
- Anti-Indian propaganda by Pakistan (XIII), 920-21.
- Attorney-General's advice on affairs of a firm, (XVIII), 13054.
- Black-marketeering in imported goods (XVIII), 13549-54.
- Bokaro Steel Plant, (XVIII), 1390.
- Britain's entry into E.C.M., (XIV), 2895.
- Cement factory in West Bengal, (XVII), 10607.
- Civil Administration in NEFA (XIII), 907-12.
- Committee on distribution of steel (XIV), 2943.
- Compulsory Hindi examination in Madras, (XVIII), 13035.
- Compulsory primary education (XIII), 284.
- Contribution to National Fund from former rulers of princely States, (XIV), 2419.

CHAKRAVARTTY, SHRIMATI
RENU—contd.

Coordination of Scientific Research, (XIII), 282.

Coronary thrombosis, (XIII), 541.

Cossipur gun and shell factory, Dum Dum, (XIV), 4121.

Delhi water supply, (XIV), 2661—67.

Demolition of Constitution House, (XVIII), 14171-72.

Dhebar Commission, (XVII), 11548.

Diversion of students to vocational courses, (XVIII), 13064.

Education during emergency, (XIII), 271.

Education of girls, (XIII), 332.

Electrification of Railway line from Howrah to Kharagpur, (XIV), 2078.

Enqualisation surcharge on steel sale, (XIII), 708-9.

Export of biscuits, (XVII), 10616.

Exports to Latin American countries, (XVII), 10603-604.

Farakha bridge, (XIII), 87.

Foreign Air Mission's visit to India, (XIII), 897—900.

Foreign participation in Indian shipping companies, (XIII), 1597—1600.

Food stocks in West Bengal, (XV), 4637-38.

G. T. Road, (XIV), 2074.

Graduates in agriculture, (XIV), 3135.

Hindustan Steel Limited, (XVIII), 13567—70.

Hoarded gold, (XIII), 525.

Kalkaji colony in Delhi for East Pakistan displaced persons, (XVII), 10410-11.

Kalaghat bridge, (XVIII), 14155—57.

Manuscripts with Asiatic Society Calcutta, (XV), 6382.

MIGs, and MIG Factory, (XIII), 929.

CHAKRAVARTTY, SHRIMATI
RENU—contd.

Overcrowding in universities, (XIV), 2399.

Pak. Nepa] trade agreement, (XIII), 711.

Permit for purchase of gold, (XIV), 2680.

Point of privilege, (XVIII), 13131-132.

Political sufferers, (XVIII), 13048.

Prices of foodgrains, (XIV), 3124—28.

Price of raw jute, (XIV), 2930.

Price of rice in West Bengal, (XIV), 2103.

Price of sugar, (XVIII), 14149—53.

Professor Blackett's visit to India, (XIII), 304.

Prototype Production and Training Centre at Rajkot, (XVII), 10592.

Railway line to Haldia Port, (XV), 4644.

Refugees in Muslim Houses, (XIV), 2713-14.

Rehabilitation of displaced persons in Dandakaranya, (XVIII), 11804-810.

Report on Dalmia-Jain concerns, (XIII), 1625.

Review of cases of arrested persons in West Bengal, (XIII), 309.

Rise in price of Paper, (XIV), 2929.

Serajuddin & Co., (XVIII), 13574—79.

Setting up of universities, (XIII), 267.

T.B. and eye diseases amongst industrial workers, (XIII), 923.

Titaghur Jute Mills Nos. 1 and 2, (XVII), 10610-611.

Violation of foreign exchange rules, (XVI), 9108—11.

U.S. Military aid, (XIII), 901-02.

Debates

Affairs of Serajuddin and Company, (86), (XVIII), 14209, 10.

CHAKRAVARTTY, SHRIMATI RENU—Contd.

- B.G. (1963-64) General Discussion (XIV), 3273—88.
- B.O.H. (XIII), 2978—82 (XV), 6921.
- Business Advisory Committee, 14th Report (XIV), 2446.
- Child Marriage Restraint (Amendment) Bill, Motion to circulate (XIII), 3088—91.
- D.G. (1963-64):
- Min. H.A. (XV), 6923—45.
- D.V.C. (Q). (XIII), 515—17.
- Election to Committee on Estimates (XVII), 10336.
- Industrial licencing policy (C.A.) (XVII), 11355.
- Leave of Absence (XVIII), 14189.
- Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia, Motion to consider (XIII), 859-60.
- Loans to TISCO and IISCO (Q) (IV), 5421-22.
- Reported shortfall in food production targets during Third Plan period (C.A.) (XVIII), 12872—875.

CHAKRAVERTI, SHRI P. R.:

- Accident in Ballihari Colliery (XVII), 11042-43.
- Administration of justice (XIV), 2367.
- Afro-Asian Solidarity Conference (XIII), 916-17.
- Agricultural Administration (XIV), 1903.
- Agricultural production (XIII), 67—74.
- Agricultural production (XIII), 1590-91.
- Aid India Club (XV), 6611.
- Aid India Consortium (XVI), 7665-66.
- All India Insurance Employees Association (XIII), 1361—63.
- Alloy Steel Plant (XVIII), 12120-21.

CHAKRAVERTI, SHRI P. R.—Contd.

- Anti-Indian propaganda by Pakistan, (XIII), 920-21.
- Archaeological examinations in Uzbekistan, (XVIII), 13071.
- Attorney-General's advice on affairs of firm (XVIII), 13050—56.
- Asian Common Market, (XVII), 10633-34.
- Ban on manufacture of Gur and Khandsari, (XV), 6057—60.
- Bank advances against pledge of warehouse receipts, (XIV), 3610—12.
- Bhilai Steel Works, (XV), 5427.
- Bokaro Steel Plant (XIII), 697-98.
- Bokaro Steel Plant (XVIII), 697-98, 81.
- Borrowing programmes, (XV), 5130—32.
- Britain's entry into E.C.M., (XIV), 2895.
- Broad looms supply to jute mills in East Pakistan, (XVIII), 13595-96.
- Bye-elections, (XIII), 679-80.
- Capital formation in the current financial Year (XVI), 7173-74.
- Cargo service between India and U.S.A. (XV), 4610—12.
- Central Bureau of Investigation (XIV), 3415.
- Chryeler Automobiles, (XVI), 6861e, 62.
- Civil Defence Plan, (XIII), 1158—63.
- Coal dumps, (XIII), 311.
- Coal for Patratu Thermal Plant (Bihar), (XVI), 7418.
- Coal Producers Associations, (XVII), 10165-66.
- Coal transport in India, (XIII), 1359—61.
- Col. Bhattacharjee, (XIV), 1887.
- Committee on distribution of steel (XIV), 2943.
- Committee on sugar industry (XIII), 1691.

CHAKRAVERTI, SHRI P. R.—*Contd.*
 Compulsory military training (XIV), 1904.
 . Compulsory primary education (XIII), 283—86.
 Conference of State Ministers of Cooperation (XIV), 2091.
 Consumers' cooperatives (XVI), 7175.
 Conference of Chairmen of State Electricity Boards (XIV), 3642-43.
 Contribution to National Defence Fund from former rulers of princely States, (XIV), 2419.
 Co-operative farming (XVII), 6845.
 Cooperative movement (XIV), 3136—41.
 Coordination of Scientific Research (XIII), 280—82.
 Cost of steel production, (XIII), 673—76.
 Crack goods trains (XV), 6109-10.
 Credit guarantee scheme, (XIV), 3850—53.
 r Credit to farmers through Cooperative agencies, (XIII), 92.
 Czech Trade Team's visit to India, (XIII), 1627.
 D.V.C., (XVIII), 13342.
 D.V.C. Canal, (XVI), 7622—24.
 Deep shaft coal mine at Sudamdih, (XVI), 7400—02.
 Defence factory at Nangal, (XIV), 1906.
 Defence of India Rules, (XIII), 303.
 Denotified tribes, (XVII), 11575-576.
 Diplomatic relations with 'KMT' Government, (XVIII), 12560.
 Dehydration plant in Delhi Cantt., (XVI), 7173.
 Drilling of oil wells in Assam (XVI), 8881.
 Economic criteria for backwardness (XVII), 10146—50.
 Economy measures in D.V.C., (XIII), 1409.
 Education during emergency (XIII), 269—71.

CHAKRAVERTI, SHRI P. R.—*Contd.*
 Elections (XVI), 7929-30.
 Emergency Commission (XVII), 9670-71.
 Eemergency Insurance Scheme (XIV), 2681—83.
 Excise duty on sugar (XIII), 93.
 Export of Indian textiles to U.S.A. (XVI), 3835—38.
 Export of manganese (XVIII), 12116-17.
 Extension of C.H.S. Scheme (XVII), 10379.
 Extension services programme in secondary schools (XVI), 8864.
 Food adulteration (XIII), 1395—98.
 Food adulteration in Delhi (XVII), 19380—84.
 Foreign collaboration (XVI), 6902.
 Foreign investment in India (XIV), 2690—93.
 Foreign participation in Indian shipping companies (XIII), 1597—1600.
 Fourth Oil Refinery in South India (XIII), 304—05.
 Free water and electricity to Central Ministers (XIV), 3615—24.
 "Freedom from Hunger" Campaign (XVI), 8116—20.
 French Count System for textile industry (XVIII), 12092—94.
 Fuel wastage (XV), 6613.
 G.T. Road (XIV), 2073.
 Gauhati Commission Report (XIV), 2658—61.
 Gold prices and gold smuggling (XIV), 2683—87.
 Heavy Electricals Limited, Bhopal (XIII), 688—90.
 Heavy Electricals Ltd., Bhopal (XVII), 10630.
 Hindustan Housing Factory (XIII), 537.
 Hoarded gold (XIII), 525.
 Home Guards (XIII), 308.
 Home treatment of leprosy patients (XIII), 503—07.

CHAKRAVERTI, SHRI P. R.—Contd.

Hostile Nagas (XIV), 4124-25.

Hotel industry (XVII), 11337.

Houses for M.Ps. (XV), 6587.

Housing problem (XVI), 9156-59.

Improved Water Supply plan (XVIII), 13370.

Incidence of crimes in Delhi (XVI), 8871.

India-Indonesia Trade Agreement (XIII), 698-99.

India Office Library (XVI), 8876.

Indian tea delegation (XVII), 10584-588.

India's trade with European Economic Community (XVII), 10622-629.

Indian Businessmen in Kenya (XIV), 4003.

Indian immigrants to Philippines (XV), 5858.

Indians in Russian Universities (XIV), 3402.

Indian P.O.Ws. in China (XV), 5854.

Indian School of Mines, Dhanbad (XVII), 10164.

Indo-Pak Border Conference (XVIII), 13966-68.

Indo-Pak Border Conference (XVIII), 1366-68.

Indo-Pak campaign to liquidate dacoits in Rajasthan (XVIII), 13104.

Industrial truce (XV), 4397.

Insecticides (XIV), 606.

Integrated power grid (XIV), 3639-40.

Inter-University Board (XVI), 7375-80.

Investment payment in foreign loans (XVII), 10400-01.

Iron Plant (XIII), 717-18.

Joint Steamer Companies (XIII), 89.

Labour Management in coal mining industry (XIV), 4134.

CHAKRAVERTI, SHRI P. R.—Contd.

Land for coal production (XIV), 2423.

Launching of sounding rockets (XV), 5852.

Loans to displaced persons (XIV), 2712-13.

Loans to meritorious students (XIII), 308-09.

MIGs, and MIG Factory (XIII), 929.

Machine Tool Factory (XV), 5379-80.

Manufacture of fighter planes (XVI), 7156-57.

Marine diesel engine (XVII), 9611-13.

Master Plan for Development of Tourism (XIII), 1595-97.

Mechanical instruments to detect fault in track (XV), 4663-64.

Medical colleges (XV), 5165-66.

Medium-sized steel plants (XIII), 676-78.

Mica mines in Bihar (XVI), 8902.

Mining officers of Rajasthan Armed Constabulary (XVIII), 12592.

Movement of coal by Railways (XVI), 8764-65.

Namasudra Community (XIV), 2712.

National Discipline Scheme (XII), 276-80.

National Institute of Industrial Engineers (XV), 4871-73.

National Mines Safety Council (XIV), 4103-04.

New ordnance factories (XVIII), 12580.

Non-project loan from U.S.A. for Third Plan (XIII), 537.

Occupational Health hazards in coal mines (XV), 4387.

Oil exploration (XIV), 2400-2406.

Oil explorations abroad (XIV), 3408.

Oil royalty rate for Assam (XVII), 11541-542.

Panchayati Raj Act in Bihar (XIV), 2132.

CHAKRAVERTI, SHRI P. R.—Contd.

- Partial payment of workers' wages in food (XV), 6181—83.
- Participation of labour in management (XVII), 9603—07.
- Participation of labourers in Management of Tata collieries (XVI), 7173.
- Patriotic songs on A.I.R. (XVI), 7162-63.
- Pensions (XVIII), 11854.
- Phosphate rocks in Bihar (XVI), 7417-18.
- Press Council (XV), 5828.
- Post Office accounts of displaced persons (XIII), 1681.
- Power shortage in the country (XIV), 2699-2700.
- Power supply at Durgapur (XIII), 520.
- Price of raw jute (XIV), 2930.
- Price of cotton (XV), 5409—11.
- Price of rice in West Bengal (XIV), 2103.
- Production of coke and beehive coke (XIV), 3415.
- Prohibition (XV), 4864—71.
- Prohibition (XVIII), 12579.
- Provident Fund (XVI), 9164.
- Railway Accidents Enquiry Committee (XIII), 55—58.
- Railway overbridge at Dhanbad (XIV), 2131.
- Repatriation of Indians from Mozambique (XIV), 4088—93.
- Refinancing of export credits (XVI), 7658-59.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804—810.
- Rehabilitation work in Punjab (XVIII), 11857.
- Report on Dalmia-Jain concerns (XIII), 1625.
- Report of Mahalanobis Committee (XIV), 1881.
- Rihand Dam (XIII), 1135—40.
- River Boards (XV), 6572.

CHAKRAVERTI, SHRI P. R.—Contd.

- Rupee loans for collieries (XVIII), 13036—39.
- Rural Higher Education (XVIII), 13069.
- Salal Hydro Electric Project in Jammu and Kashmir (XIV), 2725-26.
- Salary of Government employees served in World War II (XIV), 2421.
- Scarcity of coal (XIV), 3374.
- Settlement of Santhal refugees from East Pakistan (XVI), 7668-69.
- Semi-conducting rock in Rajasthan (XVI), 7391—93.
- Sex of unborn babies (XV), 5185.
- Shifting of Government offices (XIII), 521.
- Ships for movement of coal (XVI), 8636.
- Slum in big cities (XV), 5128—30.
- Slums in Delhi (XIII), 1403.
- Small Savings (XVIII), 13379.
- Small pox vaccination (XV), 6601.
- State Education Ministers Conference (XV), 6338—41.
- State Finance Corporations (XVI), 9159.
- Subsidised Industrial Housing Schemes (XIV), 3637—39.
- Survey of mines (XIII), 306.
- Supply of inferior quality coal (XIV), 2395.
- Supply of opium to Russia (XVIII), 13570—73.
- Survey on conditions of industrial workers (XV), 4424.
- Symposium on protection structure (XV), 6382.
- System of examination at Secondary Education level (XIV), 3416.
- T.B. Clinics (XIII), 481—86.
- Technical assistance to Libya (XVII), 11057-58.
- Technical personnel in private service (XVI), 8918.

CHAKRAVERTI, SHRI P. N.—contd.

- Transport of coal by pipes (XVII), 10113—15.
- Television documentary on the Indian caste system in U.S.A. (XV), 5878.
- Textile mills (XVII), 10644.
- Trade with African countries (XIV), 2947.
- Training in England under the Colombo Plan (XVII), 10400.
- Transfer of D.V.C. Headquarters (XIV), 2702.
- Transmission of leprosy (XVI), 7656-57.
- Tripartite Conference (XIII), 921-22.
- U.P.—Bihar boundary dispute (XV), 4903-04.
- U.S. Military aid (XIII), 901-02.
- U.S. Trade with India (XVII), 9402.
- University courses in Medicine (XIII), 523.
- Vallabhbai Patel, Chest Institute (XVI), 9148.
- Village Panchayats (XV), 6110—12.
- Village volunteer force (XIII), 1604—1609.
- Wage Board for Coal Mining (XV), 4384.
- 'War on Want' movement (XIV), 2127.
- Wastage in technical education (XV), 4916-17.
- Withdrawal from Employees' Provident Fund (XVI), 7162.
- Wooden sleepers washed away towards Pakistan (XVIII), 11819—823.

Debates

- Accident at Jamuria Colliery (CA), (XV), 5611.
- Administrative policy in NEFA (Res.) (XV), 7079-80.
- Child Marriage Restraint (Amendment) Bill:
Motion to circulate (XIII), 3079-80.

CHAKRAVERTI, SHRI P. N.—contd.

- Concentration of Economic Power (Res.) (XIV), 4007—11.
- D.G. (1963-64):
Min. Ed. (XV), 5658—63.
- D.G. (1963-64):
Min. Ecom. Defence Coord. (XVII), 9821—27.
- Exodus of Hindu families from East Pakistan into Tripura (C.A.), (XVIII), 13780-81.
- P.A.M. (XIII), 1106—12.
- Proposed merger of UAR, Iraq and Syria into one federal state and reaction of Government of India thereto (C.A.), (XVII), 11356—358.
- Reported Kidnapping of Indian Nationals by Armed Pakistanis (C.A.) (XVIII), 10323-24.
- Reported entry of Naga hostiles into India through Manipur (C.A.) (XIII), 1734.
- Reported kidnapping of some Santhals by East Pakistan Police (C.A.) (XVIII), 13777.

CHANDA, SHRIMATI JYOTSNA:

- Development of Mizo hills (XVIII), 12805—07.
- Employment and guidance Bureaux in Universities (XVI), 8417-18.
- Hospitals in Delhi (XIV), 2672.
- Provision for Corporation (XVIII), 12800.
- Protection of railway line in Assam and Nagaland (XVII), 11302, 11303.
- Railway saloons (XVI), 8200—201.
- Child Marriage Restraint (Amendment) Bill:
Motion to circulate (XIII), 3087-88.
- D.G. (1963-64):
Min. Com. and Coop. (XVI), 7827—29.
- D.G. (1963-64):
Min. Ed. (XV), 5625—29.

CHANDA, SHRIMATI JYOTSNA—*contd.*

D.G. (1963-64):

Min. of Health (XV), 5966—62.

D.G. (R) 1963-64 (XIV), 2790—92.

Finance Bill, 1963:

Motion to consider (XVII), 10736
—38.**CHANDAK, SHRI:**

D.G.E. 1963-64 (XIV), 2804—09.

P.A.M. (XVII), 1215—22.

CHANDRASEKHAR, SHRIMATI:

D.G. 1963-64):

Min. H.A. (XV), 6802—09.

Delhi Rent Control (Amendment)
Bill:Motion to Consider as passed by
R. S. (XIII), 181-82.Motion to pass, as amended
(XIII), 187.**CHATTERJEE, SHRI H. P.:**Allowances to Ministers (XVI),
8866.

Colombo proposals (XIII), 887.

Newsprint (XIII), 684.

Strike by students of Institute of
Rural Higher Education, Srinike-
tan (XV), 4906.

D.V.C. (XIII), 517.

Electrification on Indian Railways
(XVII), 9687.

Farakka barrage (XIII), 1400—1403.

Official Languages Bill,

Motion to consid. (XVII), 11655-
56.

(P.A.M.) (XIII), 1076—84.

CHATURVEDI, SHRI S. N.:Administration of justice (XIV),
3371.Agricultural implements (XVII).
9377.Area under cultivation (XIV),
3155—57.Ayurvedic and Homoeopathic Dis-
pensaries under the Contributory**CHATURVEDI, SHRI S. N.—*contd.***Health Service Scheme (XVI),
9150-51

Chemical fertilisers (XVII), 9871.

Consumers Co-operative societies
(XVI), 8635.Democratic decentralisation (XIV),
3119—21.Drinking water in States (XV),
5143—51

Dry farming (XV), 4621.

Electricity from Rihand Dam Pro-
ject (XV), 6569."Freedom from Hunger" Campaign
(XVI), 8117-18.

Gandhian literature (XVIII), 12554.

Gold for industry (XVI), 9146-47.

Graduates in agriculture (XIV),
3134—45.Handing over of equipment by
Chinese (XIV), 4094—96.Indians in South Africa (XVI), 8407-
09.Insurance currency in Nepal (XVI),
7645—48.Joint Board for water resources of
Nepal and India (XVII), 10363.Major irrigation and power pro-
jects (XIII), 1366.

N.E.F.A. hospitals (XVI), 9114.

Nutrition education (XVII), 9858.

Plant for iodisation of salt (XVIII),
13350.

Power projects (XIII), 1377.

Production of sugarcane (XV), 4628.

Public sector projects (XV), 5833.

Public Sector Undertakings (XVIII),
12070.Repatriation of Indians from Mozam-
bique (XIV), 4089—93.Retirement age of Government em-
ployees (XVII), 11536.Return of mortgaged gold (XVII),
10376.Separation of judiciary from the
executive (XVII), 10133.

CHATURVEDI, SHRI S. N.—contd.

- Services of teachers after superannuation (XIV), 3386.
- Small-pox in the country (XIII), 494.
- Spurs on river Feni in Tripura (XVII), 11063.
- Super market in New Delhi (XIII), 1364.
- Train service around Delhi (XV), 6049-50.
- Three-year degree course (XIV), 2393.
- Unemployment (XV), 5817.
- World Food Programme (XV), 6079—81.

Debates

- B.C. (General Discussion) (XIV), 3964—68.
- Constitution (Fifteenth Amendment) Bill:
 Consid. cl. (XVIII), 13171—174, 13214—215, 13224—256.
- D.G. (1963-64):
 Min. Irr. and Power (XV), 6149—53.
- D.G. (1963-64):
 Min. H. A. (XV), 7113—17.
- Official Languages Bill:
 Motion to consid. (XVII), 11445—450.

CHAUDHARY, SHRI Y. S.:

- Advertisement of drugs (XV), 5143—47.
- Anti-Indian Chinese literature (XVI), 7367—72.
- Basic education (XVII), 1080-81.
- Bhakra Nangal Dam (XIV), 2701.
- Diesel engines (XIV), 3199.
- Foreign exchange reserve (XVI), 9147-48.
- Gold prices and gold smuggling (XIV), 2683—87.
- Higher Secondary Education (XIV), 3407.
- Horse-breeding Centre (XIV), 2159.

CHAUDHARY, SHRI V. S.—contd.

- National Institute of Animal Husbandry (XVI), 8694.
- National institute of audio-visual education (XVI), 8941.
- New Schools in Delhi (XVI), 8945.
- Propagation of Hindi (XVI), 8945.
- Reserve stock of wheat (XVI), 8694.
- Slaughter houses (XV), 6183—86.
- State Co-operative Banks (XVII), 9919.
- Water supply to Delhi from Punjab and U.P. (XVI), 9178-79.

Debates

- B.G (1963-64) General discussion (XIV), 3321—30.
- D.G. (1963-64):
 Min. Com. Dev. and Coop. (XVI), 7723—34.
- D.G. (1963-64):
 Min. Food and Agri. (XV), 4985—93.
- D.G. (1963-64):
 Min. M. & F. (XVI), 9224—32.
- Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia:
 Motion to consid. (XIII), 846—48.

CHAUDHURI, SHRI D. S.:

- D.G. (1963-64):
 Min. Com. Dev. and Coop. (XVI), 7786—93.
- D.G. (R) 1963-64 (XIV), 2812—16.
- Finance Bill, 1963:
 Motion to consid. (XVII), 10873—81.

CHAUDHURI SHRIMATI KAMALA:

- D.G. (1963-64):
 Min. of I. & B. (XV), 5358—63.
- D.G. (R) 1963-64 (XIV), 2580—82.
- Finance Bill, 1963:
 Motion to consid. (XVII), 10853—59.

CHAUDHURI, SHRI SACHINDRA:

Compulsory Deposit Scheme Bill:

Motion to consid. (XVII), 11249—252.

Official Languages Bill:

Motion to consid. (XVII), 11706—12.

CHAUDHURI, SHRI TRIDIB KUMAR:

A.I.R. broadcasts to West Asia (XVII), 11034.

Afro-Asian Journalists' Conference (XVIII), 14161—64.

Afro-Asian Solidarity Conference (XIII), 916-17.

Cement factory in West Bengal (XVII), 10608.

Cloth and Yarn prices (XIII), 1629.

Cost of integral coaches manufactured at Perambur (XVII), 11306.

Cotton growers (XIII), 62.

Doctor kidnapped by Pakistanis (XIV), 1870.

Export of Indian textiles to U.S.A. (XIV), 3835—38.

Foreign Air Mission's visit to India (XII), 897—900.

Indian nationals kidnapped by Pakistanis (XIII), 929.

Kolaghat bridge (XVIII), 14155—57.

Report on Dalmia-Jain concerns (XIII), 1625.

Retirement age of Government employees (XVII), 11536-537.

Trade agreement with Soviet Union (XVI), 7887.

Trucks and tractors (XVIII), 13974.

U.S. Task Force in India (XVII), 11048.

Withdrawal by Chinese from Ladakh (XIII), 879.

Debates

Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13919, 13926-27.

Compulsory Deposit Scheme Bill:

Consid. cl. (XVIII), 12891.

CHAUDHURI, SHRI TRIDIB KUMAR—contd.

Constitution (Fifteenth Amendment) Bill:

Motion to consid. (XVIII), 12918—922.

Constitution (Fifteenth Amendment) Bill:

Motion to consid. as reported by J.C. (XVIII), 12743—52.

Constitution (Fifteenth Amendment) Bill:

Consid. cl. (XVIII), 13161-62, 13164-165, 13209—211.

D.G. (1963-64):

Min. of Ex. Affairs (XV), 4518—22.

Defence of India (Amendment) Rules relating to Gold Control Petition presented (XIII), 548.

Discussion re Gold Control Scheme (XIV), 2599—2603.

Official Languages Bill:

Motion to consid. (XVI), 11653-54, 11715—18.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14113—25.

CHAVAN, SHRI Y. B.:

D.G. (1963-64):

Min. of Def. (XVI), 8463—85.

Sighting of unidentified ships off the Andhra Coast (C.A.) (XVII), 10418-19, 20, 21, 22.

CHANDA SHRIMATI:

Cement trade in Delhi (XVI), 6868.

Gandhian literature (XVIII), 12556.

CHEITLAR, SHRI RAMANATHAN—

Age concessions for I.A.S. examination (XVIII), 13063.

Britain's entry into E.C.M. (XIV), 2897.

Cargo service between India and U.S.A. (XV), 4611.

Education Cess (XV), 4876-77.

Electrification on Indian Railways (XVII), 9867.

CHETTIAR SHRI RAMANATHAN:
contd.

Enquiry into NEFA reverses (XIV),
4074—81.

Expansion of Steel Plants (XVIII),
12084.

Exports of handlooms (XVII), 10631-
633.

Export of lathe machines (XVII),
9345.

Export of sugar to U.S.A. (XIII),
1621.

Exports to Latin American countries
(XVII), 10601—804.

Foreign investment in India (XIV),
2692.

Foreign participation in Indian Ship-
ping Companies (XIII), 1600.

Heavy Electricals Limited, Bhopal
(XIV), 2936.

Hindustan Steel Limited (XVI), 6911.

Hindustan Steel Limited (XVIII),
13569-70.

Import of trucks (XV), 5388-89.

India's trade with European Econo-
mic Community (XVII), 10628.

Indians travelling abroad (XVIII),
13330.

Loans to jute and cotton textile in-
dustries (XVI), 6911.

Nationalisation of General Insurance
(XVII), 10349.

Palai Central Bank in liquidation
(XVII), 10367.

Planning Boards in States (XV),
4405.

Production of sugar (XIV), 2067.

Progress of Third Plan (XVII),
11066.

Public sector projects (XV), 5833.

Public Sector Undertakings (XVIII),
12070-71.

Purchases by Air India (XVIII),
12794.

Reduction in staff in Government
offices (XIV), 3603-604.

CHETTIAR, SHRI RAMANATHAN—
contd.

Reorganisation of Planning Com-
mission (XVIII), 12568.

Rise in price of sugar (XIII), 52.

Rural credit to co-operative agencies
(XVII), 11323.

Second Shipyard (XV), 6062-63.

Separation of judiciary from the ex-
ecutive (XVII), 10132-35.

Setting up of universities (XIII),
267.

Sethusemudram Project (XVI), 6642.

Smuggling of gold from India
(XVIII), 11828.

Steel plant in South (XIV), 1856.

T.A. of railway officers (XVII),
11323.

Tusker Project (XIV), 1862.

Violation of foreign exchange rules
(XVI), 9110.

Violation of gold control rules
(XIII), 508.

Whitley Councils (XIV), 2368.

Debates

Official Languages Bill:

Motion to consid. (XVII), 11719—
24.

COGLACO, DR.:

Goan economy (XIV), 1878.

Marking of drug prices on cartons
(XVI), 3630.

Mormugao Harbour (XVIII), 12808.

Production of drugs (XV), 5397.

Debates

B.G. (1963-64) General discussion
(XIV), 3330—36.

D.G. (1963-64):

Min. Ex. Affairs (XV), 4591—94.

Government of Union Territories
Bill:

Motion to consid. (XVIII),
13810—16.

P.A.M. (XIII), 1059—63.

in Universities (XIV), 4084—85.

D

DAJI, SHRI:

- A.C.C. and N.C.C. (XVI), 7157-59.
 Accident near Pataipani (XV), 4658.
 Action against certain newspapers (XIII), 307.
 Administration of justice (XIV), 3371.
 Advance courses in Defence sciences in Universities (XIV), 4084-85.
 Agricultural production (XIII), 67-74, (XIV), 2079.
 Anti-Indian propoganda by Chinese Embassy in Colombo (XIV), 4063.
 Anti-Indian propoganda by Pakistan (XIII), 920-21.
 Auction of land in New Delhi (XV), 5141-43.
 Balladila Iron ore Project (XVII), 11533.
 Bokaro Steel Plant (XVIII), 13586-90.
 Cement factory in West Bengal (XVII), 10606-607.
 Closure of one shift in Textile Mills of Kanpur (XVI), 7185.
 Coal Development in West Bengal and Bihar (XVI), 7431-32.
 Coal mines (XIV), 3395.
 Coal transport problems (XVIII), 12088.
 Committee on distribution of steel (XIV), 2943.
 Contract Labour in Mines (XIV), 1924.
 Co-ordination of civil and defence production (XVI), 7876.
 Cost of steel production (XIII), 676.
 Cotton consumption by mills (XVI), 7879.
 Cotton growers (XIII), 61.
 Crimes in Delhi (XIII), 1175.
 Cut in housing schemes of States (XVII), 10350-54.
 Democratic decentralisation (XIV), 3120-21.
 Development of Scheduled Tribes (XV), 4863-64.

DAJI, SHRI—contd.

- Dhebar Commission (XVII), 11549.
 Emergency Insurance Scheme (XIV), 2681-83.
 Emergency risk insurance (XV), 5132-35.
 Equalisation surcharge on steel sale (XIII), 709.
 Expansion of steel plants (XVIII), 12083.
 Export of agricultural products (XV), 5431-33.
 Export of Indian textiles to U.S.A. (XIV), 3335-38.
 Export of jewellery (XVIII), 12077.
 Export of textiles to Burma (XVII), 10600.
 Ex-servicemen (XV), 5353.
 Fall in export of ilmenite (XIV), 1887.
 Fertilizer factory at Hanuman Garh (XIV), 3857-60.
 Fertilizer Plant, Katni (XVII), 10590.
 Financial Adviser-cum-Chief Accounts Officer in D.V.C. (XVII), 10404-05.
 Foreign Air Mission's visit to India (XIII), 897-900.
 Free water and electricity to Central Ministers (XIV), 3617-24.
 "Freedom from Hunger" Campaign (XVI), 8118-19.
 Goan economy (XIV), 1875.
 Gold Bonds (XIII), 509-13.
 Heavy Electricals Limited, Bhopal (XIII), 690.
 Import of components for Automobiles (XVIII), 12097.
 Import of dry fruits from Iran (XVII), 9403.
 Import of foodgrains (XVIII), 12834-38.
 Incidence of crimes in Delhi (XVI), 8871.
 Increase in smoking (XIV), 3600.
 India's relation with Foreign countries (XIV), 4067-69.

DAJI, SHRI—contd.

- Indian military personnel in Congo (XV), 5819.
- Indian P.O.Ws. (XIII), 924—26.
- Indo-Pak Border in Rajasthan (XIII), 311.
- Industrial closures (XIV), 4096—98.
- Industrial truce (XV), 4397.
- Industrial Units (XVI), 7906.
- Industries in Goa (XVII), 9351, 9353.
- Issue of industrial licences (XIV), 2963.
- Japanese Team's visit to India (XVIII), 12073—75.
- Jute Mill at Kanpur (XIV), 2433.
- Manpower training programme (XIII), 1144—48.
- Manufacture of automatic weapons (XIV), 1865.
- Manufacture of Defence stores by private sector (XV), 5809.
- "Maps of India" postage stamps (XVI), 8115.
- Medical colleges (XV), 5165—66.
- Naval Exercises (XVI), 7153.
- New Asiatic Insurance Company (XIV), 3659—60.
- Ordnance factories (XVI), 7128.
- Overcrowding in universities (XIV), 2398.
- Panna Diamond Mines (XV), 4891—92.
- Payment of interim relief by TISCO and IISCO (XIV), 1902.
- Per capita income in villages (XVI), 7123—27.
- Planning Boards in States (XV), 4403.
- Prices of automobiles (XIII), 706—07.
- Production in Ordnance Factories (XVI), 7130—32.
- Production of antibiotics (XIII), 687.
- Public undertakings (XIV), 2905.

DAJI, SHRI—contd.

- Raisheb Ramchandra Bank at Mhow (XIII), 519.
- Rehabilitation office at Indore (XIII), 1417.
- Report on Dalmia-Jain concerns (XIII), 1625.
- Rourkela and Durgapur Steel plants (XIV), 3871—72.
- Scarcity of coal (XIV), 3379.
- School Defence Corps programme (XIV), 3417.
- Super Chambal Bhakra Grid (XIV), 3625.
- Unauthorised cultivation of tobacco (XVIII), 13384.
- Unemployment in Goa (XIV), 1893.
- Violation of Companies Act (XIV), 3863—66.
- Wage Board for coal mining (XV), 4383.
- Waste Mica (XIII), 296.
- Whitley Councils (XIV), 2369.
- Debates*
- Re: Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13908—12, 13934—35.
- B.G. (General Discussion) (XIV), 3685—99.
- Business Advisory Committee
14th Report (XIV), 2445, 2448.
- Compulsory Deposit Scheme Bill—
consid. cl. (XVIII), 12303—304,
12524, 12527—528, 12888—889.
- Constitution (Fifteenth Amendment)
Bill—
Motion to consider (XVIII),
12927—941.
- Consid. cl. (XVIII), 13257.
- D.G. (1963—64):
- Min. Com. & Ind. (XVI), 8487—
8501.
- Min. Law (XVI), 7515—25.
- D.S.G. (General), 1962—63 (XIV),
3212—20.

DAJI, SHRI—contd.

Government of Union Territories Bill:

Motion to refer to Joint Committee (XIV), 4330—39.

Re: Suspension of Member (XVII), 12633.

Report of the Commission of Inquiry into Dalmia-Jain Companies (M) (XVIII), 14024—42.

Super Profits Tax Bill:

Motion to consider (XVII), 11098—11107.

DALJIT SINGH, SHRI:

Accommodation for Defence personnel in Delhi (XVIII), 12608.

Adult women's education in Punjab (XVII), 11815-618.

Agricultural colleges of Punjab (XVII), 11325.

Air-guns and rifles (XVI), 6907-08.

Air rifles (XVII), 9410.

Allotment of iron to Punjab (XIV), 2954.

Allowances to Ministers (XVI), 8866.

Ambar Charkha in Punjab (XVII), 10654-655.

Anti-T.B. measures in Punjab (XVIII), 11881-882.

Archaeological survey in Punjab (XV), 6391.

Army Horse Shows (XIV), 1930.

Assessment and collection of Income-tax (XIII), 531.

Assistant Engineers in All India Radio (XIV), 1926.

Bharat Sewak Samaj (XIV), 3654.

Bicycles (XIII), 1648.

Blood donations in Punjab (XVIII), 11859.

Bridges on national highways in Punjab (XVII), 11330.

Bridge on Sutlej on near Kiratpur Sahib (XVII), 9894.

DALJIT SINGH, SHRI—contd.

Central aid for construction of Chandigarh (XVI), 9164-65.

Chandigarh-Una National Highway (XIV), 2151.

Class IV employees on N. Railway (XV), 4672.

Collection of taxes (XVII), 10403.

Colonies in Delhi and New Delhi (XVII), 10171.

Commissions' Committees appointed by Bose Ministry (XV), 6384.

Community receiving sets for Punjab (XVI), 8434-35.

Consumption of petroleum products in Punjab (XVII), 10173.

Co-operative Sugar mills in Punjab (XIV), 3185-86.

Corruption cases (XV), 4923.

Corruption cases on N. Railway (XV), 6133-34.

Cottage and small-scale industries in Punjab (XIII), 1665.

Despatch of coal to Pakistan (XIII), 1197.

Development of Ayurveda in Punjab (XVI), 9170.

Development of fisheries in Punjab (XV), 6134.

Diesel locomotives (XVI), 8152-53.

Documentary film on folk dances of Punjab (XIII), 952.

Electric fans (XIV), 2951.

Electrification of stations on N. R. (XIII), 1708.

Evacuee land given to States (XVII), 10409.

Expenditure tax (XVI), 9673.

Export of handloom products (XV), 5175-76.

Export of Indian Films (XIV), 1926.

Export of rice from Punjab (XIII), 1708.

Export of wheat from Punjab (XIV), 3186.

Fail in wool exports (XVI), 7935.

DALJIT SINGH, SHRI—contd.

- Filling up reserved quota for Scheduled Castes and Scheduled Tribes (XIV), 2434.
- Film on removal of untouchability (XVIII), 12578.
- Food Control Schemes in Punjab (XVIII), 11863-864.
- Foreign collaboration (XVI), 6902.
- Foreign languages scholarships scheme (XIII), 1195.
- Foreign students in India (XIV), 2434.
- Fruit production in Punjab (XV), 4672-73.
- Geological survey of Hoshiarpur Distt. (Punjab) (XIV), 2431.
- Grants for books on Social education in Punjab (XVIII), 13124-25.
- Grants for increase in pay of teachers (XVIII), 13125.
- Grants from U.G.C. (XVI), 7436-37.
- Grants-in-aid to the non-official organisations (XIII), 1196.
- Hire-Purchase Scheme of tea machinery (XVIII), 12119.
- Housing schemes for Scheduled Castes (XVI), 8927.
- Housing Schemes in Punjab (XVII), 10408-09.
- I.A.S. and I.P.S. Officers in Punjab (XIII), 1194-95.
- Import and export licences (XIV), 2957.
- Income from Sarhind-Nangal section (XVII), 11330.
- Indian Council of Agricultural Research (XIII), 1707.
- Indian goods show room in Foreign countries (XIV), 3886-87.
- Indian officers sent abroad (XVI), 8436.
- Industrial co-operative societies in Punjab (XIV), 8886.
- Industrial estate at Nangal Dam (XIII), 1666.

DALJIT SINGH, SHRI—contd.

- Industrial survey of Himachal Pradesh and Kangra-Kulu (XVII), 9413.
- Industrial Units in backward areas of Punjab (XIII), 733-35.
- Industrialisation of backward areas of Punjab (XVI), 7934.
- Issue of import licences (XIV), 2951.
- Khadi production in Punjab (XVII), 10648.
- Local Development Works in Punjab (XVII), 9678-74.
- Lok Sahayak Sena camp (XV), 4426.
- Manpower training programme (XIII), 1144-48.
- Manufacture of automobiles (XVI), 6906-07.
- Martyr's Memorial in Delhi (XVII), 10402.
- Medical Colleges in Punjab State (XVII), 10405-06.
- Milk plants in Punjab (XVI), 8602.
- Milk ration for troops (XIV), 1928.
- Minor irrigation works (XVII), 8694.
- Movement of coal by Railways (XIV), 2117, (XVI), 8164-65.
- Mukerian-Talwara Railway line (XIII), 1709, (XV), 4694-95.
- National Discipline Scheme in Punjab (XVII), 11615.
- Naya Nangal colony (XVII), 10646.
- Oil exploration (XIV), 2400-2406.
- P. & T. facilities in backward hilly areas (XVII), 11329.
- P. & T. offices (XVI), 8686.
- Passenger amenities on Northern Railway (XIII), 1710.
- Passports to visit Pakistan (XVIII), 12599.
- Plan publicity in Punjab (XIV), 1931.
- Polytechnics in Punjab (XVIII), 13124.

DALJIT SINGH, SHRI—contd.

- Post Matric Scholarships to Scheduled Castes students in Punjab (XVII), 11616.
- Postal services in Punjab (XVII), 9895.
- Power Schemes in Punjab (XVIII), 11864.
- Primary schools in Himachal Pradesh (XVI), 8982.
- Procurement of foodgrains (XV), 4657.
- Production in Ordnance factories (XV), 5874.
- Production of sugar in Punjab (XVII), 11380.
- Punjab Government officers at Centre (XVI), 8930.
- Purchase of mules from Cyprus (XVI), 8404.
- Radio industry (XIII), 1860.
- Radio sets in Punjab (XIV), 4135.
- Replacement of rail tracks (XVII), 9894.
- Review of Punjabi books on A.I.R. (XVI), 8440.
- Roads and bridges in Punjab (XVI), 8691.
- Road overbridges on Railways (XVI), 8688.
- Rupar-Nangal Dam section (XV), 4695.
- Rural electrification in Punjab (XV), 6628.
- Rural Institution for women at Dharamsala (XVII), 11616.
- Scheduled Castes and Scheduled Tribes Agriculturists (XV), 4923-24.
- Scholarships for training in Foreign countries (XIII), 1195-96.
- Scholarships in Technical institutes in Punjab (XVI), 8928.
- Seed farms (XVII), 9915.
- Sewing machines (XIV), 2952.
- Ships and vessels purchased from abroad (XIV), 8186.

DALJIT SINGH, SHRI—contd.

- Shortage of milk in U.P. (XIV), 3186.
- Silk production (XVI), 7935.
- Small Savings (XVIII), 13379.
- Small Savings in Hoshiarpur (XVI), 9165.
- Small-scale and Cottage industries in Punjab (XIII), 735.
- Small-scale industries in Punjab (XVIII), 12127.
- Sodium silicate factory at Hoshiarpur (XVIII), 13086-87.
- Soil Conservation in Bhakra catchment areas (XIV), 2145.
- T.B. clinics (XIII), 481-86.
- Tax collections in Punjab (XV), 6628.
- Tea exports to U.S.S.R. (XVII), 9410.
- Tea production in Punjab (XVIII), 12128.
- Technical Institutes in hill areas of Punjab and Himachal Pradesh (XVII), 10172.
- Telephone revenue (XIV), 3194.
- Telephones in Nangal Dam (XIV), 3195.
- Territorial Army (XVI), 8434.
- Third Plan target for Punjab (XVII), 9669.
- Ticketless travelling (XIII), 1616-20.
- Trade delegation (XVIII), 12127.
- Trade with African countries (XIV), 2947.
- Trade with Pakistan (XIII), 1666.
- Transmitter at Chandigarh (XVI), 7180-81.
- Unauthorised entry into India (XVI), 8932.
- Unemployed graduates (XIII), 952.
- Unemployed registered in Punjab (XIII), 963.
- Village housing in Punjab (XV), 5177.

DALJIT SINGH, SHRI—contd.

Visits of Commissioner for Scheduled Castes and Scheduled Tribes to Punjab (XIV), 2439.

Water coolers on Railway Stations (XVIII), 12847-48.

Welfare of backward areas of Punjab (XVIII), 12118-19.

Welfare of S.Cs. and backward classes in Punjab (XVIII), 13087-88.

Welfare of S.C. and S.T. in Delhi (XVII), 10170.

Debates

D. G. (1963-64):

Min. W. H. & R. (XVI), 7213-17.

DAPHTARY, SHRI C. K. (The Attorney-General):

Compulsory Deposit Scheme Bill, Consid. cl. (XVIII), 12752-72.

DAS, SHRI B. K.:

Aid to cultural organisations (XIV), 2417.

Antibiotic factories (XIV), 3880.

Archaeological projects during Emergency (XV), 4913.

Bailadila from Ore Project (XVII), 11531-534.

Barter deal with Japan (XVIII), 13541-44.

Business and Export Houses (XV), 5406-09.

Bye-elections (XIII), 879-80.

Camps for displaced persons (XIV), 2714.

Civil Defence Plan (XIII), 1158-83.

Coal transport in India (XIII), 1359-61.

Consolidated List of Scheduled Tribes (XIII), 1154-57.

Coordination of Scientific Research (XIII), 280-82.

Credit facilities to foreign countries by S.T.C. (XVI), 7896-97.

D.V.C. (XIII), 515-17.

D.V.C. Canal (XVI), 7624.

D.V.C. Navigational canal (XVI), 7621-22.

DAS, SHRI B. K.—contd.

Development of Media of mass communication in India (XIII), 926.

Development of Scheduled Tribes (XV), 4861-64.

Doctor kidnapped by Pakistanis (XIV), 1869.

Dredger for Calcutta Port (XV), 4603-05.

Election petitions (XIII), 721.

Electric detonators (XIII), 723. (XVI), 6901.

Electrification of trains (XIV), 3128-30.

Equipment for Calcutta suburban trains (XVII), 6837.

Export of lathe machines (XVII), 9343.

Export of Manganese ore (XIII), 700-02.

Export of penicillin (XVI), 7867-68.

Export of steam locomotives (XVI), 8111-13.

Export of manganese ore (XIII), countries (XVI), 6855-58.

Farakka barrage (XIII), 1400-1403.

Fish rearing (XIV), 3175.

Foreign ships for transportation of coal (XVIII), 12781-84.

Free trade ports (XIV), 2901.

Freight rates of ships (XVII), 11271.

Hindusthan Cable Factory Rupnairpur, (XIII), 722.

Import of steam turbines from U.S.A., (XVIII), 11852.

Indian Shipping Companies (XV), 6107.

Indian tankers (XIII), 101.

Janata Express from Howrah to Bombay (XV), 6106.

Kiriburu iron ore project (XVII), 8861.

Loss of money in Tejpur (XVI), 7169-70.

Manpower training programme (XIII), 1144-48.

DAS, SHRI B. K.—*contd.*

- Manufacture of alloy steel (XIII), 1651.
- Manufacture of Defence stores by private sector (XV), 5809.
- Manufacture of detonators (XIII), 1652.
- Medium-sized steel plants (XIII), 676—78.
- Milk Supply Scheme (XV), 4662.
- National Discipline Scheme (XIII), 276—80.
- Ophthalmic Glass factory at Durgapur (XV), 5377-78.
- Ordnance factories (XVI), 7128.
- Pakistani infiltration in Assam (XIII), 272—76.
- Panna Diamond Mines (XV), 4886—92.
- Petro-chemical development at Barauni (XVIII), 13029—32.
- Pilot projects for rural water supply (XV), 5123-24.
- Plant for coal gasification (XIII), 319.
- Price of raw jute (XIV), 2930.
- Price of rice in West Bengal (XIV), 2103.
- Prices of foodgrains (XIV), 3124—28.
- Prosecution of Rehabilitation Finance Administration guarantors (XIII), 1414.
- Railway line to Haldia Port (XV), 4644.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Repatriation of Indians from Mozambique (XIV), 4088—93.
- Research in private institutions (XV), 6336.
- Sainik schools (XIII), 912—14.

DAS, SHRI B. K.—*contd.*

- Salt cess fund (XIV), 3884.
- Setting up of universities (XIII), 265—67.
- Shipping Development Fund (XIII), 1696.
- Shipping services between India and East Asian countries (XIII), 1687.
- Ships for overseas trade (XIV), 3131-32.
- Small and Minor Irrigation Schemes (XIII), 46—49.
- Smallpox in the country (XIII), 490—95.
- Stamp to Commemorate Netaji's Memory, (XV), 4648.
- Steel for Ordnance Factories (XV), 4392.
- Trade with East European countries (XVII), 9397.
- Training Centres for goldsmiths (XIII), 479—81.
- Training school for N.C.C. women Officers (XIV), 1911.
- Transfer of D.V.C. Headquarters (XIV), 2702.
- Transfer of D.V.C. office to Bokaro (XVII), 10345—47.
- University courses in Medicine (XIII), 523.
- Wagons workshop, Matunga (XIII), 89-90.
- Warehouse for jute at Calcutta 89.
- Debates*
- D.G. (1963-64):
- Min Food and Agri., (XV), 5014—18.
- Marine Insurance Bill, as passed by R.S.
- Motion to consid., (XVI), 8065-66.
- DAS, SHRI SADHANSU:
- Price of rice in West Bengal, (XIV), 2103.

DASAPPA, SHRI:

D. G. (1963-64):

Min. Irr. and Power (XV), 6215—22.

Estimates Committee:

Minutes—Laid on the Table (XVIII), 12643.

Motion re Election to Committee on Estimates, (XVII), 10335.

Seventeenth Report presented (XIII), 742.

Twelfth Report presented (XIII), 742.

Twenty-fourth and Twenty-fifth Reports presented, (XIV), 2731.

Thirty-fifth Report presented (XVI), 894a.

Thirty-Sixth Report presented (XVII), 9923-24.

Statements showing replies to recommendation laid on the table (XVIII), 12642-12643.

Official languages Bill:

Motion to consider, (XVIII), 11924-25.

DASARATHA DEB, SHRI:

Leave of Absence, (XVI), 8447, (XVIII), 14186.

DATAR, SHRI B. N.:

Death of, (XIII), 1-2.

DEO, SHRI P. K.:

Afro-Asian Solidarity Conference (XIII), 916-17.

Alitalia crash report, (XIV), 3163.

Britain's entry into E.C.M. (XIV), 2895.

Chandrepure Thermal Station, Bihar (XIV), 2721-22.

Chromite deposits in Mysore (XVI), 8881.

Civil Administration in NEFA (XIII), 907—12.

Civil Defence Plan (XIII), 1161.

Colombe proposal (XIII), 883—92.

DEO, SHRI P. K.—contd.

Demonstration on surgery (XV), 5164.

Deportation of Indians from U.K. (XV), 5872.

Drinking (XIV), 2387.

Easing of work load of rural housewives (XV), 4616—20.

Excise duty on small-scale battery manufacturers, (XV), 661a.

Export of Indian jute goods (XIII), 1660.

Express Highway to Pradip Port (XIII), 1728.

Foreign Air Mission's visit to India, (XIII), 899.

"Friendship March" to Peking (XV), 5847.

Government colonies of Delhi (XIV), 2711.

India Office Library, (XVI), 8876.

Indian military personnel in Congo (XV), 5819.

Indian P.O.Ws., (XIII), 924—26.

Indian tea delegation (XVII), 10584—588.

Kalakot Coalmines (XIV), 3393.

Licences issued under Gold Control Scheme (XIV), 2710.

Manufacture of frigates (XIV), 4142-43.

MIGs, and MIG Factory (XIII), 929.

Naroj Bridge accident (XIII), 1615.

National Income (XIV), 1906.

Oil exploration (XIV), 2400—2406.

Partial payment of workers' wages in food (XV), 6181—83.

Pig iron (XIV), 3866-67.

Post retirement passes (XV), 6186—87.

Price of rice in West Bengal (XIV), 2103.

Production in Ordnance factories (XVI), 7128—32.

Quality control and pre-shipment inspections (XIV), 2919.

Recruitment of ex-servicemen (XIV), 1899.

DEO, SHRI P. K.—contd.

- Relationship with Iraq (XV), 4416.
 Repatriation of Indians from Mozambique (XIV), 4089—93.
 Sino-Pak border agreement, (XIII), 905.
 Tanker for Caltex India Ltd. (XIV), 2111.
 Tibetan refugees, (XV), 5838.
 Trust for developing Paradip Port (XIII), 1641.
 Under invoicing export of jute (XV), 6617.
 Unemployment (XV), 5814.
 Village volunteer force, (XIII), 1608.
 Wool (XIV), 2148.
 Woollen hosiery units (XIII), 1670.
 World Food Programme (XV), 6077—81.

Debates

- D. G. (1963-64):
 Min. M. & F. (XVI), 9203—12.
 Min. Trpt. and Communi. (XVI), 8963—73.
 D. S. G. (General) 1963-63 (XIV), 3220—24.
 Gold Control Scheme (Dis.) (XIV), 2299—2305.
 Nationalisation of banks (Res.) (XVI), 9588—92.
 Regional Disparity (Res.) (XIV), 4047—53; (XVII), 9565-68.
 Reported entry of Naga Hostiles into India through Manipur (CA) (XIII), 1732.

DEO, SHRI V. B.:

- Mining leases for private sector (XVIII), 13066.

Debates

- Leave of Absence (XVI), 8447; (XVIII), 14186.

DEO BHANJ, SHRI P. C.:

- £30 Million loan from U.K. (XVI), 9145-46.
 Breeding of lions (XV), 6097.
 Foreigners detained under DER (XV), 4908.
 Manufacture of watches (XVIII), 12108.
 Nissan jeeps (XIV), 4110-11.
 Preservation of peacocks (XV), 6097-98.
 Raurkela Steel works (XVII), 6379.
 Settlement of Tibetan refugees in Orissa (XV), 5859.
 Teleprinter service (XV), 6451.

Debates

- B. R. (1963-64), General Discussion (XIV), 2020—23.
 Leave of Absence (XVI), 8447.
DESAI, SHRI MORARJI:
 Appropriation Bill, 1963:
 Intd. (XIII), 3434-35.
 Motion to consider (XIII), 3434-35;
 Motion to pass (XIII), 3435.
 Appropriation (No. 3) Bill:
 Intd. (XVIII), 12883.
 Consid. and passed (XVIII), 12883—888.
 Appropriation (Vote on Account) Bill, 1963.
 Int. (XIV), 4279-80.
 Motion to consider (XIV), 4280—1.
 Consid. cl. (XIV), 4282.
 Motion to pass (XIV), 4282.
 B. G. Presented (XIII), 1529—64.
 B.G., General discussion (XIV), 4206—47.
 Compulsory Deposit Scheme Bill:
 Motion to consider (XVII), 11188—194, 11513—523.
 Consid. cl. (XVII), 11773, 11790, 12024, 12051, 12052, 12296-296, 12299, 12313, 12317—319, 12531, 12890-891, 12903.
 Motion to pass (XVIII), 12906, 12915—917.
 D. E. G. 1960-61, presented (XVII), 10806.

DESAL, SHRI MORARJI—contd.

D. G. (1963-64):

Min. Fin. (XVII), 10077—85,
10287—312.

D.G.A. 1963-64 (XIV), 4250.

Demands for Supplementary Grants
1962-63:

Presented (XIII), 547.

Finance Bill, 1963:

Motion to consider (XVII),
10933—41, 10889—10921.Motion to pass (XVII), 10970,
10976-977.Gold Control Scheme (Dis.) (XIV),
2621—50.

Obituary Reference:

Demise of Dr. Rajendra Prasad
(XIII), 1573-74.Re: Shri Ansar Harvani's letter to
Finance Minister (XVII), 11622.

Super Profits Tax Bill:

Motion to consider (XVII),
10979—985, 11131—141.Suspension of Proviso to Rule 66
(XVII), 11183—187.**DESHMUKH, DR. P. S.:**Agricultural programmes (XVI),
8648.Consumers Co-operative Societies
(XVI), 8635.Cooperative movement (XIV),
3139—41.

Export of mangoes (XVI), 6893.

Export of sugar to U.S.A. (XIII),
1621.Graduates in agriculture (XIV),
3135.Gulhati Commission Report (XIV),
2660.Home science colleges in agricultu-
ral universities (XVII), 11290.

Joint farming (XVI), 8148.

Mechanisation of farming (XVI),
8639.Minor irrigation schemes (XVII),
11279.

Nutrition education (XVII), 9859.

Planning Boards in States (XV),
4404.**DESHMUKH, DR. P. S.—contd.**

Price of raw jute (XIV), 2933.

Target of cotton production (XVI),
8659.Village volunteer force (XIII),
1609.World Food Programme (XV),
6076-77.**Debates**Agricultural Finance Corporation
Bill:Motion to pass as amended
(XIII), 1522.B. G. (1963-64), general discussion
(XIII), 3502—10.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8719—
21.D.G. (R) 1963-64 (XIV), 2736—
38.

Official Languages Bill:

Consid. Cl. (XVIII), 12240—43.

P. A. M. (XIII), 1222—29.

Re: Point of Personal Explanation
(XV), 5192.Re: Statement by Member (XVI),
7950—54.

Statement (XVI), 8461—63.

DESHMUKH, SHRI SHIVAJI RAO:Abu Sinbel Temples in Egypt
(XVII), 11559.Agents for Small Savings Scheme
(XVIII), 14142-43.Britain's entry into E. C. M. (XIV),
2895.Col. Bhattacharjee (XIV), 1890.
Committee for negotiation with
foreign collaborators (XV), 6576.Easing of work load of rural house-
wives (XV), 4619.Export of Indian textiles to U.S.A.
(XIV), 3835—38.

Export of sugar (XVI), 8149.

Helicopters from Russia (XIV),
4085—87.Jayanti Shipping Company (XV),
4634.Medium-sized steel plants (XIII),
677.

DESHMUKH, SHRI SHIVA JI RAO—
contd.

- NEFA Reverse (XVI), 7151-52.
National Discipline Scheme (XV), 6359.
National volunteer force (XV), 5827.
Oil supply to Nepal (XV), 6350.
Pig Iron Plant in Punjab (XIII), 713.
Power requirements of the country (XIV), 3627-30.
Price of sugar (XVIII), 14151-53.
Production of drugs (XV), 5399.
Production of fertilizers (XVI), 6870.
Purchase of mules from Cyprus (XVI), 8403.
Railway restaurants (XIV), 2090.
Research in NEFA operations (XIV), 1886.
Second Shipyard (XV), 6062-63.

Debates

- Compulsory Deposit Scheme Bill:
Consid. Cl. (XVIII), 12020, 12022, 12049, 12051-52, 12307-309.
D. G. (1963-64):
Deptt. of Atomic Energy (XV), 5799-5806.
Min. Food and Agri. (XV), 5227-31.
Min. Irr. and Power (XV), 6408-16.
Official Languages Bill:
Motion to pass (XVIII), 12483-85.

DESPANDE, SHRI:

- Leave of Absence (XVI), 8447;
(XVIII), 14186.

DEY, SHRI S. K.:

- D. G. (1963-64):
Min. Con. Dev. and Coop. (XVI), 7833-66.

DHARMALINGAM, SHRI:

- Cement quota for Madras (XVII), 9412.
Emergency Insurance Scheme (XIV), 2881-83.

DHARMALINGAM, SHRI—contd.

- Emergency risk insurance (XV), 5132-35.
English as an associate language (XIV), 2435.
Fertilizer Factory at Neyveli (XV), 4919.
Handloom goods in Madras State (XIV), 2955.
Head Post office at Vellore (XIV), 3182.
Oil exploration (XIV), 2400-2406.
Rural Housing programme (XIV), 2728.
Steel Plant in South (XIV), 3855-56.

Debates

- D. G. (1963-64):
Min. I. and B. (XV), 5323-30.

DHEBAR, SHRI U. N.:

- B. G. (1963-64), General discussion (XIV), 3288-97.
Re: Interruptions and walk-out during President's Address (XIII), 5.
Resignation by (XV), 5901.

DHULESHWAR MEENA, SHRI:

- Agricultural cess (XVII), 11310.
Agricultural university at Bhubaneswar (XVII), 11315.
Agricultural University in Rajasthan (XVII), 11316.
Air accidents in NEFA (XVIII), 12583.
Best Village (XVII), 11312.
Central Health Cadre (XVIII), 11851.
Coal weapons for Orissa (XVIII), 13073.
Coal weapons for Rajasthan (XVIII), 13073.
Cost of living index in Delhi (XVIII), 13375.
Cottage industries in Orissa (XVIII), 12109-10.
Development of Mizo hills (XVIII), 12805-07.

DHULESHWAR MEENA, SHRI:
contd.

- Education Ministers' Conference (XVII), 11563-567.
- Grants for construction of utility Stadia in Orissa (XVII), 11579.
- Grants to voluntary organisations in Orissa for Child Welfare (XVII), 11579.
- Gunupur-Maupada light Railway (XVIII), 12829-30.
- Handloom industries (XVIII), 13600.
- Houses for S.Cs. and S.Ts. in Rajasthan (XVII), 11550-58.
- Import and production of newsprint (XVIII), 13600.
- Import of silk (XVIII), 12138.
- Janapath Hotel, New Delhi (XV-III), 11838-841.
- Joint Farming Pilot Schemes in Orissa (XVIII), 12851.
- Nature Cure Centres (XVIII), 11850-51.
- Nursing Home charges (XVIII), 13374.
- Pak. nationals' visit to India and vice versa (XVII), 11055.
- Passports for U.K. (XVIII), 12863.
- Repairs to Jama Masjid and Red Fort in Delhi (XVIII), 13077.
- S. Cs. and S. Ts. in Rajasthan (XVII), 11580.
- School Health Committee (XVIII), 13367.
- Small Scale Inventions Development Board (XVIII), 12111.
- Smallpox in Orissa (XVIII), 11848.
- Special steel plant in Durgapur (XVIII), 12100-07.
- Students studying abroad (XVIII), 13337.
- Supply of articles to Government employees at Fair price (XVII), 13076-77.
- Tribal blocks in Orissa (XVII), 11574-575.

DHULESHWAR MEENA, SHRI:
contd.

- Welfare of Scheduled Castes and Scheduled Tribes in Rajasthan (XVII), 11581-82.
- Debates*
- P. A. M. (XIII), 1090-94.
- DINESH SINGH, SHRI:**
- Complaints made by Detenus to Indian High Commission, Ceylon (CA), (XVIII), 14176-77.
- D.S.G. (General), 1962-63 (XIV). 3257-61.
- Exodus of Hindu families from East Pakistan into Tripura (CA), (XVIII), 13780-81.
- Proposed merger of UAR, Iraq and Syria into one federal state and reaction of Government of India thereto (C.A.), (XVII), 11856-358.
- Reported kidnapping of some Santhals by East Pakistan Police (C.A.), (XVIII), 13775-80.
- DIXIT, SHRI G. N.:**
- D. G. (1963-64):
- Min. Ed. (XV), 5518-22.
- Min. Law (XVI), 7558-65.
- DUBE, SHRI MULCHAND:**
- Death of, (XIII), 1-2.
- DUBEY, SHRI R. G.:**
- Aid India Club (XV), 6611.
- Anti-Indian propoganda by Chinese Embassy in Colombo (XIV), 4081-83.
- Britain's entry into E. C. M. (XIV), 2895.
- Civil Defence Plan (XIII), 1158-63.
- Closure of old Delhi factories (XV), 6630.
- Cooperative Farming Societies (XIII), 104-105.
- Cooperative movement (XIV), 3136-41.
- Cost of steel production (XIII), 673-76.
- Delhi water supply (XIV), 2661-67
- Development of Media of mass communication in India (XIII), 926.

DUBEY, SHRI R. G.: *contd.*

- Foreign Air Mission's visit to India (XIII), 897-98.
- Foundry Forge Project (XIV), 2947.
- Heavy Electrical Equipment plants (XIV), 3838-42.
- Heavy Electricals Limited, Bhopal (XIV), 2935.
- Heavy machine building project (XIV), 3880-81.
- High pressure boiler plants (XIV), 3867-69.
- Idle manpower (XVII), 11039.
- Indian Economic and Statistical Services (XVIII), 13119.
- Iron-ore export to Japan (XIV), 3846-48.
- Kiriburu iron ore project (XVI), 8861.
- Machine tool industry (XIII), 1626.
- Medium-sized plants (XIII), 676-78.
- Naval base in Eastern Zone (XVIII), 13951.
- Production of drugs (XV), 5393.
- Rihand Dam (XIII), 1135-40.
- Russian system of Higher Secondary Education (XIII), 316.
- Sino-Pak border agreement (XIII), 968-67.
- Sub-soil water in Nimri (XVIII), 13347.
- Suicide by Liaison officer (XIII), 1650.
- T.B. Clinics (XIII), 481-86.
- Visit of Joint Committee to Eastern U.P. (XIII), 893-97.
- Wage Board for Iron ore Mines (XV), 4392.

Debates

- Agricultural Refinance Corporation Bill
- Motion to consid., (XIII), 210-11.
- D.G.(R) 1963-64 (XIV), 2824-26.

DUBEY, SHRI R. G.: *contd.*

- Finance Bill, 1963:
- Motion to consid. (XVII), 10524-32.
- P.A.M. (XIII), 432-37.
- Report of the Commission of Inquiry into Dalmia Jain Companies (M), (XVIII), 14042-50.
- DWIVEDY, SHRI M. L. :
- A.C. Electric locomotives (XV), 4662.
- A.I.R. Stations (XVI), 7187.
- Afghan Trade Mission's visit to Delhi (XIV), 2939.
- Agricultural Colleges (XVIII), 12832.
- Agricultural production (XIII), 1590-91.
- Allotment of land to Government employees (XV), 6584.
- Anti-corruption Advisory Committee (XIII), 286-95.
- Arrest of criminals (XIV), 2416.
- Assistance to farmers (XVII), 9885.
- Bailadila Iron Ore Project (XVII), 11531-534.
- Basic Education (XV), 4913-14.
- Block-making in Government Press, Faridabad (XV), 6563.
- Britain's entry into E.C.M. (XIV), 2895.
- Budget of Development Blocks (XV), 6105-06.
- Business and Export Houses (XV), 5406-09.
- Bye-elections (XIII), 679-86.
- C.D. Programme in Andamans and Nicobar Island (XIV), 3173.
- Camera Factory (XVIII), 12659-61.
- Central Institute for Labour Research (XIV), 1909.
- Central Workers' Education Board (XVII), 11003-05.
- Chairman of Community Development Block (XV), 4605-09.
- Chinese aggression (XIII), 984.
- Chinese nationals (XIII), 1146-48.

DWIVEDI, SHRI M. L. : *contd.*

- Civil Administration in NEFA (XIII), 907—12.
- Civil Defence on Railways (XIV), 3174-75.
- Civil Defence Plan (XIII), 1158—63.
- Colombo proposals (XIII), 883—92.
- Community Development (XVIII), 12784—89.
- Compulsory primary education (XIII), 283—86.
- Consumers' cooperatives (XIII), 1682.
- Coordination of Scientific Research (XIII), 280—82.
- Cost of steel production (XIII), 673—76.
- Credit facilities to foreign countries S.T.C. (XVI), 7896—97.
- Credit guarantee scheme (XIV), 3850—53.
- Crippled Jawans (XIII), 93.
- Cut in imports (XVI), 6899-900.
- D.V.C. Navigational canal (XVI), 7621—28.
- Declaration of permanent Government posts (XVIII), 11799—804.
- Defence publicity (XVI), 8480-31.
- Delhi water supply (XIV), 2684.
- Democratic decentralisation (XIV), 3117—21.
- Development of Scheduled Tribes (XV), 4861—64.
- Disinfection of imported plants (XIV), 2125.
- Dredger for Calcutta Port (XV), 4603—05.

DWIVEDI, SHRI M. L. : *contd.*

- Economy in Railway Administration (XIV), 2116.
- Education during Emergency (XIII), 269—71.
- Electricity from Rihand Dam Project (XV), 6570.
- Electrification of Railway line from Howra to Kharagpur (XIV), 2077.
- Electrification of trains (XIV), 3128—30.
- Electrification of Western Railway (XIV), 2061.
- Engines for supersonic jet fighter aircraft (XIV), 1901.
- Enquiry into N.E.F.A. reverse (XIV), 4072—81.
- Equipment for Calcutta suburban trains (XVII), 6837.
- Expenditure on literature (XIV), 3161-62.
- Export of Indian textiles to U.S.A. (XIV), 3835—38.
- Export of steam locomotives (XIV), 8111—13.
- Express delivery system (XIV), 2097.
- Facilities to individual house builders in Delhi (XIV), 2376.
- Foreign ships for transportation of coal (XVIII), 12781-82.
- Free water and electricity to Central Ministers (XIV), 3615—24.
- Freight rates of ships (XVII), 11271.
- "Friendship March" to Peking (XV), 5847.
- Gold Bonds (XIII), 509—13.
- Gold prices and gold smuggling (XIV), 2683—87.
- Goshala Development scheme (XIII), 1686.
- Haldia Port (XIII), 86.
- Head Post office for Hamirpur (U.P.), (XVII), 9884.
- Heavy electrical equipment plants (XIV), 3842.

DWIVEDI, SHRI M. L. : *contd.*

- Help to Copra growers (XVII), 11318.
- Hindi assistants in Ministry of Economic and Defence Coordination (XIV), 3879-80.
- Hindi in Central Government offices (XIV), 3413.
- Hindi in U.P.S.C. examinations (XV), 6344-47.
- Hindi work (XIII), 96
- Hindustan Cable Factory Rupsainpur (XIII), 722.
- Hospitals in Delhi (XIV), 2667-72.
- Housing Schemes in Andaman Islands (XVI), 9157-58.
- I.C.A. (XIV), 3160.
- Indian military personnel in Congo (XV), 5819.
- Indian P. O. Ws. (XIII), 924-25
- Indian Shipping Companies (XV), 6107.
- Indiscipline among students (XVII), 11538.
- Industrial disputes for adjudication (XIII), 933.
- Industrial estates in Uttar Pradesh (XIII), 1651.
- Institute of Journalism (XVII), 9633-34.
- International Labour Organisation (XV), 5862.
- Janata Express from Howrah to Bombay (XV), 6106.
- Kiriburu iron ore project (XVI), 8861.
- Launching of sounding rockets (XV), 5852.
- Liberal licensing policy (XV), 5383.
- Losses suffered by civilians in NEFA (XIV), 4105-06.
- Lucknow Military Hospitals (XIV), 4112.
- Machine Tool Factory (XV), 5381.
- Matatila Project (XV), 5121-23.

DWIVEDI, SHRI M. L. : *contd.*

- Multipurpose River Valley and Power Projects (XVIII), 13378.
- National Defence Fund (XIII), 1380-88.
- National Discipline Scheme (XIII), 276-80.
- National Highway from Jammu to Kashmir (XVI), 8419-20.
- National science talent search (XIV), 2372.
- Nationalisation of General Insurance (XVII), 10347-50.
- Pakistani infiltration in Assam (XIII), 272-76.
- Palace of Maharani Laxmi Bai at Jhansi (XVI), 6915.
- Panna Diamond Mines (XV), 4886-92.
- Participation of labour in management (XVII), 9603-07.
- Permit for purchase of gold (XIV), 2681.
- Petro-chemical development at Barauni (XVIII), 13029-32.
- Plan for coal gasification (XIII), 319.
- Police Administration (XIV), 3384.
- Post Office accounts of displaced persons (XIII), 1681.
- Postal guide (XXIV), 3121-23.
- Power supply for industrial purposes in Delhi (XV), 6579.
- Price of raw jute (XIV), 2930.
- Price of rice in West Bengal (XIV), 2103.
- Price of automobiles (XIII), 704.
- Price of foodgrains (XIV), 3124-28.
- Production of antibiotics (XIII), 686.
- Production of motor trucks (XIII), 713-16.
- Publications of various industries (XVII), 9651-52.
- Radio industry (XIII), 1660.
- Railway line to Haldia Port (XV), 4644.

DWIVEDI, SHRI M. L.: *contd.*

- Railway restaurants (XIV), 2090.
 Raksha Grihas in Delhi (XIV), 2417.
 Recommendations of Second Pay Commission (XVII), 10161-62.
 Reduction in staff in Government offices (XIV), 3600-604.
 Regaul station (XVI), 8679.
 Rehabilitation Industries Corporation (XVII), 730-81.
 Rehabilitation of displaced persons in Dandakaranya : (XVIII), 11804-810.
 Rehabilitation of tribal people in NEFA (XIII), 919.
 Repatriation of Indian from Mozambique (XIV), 4088-93.
 Republic Day Parade (XIV), 4147.
 Research on zoto-bacter and phospho-bacterin (XV), 6067-70.
 Resignation of employees on selection to other posts (XIII), 314-15.
 Rihand Dam (XIII), 1135-40.
 Road to Barahoti (XIV), 1929.
 Russian aid for Defence needs (XIII), 925.
 Salt factories in West Bengal (XIV), 2049.
 Selling of Heir-loom by ex-rules (XIII), 1180.
 Setting up of universities (XIII), 265-67.
 Shifting of Government offices (XIII), 821.
 Shipping Development Fund (XIII), 1606.
 Ships for overseas trade (XIV), 8181-32.
 Shops in Ramakrishnapuram (XIII), 527.
 Sino-Pak border agreement (XIII), 903-07.
 Small and Minor Irrigation Schemes (XIII), 46-49.
 Smallpox in the country (XIII), 490-95.

DWIVEDI, SHRI M. L.: *contd.*

- Special services to Delhi telephones (XVIII), 11317.
 Stamp to Commemorate Netaji's Memory (XV), 4648.
 Standing labour committee (XVI), 8432.
 State Education Ministers' Conference (XV), 6336-41.
 Subsidiary Health Centres in rural areas (XIII), 1369-71.
 Sugar mills (XIII), 88-89.
 Super tanker (XIII), 1592-94.
 Supply of iron and steel to Orissa (XVI) 6898-94.
 Survey of mines (XIII), 308.
 Technical Glossary (XIII), 310.
 Teleprinter services for Jhansi (XV), 4644-45.
 Thefts in Railway Workshops (XIII), 99-100.
 Train service around Delhi (XV), 6047-50.
 Training Centres for goldsmiths (XIII), 479-81.
 Training period for Gram Sevaks (XIII), 42-46.
 Transfer D.V.C. Office Bokaro (XVII), 10845-47.
 Transport and communication in border districts of U.P. (XIV), 2111.
 U.S. Military aid (XIII), 901-02.
 Underground rail system for Delhi (XIII), 1613.
 Unemployment (XV), 5814.
 Untouchability in education (VIII), 1180-87.
 Use of Hindi dictionaries in A.I.R. (XVII), 11055-56.
 Village volunteer force (XIII), 1604-1609.
 Violation of gold control rules (XIII), 507-09.
 Visit of Joint Committee to Eastern U.P. (XIII), 895.
 Vividh Bharati (XVI), 7124-37.

DWIVEDI, SHRI M. L.—*contd.*

- Welfare of coal-mine workers (XVIII), 12541.
- Wild life sanctuary in Andamans (XVII), 11316.
- Withdrawal by Chinese from Ladakh (XIII), 877—82.
- B.C. (General Discussion) (XIV), 3944—55.
- Concentration of Economic Power (Res.) (XIV), 4024—28.
- Constitution (Amendment) Bill (Amendment of articles 100 and 189) by Shri M. L. Dwivedi.
- Motion to consider (XVIII), 13704—10.
- D.G. (1963-64):
- Deptt. Parly. Affairs (XVII), 10059-60.
- Min. I and B. (XV), 5273—80.
- D.G. (R) 1963-64 (XIV), 2760—68
- DWIVEDI, SHRI SURENDRANATH:
- Action against certain newspapers (XIII), 307.
- Advertisement of drugs (XV), 5144—47.
- Agricultural implements (XVII), 9376.
- Air Defence requirements (XVI), 7144.
- Allowances to Ministers (XVI), 8867.
- Anti-corruption Advisory Committee (XIII), 295.
- Attorney-General's advice on affairs of a firm (XVIII), 13055.
- Bank of China (XVIII), 11869-870.
- Barter deal with Czechoslovakia (XVI), 7889.
- Barter deal with Czechoslovakia (XVI), 7888—87.
- Britain's entry into E.C.M. (XIV), 2899.
- Civil Administration in NEFA, (XIII), 910.
- Electric sheet rolling mill (XVII), 9362.

DWIVEDI, SHRI SURENDRANATH
contd.

- Enquiry into NEFA reverses (XIV), 4077—81.
- Food production (XIII), 82.
- Foreign Air Mission's visit to India (XIII), 897—900.
- General Elections in Eastern U.P. in 1962 (XVIII), 12573.
- Grant of mining lease for manganese and chrome ore (XVII), 10137—44.
- Hostel at Cuttack (XVIII), 12837.
- Howrah-Madras Express (XVIII), 12825—28.
- Indians working in Afro-Asian Solidarity Conference Secretariat (XV), 4409.
- Industrial truce (XV), 4400.
- Kolinga Airlines (XIII), 957; (XIV), 1919.
- Low shaft furnace (XVII), 9366.
- Mining leases in Orissa (XVI), 7393—95.
- Planning Boards in States (XV), 4403.
- Price of raw jute (XIV), 2883.
- Prices of foodgrains (XIV), 3124—28.
- Public undertakings (XIV), 2909.
- Purchases by Air India (XVIII), 12796.
- Railway hostel, Cuttack (XVIII), 12826-27.
- Rourkela Steel Plant (XV), 8395.
- Serajuddin & Co. (XVIII), 13573—79.
- Trade teams from Czechoslovakia and Rumania (XV), 5404.
- Tusket project (XIV), 1859.
- Utilisation of irrigation potential (XIII), 498.

Debates

- Affairs of Serajuddin and Company (St.) (XVIII), 14208, 10.
- B.O.H. (XIII), 2961, (XIV), 4150; (XVII), 9434, 10631.

DWIVEDI, SHRI SURENDRANATH

—contd.

Concentration of China Troops in Tibet (C.A.), (XV), 5618.

D.G. (1963-64):

Deptt. of Atomic Energy (XV), 5787—90.

Min. Def. (XVI), 8011—24.

Min. Food and Agri. (XV), 5193—97

Finance Bill, 1963:

Motion to consid. (XVIII), 10503—18.

Government of Union Territories Bill:

Motion to consider. (XVIII), 13822—28.

Obituary Reference:

Demise of Dr. Rajendra Prasad (XIII), 1576.

P.A.M. (XIII), 549—63.

Re: alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13919-20, 13937.

Re: Motion on Standing Committee for Public Enterprise (XVI), 8205.

Re: Reported concentration of Chinese Troops in Tibet (XV), 5340—42.

Re: Statement by Member (XVI), 7951-52.

Re. termination of suspension of Member (XVIII), 13138.

Report of the Commission of Inquiry into Dalmia Jain Companies (XVIII), 14092—14102.

Report of Committee on the conduct of certain Members during the President's Address (XV), 4767—70.

Statement (XVI), 8447—52, 8456.

Statement made by a member and Minister in connection with the charges against P.S.P. (St.) (XVI), 7440-50.

E

ELAYAPERUMAL, SHRI:

Agricultural college in Annamalai University (XVI), 8685.

Customs House agents of Madras (XVII), 10403.

Dock labour scheme in Madras Port (XVI), 8435.

Electric trains between Madras and Arkonam (XVI), 8682.

Electricity generation in Madras State (XVII), 10402-03.

Electrification of stations on Southern Railway (XVIII), 12838-39.

Family Planning programme in Madras State (XV), 6631.

Geological survey in Madras State (XV), 6403-04.

Heavy industries at Madras (XVIII), 12117-18.

I.A.S. and I.P.S. Officers in Madras State (XVI), 8927.

Import of steel from U.S.S.R. (XVII), 10158.

Income-tax arrears in Madras (XVI), 9162-63.

Industrial units in Madras (XVI), 8435-36.

Monuments in Madras State (XV), 6403.

Oil exploration in Madras State (XVII), 11588.

Package programme for groundnuts in Madras State (XVII), 9890.

Public libraries in Madras (XVI), 8926.

Rural electrification in Madras State (XV), 6630.

Rural housing schemes in Madras (XVI), 7674-75.

Salt factories in Madras (XVI), 6914-15.

Scheduled Caste Officers (XVII), 10169-70.

Scholarships for research work (XVIII), 12838.

ELAYAPERUMAL, SHRI: contd.

- Small scale and Cottage Industries in Madras State (XVIII), 12117.
- Spinning mill in South Arcot, Madras (XVI), 6915.
- Telephones in South Arcot and Trichy Districts (XVII), 9891.
- Theft in Southern Railway workshops (XVII), 9892.
- Training Institute of National Mineral Development Corporation (XVI), 7425.
- Vessels operating at fishing stations (XVI), 8682.

Debate

P.A.M. (XIII), 1237—41.

ELIAS, SHRI MOHAMMAD:

- Coal Development in West Bengal and Bihar (XVI), 7431-32.
- Compulsory military training (XIV), 1904.
- Confirmation of Upper Division Clerks (XVII), 10176.
- Delhi University lecturers (XVI), 8935.
- Demolition of jhuggis in Delhi (XVI), 7681-82.
- Drinking water in States (XV), 5149—51.
- Emergency Production Committees. (XV), 5835.
- Export Incentive Scheme for Engineering goods (XIV), 2944.
- Export of Indian textiles to U.S.A. (XIV), 3835—38.
- Financial Adviser-cum-Chief Accounts Officer in D.V.C. (XVII), 10404-05.
- Foreign participation in Indian shipping companies (XIII), 1597—1600.
- Heavy Electricals Ltd., Bhopal (XVII), 10630.
- IISCO (XVI), 3854-55.

ELIAS, SHRI MOHAMMAD: contd.

- Import of components for Automobiles (XVIII), 12096.
- Industrial truce (XV), 4400.
- Inter-University Board (XVI), 7375—80.
- Jute Wage Board (XIV), 4110.
- Marine diesel engines (XVII), 9612-13.
- National Defence Fund (XIII), 1380—88.
- Participation of labour in management (XVII), 9603—07.
- Passenger amenities (XIII), 1706.
- Payment of interim relief by TISCO and IISCO (XIV), 1902.
- Power shortage in West Bengal (XVIII), 11881.
- Public health problems in India (XVI), 7679.
- Purchase of anti-aircraft missiles (XIV), 1903.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804—810.
- Release of Communists during Bye-elections (XV), 5159—63.
- Repatriation of Indians from Mozambique (XIV), 4089—93.
- Sainik schools (XIII), 912—16.
- Setting up of a Bengali regiment (XVII), 9599—9603.
- Smallpox in the country (XIII), 490—95.
- Squatters colonies in West Bengal (XVIII), 11836—838.
- Suicide by goldsmiths (XVI), 9130.
- Trade agreement with Soviet Union (XVI), 7886-87.
- Unemployment (XV), 5817.
- Welfare of coal-mine workers (XVIII), 12543.

ELIAS, SHRI MOHAMMAD: *contd.**Debate*

D.G. (1963-64):

Min. Lab. and Empt. (XV), 6432—40.

Mines (Amendment) Bill—(Amendment of sections 12, 64, 66, 67, 70, 72C and 73) by Shri S. C. Samanta.

Motion to consider (XVII), 10772—74.

ERING, SHRI D.:

Government of Union Territories Bill:

Motion to consider (XVIII), 13864—66.

F

FIRODIA, SHRI:

District Central Co-operative Banks (XVIII), 12844.

Payment of sugarcane price (XIII), 66.

D.G. (1963-64):

Min. Com. Dev. and Co-op. (XVI), 7774—78.

G

GAIKWAD, SHRI FATEHSINHRAO:

Austerity diet in Delhi zoo (XVII), 11283.

GAIKONDE, DR.:

Enquiry Committee for import licences in Goa (XVIII), 12616.

Extension of C.H.S. Scheme (XVII), 10379.

Family Planning (XVIII), 13360.

Hindu Religious Endowments Commission (XVIII), 12065.

Industries in Goa (XVII), 9354.

Mouth cancer centre at Agra (XVIII), 13333.

N.E.F.A. hospitals (XVI), 9115.

Nutrition education (XVII), 9860.

Political sufferers (XVIII), 13047.

Psychological tests for railmen (XVIII), 12815.

GAIKONDE, DR. *contd.**Debates*

B. R. (1963-64), general discussion (XIV), 2199—2202.

D.G. (1963-64):

Deptt. of Atomic Energy (XV), 5793—99.

Min. Ex. Affairs (XV), 4560—65.

Min. of Health (XV), 5996—8002.

Finance Bill, 1963:

Motion to consid. (XVII), 10838—42.

Government of Union Territories Bill:

Motion to consid. (XVIII), 13804—10.

GAJRAJ SINGH RAO, SHRI:

Sale of plots in Defence Colony, New Delhi (XV), 5183.

Debate

B. R. (1963-64), general discussion (XIV), 2252—56.

D.G. (1963-64):

Min. Def. (XVI), 8354—58.

Min. Irri. and Power (XV), 6257—61.

P.A.M. (XIII), 996—1002.

GANDHI, SHRI V. B.:

Agricultural Refinance Corporation Bill:

Motion to consid., (XIII), 195—200.

B. R. (General Discussion) (XIII), 1776—80.

Central Sales Tax (Amendment) Bill:

Motion to consid., (XIV), 4289—92.

D.G. (1963-64):

Deptt. of Atomic Energy (XV), 5790—93.

Min. Com. & Ind. (XVI), 8555—57

Min. Econ. and Def. Coord. (XVII), 9803—07.

GANDHI, SHRI V. B.: contd.

Min. Lab. and Emp. (XV), 6457—60.

D.E.G. (General) 1960-61, (XVIII), 12672-73.

D.S.G. (R) 1963-64, (XVIII), 12717-18.

Export (Quality Control and Inspection) Bill:

Motion to consid., (XVIII), 13519—22.

Finance Bill, 1963:

Motion to consid., (XVII), 10831—34.

Super Profits Tax Bill:

Consid. cl., (XVII), 11145, 11164, 11179.

GANGA DEVI, SHRIMATI:

Finance Bill, 1963:

Motion to consid., (XVII), 10518—24.

GAYATRI DEVI, SMT.:

Election of panchayats (XV), 4632.

Debate

D.G. (1963-64):

Min. Ex. Affairs (XV), 4473—79.

Min. S.R. & C.A. (XV), 5705—09.

P.A.M. (XIII), 631—39.

GHOSH, SHRI N. R.:

Anti-Indian Chinese literature (XVI), 7371.

Debate

B.R. (General Discussion) (XIII), 1799—1806.

D.G. (1963-64):

Min. Law (XVI), 7530—35.

GHOSH, SHRI P. K.:

Alitalia crash report (XIV), 3163.

Committee for negotiation with foreign collaborators (XV), 6575.

Central Housing Board (XVI), 9149.

Deportation of Indians from U.K. (XV), 5872.

GHOSH, SHRI P. K.: contd.

Directorate Board of Hindustan Steel Ltd. (XVII), 9370.

Export of Indian jute goods (XIII), 1669.

"Friendship March" to Peking (XV), 5847.

Gold bonds (XIII), 509—13.

Government colonies of Delhi (XIV), 2711.

Gulhati Commission Report (XIV), 2658—61.

Hirakud Dam Project (XVIII), 13355.

Income of primary school teachers (XVIII), 13087.

Indian settlers in Ceylon (XIV), 4107-08.

Indian tea delegation (XVII), 10584—588.

Investment by a non-resident Indian citizen in Indian Shipping Co. (XV), 6116-17.

Iron Plant (XIII), 717-18.

Manufacture of frigates (XIV), 4142-43.

Price of rice in West Bengal (XIV), 2103.

Production in Ordnance factories (XVI), 7128—32.

Recruitment from Orissa (XVIII), 12600.

Repatriation of Indians from Mozambique (XIV), 4089—93.

Supply of petroleum products by Russia (XIV), 2432.

Trust for developing Paradip Port (XIII), 1641.

Under invoicing export of jute (XV), 6617.

Woollen hosiery units (XIII), 1670.

Debate

B.R. (General Discussion) (XIII), 1763—76.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8549—55.

Min. Ed. (XV), 5502—07.

GHOSH, SHRI P. K.: *contd.*

Min. Lab. and Emp. (XV), 6454—57.

Min. S. & H.I. (XVII), 9696—9704.

GHYASUDDIN AHMAD, SHRI:

Leave of Absence (XVIII), 14186.

GOKARAN PRASAD, SHRI:

Air services to steel towns (XVI), 8797-98.

Average age (XIII), 1187.

Black marketing in electrical goods in Delhi (XVII), 9412.

Books purchased by Ministry of Education (XIII), 331.

Copper and Bauxite deposits in J. & K. (XVI), 7435-36.

Defence of India Rules (XIII), 303.

Family Planning (XIII), 540.

Kutab Minar, Delhi (XVII), 10171-72.

Manufacture of water meters (XVI), 7942-43.

Marmagao Harbour (XIII), 882-83.

National Defence Fund (XIII), 1380—88.

Power failure in Delhi (XIII), 524.

Stones in a parcel from abroad (XVII), 11326.

Telephones in Delhi village (XVI), 8198.

GONI, SHRI ABDUL GHANI:

Chamba-Bhadarwah road (XIV), 2154.

Civil Defence Plan (XIII), 1158—63.

Extraction of coal in Jammu and Kashmir (XV), 6399.

Heavy industries in Jammu and Kashmir State (XIV), 2959.

National income (XIV), 1900.

Pathankot-Jammu Railway line (XIV), 2099.

Powerful transmitter on A.I.R. (XIV), 1898.

GONI, SHRI ABDUL GHANI: *contd.*

Sainik school in J. & K. (XVI), 8390-91.

Salal Hydro Electric Project in Jammu and Kashmir (XIV), 2725-26.

Sayphire deposits in Jammu and Kashmir (XV), 6398-99.

Small and large scale industries (XIV), 2963.

Small Scale Industries (XVI), 7926-27.

Steel Plant in Jammu and Kashmir (XIV), 2964.

Survey of Chenab basin (XIV), 2725.

Traffic on Banihal cart road in J. & K. (XVI), 7182.

Debates

B.R. (1963-64):

General Discussion (XIV), 2484—87.

Debate

D.G. (1963-64):

Min. H.A. (XV), 7041—46.

P.A.M. (XIII), 586—93.

GOPALAN, SHRI A. K.:

Accumulation of handloom cloth (XV), 5413—17.

B.A., B.T. teachers in Delhi (XVIII), 13114-15.

Bye-elections (XIV), 3897.

Cantonment Town Nasirabad (XVIII), 12619.

Cardamom industry (XIII), 720.

Cashew shell oil processing factory in Kerala (XIV), 3888-89.

Cochin Harbour-Coimbatore Railway track (XV), 4682.

Coconuts (XIII), 111.

Czech Trade Team's visit to India (XIII), 1627.

Declaration of assets and possessions by Ministers and Government employees (XIII), 323.

Defence of India Rules (XIII), 303.
Dock Labour Scheme in Cochin Port (XIV), 1929.

GOPALAN, SHRI A. K. : *contd.*

- Employment situation in Kerala (XIV), 4122.
- Export of bananas to ECM countries (XIII), 1673.
- Fall in export of ilmenite (XIV), 1886.
- Fishing harbour Vazhinjam (XIV), 2076.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Gold Bonds (XIII), 509-13.
- Health survey by Employees' State Insurance Scheme (XIV), 1923.
- Idikki Hydro-electric project (XV), 5180.
- Iduky Hydro-Electric Project (XIII), 514-15.
- Indo-Ceylon passengers at Dhanushkodi (XIII), 94-95.
- Indo-Norwegian fisheries project (XIII), 1720.
- Irrigation projects in Kerala (XIV), 2715.
- Kolar Gold Field (XVIII), 13399.
- Kolar Gold Field Hospital (XVIII), 13395.
- Kolar gold mines (XVIII), 13367, 13395.
- Kolar Gold Mining Undertakings (XVIII), 13393.
- Labour Laws in Goa (XV), 4418.
- Licences issued under Gold Control Scheme (XIV), 2710.
- Machine Tool Factory (XV), 5380-82.
- Marine diesel engines (XVII), 9611-13.
- Medical colleges (XV), 5165-66.
- National Defence Fund (XIII), 937.
- Oil exploration (XIV), 2400-2406.
- Oil gasification plant (XIII), 1646.
- Oil Refinery in private sector in South India (XIV), 2412.
- 'P' form (XIV), 3165.

GOPALAN, SHRI A. K. : *contd.*

- Package programmes (XIII), 1713.
- Package programme in Trichur (XVI), 8690.
- Per capita income in villages (XVI), 7123-27.
- Phosphate salts in Laccadive Islands (XIII), 313.
- Phyto-Chemical Project at Nariamangalam (XVII), 10579-581.
- Plan allocations for the Andamans and Nicobar Islands (XIV), 2422.
- Port facilities in Southern region (XIV), 3154-55.
- Power projects (XIII), 1375-79.
- Price stamping of yarn (XIV), 3872.
- Private Oil Companies (XIII), 1163-66.
- Privilege passes and P.T.Os. (XVIII), 12863.
- Production of cashewnuts (XV), 4668.
- Quality control for fish export (XIII), 1677.
- Quality control on exportable coir products (XIV), 2459.
- Rail concessions to sports teams (XIII), 84-85.
- Railway Service Commission (XVIII), 12861-62.
- Report on Dalmia-Jain concerns (XIII), 1625.
- Research centre on spices (XIV), 3181.
- Second Shipyard (XV), 6060-63.
- Small scale industries in Kerala with Czech, Collaboration (XIV), 3889.
- Special assistance for Kerala Government (XIII), 943.
- T.B. clinics (XIII), 481-86.
- Utilisation of irrigation potential (XIII), 495-99.
- Village volunteer force (XIII), 1609.
- Yield of paddy crop in Kerala (XIV), 1931.

GOPALAN, SHRI A. K. : *contd.*

Debates

Amendment of article 31-A of the Constitution (H.A.H. Discussion) (XVIII), 13009—016.

Finance Bill, 1963:

Defence of India Act (Res.) (XVIII), 12536—38.

Finance Bill, 1963:

Motion to consid. (XVII), 10444—57.

Finance Bill, 1963:

Consid. Cl. (XVII), 10937—40.

Finance Bill, 1963:

Motion to pass (XVII), 10973-74.

Gold Control Scheme (Dis.) (XIV), 2293—99.

Obituary Reference:

Demise of Dr. Rajendra Prasad (XIII), 1574.

P.A.M. (XIII), 366—84.

Re: Interruptions and walk-out during President's Address (XIII), 7.

Re. termination of suspension of Member (XVIII), 13138.

Statement by Member (XVII), 10426—32.

GOUNDER, SHRI MUTHU:

Popularisation of Hindi through A.I.R. (XVII), 11013.

Travelling Ticket Examiners (XVIII), 12839-40.

Debates

D.G. (1963-64):

Min. Food and Agri. (XV), 5059—65.

Min. Lab. and Emp. (XV), 6522—26.

GOVIND DAS, DR:

Aluminium Factory in Madhya Pradesh (XVII), 9385.

Aluminium plant at Mettur Dam (XVII), 9370.

Coal and Bauxite Deposits in M.P. (XVII), 10129.

Community Development (XVIII), 12789.

GOVIND DAS, DR. : *contd.*

Elections of Panchayats (XV), 4631.

Export of biscuits (XVII), 10615.

Fertilizer Plant, Katni (XVII), 10589-590.

Foreigners employed in A.I.R. (XVIII), 13961.

Heavy Electricals Limited, Bhopal (XIII), 689.

Import of pig iron (XVIII), 13557-58.

India Office Library (XVI), 8878.

Master Plan for Development of tourism (XIII), 1596.

Narmada Valley Authority (XVI), 9142.

Newsprint (XIII), 683.

Prices of automobiles (XIII), 706.

Production of small tractors (XVIII), 13546.

Small and Minor Irrigation Schemes (XIII), 48.

Smallpox in the country (XIII), 494.

Students studying abroad (XVIII), 13340.

Suicide by goldsmiths (XVI), 9129.

Supply of opium to Russia (XVIII), 13572-73.

Third Division in examinations (XIII), 287.

Training in the manufacture of Synthetic drugs (XVI), 7890-91.

Tribal blocks (XIII), 300.

"Tripitaka" in Hindi (XVI), 8889.

Trucks and tractors (XVIII), 13974.

U.N. Expert for river basin surveys in India (XVI), 9134-35.

Use of Hindi on A.I.R. (XVIII), 12549.

Wagon shortage (XIII), 77.

Welfare of coal-mine workers (XVIII), 12542.

Withdrawal by Chinese from Ladakh (XIII), 880.

GOVIND DAS, DR. : *contd.*

Debates

D.G. (1963-64):

Min. Ed. (XV), 5492-99.

Obituary Reference:

Demise of Dr. Rajendra Prasad (XIII), 1582.

Official Languages Bill:

Motion to Consid. (XVI), 11414-434.

Motion to pass, (XVIII), 12476-77.

Re: Interruptions and walk-out during President's Address (XIII), 3.

Report of Committee on the conduct of certain Members during the President's Address (M) (XV), 4786-88.

GUHA, SHRI A. C.:

Afro-Asian Journalists' Conference (XVIII), 14162-64.

Chinese nationals (XIII), 1143.

Power projects (XIII), 1977.

Debates

B.G. (1963-64), general discussion, (XIII), 3657-65.

B.O.H. (XVII), 9438.

B.R. (General Discussion) (XIII), 1824-31.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8572-78.

Min. Irr. and Power (XV), 6251-57.

Min. W.H. & R. (XVI), 7338-43.

D.S.G. (R) 1963-64: (XVIII), 12711-15.

Export (Quality Control and Inspection) Bill:

Motion to consid. (XVIII), 13522-27.

Official Languages Bill:

Consid. Cl. (XVIII), 12206-210, 12284, 12360-62.

GUHA, SHRI A. C. : *contd.*

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14310-19.

Sixteenth Report of Business Advisory Committee (XVII), 11095.

GULSHAN, SHRI:

Agricultural service co-operative societies (XVII), 11345.

Auction of evacuee land in Punjab (XIII), 106.

Auction of mortgaged evacuee lands (XIII), 535.

Central Housing Board (XVI), 9149.

Directorate Board of Hindustan Steel Ltd. (XVII), 9370.

Emergency Commission (XVII), 11077-78.

Evacuee agricultural land in Punjab (XIII), 535.

Evacuee land given to States (XVII), 10409.

Excise duty on small-scale battery manufacturers (XV), 6618.

Indian Military personnel in Katanga (XIV), 1916.

Indian P.O.Ws. (XIII), 924-25.

Licence to a Cinema house in Delhi (XVII), 10187-88.

Losses suffered by civilians in NEFA (XIV), 4105-06.

National Defence Fund (XIII), 1380-88.

Pig iron (XIV), 3866-67.

Quality control and pre-shipment inspections (XIV), 2919.

Rehabilitation of tribal people in NEFA (XIII), 919.

Sino-Pak. border agreement (XIII), 903-07.

Transport co-operative societies (XVII), 11344.

Debates

Alleged Scarcity of sugar in Punjab (C.A.) (XVIII), 13985-87.

D.G. (1963-64):

Min. H.A. (XV), 7018-24.

GOPALAN, SHRI A. K. : *contd.**Debates*

Amendment of article 31-A of the Constitution (H.A.H. Discussion) (XVIII), 13009—016.

Finance Bill, 1963:

Defence of India Act (Res.) (XVIII), 12536—38.

Finance Bill, 1963:

Motion to consid. (XVII), 10444—57.

Finance Bill, 1963:

Consid. Cl. (XVII), 10937—40.

Finance Bill, 1963:

Motion to pass (XVII), 10973-74.

Gold Control Scheme (Dis.) (XIV), 2293—99.

Obituary Reference:

Demise of Dr. Rajendra Prasad (XIII), 1574.

P.A.M. (XIII), 366—84.

Re: Interruptions and walk-out during President's Address (XIII), 7.

Re. termination of suspension of Member (XVIII), 13138.

Statement by Member (XVII), 10426—32.

GOUNDER, SHRI MUTHU:

Popularisation of Hindi through A.I.R. (XVII), 11013.

Travelling Ticket Examiners (XVIII), 12839-40.

Debates

D.G. (1963-64):

Min. Food and Agri. (XV), 5059—65.

Min. Lab. and Emp. (XV), 6522—26.

GOVIND DAS, DR:

Aluminium Factory in Madhya Pradesh (XVII), 9385.

Aluminium plant at Mettur Dam (XVII), 9370.

Coal and Bauxite Deposits in M.P. (XVII), 10129.

Community Development (XVIII), 12789.

GOVIND DAS, DR. : *contd.*

Elections of Panchayats (XV), 4631.

Export of biscuits (XVII), 10615.

Fertilizer Plant, Katni (XVII), 10589-590.

Foreigners employed in A.I.R. (XVIII), 13961.

Heavy Electricals Limited, Bhopal (XIII), 689.

Import of pig iron (XVIII), 13557-58.

India Office Library (XVI), 8878.

Master Plan for Development of tourism (XIII), 1596.

Narmada Valley Authority (XVI), 9142.

Newsprint (XIII), 683.

Prices of automobiles (XIII), 706.

Production of small tractors (XVIII), 13546.

Small and Minor Irrigation Schemes (XIII), 48.

Smallpox in the country (XIII), 494.

Students studying abroad (XVIII), 13340.

Suicide by goldsmiths (XVI), 9177.

Supply of opium to Russia (XVII), 13572-73.

Third Division in examinations (XIII), 287.

Training in the manufacture of Synthetic drugs (XVI), 7890-91.

Tribal blocks (XIII), 300.

"Tripitaka" in Hindi (XVI), 8889.

Trucks and tractors (XVIII), 13974.

U.N. Expert for river basin surveys in India (XVI), 9134-35.

Use of Hindi on A.I.R. (XVIII), 12549.

Wagon shortage (XIII), 77.

Welfare of coal-mine workers (XVIII), 12542.

Withdrawal by Chinese from Ladakh (XIII), 880.

GOVIND DAS, DR.: *contd.*

Debates

D.G. (1963-64):

Min. Ed. (XV), 5492-99.

Obituary Reference:

Demise of Dr. Rajendra Prasad
(XIII), 1582.

Official Languages Bill:

Motion to Consid. (XVI),
11414-434.

Motion to pass, (XVIII), 12476-77.

Re: Interruptions and walk-out
during President's Address
(XIII), 3.

Report of Committee on the conduct
of certain Members during the
President's Address (M) (XV),
4786-88.

GUHA, SHRI A. C.:

Afro-Asian Journalists' Conference
(XVIII), 14162-64.

Chinese nationals (XIII), 1143.

Power projects (XIII), 1377.

Debates

B.G. (1963-64), general discussion,
(XIII), 3657-65.

B.O.H. (XVII), 9438.

B.R. (General Discussion) (XIII),
1824-31.

D.G. (1963-64):

Min. Com. & Ind. (XVI),
8572-78.

Min. Irr. and Power (XV),
6251-57.

Min. W.H. & R. (XVI), 7338-43.

D.S.G. (R) 1963-64:
(XVIII), 12711-15.

Export (Quality Control and Inspec-
tion) Bill:

Motion to consid. (XVIII), 13522-
27.

Official Languages Bill:

Consid. Cl. (XVIII), 12206-210,
12284, 12360-62.

GUHA, SHRI A. C.: *contd.*

Report of the Commission of Inquiry
into Dalmia Jain Companies (M)
(XVIII), 14310-19.

Sixteenth Report of Business Advi-
sory Committee (XVII), 11095.

GULSHAN, SHRI:

Agricultural service co-operative
societies (XVII), 11345.

Auction of evacuee land in Punjab
(XIII), 106.

Auction of mortgaged evacuee lands
(XIII), 535.

Central Housing Board (XVI), 9149.

Directorate Board of Hindustan Steel
Ltd. (XVII), 9370.

Emergency Commission (XVII),
11077-78.

Evacuee agricultural land in Pun-
jab (XIII), 535.

Evacuee land given to States (XVII),
10409.

Excise duty on small-scale battery
manufacturers (XV), 6618.

Indian Military personnel in Katanga
(XIV), 1916.

Indian P.O.Ws. (XIII), 924-25.

Licence to a Cinema house in Delhi
(XVII), 10187-88.

Losses suffered by civilians in NEFA
(XIV), 4105-06.

National Defence Fund (XIII),
1380-88.

Fig iron (XIV), 3866-67.

Quality control and pre-shipment
inspections (XIV), 2919.

Rehabilitation of tribal people in
NEFA (XIII), 919.

Sino-Pak. border agreement (XIII),
903-07.

Transport co-operative societies
(XVII), 11344.

Debates

Alleged Scarcity of sugar in Punjab
(C.A.) (XVIII), 13985-87.

D.G. (1963-64):

Min. H.A. (XV), 7018-24.

GUPTA, SHRI INDRAJIT:

- A.I.R. broadcasts to West Asia (XVII), 11031-34.
- Accident in Jamuna Colliery (XVII), 11050.
- Agreement with Government of France (XVI), 8420-21.
- Agricultural production (XIII), 67-74; (XIV), 2079.
- Air Defence requirements (XVI), 7143-44.
- Air lanes (XVI), 8151.
- Alitalia crash report (XIV), 3163.
- Allowances to families of Chinese internees (XIV), 3392.
- Anti-Indian Chinese literature (XVI), 7371-72.
- Anti-Indian propaganda by Pakistan (XIII), 920-21.
- Army generals (XV), 5874.
- Asian Common Market (XVII), 10633-634.
- Blueprint for Fourth Plan (XVI), 8423.
- Boeing aircraft for Air India (XIV), 3149.
- Britain's entry into E.C.M. (XIV), 2895.
- Calcutta Gas Company (XVII), 11026-28.
- Cargo service between India and U.S.A. (XV), 4611.
- Coal mines (XIV), 3396.
- Col. Bhattacharjee (XIV), 1887.
- Commercial Pilots Association (XVIII), 12810-11.
- Committee for jute goods (XIII), 719-20.
- Committee for negotiation with foreign collaborators (XV), 6575.
- Contract Labour in Mines (XIV), 1824.
- Cost of steel production (XIII), 673-76; (XIV), 2839.
- Cut in Housing Schemes of States (XVII), 10350-54.
- Cut in staff of Central Ministries (XVIII), 13070.

GUPTA, SHRI INDRAJIT: contd.

- Deep-sea fishing projects (XV), 4642.
- Deep shaft coal mine at Sudamdih (XVI), 7400-02.
- Defence of India Rules (XIII), 303.
- Development of Media of mass communication in India (XIII), 926.
- Display of retail prices (XVII), 9355, 9358.
- Dredger for Calcutta Port (XV), 4603-05.
- Emergency Production Committees (XVI), 5833.
- Engineering industries (XIII), 726-27.
- Enquiry into N.E.F.A. reverses (XIV), 4080-81.
- Export of agricultural products (XV), 5431-33.
- Export of bicycles (XVI), 6877.
- Export of Indian textiles to U.S.A. (XIV), 3835-38.
- Export of lathe machines (XVII) 9345.
- Family allowances to political detenus (XIV), 3380.
- Famine in Sikkim (XVIII), 12619.
- Film on Sino-Indian border dispute (XVII), 9635-39.
- Foreign Air Mission's visit to India (XIII) 897-900.
- Foreign exchange requirements for N.C.D.C. (XV), 4881-82.
- Foreign investment in India (XIV) 2693.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Fourth Oil Refinery in South India (XIII), 304-305.
- Free water and electricity to Central Ministers (XIV), 3615-24.
- Freight rates (XVI), 8656.
- Gaon economy (XIV), 1875.
- Gold prices and gold smuggling (XIV), 2684.
- Haldia Port (XIII), 86.

GUPTA, SHRI INDRAJIT: *contd.*

- Helicopters from Russia (XIV), 4086-87.
- Hindustan Steel Ltd. (XVII), 10583.
- I.A.C. fares (XVII), 11295.
- Import of foodgrains (XVIII), 12834-35.
- Import of pig iron (XVIII), 13558.
- India Office Library (XVI), 8876.
- India's trade with European Economic Community (XVII), 10627-28.
- Indians employed in Ceylon (XVI), 8397-8401.
- Indian military personnel in Congo (XV), 5819.
- Industrial closures (XIV), 4096-98.
- Industrial demand for coal (XV), 4931.
- Industrial truce (XV), 4397.
- Industries in Goa (XVII), 9354.
- Issue of industrial licences (XIV), 2963.
- Jayanti Shipping Company (XV), 4635.
- Jute industry (XVI), 7899.
- Manpower training programme (XIII), 1144-48.
- Manufacture of Defence stores by private sector (XV), 5809.
- Manufacture of jet fighters (XV), 4381.
- Manuscripts with Asiatic Society, Calcutta (XV), 6359-63.
- Mechanisation of farming (XVI), 8640.
- Mechanised farm, Jestar (XVI), 8191.
- Medical colleges (XV), 5165-66.
- NEFA Reverses (XVI), 7150-52.
- Naval Exercises (XVI), 7152-53.
- New Army Command (XVI), 8421.
- New Asiatic Insurance Company (XIV), 3655-60.
- Night Air Mail services (XVI), 8143-45.
- Oil Refinery in private sector in South India (XIV), 2412.

GUPTA, SHRI INDRAJIT: *contd.*

- Ordnance factory workers (XVI), 8382.
- Overcrowding in universities (XIV), 2398.
- Payment of interim relief by TISCO and IISCO (XIV), 1902.
- Pending cases in High Courts and Supreme Court (XVI), 8919.
- Per capita* income in villages (XVI), 7123-27.
- Port facilities in southern region (XIV), 3154-55.
- Power requirements of the country (XIV), 3628-30.
- Power shortage in the country (XIV), 2699-2700.
- Power supply to West Bengal (XVIII), 11841.
- Prices of consumer goods in Goa (XIV), 4106-09.
- Prices of foodgrains (XIV), 3127-28.
- Price of raw jute (XIV), 2930.
- Production in Ordnance Factories (XVI), 7128-32.
- Property left in Pakistan by D.Ps. (XIV), 2724.
- Public health problems in India (XVI), 7679.
- Public sector enterprises with Soviet aid (XVIII), 11867-868.
- Publishers from U.S.S.R. (XVI), 7432-33.
- Purchase of anti-aircraft missiles (XIV), 1903.
- Raniganj Coal Fields (XV), 4930.
- Recruitment of Gurkhas (XVII), 9660-61.
- Release of Communists during Bye-elections (XV), 5159-63.
- Release of foreign exchange to export houses (XVII), 10609.
- Repatriation of Indians from Mozambique (XIV), 4089-93.
- Report on coal gradation (XVI), 7317.
- Report on Dalmia-Jain concerns (XIII), 1625.

GUPTA, SHRI INDERJIT—contd.

- Reservation Rule (XIII), 92-93.
- Rourkela and Durgapur Steel plants (XIV), 3870-72.
- Rupnarayan Railway Bridge (XVI), 8692.
- School atlases (XV), 4901-02.
- Setting up of a Bengali regiment (XVII), 9599-9603.
- Sewing machine components (XVIII), 12105.
- Ships for movement of coal (XVI), 8638.
- Ships for overseas trade (XIV), 3132.
- Siltation of Calcutta Port (XVI), 8643.
- Sports Enquiry Committee (XV), 6363-66.
- Supply of petroleum products to Ceylon (XVII), 10184-85.
- Survey of mines (XIII), 306.
- Titagarh Jute Mills Nos. 1 and 2 (XVII), 10611.
- Trade with Australia (XVI), 7881.
- Training of Air Force Pilots (XVII), 9619-20.
- Training of armed forces (XVI), 8410.
- Training of handicapped persons (XVII), 11572-573.
- "Tusker" Personnel in Chinese custody (XIV), 4098-4100.
- U.S. Secretary of State's visit to India (XVI), 8437.
- Unemployment in Goa (XIV), 1892.
- Violation of Companies Act (XIV), 3863-64.
- Violation of foreign exchange rules (XVI), 9111.
- Wage Board for Coal Mining (XV), 4384.
- Wage Board for lime industry (XIV), 1906.
- Wage Board for Iron Ore Mines (XV), 4390.
- Wool shortage (XVII), 10620.

GUPTA, SHRI INDERJIT—contd.

Debates

- B.G. (1963-64), general discussion, (XIII), 3546-63.
- D.G. (1963-64):
- Min. Def. (XVI), 7956-74.
- Min. Trpt. and Communi. (XVI), 8996-9004.
- Insurance (Amendment) Bill (Amendment of sections 31A and 40C) by Shri Indrajit Gupta.
- Motion to consid. (XVII), 10784-93; (XVIII), 13609-13702.
- Maintaining price of essential commodities at reasonable levels (M), (XIII), 250-54.
- GUPTA, SHRI KASHI RAM:
- Age concessions for I.A.S. examination (XVIII), 13061-63.
- Allowances to Ministers (XVI), 8866.
- Assets in foreign banks (XIV), 2657.
- B.A., B.T. teachers in Delhi (XVIII), 13114-15.
- Cantonments Act (XVIII), 12575.
- Cantonment Board Fund quarters in Delhi Cantt. (XVIII), 12613.
- Civil area in Delhi Cantt. (XVIII), 12614.
- Community Development (XVIII), 12789.
- Concentrated composite foods (XVIII), 13042, 13043.
- Confirmation of Labour Inspectors (XIII), 954.
- Dearness allowance of Railway servants and rent recoveries (XVIII), 12860-61.
- Delhi Cantonment Board Schools (XVIII), 12609.
- Demolition of quarters at Bela Road, Delhi (XVII), 10145-46.
- Economy in civil aviation (XIII), 1602.
- Export of engineering and machinery products (XV), 5392.
- Goan economy (XIV), 1878.
- Gold declared under Gold Control Rules (XVI), 7642-43.

GUPTA, SHRI KASHI RAM: *contd.*

- Import of components for Automobiles (XVIII), 12094—99.
- Import of pig iron (XVIII), 13557-58.
- Import of wooden sleepers from Burma (XVI), 8136.
- Jaipur Bikaner National Highway (XV), 4615.
- Judicial powers for Estates Officer (XVIII), 13391.
- Labour Inspectors (XIII), 955.
- Liberal licensing policy (XV), 5386.
- M.E.S. Delhi Cantt. (XVIII), 12611.
- Manufacture of automatic weapons (XIV), 1866.
- Model villages (XVI), 8138.
- National Book Trust (XVI), 7374.
- Ordnance factory workers (XVI), 8383.
- Plant for iodisation of salt (XVII), 13350.
- Purchases by Air India (XVIII), 12795.
- Purchase of wheat by Government (XVI), 8131.
- Report of Mahalanobis Committee (XIV), 1882.
- Scarcity of electricity in Delhi Cantt (XVIII), 12610.
- Scarcity of water in Delhi (XVIII), 13368.
- Section Officer Grade Examination (XVIII), 13115-16.
- Silver Prices (XVII), 10359.
- Supply of opium to Russia (XVIII), 13572-73.
- Translation of Cantonment Laws (XVIII), 12613.
- Underground drainage in Delhi Cantt. (XVIII), 12614.
- White tigers (XVII), 6841.
- Works Committee for Delhi Cantonment Board (XVIII), 12612.
- Zonal Transport Corporation (XVI), 8123.

Debates

- B.G. (General Discussion), (XIV).
3955—64.

GUPTA, SHRI KASHI RAM: *contd.*

- Central Sales Tax (Amendment) Bill:
Motion to consid. (XIV), 4289—92.
- Compulsory Deposit Scheme Bill
motion to consid (XVII), 11498—500.
- Consid. Cl. (XVII), 11762-63, 11774—77, (XVIII), 12023, 12033, 12035, 12902.
- Motion to pass (XVIII), 12909.
- Concentration of Economic Power (Res.) (XIV), 4019—21.
- Constitution (Amendment) Bill, 1962; (*Insertion of new Article 115A and amendment of Article 167*) by Shri Paliwal.
Motion to consid. (XVI), 8085—88.
- Constitution (Fifteenth Amendment) Bill:
Consid. Cl., (XVIII), 13177, 13207—209, 13222-223, 13239-240.
- D.G. (1963-64):
Min. Def. (XVI), 8241—55.
Min. Food and Agri. (XV), 5025—34.
- D.G. (R) 1963-64 (XIV), 2536—43.
- Finance Bill, 1963:
Motion to consid. (XVII), 10540—52.
- Official Languages Bill:
Consid. Cl., (XVIII), 12182—85, 12281, 12282, 12363—69.

GUPTA, SHRI PRIYA:

- Air transport service (XVII), 9618-19.
- All-India Printers' Conference (XVIII), 13547—49.
- Allowances to Ministers (XVI), 8866.
- Anti-corruption Advisory Committee (XVII), 290.
- Ban on manufacture of Gur and Khandsari (XV), 6059-60.
- Bridge at level-crossing at Narsin-gapur (XVIII), 14172-73.

GUPTA, SHRI PRIYA: *contd.*

- Colombo proposals (XIII), 891.
 Consolidated List of Scheduled Tribes (XIII), 1157.
 Delhi Water Supply (XIV), 2666.
 Divisional system in Railways (XIV), 2157.
 Drinking (XIV), 2388.
 Economy in civil aviation (XIII), 1604.
 Emergency Production Committees (XV); 5835.
 Extension of age of retirement of Railway employees (XIII), 1698.
 Foreign students in Delhi (XVI), 8940.
 Heavy Electricals Limited, Bhopal (XIII), 690.
 Housing Ministers' Conference (XIII), 1399.
 Indo-Pak. Border Conference (XVIII), 13966-967.
 Industrial Estates in Bihar (XIII), 729.
 Kolaghat bridge (XVIII), 14157.
 Major irrigation and power projects (XIII), 1368.
 Meetings between Mazdoor Union and North-Eastern Railway Administration at Gorakhpur (XIII), 119-120.
 Over-bridge at level crossing, Itarsi (XVIII), 14173-74.
 Pandu-Amingaon Marine Ferry (XV), 6121.
 Permanent Negotiating Machinery meetings (XIV), 2132.
 Petrol and oil exploration in Katihar sub-division (XIII), 327.
 Price of raw jute (XIV), 2930.
 Promotion of export trade (XVIII), 12104.
 Public undertakings (XIV), 2905.
 Raids by Pak. Dacoits (XVI), 7163-64.

GUPTA, SHRI PRIYA: *contd.*

- Regional Labour Commissioner (XIV), 1920.
 Shortage of Army Officers (XVII), 11005-12.
 Sleepers purchase from U.P. Government forests (XV), 4659-60.
 Special Police Establishment (XIV), 2425.
 Steam boilers (XV), 6590.
 Students studying abroad (XVIII), 13340.
 T.B. clinics (XIII), 481-86.
 Television documentary on the Indian caste system in U.S.A. (XV), 5878.
 Tea for catering on Railways (XV), 6120-21.
 Unemployment (XV), 5818.

Debates

- B.R. (General Discussion) (XIII), 1806-24.
 D.G. (1963-64):
 Min. Lab. and Emp. (XV), 6465-72.
 D.G. (R) 1963-64 (XIV), 2589-94.
 D.E.G. (R) 1960-61 (XVIII) 12694-97.
 D.S.G. (R) 1962-63 (XIII), 1440-45.
 D.S.G. (R) 1963-64 (XVIII), 12715-16.
 Constitution (Fifteenth Amendment) Bill:
 Consid. Cl. (XVIII), 13250-251.
 Export (Quality Control and Inspection) Bill:
 Motion to consid., (XVIII), 13530-31.
 Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia:
 Motion to consid. (XIII), 860-62.
 Re. termination of suspension of Member (XVIII), 13139.
 Reported Statement made in Washington by Shri B. Patnaik (C.A.) (XV), 5892.

GUPTA, SHRI PRIYA—*contd.*

Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill:

(Insertion of new section 7A) by Shri C. K. Bhattacharyya
Consid. (XV), 5563—66.

GUPTA, SHRI RAM RATAN:

Assets of limited companies in West Pakistan (XIII), 513-14.

Bye-elections (XIII), 679-80.

Cost of steel production (XIII), 673—76.

Declaration of gold by dealers (XIII), 540.

Fourth Oil Refinery in South India (XIII), 304-305.

I.A.C. inaugural flight to Goa (XVII), 11311.

Oil Refinery in private sector in South India (XIV), 2412.

Professor Blackett's visit to India (XIII), 304.

Railway accidents (XIII), 119.

Situation in Laos (XVIII), 12562.

Sugar mills (XIII), 88-89.

Supply of fiat cars (XVII), 9386.

GUPTA, SHRI SHIV CHARAN:

Central Statistical Organisation (XV), 5865.

Cut in Housing Schemes of States (XVII), 19350—54.

Delhi Master Plan (XIII), 1416.

Development of areas in Delhi (XV), 5172-73.

Housing Boards (XIV), 3612—15.

Housing Schemes (XIV), 2716-17.

Land development by States (XIII), 1415.

Master Plan for big cities and towns (XIII), 518.

Najafgarh Nullah (XIII), 542.

National Building Construction Corporation Ltd. (XVII), 10392.

GUPTA, SHRI SHIV CHARAN—*contd.*

Power supply for industrial purposes in Delhi (XV), 6577.

Ring road (XV), 4664-65.

Scheduled castes and backward classes in Delhi (XIII), 1189-90.

Debates

Bengal Finance (Sales Tax) (Delhi Amendment) Bill:

Motion to consid. (XVIII), 12654—57.

D.G. (1963-64):

Min. H.A. (XV), 6729—33.

Min. W.H.&R. (XVI), 7298—7303.

P.A.M. (XIII), 1251—56.

H

HAJARNAVIS, SHRI:

Constitution (Seventeenth Amendment) Bill, introduced (XVIII), 14000-01.

Constitution (Amendment) Bill (Amendment of Articles 100 and 189) by Shri M. L. Dwivedi.
Motion to consider (XVIII), 13737-38.

Constitution (Amendment) Bill—(Insertion of new article 155-A and amendment of article 167) by Shri Tikka Ram Paliwal.

Motion to consider (XVII), 10743—54.

D.G. (1963-64).

Min. H.A. (XV), 7004—16.

Disturbance in Law and Order situation in Kiriburu Iron Ore Project (CA) (XV), 4433—37.

Government of Union Territories Bill:

Motion to refer to Joint Committee (XIV), 4319—29, 4369—71.

Motion to consider (XVIII), 13863—86, 13867—75.

Consid. Cl. (XVIII), 13881, 13884-85, 13888, 13896, 13899-900.

Motion to pass, 13907-08

HAJARNAVIS, SHRI—contd.**Official Languages Bill:**

Consid. cl. (XVIII), 12151—53,
12161—63, 12235, 12237, 12555—
66, 12280, 12377—95, 12419—22,
12429—37, 12437—39.

Re: alleged leakage of Report of
Attorney General on Bose Com-
mission Inquiry (XVIII), 13920-
21, 13922, 13928, 13930-31.

HANSDA, SHRI SUBODH:

A. C. Electric locomotives (XV),
4662.

Agreement with Russia for drilling
machineries (XVII), 11570-571.

Agricultural Administration (XIV),
1903.

Agricultural Colleges (XVIII),
12832.

Agricultural implements (XVII),
9375.

Agricultural price policies (XIV),
3163-64.

Agricultural production (XIII),
1590-91.

Agricultural programmes (XVI),
8644.

Aid to cultural organisations (XIV),
2417.

All India Agricultural Services
(XIV), 2149.

Alleged arrest of Pakistanis in West
Bengal (XVI), 7416.

Aluminium Factory in Madhya Pra-
des (XVII), 9384.

Antibiotic factories (XIV), 3880.

Archaeological projects during
Emergency (XV), 4913.

Assistance from Australia for C.D.
projects (XIV), 3195-96.

Bailadila Iron Ore Project (XVII),
11531—534.

Barauni oil refinery (XV), 6377.

Barter deal with Japan (XVIII),
13541—44.

Basic education (XVII), 11581—583.

Bengali film "Dada Thakur"
(XVIII), 13985.

HANSDA, SHRI SUBODH—contd.

Bokaro Steel Plant (XVIII), 13585—
90.

Bomb explosion on railway track
(XVI), 8653.

Boundary pillar removed by Pakis-
tanis (XIV), 4136.

Bridges over Jamuna (XIV), 2124.

Broadcast in Tribal languages
(XVI), 7172-73.

Business and Export Houses (XV),
5406—09.

Bye-elections (XIII), 679-80.

Cable manufacturing plant at Rup-
narayanpur (XVI), 6900-01.

Camera Factory (XVIII), 12059—61.

Camps for displaced persons (XIV),
2714.

Cargo Service between India and
U.S.A. (XV), 4610—12.

Cattle feed manufacturing unit
(XVII), 9896.

Cement production (XVII), 9401.

Chemical fertilizers (XV), 4671-72;
(XVII), 9870.

Chemical Manufacturing Project at
Durgapur (XIV), 2962.

Chitranjan Locomotive Factory
(XVIII), 12821.

Circular Railway for Calcutta
(XV), 4637.

Civil Defence on Railways (XIV),
3174-75.

Civil Defence Plan (XIII), 1158—63.

Closure of Bank of China (XIV),
3657-58.

Coal Mines at Kamtee in Maharash-
tra (XVI), 8924.

Coal transport in India (XIII),
1359—61.

Commercial Pilots Association
(XVIII), 12810—17.

Compulsory military training (XIV),
1904.

Compulsory Primary education
(XIII), 283—86.

Consolidated List of Scheduled
Tribes (XIII), 1154—57.

HANSDA, SHRI SUBODH—*contd.*

- Conversion of iron scrap into pig iron (XVI), 7904-05.
- Co-operative farming (XVII), 6845.
- Co-operative farms (XVI), 8666.
- Co-operative movement (XIV), 3136-41.
- Coordination of Scientific Research (XIII), 280-82.
- Copper, zinc and lead deposits in Madras State (XIV), 3406.
- Cost of integral coaches manufactured at Perambur (XVII), 11304.
- Cost of steel production (XIII), 673-76.
- Credit facilities to foreign countries by S.T.C. (XVI), 7896-97.
- Credit guarantee scheme (XIV), 3850-53.
- Czech Trade Team's visit to India (XIII), 1627.
- D.V.C. (XIII), 515-17; (XVIII), 11844-45.
- D.V.C. Canal (XVI), 7622-24.
- D.V.C. Navigational Canal (XVI), 7621-22.
- Deep sea fishing (XIV), 2134.
- Deep shaft coal mine at Sudamdih (XVI), 7400-02.
- Defects in watches produced by H.M.T. (XIV), 2943.
- Delegation for promoting export of Bananas (XV), 5430-31.
- Development of media of mass communication in India (XIII), 926.
- Development of Scheduled Tribes (XV), 4861-64.
- Disinfection of imported plants (XIV), 2125.
- Doctor kidnapped by Pakistanis (XIV), 1869.
- Dog squad in Delhi (XVI), 8903.
- Dredger for Calcutta Port (XV), 4603-05.
- Easing of work load of rural housewives (XV), 4616-20.
- Education during Emergency (XIII), 269-71.

HANSDA, SHRI SUBODH—*contd.*

- Electric detonators (XIII), 723; (XVI), 6901.
- Electrification of Railway line from Howrah to Khargpur (XIV), 2077.
- Electrification of trains (XIV), 3128-30.
- Equipment for Calcutta suburban trains (XVII), 6837.
- Eradication of famine (XVI), 7624-27.
- Excise duty on tractors (XVII), 10363-65.
- Exodus of Indians from Burma (XVI), 8421-22.
- Expansion of D.V.C. power project (XVIII), 11842.
- Export of Hookah tobacco to Belgium (XVII), 10643.
- Export of Indian Textiles to U.S.A. (XIV), 3035-38.
- Export of lathe machines (XVII), 9343.
- Export of manganese ore (XIII), 700-02.
- Export of mangoes (XVI), 6892-94.
- Export of penicillin (XVI), 7867-68.
- Export of steam locomotives (XVI), 8111-13.
- Export of textiles to East Asian countries (XVI), 6855-58.
- Factory for cutting machines (XVI), 7944.
- Farakka barrage (XIII), 1400-1403.
- Fertilizer factories (XV), 5437.
- Fertilizer factory, Durgapur (XIII), 1652.
- Fertilizer Plant, Katni (XVII), 10588-591.
- Financial assistance to farmers (XV), 4670-71.
- Fish rearing (XIV), 3175.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Foreign exchange requirements (XVII), 10393-94.
- Foreign ships for transportation of coal (XVIII), 12781-84.

HANSDA, SHRI SUBODH—*contd.*

- Free trade ports (XIV), 2901.
 Freight rates of ships (XVII), 11271.
 Frigates for Navy (XVII), 9666.
 Fuel efficiency in Indian industry (XVIII), 12084—87.
 Furnace oil (XVIII), 12116.
 Gifts for Jawans (XVIII), 12590.
 Gold prices and gold smuggling (XIV), 2683—87.
 Haldia Port (XIII), 86.
 Health institutes (XVI), 7673.
 Hindustan Aircraft Ltd. (XIII), 892-93.
 Hindustan Housing Factory (XV), 6611; (XVI), 7649-50.
 Hindusthan Cable Factory, Rupnarainpur (XIII), 722; (XV), 5427.
 Hostile Nagas (XIV), 4124-25.
 Housing Schemes in Andaman islands (XVI), 9157.
 Import of steam turbines from U.S.A. (XVIII), 11852.
 Import of trucks (XV), 5386—90.
 Indian Drugs and Pharmaceuticals Ltd. (XVII), 9398.
 Indian Shipping Companies (XV), 6107.
 Indian tankers (XIII), 101.
 Industrial training institutes in Delhi (XVI), 8385—90.
 Industry Plant and Machinery (XVIII), 12115.
 Integral Coach Factory (XVIII), 12822-23.
 Iron and Steel output (XVI), 7925.
 Janata Express from Howrah to Bombay (XV), 6106.
 Kalakunda Air base (XVIII), 13984-985.
 Kiriburu iron ore project (XVI), 8861.
 Kolaghat bridge (XVIII), 14153—57.
 Land for Jawans (XV), 5864.

HANSDA, SHRI SUBODH: *contd.*

- Liquid nitrogen fertilizers and Food production (XVI), 8680.
 Loans to Class IV employees for fans (XVIII), 11857-858.
 Loss of money in Tezpur (XVI), 7169-70.
 Lubricating oil plant (XIV), 2411.
 Manpower training programme (XIII), 1144—48.
 Manufacture of alloy steel (XIII), 1651.
 Manufacture of cement (XVI), 6884—86.
 Manufacture of Defence stores by private sector (XV), 5809.
 Manufacture of detonators (XIII), 1652.
 Manufacture of liquefied gas (XV), 6374.
 Manufacture of tractors (XVII), 10630-631.
 Manufacturing Unit for insulating paper (XVI), 7921.
 Mechanised Brick Plant (XIII), 477—79.
 Medium-sized steel plants (XIII), 676—78.
 Metallurgical laboratory, Ichapore (XIV), 4145-46.
 Mormugao Harbour (XVIII), 12807—10.
 Mountain Divisions in Indian Army (XVI), 8412—17.
 Multipurpose River Valley and Power Projects (XVIII), 13378.
 Naroj Bridge Accident (XIII), 1614-15.
 National Animal and Bird (XIII), 1643-44.
 National anthem on A.I.R. (XIV), 4125-26.

HANSDA, SHRI SUBODH: *contd.*

- National Building Construction Corporation (XIV), 3649; (XVII) 10392.
- National Discipline Scheme (XIII), 276—80.
- National Income (XIV), 1900.
- National Instruments Factory, Calcutta (XVIII), 13604-05.
- Naval base in Eastern Zone (XVIII), 13949—951.
- New civil airport at Delhi (XVIII), 12790-91.
- Neyveli Thermal Power Station (XV), 4925.
- Number of Scheduled Castes and Scheduled Tribes in the Central Secretariat (XII), 312.
- Oil exploration (XIV), 2400—2406.
- Ophthalmic Glass factory at Durgapur (XV), 5377-78.
- Ordnance factories (XVI), 7128; (XVII), 9650-51.
- Pakistani infiltration in Assam (XIII), 272—76.
- Panna Diamond Mines (XV), 4886—92.
- Patharkhera Coal Mines in Madhya Pradesh (XVII), 10169.
- Payment of wages in shape of food (XIV), 4144-45.
- Per capita income in villages (XVI), 7123—27.
- Per capita income of each State (XVII), 9639-40.
- Petro-Chemical Development at Barauni (XVIII), 13029—32.
- Phyto-Chemical Project at Neriamangalam (XVII), 10579—581.
- Pilot projects for rural water supply (XV), 5124—26.
- Placements in service (XIV), 1923.
- Plan for coal gasification (XIII), 319.
- Planning Boards in States (XV), 4401.
- Power plant at Faridabad (XV), 5176.

HANSDA, SHRI SUBODH: *contd.*

- Power shortage in the country (XIV), 2699-2700.
- Power shortage in West Bengal (XVI), 7669-70.
- Prices of foodgrains (XIV), 3124—28.
- Price of raw jute (XIV), 2930.
- Price of rice in West Bengal (XIV), 2103.
- Production of fruits and vegetables (XIV), 3182-83.
- Production of jet aircraft (XV), (XV), 5852.
- Production of pig iron (XVII), 10640-641.
- Prohibition (XV), 4864—71.
- Promotion of S.C. and S.T. employees in Railways (XIII), 94.
- Promotions to S.Cs. and S.Ts. employees (XIV), 2412.
- Prosecution of Rehabilitation Finance Administration guarantors (XIII), 1414.
- Public sector oil refineries (XVI), 7421—23.
- Purchase of electricity from Nepal (XV), 6624.
- Radio industry (XIII), 1660.
- Railway line to Haldia Port (XV), 4644.
- Railway Protection Force (XVIII), 12839.
- Recommendations of Second Pay Commission (XVII), 10161-62.
- Rehabilitation Industries Corporation (XIII), 730-31.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Repatriation of Indians from Mozambique (XIV), 4068—93.
- Research in private institutions (XV), 6335—37.
- Restaurant car in Delhi-Kalka Mail (XV), 4655-56.
- Rice prices (XV), 6112-13.
- Road to Barahoti (XIV), 1922.
- Road transport from West Bengal to Assam (XVI), 8629.

HANSDA, SHRI SUBODH: *contd.*

- Russian aid for Defence needs (XIII), 925.
- S.C. and S.T. employees on Railways (XIII), 93-94.
- S.Cs. and S.Ts. registered in Employment Exchanges (XIII), 931.
- Sainik schools (XIII), 912-16.
- Sales Tax evasion (XVI), 7684-85.
- Salt cess fund (XIV), 3884.
- Salt factories in West Bengal (XIV), 2949.
- Science education in India (XIV), 2409.
- Setting up of a Bengali regiment (XVII), 9599-9603.
- Setting up of universities (XIII), 265-67.
- Settlement of Santhal refugees from East Pakistan (XVI), 7668-69.
- Ships for movement of coal (XVI), 8636.
- Ships for overseas trade (XIV), 3131-32.
- Shipping Development Fund (XIII), 1696.
- Shipping services between India and East Asian countries (XIII), 1687.
- Shortage of Army Officers (XVII), 11005-12.
- Shortfall in irrigation of Rabi and Kharif crops (XV), 6615.
- Sleepers washed away towards Pakistan (XV), 5166-67.
- Small and Minor Irrigation Schemes (XIII), 46-49.
- Smallpox in the country (XIII), 490-95.
- Stamp to commemorate Netaji's birthday and memory (XV), 4648; (XVIII), 14137-40.
- Standing labour committee (XVI), 8432.
- Steel for Ordnance Factories (XV), 4392.
- Steel Ingot Plant, Ranchi (XVIII), 13592.

HANSDA, SHRI SUBODH: *contd.*

- Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
- Stoppage of new recruitment for Class III services (XVII), 10167.
- Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.
- Subsidiary Health Centres in rural areas (XIII), 1369-71.
- Sugar mills (XIII), 88-89.
- Suicide by goldsmiths (XVI), 9127-31.
- Super tanker (XIII), 1592-94.
- Sweet ground water near Calcutta (XV), 6385-86.
- Tassar silk industry (XV), 5435.
- Technological colleges at Piloni (XIV), 3424.
- Tools manufactured by H.M.T. (XVIII), 13606.
- Tour by Japanese farm youth team (XVIII), 12823.
- Trade Delegation for Pakistan (IV), 5436.
- Trade with East European countries (XVII), 9397.
- Training Centres for goldsmiths (XIII), 479-81.
- Training of Air Force Pilots (XVII), 9619-20.
- Training period for Gram Sevaks (XIII), 43-46.
- Training school for N.C.C. women officers (XIV), 1911.
- Transfer of D.V.C. Headquarters (XIV), 2702.
- Transfer of D.V.C. office to Bokaro (XVII), 10345-47.
- Transport and communication in border districts of U.P. (XIV), 2111.
- Unemployment (XV), 5814.
- University courses in Medicine (XIII), 523.
- Urban Development of Calcutta (XVI), 7670-71.

HANSDA, SHRI SUBODH—contd.

Village volunteer force (XIII),
1604—1609.

W.P. Engine (XV), 6091—92.

Wagon Workshop, Matunga (XIII),
89—90.

Warehouse for jute at Calcutta
(XIII), 99.

Wild life sanctuary in Andamans
(XVII), 11316.

Withdrawal of ex-Defence person-
nel from civil departments
(XVIII), 13969—971.

World Bank loan for Railways
(XVI), 8127—29.

World Food Programme (XV),
6074—81.

Debates

B.R. (1963-64), general discussion
(XIV), 2266-67, 2450—58.

D.G. (1963-64).

Min. H.A. (XV), 6797—6802.

Finance Bill, 1963:

Motion to consider (XVII),
16676—83.

Reported kidnapping of some San-
thals by East Pakistan Police
(C.A.) (XVIII), 13779.

Reported shortfall in food produc-
tion targets during Third Plan
period (C.A.) (XVIII), 12869—875.

HANUMANTHAIYA, SHRI:

B.G. (General Discussion) (XIV),
3671—78.

B.R. (General Discussion) (XIII),
1753—63.

D.G. (1963-64):

Min. Com. Dev. and Coop.
(XVI), 7604—10.

Official Languages Bill:

Motion to consider (XVII),
11681—88.

Re: Interruptions and walk-out dur-
ing President's Address (XIII),
4-5.

HARVANI, SHRI ANSAR:

Children's film society (XIV), 4087-
88.

Cracker explosions in Delhi (XIV),
3373.

Delhi water supply (XIV), 2665.

Parliamentary proceedings on A.I.R.
(XVII), 9626—30.

Production of Children's Films
(XVII), 9617-18.

Students studying abroad (XVIII),
13340.

Suicide by goldsmiths (XVI), 9131.

Training period for Gram Sevaks
(XIII), 45.

Debates

B.G. (1963-64) General discussion
(XIV), 3336—42.

D.G. (1963-64):

Min. Fin. (XVII), 10221—26.

Min. I. & B. (XV), 5284—89.

Leave of Absence (XVIII), 14190.

Re. letter for Finance Minister
(XVIII), 11621.

Working Journalists (Conditions of
Service) and Miscellaneous Provi-
sions (Amendment) Bill—

(Insertion of new section 7A) by
Shri C. K. Bhattacharyya
Consid. (XV), 5562-63.

HATHI, SHRI:

D.G. (1963-64):

Min. Econ. and Def. Coord.
(XVII), 9959—75.

HAZARIKA, SHRI J. N.:

Fertilizer factories (XIII), 1657.

HEDA, SHRI:

Advisory Committee for the Chief
Commissioner of Andamans
(XIII), 1169-70.

Afro-Asian Solidarity Conference
(XIII), 916-17.

All day milk stalls (XIV), 2110.

Andaman and Nicobar Islands
(XIII), 1172.

HEDA, SHRI—contd.

- Anti-Indian Chinese literature (XVI), 7367-72.
- Borrowing programmes (XV), 5130-32.
- Britain's entry into E.C.M. (XIV), 2895.
- Bye-elections (XIII), 679-80.
- Central Government Officers in Assam (XIV), 2372.
- Civil Administration in NEFA (XIII), 907-12.
- Civil Defence Plan (XIII), 1158-63.
- Colombo proposals (XIII), 883-92.
- Cultural delegations sent abroad (XIII), 328.
- Deposit Insurance Scheme (XVI), 7645-46.
- Dhebar Commission (XVII), 11550.
- Dry farming (XV), 4620-23.
- Electrification Programme (XIII), 121.
- Emergency risk insurance (XV), 5132-35.
- Export of sugar to U.S.A. (XIII), 1620-22.
- Export promotion scheme for handicrafts (XIV), 3856-57.
- Fertilizer plant (XIII), 720.
- Floods in Brahmaputra (XIV), 3609-10.
- Foreign investment in India (XIV), 2690-93.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Glass factory at Hyderabad (XVI), 7903.
- Goan economy (XIV), 1875.
- Gold prices and gold smuggling (XIV), 2683-87.
- Gold smuggling (XVI), 9126.
- Heavy electrical equipment plants (XIV), 3841-42.
- Hindi in South India (XIII), 1150.
- Import of stainless steel (XVI), 6891-92.

HEDA, SHRI—contd.

- Incidence of crimes in Delhi (XVI), 8871.
- Jayanti shipping company (XV), 4636.
- Joint power pool of Punjab, Delhi and U.P. (XVI), 7632-33.
- Khadi institutions (XVII), 9351.
- L.I.C. Housing Programme (XIV), 2715-16.
- Lac procurement centre at Bilaspur, M.P. (XIII), 1670.
- Leipzig Spring Fair (XV), 5428-30.
- Loans to meritorious students (XIII), 308-09.
- Loans to private sector coal industry (XVIII), 11813.
- MIGs, and MIG Factory (XIII), 929.
- National Discipline Scheme (XIII), 276-80.
- National Institute of Industrial Engineers (XV), 4871-73.
- National volunteer force (XV), 5824.
- Nationalisation of General Insurance (XVII), 10350.
- Newsprint (XIII), 684.
- Office of Block Development Officer (XIV), 3179.
- Overseas communications service (XIV), 3143-44.
- Pig Iron Plant in Punjab (XIII), 712-13.
- Planning Commission Adviser's visit to Andhra Pradesh (XVII), 11090.
- Plastic working machine manufacturing factory (XIV), 3387.
- Prices of agricultural products (XV), 6053-56.
- Price of raw jute (XIV), 2930.
- Production of lac in Bihar (XVII), 9863.
- Public sector projects (XV), 5831.
- Purchase by Air India (XVIII), 12793.
- Quality control and pre-shipment inspections (XIV), 2920.
- Sainik schools (XIII), 912-16.

HEDA, SHRI—*contd.*

"SOS" villages for orphans (XVII), 10122.

Sugar mills (XIII), 88-89.

* Super Chambal Bhakra Grid (XIV), 3624-25.

Super market in New Delhi (XIII), 1364.

Super tanker (XIII), 1592-94.

Tea auction market in Assam (XIV), 2953.

Tourist industry (XIII), 91.

Transport of Bauxite ore in Bihar (XIV), 3420.

Trust for developing Paradip port (XIII), 1641-42.

U.S. Military aid (XIII), 901-02.

Debates

B.G. (1963-64) General discussion (XIV), 3352-59.

Bengal Finance (Sales Tax) (Delhi Amendment) Bill:

Motion to consider (XVIII), 12653-54.

* Child Marriage Restraint (Amendment) Bill:

Motion to circulate (XIII), 3080-83.

Compulsory Deposit Scheme Bill:

Motion to consider (XVII), 11493-95.

* D.G. (1963-64):

Min. Econ. and Def. Coord. (XVII), 9991-96.

Min. Ex. Affairs (XV), 4557-53.

Regional Disparity (Res.) (XVII), 9545-47.

Super Profits Tax Bill:

Motion to consider (XVII), 11114-118.

HEM RAJ, SHRI:

Additional funds for roads in Punjab hills (XV), 4429.

Afro-Asian Solidarity Conference (XIII), 916-17.

Agricultural production (XIII), 67-74; (XIV), 2079.

HEM RAJ, SHRI: *contd.*

All-India Bar Council (XIII), 728-29.

Amendment of the Indian Forest Act, 1927 (XIII), 1697.

Anti-Indian propaganda by Pakistan (XIII), 920-21.

Assessment and collection of Income-tax (XIII), 531.

Beas Control Board (XVIII), 11878.

Black and Green tea production (XVI), 7940-41.

Booking from Samhar for Kangra valley (XIII), 1717.

Calcutta-Assam Navigation link (XIII), 1717.

Cantt. school at Yol Khas (XIV), 4120.

Cases of abduction in Delhi (XVI), 8922.

Civil Administration in NEFA (XIII), 907-12.

Civil Defence Plan (XIII), 1158-63.

Companies in Rajasthan for advancing loans (XVIII), 13605-06.

Completion of District Gazettiers (XIV), 3421.

Development of sericulture industry (XV), 5436-37.

Documentaries on Lahaul and Spiti (XIII), 946.

Economic criteria for backwardness (XVII), 10146-50.

Emergency Commission (XIV), 1914.

Expenditure on Punjab Hills (XVI), 8441-42.

Expert Committee on Khadi (XIII), 711-12.

Export of green tea to Afghanistan (XIII), 1662.

Facilities to families of Jawans (XIV), 1913.

Fire in Railway Goods Yard, Howrah (XIV), 3177-78.

Food adulteration (XIII), 1395-98.

Food poisoning in Bombay (XIII), 539.

HEM RAJ, SHRI—contd.

- Foreign Air Mission's visit to India (XIII), 897—900.
- Forest Plantations (XIII), 117-118.
- Geological survey in Punjab (XIII), 326.
- Gold Bonds (XIII), 309—13.
- Graduate Course in Tea (XVI), 7895.
- Guler Railway Station (XIV), 2142.
- Hindu Succession Act (XIII), 1659.
- Horticulture in Punjab (XV), 6119-20.
- Improvement of tea culture (XVI), 2939-40.
- India-Indonesia Trade Agreement (XIII), 698-99.
- Indian P.O.Ws. (XIII), 924-25.
- Indo-Soviet Trade Agreement (XIII), 725.
- Inter-State bridge over Sutlej (XII), 116.
- Loans to meritorious students (XIII), 308-09.
- Loans to tea gardens (XVIII), 12133-34.
- Micro-Hydel Schemes (XVIII), 11833—836.
- Micro-hydel sets (XVIII), 13386.
- MIGs, and MIG Factory (XIII), 929.
- Military pensioners (XIV), 4119-20.
- Minor irrigation in Punjab (XV), 4682-83.
- Naval aerodrome (XVIII), 12588.
- National Defence Bonds (XIII), 538.
- National Defence Fund (XIII), 1380—88.
- National Water Supply and Sanitation Committee (XV), 5154—58.
- Newsprint Factory in Punjab (XV), 5440.
- Pensions (XIV), 4126-29.
- Pensioners (XV), 8613.
- Plant for iodisation of salt (XVII), 13351.
- Pong dam and Sutlej Beas link Projects (XVIII), 11878.
- Production in Ordnance factories (XVI), 7128—32.

HEM RAJ, SHRI—contd.

- Quota of cement allotted to States (XIII), 727-28.
- Re-alignment of Kangra valley section (XIII), 117.
- Recruitment of Jawans (XIII), 939.
- Repairs to Bridge in Himachal Pradesh (XIII), 1698.
- Replacement of Railway line in Bikaner division (XVII), 9867.
- Rifle training (XIV), 1920.
- Road Board (XIV), 3141—43.
- Sainik school (XIII), 912—16.
- Sales tax in Delhi (XVI), 7649.
- Sheep breeding farm in Kulu (XIII), 1727.
- Smuggling on Rajasthan-Pakistan border (XVIII), 13325.
- Stamp duty under advocates Act (XIII), 1658.
- Telephone connections in Rajasthan (XVII), 11321.
- Trainees at Khetri copper mines (XIV), 2423.
- Training Centres for emergency commissioned officers (XIV), 1890.
- Training Institute of National Mineral Development Corporation (XIV), 3417.
- U. S. Military aid (XIII), 901-02.
- Village volunteer force (XIII), 1604—1609.
- Wool spinning Charkha (XVI), 6906.

Debates

- B. R. (1962-63), general discussion (XIV), 2222—29.
- Central Sales Tax (Amendment) Bill:
Motion to consider (XIV), 4298—4301.
- Committee on Private Member Bills and Resolutions:
Nineteenth Report presented (XIV), 8948.
- Fourteenth Report Presented (XIII), 3063—69.

HEM RAJ, SHRI: contd.

Twenty-First Report presented (XVIII), 13689.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8715—19.

Min. Def. (XVI), 8873—76.

HIMATSINGKA, SHRI:

Borrowing programmes (XV), 5130—32.

Broad looms for jute manufacture (XIV), 3873—75.

Collection of surcharge on steel sales (XIII), 1649.

Defence Orders on automobile industry (XVI), 6896.

Disposal of vehicles by S.T.C. (XVII), 10646-647.

Emergency Insurance Scheme (XIV), 2681—83.

Emergency risk insurance (XV), 5132—35.

Fire in Heavy Electricals Ltd., Bhopal (XIII), 724-25.

Foreigners employed in A.I.R. (XVIII), 13963.

Glass industry (XIV), 2945.

Inland water transport (XV), 4665-66.

Soda ash plant in Madras (XIII), 1649.

Tool Alloy Steel Plant, Rourkela (XIII), 718-19.

Tripartite Conference (XIII), 921-22.

Woollen hosiery units (XIII), 1670.

Debates

B.G. (General Discussion) (XIV), 3761—66.

Central Sales Tax (Amendment) Bill:

Motion to consid. (XIV), 4287—89.

Constitution (Amendment) Bill (Amendment of articles 100 and 189) by Shri M. L. Dwivedi:

Motion to consider (XVIII), 13732-33.

HIMATSINGKA, SHRI: contd.

Constitution (Fifteenth (Amendment) Bill):

Motion to consider (XVIII), 12924—927.

D.E.G. (R) 1960-61 (XVIII), 12661-92.

D.G. (1963-64):

Min. Com. & Ind. XVI), 8523—27.

Min. of Health (XV), 6005—09.

D.G. (R) 1963-64 (XIV), 2809—12.

Export (Quality Control and Inspection) Bill:

Motion to pass (XVIII), 13650.

Finance Bill, 1963.

Consid. Cl. (XVII), 10932-33, 10969.

Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia:

Motion to consid. (XIII), 848-49.

Liberal licensing policy (XV), 5682—86.

Official Languages Bill:

Consid. Cl. (XVIII), 12429.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14226—30.

Super Profits Tax Bill:

Motion to consider (XVII), 10992—96.

I**IMBICHIBAVA, SHRI**

Integrated Central Excise Offices (XVIII), 13369.

Debates

D.G. (1963-64):

Min. M. & F. (XVI), 9299—9303.

Leave of Absence (XVI), 8447.

Release of (XV), 6405.

IQBAL SINGH, SHRI:

Civil Defence Plan (XIII), 1163.

High Power Commissions for water and power (XIV), 2689.

House-building loans (XVI), 9137-38.

IQBAL SINGH, SHRI: contd.

Import of components for automobiles (XVIII), 12077—98.

Issue of industrial licences (XVIII), 13503.

National Defence Fund (XIII), 1388.

Pending cases in Delhi courts (XIV), 2441.

Power surplus in Delhi (XVI), 9144.

U.N. expert for river basin surveys in India (XVI), 9134.

Debate

D.G. (1963-64):

Min. Def. (XVI), 8331—37.

Min. Ex. Affairs (XV), 4565—71.

D.G. (R) 1963-64 (XIV), 2781—85.

ISMAIL, SHRI M.:

B.R. (1963-64):

General Discussion (XV), 2487—90.

D.G. (1963-64):

Min. Ex. Affairs (XV), 4536—41.

Min. H.A. (XV), 7109—13.

Min. of Health (XV), 6011—14.

Obituary Reference:

Demise of Dr. Rajendra Prasad (XIII), 1581.

Official Languages Bill:

Consid. Cl. (XVIII), 12251—53.

P.A.M. (XIII), 1246—51.

J**JADHAV, SHRI M. L.:**

Central Sales Tax (Amendment) Bill:

Motion to consider (XIV), 4301—03.

D.G. (1963-64):

Min. Ed. 5528—32.

D.G.(R) (1963-64) (XIII), 3044—46.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14112—15.

JADHAV, SHRI TULSIDAS:

Agricultural implements (XVIII), 12803.

Anti-Indian Chinese literature (XVI), 7370.

Drinking Water Supply for Banaras (XVI), 9122.

Economic criteria for backwardness (XVII), 10148—49.

Consumers Co-operative societies (XVI), 8634.

Food production (XIII), 80.

Foreign investment in India (XIV), 2693.

High Court Judges (XIV), 3400.

Hirakud Dam Project (XVIII), 13356.

Home treatment of leprosy patients (XIII), 506.

Incidence of crimes in Delhi (XVI), 8875.

Industrial training institutes in Delhi (XVI), 8389.

Iron and steel for agricultural purposes (XVII), 11294.

Issue of industrial licences (XVIII), 13582-83.

Mouth cancer centre at Agra (XVIII), 13335.

National Water Supply and Sanitation Committee (XV), 5157-58.

Newsprint (XIII), 683.

Political sufferers (XVIII), 13047.

Powerloom industry (XIII), 693-94.

Price of newsprint (XIV), 2925.

Purchase of mules from Cyprus (XVI), 8402-03.

Rural Labour Enquiry (XVII), 9623—25.

Slum in big cities (XV), 5126—30.

Target of cotton production (XVI), 8659.

Ticketless travelling (XIII), 1618.

Training of armed forces (XVI), 8411.

JADHAV, SHRI TULSIDAS: contd.*Debate*

Agricultural Refinance Corporation Bill:

Motion to consid (XIII), 226—28, 1476—80.

Motion to pass as amended (XIII), 1525—27.

D.G. (1963-64):

Min. Food and Agri. (XV), 5105—09.

D.G. (R) 1963-64 (XIV), 2575—80.

Finance Bill, 1963:

Motion to consid. (XVII), 10491—97.

JAGJIVAN RAM, SHRI:

D.G. (1963-64):

Min. Trpt. and Communi. (XVI), 9076—97.

JAIN, SHRI A. P.:

Acquisition of land for colonies (XV), 6568.

Agricultural production (XIV), 2085-86.

Auction of land in New Delhi (XV), 5142-43.

Bokaro Steel Plant (XVIII), 12080.

Coal for Steel Plants (XVI), 6865.

Concentrated composite foods (XVIII), 13042.

Cooperative movement (XIV), 3137—41.

Cost of living of salaried persons (XVI), 7655.

Electricity from Rihand Dam Project (XV), 6570, 6571.

Enquiry into NEFA reverses (XIV), 4075—81.

Export of engineering and machinery products (XV), 5393.

Facilities to individual house builders in Delhi (XIV), 2381.

Family planning conference at Singapore (XV), 5137.

Food production (XIII), 80.

Gold declared under Gold Control Rules (XVI), 7642-43.

JAIN, SHRI A. P.: contd.

Hindi Law Commission (XVI), 6863.

Import of trucks (XV), 5389.

Industrial development of Assam (XIV), 2913.

Institute of Journalism (XVII), 9632—34.

Interchange of I.A.S. and I.F.S. Officers (XVI), 7390.

Jajpur Bikaner National Highway (XV), 4615.

Land prices in Delhi (XV), 6353.

Liberal licensing policy (XV), 5385.

Manufacture of automatic weapons (XVIII), 13975.

Manufacture of Defence stores by private sector (XV), 5814.

Mechanisation of farming (XVI), 8641.

National Defence Fund (XIII), 1388.

Over-growth of Delhi (XVI), 7653-54.

Per capita income in villages (XVI), 7123—27.

Prices of automobiles (XIII), 706.

Production in ordnance factories (XVI), 7132.

Rail bridge over Jamuna (XIV), 2071.

Rise in price of sugar (XIII), 52.

Sale of land in Delhi (XV), 4899-4900.

Shortage of Army Officers (XVII), 11010.

Shortage of pig iron in Gujarat (XIV), 2917.

Sindri Fertilizer Factory (XIII), 696-97.

Tool alloy steel plant (XIV), 3849.

Tool Alloy Steel Plant, Durgapur (XIV), 2913.

Train service around Delhi (XV), 6050.

Training in the manufacture of Synthetic drugs (XVI), 7891.

JAIN, SHRI A. P.: contd.

Village production plan (XVII),
6844.

Violation of companies Act (XIV),
3665-66.

Debates

B.G. (1963-64), general discussion
(XIII), 3648-57.

Compulsory Deposit Scheme Bill:
Motion to consider (XVII),
11245-249.

Consid. Cl. (XVIII), 12021, 12022,
12024, 12030, 12035-44, 12293-
95, 12316, 12523, 12526-27, 12531.

D.G. (1963-64):

Min. Irr. and Power (XV),
6174-79.

Min. W.H. and R. (XVI), 7305-
09.

JAI PAL SINGH, SHRI:

Purchases by Air India (XVIII),
12797.

Debates

Government of Union Territories
Bill:

Motion to consider (XVIII),
13800-04.

Re: Interruptions and walk-out
during President's Address
(XIII), 2.

JAMUNA DEVI, SHRIMATI:

Agricultural production (XIII),
1590-91.

Aid India Club (XV), 6611.

Conference of State Ministers of
Cooperation (XIV), 2091.

Cooperative movement (XIV),
3136-41.

"Freedom from Hunger" Campaign
(XVI), 8116-20.

Gulhati Commission Report (XIV),
2658-61.

Housing problems (XVI), 9158-59.

Inter-University Board (XVI),
7375-80.

Labour management relations in
coal mining industry (XIV), 4134.

Participation of labour in manage-
ment (XVII), 9603-07.

JAMUNA DEVI, SHRIMATI: contd.

Patriotic songs on A.I.R. (XVI),
7162-63.

Price of cotton (XV), 5409-11.

Rihand Dam (XIII), 1135-40.

Small savings (XVIII), 13379.

Debates

Finance Bill, 1963:

Motion to consider (XVII),
10702-08.

JAYARAMAN, SHRI:

Leave of Absence (XVI), 9447.

JENA, SHRI:

Area under cultivation (XIV),
3155-57.

Food Zone (XIII), 106.

Home Guards (XIII), 308.

Latrines in electrical locomotives
driven trains (XV), 4675-77.

MIGs, and MLGactory (XIII),
929.

Naval training centre (XIV), 4135.

Upgrading of Branch Post Offices
(XV), 4674-75.

Debates

D.G. (1963-64):

Min. Com. Dev. and C. op. (XVI),
7783-86.

Min. H.A. (XV), 8768-72.

Min. Trpt. and Communi. (XVI),
9072-76.

JHA, SHRI YOGENDRA:

Agricultural production (XIII), 67-
74.

Allowances to Ministers (XVI),
8866.

Community Development (XVIII)
12784-89.

Construction of field channel
(XVIII), 13389.

Diversion of Kosi river (XVII),
10384-85.

Economy measures in D.V.C. (XIII),
1409.

Embezzlement of Savings Bank de-
posits (XVIII), 12854.

JHA, SHRI YOGENDRA: contd.

Export of Indian textiles to U.S.A. (XIV), 3835—38.

Free water and electricity to Central Ministers (XIV), 3624.

Gold Bonds (XIII), 509—13.

Kosi Eastern Canal (XIII), 530.

Kothar dam (XVII), 10412-13.

National Highways in Bihar (XIII), 104.

Per capita income in villages (XVI), 7123—27.

Prices of foodgrains (XIV), 3124—28.

Production of paddy (XVIII), 12855.

Railway line from Supaul to Bhaupiyati (XIII), 103-104.

Smuggling of Russian watches (XIV), 2706.

Substitute for cement (XVII), 10178.

Sugar mills (XIII), 88-89.

Supply of kerosene oil to Nepal (XIV), 1912.

Western Kosi canal (XIII), 527.

Debates

Business Advisory Committee: 14th Report (XIV), 2446.

Compulsory Deposit Scheme Bill:

Motion to consider (XVII), 11607—512.

Consid. Cl. (XVII), 11762, 11774.

D.G. (1963-64):

Min. Food and Agri. (XV), 5005—14.

JOSHI, SHRIMATI SUBHADRA:

Gold Control Scheme (Dis.) (XIV), 2305—11.

Nationalisation of banks (Res.) (XV), 7081, (XVI), 9566—80.

P.A.M. (XIII), 968—77.

JYOTI SAROOP, SHRI:

Posts reserved for Scheduled Castes (XIV), 3430.

Scheduled Caste employees in the Ministry of Home Affairs (XIV), 3429.

JYOTI SAROOP, SHRI: contd.

Debates

D.G. (1963-64):

Min. Fin. (XVII), 10277—82.

JYOTISHI, SHRI J. P.:

Minor irrigation Schemes (XVII), 11282.

Production of tractors and trucks (XVII), 11022.

Students studying abroad (XVIII), 13338.

Debates

B.G. (General Discussion) (XIV), 3753—61.

Compulsory Deposit Scheme Bill:

Consid. Cl. (XVII), 11791-92, (XVIII), 12019.

Constitution (Amendment) Bill (Amendment of article 100 and 189) by Shri M. L. Dwivedi.

Motion to consider (XVIII), 13718—20.

D.E.G. (R) 1960-61 (XVIII), 12698—12700.

D.G. (1963-64):

Min. H. A. (XV), 6821—27.

K

KABIR, SHRI HUMAYUN:

Allegations made against the Minister of Scientific Research and Cultural Affairs (St.) (XVII), 11082—085.

Correction of information (XV), 6405-06.

D.G. (1963-64):

Min. S.R. & C.A. (XV), 5744—67.

Institute of Technology (Amendment) Bill:

Int. (XVII), 1622-23.

Re: remarks made by Shri Bagri against the Minister and Offices of the Ministry of Scientific Research and Cultural Affairs (XV), 5901-02.

KACHHAVAIIYA, SHRI:

- Accidents near Ujjain Railway station (XV), 4687-88.
- Accident to Hyderabad Flying Club Aircraft (XV), 4613.
- Accommodation for Delhi Administration employees (XVI), 7430-32.
- Acquisition of land for colonies (XV), 6567.
- Advertisement of drugs (XV), 5143-47.
- Agricultural implements centre at Aligarh (XVI), 8126.
- Air Force Flying College examination (XVII), 9871-72.
- Air transport service (XVII), 9818-19.
- All India Insurance Employees Association (XIII), 1363.
- Allowances to Ministers (XVI), 8866.
- Anti-Indian Chinese literature (XVI), 7369-70.
- Ayurvedic-cum-Allopathic system of medicines (XV), 5140-41.
- Bus thefts in Delhi (XV), 6401.
- Cement factory in Assam (XVI), 6874.
- Chromite deposits in Mysore (XVI), 8880.
- Clerical staff in Delhi schools (XVI), 7439-40.
- Closure of one shift in Textile mills of Kanpur (XVI), 7165.
- Coal mine in Madhya Pradesh (XV), 6401.
- Collection of National Defence Fund in Ceylon (XVII), 9679.
- Confectionary exports (XVI), 7901.
- Compulsory physical education in Delhi Schools (XVI), 6397.
- Cooperative sugar mills (XVI), 8175.
- Cotton consumption by mills (XVI), 7878.
- Cracker explosions in Delhi (XIV), 3373.

KACHHAVAIIYA, SHRI: contd.

- Death of a New Delhi Journalist (XVI), 7407.
- Degree in petroleum technology (XV), 4931-32.
- Delhi Milk Supply Scheme (XVI), 8193-94.
- Delhi Water Supply (XIV), 2666. (XV), 6599.
- Deoiled cakes (XV), 5438-39.
- Detention_s under Defence of India Rules (XVIII), 13095.
- Development of agriculture in frontier hilly areas (XV), 6126-27.
- Doctors in Government hospitals (XV), 6627.
- Dry farming (XV), 4622-23.
- Education cess (XV), 4873-77.
- Ex-servicemen (XVII), 11074.
- Explosion at Ujjain Railway Station (XVI), 8292-93.
- Export of Indian textiles to U.S.A. (XIV), 3835-38.
- Export of manganese and iron ores (XVIII), 12125-26.
- Export of railway coaches (XVII), 11325.
- Export of steam locomotives (XVI), 8113.
- Factories in Delhi (XVIII), 12605.
- Financial assistance for housing of S.C. and S.T. (XVI), 7434-35.
- Food Adulteration Act, 1954 (XVIII), 11861-863.
- Foreign students in Delhi (XVI), 8940.
- Foreign tourists (XIII), 122.
- Free water and electricity to Central Ministers (XIV), 3620-24.
- Gold smuggling (XVI), 9126.
- Guna-Maksi Railway line (XV), 4689.
- High altitude scientific problems (XVI), 8896.
- Hindi as medium of university education (XV), 6400.

KACHHAVAIIYA, SHRI: *contd.*

- Hindi Law Commission (XVI), 6882.
- Homeless persons in Delhi (XIV), 3388.
- Hospitals in Delhi (XIV), 2672.
- I.C.S. Officers (XVI), 8932.
- Import of maize (XVII), 10645.
- Import of trucks (XV), 5390.
- Import of wooden sleepers from Burma (XVI), 8137.
- Incidence of crimes in Delhi (XVI), 8871.
- "India News" published in America (XVIII), 12599.
- Indian currency in Nepal (XVI), 7648.
- Indians in Burma (XVI), 7134.
- Industrial development of Assam (XIV), 2913.
- Inter-State Organisation for dacoity menace (XVII), 11589-590.
- Interest payment on foreign loans (XVII), 10400-01.
- Joint power pool of Punjab, Delhi and U.P. (XVI), 7632-33.
- Khadi and village industries commission (XVII), 9415.
- Licence fee for Kohlus (XVI), 7679-80.
- Manufacture and export of gold ornaments (XVI), 9149-50.
- Matatila Project (XV), 5121-23.
- N.C.C. Training (XVII), 9675-76.
- Naharkatiya-Barauni oil pipeline (XVI), 7386.
- Narmada Valley Authority (XVI), 9144.
- National Sports organisation, Patiala (XIII), 331.
- NEFA hospitals (XVI), 9115.
- Nepa mills (XVII), 9411.
- New Power Station in Delhi (XIV), 2697.
- Ophthalmic Glass factory at Durgapur (XV), 5378.

KACHHAVAIIYA, SHRI: *contd.*

- Orientation of Primary schools (XV), 4885-86.
- Pak. Nepal trade agreement (XIII), 711.
- Panna Diamond Mines (XV), 4891-92.
- Pensions to widows (XVI), 7156.
- Pig iron (XIV), 3867.
- Precision instrument factories (XVII), 9407.
- Price of newsprint (XIV), 2926.
- Production of antibiotics (XIII), 687.
- Production of fertilizers (XVI), 6872.
- Purchase of wheat by Government (XVI), 8131.
- Public undertakings (XIV), 2907.
- Quarters for Railway employees, Ujjain (XV), 4688.
- Railway bridge over Shipra river in Ujjain (XV), 6884.
- Recruitment of airmen (XVII), 9676.
- Religious and moral education (XV), 6376.
- Research on zoto-bacter and phospho-bacterin (XV), 6064-70.
- Retrenchment in Census offices (XVI), 7422-23.
- Rifles (XVI), 7182.
- Road between Leh and Ladakh (XVII), 9676-77.
- Rape cases in Delhi (XV), 6402.
- Report on coal gradation (XVI), 7395-99.
- Ropeways in Jharia Coal Mines (XVII), 10183.
- Rourkela and Durgapur steel plants (XIV), 3871-72.
- Rourkela Steel Works (XVII), 9379.
- Sale of land in Delhi (XV), 4900.
- Security paper mill at Hoshangabad (XIII), 501.
- Ship building installation (XV), 4697.

KACHHAVAIYA, SHRI: *contd.*

- Slaughter houses (XV), 6183—86.
 Slums in Delhi (XIII), 1403.
 Special pay for handling cash in Delhi Schools (XVII), 11590.
 Sports Enquiry Committee (XV), 6366.
 Squatters in the capital (XIV), 3632—34.
 State Education Ministers' Conference (XV), 6341.
 Statutes regarding mines and factories (XIV), 1874.
 Suicide by goldsmiths (XVI), 9127—31.
 Super Chambal Bhakra Grid (XIV), 3625.
 Super market in New Delhi (XIII), 1365.
 Supply of petroleum products to Ceylon (XVII), 10184—85.
 Supply of sugarcane to Mills (XV), 6091.
 Synthetic rubber factory, Bareilly (XIV), 3861—63.
 T.B. clinics (XIII), 483.
 Textile machinery manufacturing industry (XVII), 9364.
 Ticketless travelling (XIII), 1617.
 Thefts in Delhi (XVI), 7438—39.
 Tool Alloy Steel Plant, Durgapur (XIV), 2913.
 Train service around Delhi (XV), 6047—50.
 Training of technicians in U.S.S.R. (XVII), 10652.
 Transport aeroplane, (XV), 5844.
 Trisuli Project in Nepal (XV), 6583.
 Tribal blocks (XIII), 300.
 U.N. expert for river basin surveys in India (XVI), 9132—35.
 W.P. Engine (XV), 6091—92.
 Wooden sleepers washed away towards Pakistan (XVIII), 13362.

KACHHAVAIYA, SHRI: *contd.**Debates*

- Child Marriage Restraint (Amendment) Bill:
 Motion to circulate (XIII), 3085—87.
 D.G. (1963-64):
 Min. of H.A. (XV), 6955—59.
 Min. of Health (XV), 5947—52.
 Min. I. & B. (XV), 5445—46.
 Min. of Lab. and Emp. (XV), 6476—82.
 D.G. (R) 1963-64 (XIV), 2792—96, 3033—38.
 Official Languages Bill:
 Int. (XVII), 9454, 9457—58.
 Re: Termination of Suspension of, (XVIII), 13401—09.
 Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill (*Insertion of new section 7A*) by Shri C. K. Bhattacharyya:
 Consid. (XV), 5585—87.

KAJROLKAR, SHRI:

- Aid India Club (XV), 6611.
 Anti-Indian Chinese literature (XVI), 7367—72.
 Bank advances on gold and shares (XIII), 520—21.
 Bombay Goa Highway (XIV), 2143.
 Britain's entry into E.C.M. (XIV), 2895.
 Cloth and Yarn prices (XIII), 1629.
 Col. Bhattacharjee (XIV), 1887.
 Colombo proposals (XII), 883—92.
 Compulsory Primary Education (XIII), 283—86.

KAJROLKAR, SHRI: contd.

- Export of Indian textiles to U.S.A. (XIV), 3835-38.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Fourth Oil Refinery in South India (XIII), 304-05.
- Heavy electrical equipment plants (XIV), 3838-42.
- India-Indonesia trade agreement (XIII), 698-99.
- Indian Oceanographic Expedition (XIII), 1183.
- L.I.C. Housing Programme (XIV), 2715-16.
- Launching of sounding rockets (XV), 5853.
- Looting of railway property by students (XIII), 1587-89.
- Losses suffered by civilians in NEFA (XIV), 4106.
- Mechanisation of Railway yards (XIII), 1638.
- MIGs, and MIG Factory (XIII), 929.
- Oceanographic research (XIII), 1182.
- Permanent Zonal Rly. Accident Committees (XIII), 1715.
- Permit for purchase of gold (XIV), 2678-81.
- Quality control and pre-shipment inspections (XIV), 2919.
- Road transport from West Bengal to Assam (XVI), 8629.
- Sino-Pak border agreement (XIII), 903-07.
- Sleepers washed away towards Pakistan (XV), 5166-87.
- Steel Scrap No. 1 (XVI), 6010.
- Training Centres for goldsmiths (XIII), 479-81.
- Tool alloy steel plant (XIV), 3848-49.
- Tool Alloy Steel Plant, Durgapur (XIV), 2912.
- Training of officials for Panchayati Raj (XV), 6027-28.

KAJROLKAR, SHRI: contd.

- Transport and communication in border districts of U.P. (XIV), 2111.
- U.S. Military aid (XIII), 901-02.
- Wage Board for coal mining (XV), 4383.
- KAKKAR, SHRI GAURI SHANKAR:**
- Allowances to Ministers (XVI), 8866.
- Chairman of Community Development Block (XV), 4609.
- Closure of Banks of China (XIV), 6657-58.
- Colouring of vanaspati (XIII), 1645.
- Disbursement of manure to farmers (XIII), 1718.
- Hindu Religious Endowments Commission (XVIII), 12065.
- Indiscipline among students (XVII), 11539.
- Minor irrigation schemes (XVII), 11280.
- Small-pox in the country (XIII), 490-95.

Debates

- Agricultural Refinance Corporation Bill:
- Motion to consid. (XIII), 1484-87.
- Constitution (Amendment) Bill (Amendment of articles 100 and 189) by Shri M. L. Dwivedi:
- Motion to consider (XVIII), 13733-34.
- D.G. (1963-64):
- Min. Com. Dev. and Coop. (XVI), 7762-69.
- Min. H.A. (XV), 6790-97.
- Min. of Health (XV), 5985-90.
- Min. Trpt. and Communi. (XVI), 9012-19.

KAKKAR, SHRI GAURI SHANKAR—
contd.

D.S.G. (General), 1962-63 (XIV),
3254—57.

Export (Quality Control and In-
spection) Bill:

Motion to consider (XVIII),
13531—33.

Government of Union Territories
Bill:

Motion to consider (XVIII),
13675-76, 13844—49.

Official Languages Bill:

Consid. cl. (XVIII), 12231—34.

Motion to pass, (XVIII), 12489—
90.

KAMATH, SHRI HARI VISHNU:

A.E.C. Centre and School, Pach-
marhi (XVIII), 13982.

A.I.R. broadcasts to West Asia
(XVII), 11032—34.

Abu Simbel temple in Egypt
(XIV), 4114, (XVII), 11557—61,
(XVIII), 12607.

Acquisition of land for colonies
(XV), 6567.

Advance courses in Defence Scien-
ces in Universities (XIV), 4083-
85.

Afro-Asian Journalists' Conference
(XVIII), 14157—64.

Afro-Asian Solidarity Conference
(XIII), 916-17.

Agricultural production (XIV),
2086.

Air Defence requirements (XVI),
7140—44.

Air dropping operations in NEFA
and Ladakh (XIV), 1928.

Alitalia Crash Report (XVIII),
14174.

Alitalia crash report (XIV), 3163.

Allowances to families of Chinese
internees (XIV), 3390.

Allowances to Ministers (XVI),
8866.

Anti-Corruption Advisory Com-
mittee (XIII), 291-92.

KAMATH, SHRI HARI VISHNU—
contd.

Anti-Indian Chinese literature
(XVI), 7367—72.

Assessment and collection of
Income-tax (XIII), 531-32.

Attorney-General's advice on
affairs of a firm (XVIII), 13050—
56.

Austerity diet in Delhi zoo (XVII),
11284.

Ayurvedic system of medicine
(XIV), 2698-99.

Bank of China (XVIII), 11869-870.

Bombs lost in Suratgarh area
(XV), 5843.

Border Roads Development Board
(XIV), 4133.

Bridge over Narmada (XIII), 1691.

Calcutta National Bank (XIII),
1373—75.

Cantonment Act (XVIII), 12576.

Catering contracts in Constitution
House (XV), 5186; (XVII),
10385—91.

Central Excise Inspectors and sub-
Inspectors (XIII), 1410.

Central Government Officers in
Assam (XIV), 2372.

Chinese aggression (XIII), 936.

Chinese internees in India (XVIII),
13057—60.

Chinese nationals (XIII), 1143.

Civil Defence measures (XIII),
935.

Civil Defence Plan (XIII), 1158—
63.

Closure of Bank of China (XIV),
3657-58.

Coal and bauxite deposits in
Madhya Pradesh (XVII), 10128—
30.

Coal Mines in Madhya Pradesh
(XVIII), 13119-20.

Collection of National Defence
Fund in Ceylon (XVII), 9679.

Colombo proposals (XIII), 883—92.

KAMATH, SHRI HARI VISHNU—
contd.

Compulsory military training (XIV), 1904.

Concentrated composite foods (XVIII), 13041.

Conference of Atomic Scientists held in Tokyo (XVIII), 12551.

Contribution to National Defence Fund by Members of Income-tax Department (XIV), 2708-09.

Contribution to National Defence Fund from former rulers of princely States (XIV), 2419.

Co-operative farming (XVII), 9848.

Cost of living index (XIV), 4114.

Cost of track electrification (XVIII), 12819.

Cotton growers (XIII), 62-63.

Cut in Housing Schemes of States (XVII), 10353-54.

Dearness allowance to State Government employees (XIII), 533.

Declaration of assets and possessions by Ministers and Government employees (XIII), 323.

Defence of India Rules (XIII), 303.

Demolition of Constitution House (XVIII), 14170.

Diplomatic assignment of officials and non-officials (XV), 4414.

Diplomatic immunity enjoyed by Indian diplomats abroad (XVIII), 13951-954.

Diversion of funds for housing (XVIII), 13397.

Drinking (XIV), 2387.

Electrification of Indian Railways (XVII), 9886.

Emergency Commission (XIV), 1914.

Emergency Production Committees (XV), 5834.

Enquiry into N.E.F.A. reverses (XIV), 4072-81.

Enquiry into Railway accident (XIII), 1646.

KAMATH, SHRI HARI VISHNU—
contd.

Ex-INA personnel employed in Army (XIII), 937.

Expansion of air Force (XV), 4432.

Expansion of Army (XV), 4432.

Expansion of steel industry (XIII), 1671.

Export of Mangoes (XVI), 6893, 6894.

Exports to Latin American countries (XVII), 10603.

Facilities to families of Jawans (XIV), 1913.

Farakka barrage (XIII), 1400-1403.

Fertiliser Plant, Katni (XVII), 10590.

Film on Sino-Indian border dispute (XVII), 9636-39.

Food adulteration in Delhi (XVII), 10381-83.

Foreign Air Mission's visit to India (XIII), 897-900.

Foreign Military aid (XIII), 916.

Foreigners employed in A.I.R. (XVIII), 13958-965.

Foreigners granted Indian citizenship (XIV), 3422.

Free water and electricity to Central Ministers (XIV), 3615-24.

"Friendship March" to Peking (XV), 5849.

Fuel efficiency in Indian industry (XVIII), 1285-86.

Funds for liberation of Goa (XVIII), 12598.

General Elections in Eastern U.P. in 1962 (XVIII), 12573.

Goan economy (XIV), 1875.

Gold Bonds (XIII), 511.

Gold prices and gold smuggling (XIV), 2685.

Government dues to N.D.M.C. (XIV), 2675-78.

Government Employees' contribution to National Defence Fund (XIII), 1411.

KAMATH, SHRI HARI VISHNU—
contd.

- Handing over of equipment by Chinese (XIV), 4094—96.
- High Court Judges (XIV), 3399.
- Hindi in South India (XIII), 1152.
- Hindustan Steel Limited (XVIII), 13568—70.
- Home treatment of leprosy patients (XIII), 505.
- Houses for M.Ps. (XV), 6587.
- Idle manpower (XVII), 11036—38.
- ISCO (XIV), 3854—55.
- Import of components for Automobiles (XVIII), 12095—96.
- Import of drugs from U.S.A. (XV), 5164.
- Increments of employees of AEC Centre and School, Panchmarhi (XVIII), 13982.
- India's map shown in 'The Rotarian' (XVIII), 13120.
- India's relation with Foreign countries (XIV), 4068—69.
- India's trade with European Economic Community (XVII), 10622—629.
- Indian businessmen in Kenya, (XIV), 4103.
- Indians employed in Chinese Embassy in New Delhi (XIII), 928.
- Indians in Russian Universities (XIV), 3402.
- Indian Mission for U.S.A. and U.K. (XV), 5856.
- Indian P. O. Ws. in China (XIV), 4105.
- Indian tea delegation (XVII), 10587.
- Indians with Peking Radio (XIV), 4132—33.
- Internment of Chinese Nationals (XIII), 301—03.
- Jabalpur-Itarsi track (XVIII), 12865.
- Jeeps from UNICEF (XIV), 3640—41.
- Kalakoṭ Coalmines (XIV), 3394.

KAMATH, SHRI HARI VISHNU—
contd.

- Katju Committee on Kalinga Airlines (XV), 4640.
- Khadi institutions (XVII), 9349.
- Looting of railway property by students (XIII), 1589.
- Loss due to Chinese aggression (XIV), 1902.
- Malaria Institute, New Delhi (XIV), 3666—67.
- Manufacture of and export of gold ornaments (XVI), 9149—50.
- Manufacture of automatic weapons (XIV), 1863.
- Manufacture of Defence Stores (XVII), 11064.
- Manufacture of Defence stores by private sector (XV), 5609.
- Manuscripts with Asiatic Society Calcutta (XV), 6361.
- Mata Tila Project (XVIII), 13060.
- Medium-sized steel plants (XIII), 678.
- Memorial for Netaji (XIV), 2419.
- Mental diseases (XV), 6597.
- MIGs, and MIG Factory (XIII), 929.
- Military Science (XVII), 9659—60.
- Mineral exploitation in Madhya Pradesh (XVI), 8904.
- Minor irrigation schemes (XVII), 11280.
- Minor irrigation works in Mysore (XVIII), 12866.
- Misappropriation of money in Delhi Police (XIII), 324.
- Modernisation of armed forces (XIV), 1879.
- National animal and bird (XIII), 1643—44.
- National Book Trust (XV), 4926.
- National Defence Fund (XIII), 1387.
- Naval base in Eastern Zone (XVIII), 13950—951.
- NEFA Reverses (XVI), 7148—52.

KAMATH, SHRI HARI VISHNU:
contd.

Neogy Committee's Report (XIV),
 4100-82.

New Asiatic Insurance Company
 (XIV), 3651-60.

P & T Advisory committees (XIV),
 3150-53.

P. & T. circle for Madhya Pradesh
 (XV), 6131.

Pandu-Amingaon Marine Ferry
 (XV), 6121.

Parliamentary proceedings on A.I.R.
 (XVII), 9627-30.

Passports to visit Israel (XVII),
 11072-73.

Permission to Lt. Gen. B. M. Kaul
 for appointment in a commercial
 concern (XVIII), 13979.

Pictures about Chinese occupation in
 NEFA (XVI), 9660.

Police Administration (XIV), 3333.

Political sufferers (XVIII), 13049.

Post Office, Bhama (M.P.) (XV),
 6100.

Press for Parliamentary work
 (XVIII), 11809-810.

Prices of automobiles (XIII), 705.

Price of newsprint (XIV), 2925.

Price of Sugar (XVIII), 14152-53.

Production of antibiotics (XIII),
 687.

Production of machinery (XVIII),
 12107.

Production of tractors and trucks
 (XVII), 11020-21.

Professor Blackett's visit to India
 (XIII), 304.

Prohibition in Delhi (XVII), 10117.

Public Sector Undertakings
 (XVIII), 12066-71.

Public undertakings (XIV), 2905.

Raids by Pak Dacoits, (XVI), 7163-
 64.

Railway line from Satna to Sing-
 rauli (XIII), 1693.

Release of Indian P. O. Ws. by
 Chinese (XVIII), 14166-67.

Release of P. O. Ws. by Chinese
 (XVIII), 12580.

KAMATH, SHRI HARI VISHNU:
contd.

Report on Dalmia-Jain concerns
 (XIII), 1625.

Research in NEFA operations
 (XIV), 1883.

Research on zoto-bacter and phos-
 Rihand Dam (XIII), 1135-40.

Road Board (XIV), 3143.

Rourkela and Durgapur Steel
 plants (XIV), 3870-72.

Rural Labour Enquiry (XVII),
 9620-25.

Rules and Notification under the
 Customs Act, 1962 (XIII), 531.

Sainik schools (XIII), 912-18.

Security paper mill at Hoshanga-
 bad (XIII), 499-501.

Shortage of Army Officers (XVII),
 11008.

Shortage of pig iron in Gujarat
 (XIV), 2918.

Shorter National Anthem on A.I.R.
 (XVIII), 12579.

Sino-Pak border agreement (XIII),
 903-07.

Situation in Laos (XVIII), 12562.

Skimmed milk (XIV), 3635-36.

Smuggling of gold from India
 (XVIII), 11827.

Sports Enquiry Committee (XV),
 6364.

Stamp to commemorate Netaji's
 birthday (XVIII), 14139-140.

Statutes regarding mines and fac-
 tories (XIV), 1872.

Strengthening of Indian Navy
 (XIII), 12576.

Supersonic jet fighters (XVI),
 8446.

Supply of opium to Russia (XVIII),
 13572-73.

T. B. Clinics (XIII), 486.

Tawa Multipurpose Project (XIII),
 533.

KAMATH, SHRI HARI VISHNU:

contd.

Target of steel production (XVII), 9383.

Tea for catering on Railways (XV), 6120-21.

Telephone bills of Ministers (XVI), 8191.

Tewra Dal (XV), 4645.

Tibetan refugees (XV), 5840.

Tour programme of Minister (XVIII), 13612.

Trespassing into Tripura by Pakistanis (XVIII), 12596.

Trisuli Project in Nepal (XV), 6582.

Trucks and tractors (XVIII), 13971-975.

U.N. General Assembly (XVI), 7165-66.

U. N. Technical Assistance (XIV), 2703.

Underground rail system for Delhi (XIII), 1613.

Water and electricity from Mata Tila Project to M.P. (XIV), 2410.

White tigers (XVII), 6841.

Withdrawal by Chinese from Ladakh (XIII), 879.

Wooden sleepers washed away towards Pakistan (XVIII), 11822.

Wool shortage (XVII), 10621.

World Food Programme (XV), 6081.

Debates

Affairs of Serajuddin and Company (St.) (XVIII), 14208, 11, 12, 14.

Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13917, 13939-40.

Appropriation (No. 3) Bill:

Motion to consider (XVIII), 12884-886.

Appropriation (Vote on Account) Bill, 1963:

Motion to consider (XIV), 4280.

B.G. (1963-64) general discussion, (XIII), 3663-80.

B.O.H. (XIII), 1939-42, 2974-78; (XIV), 4150-51; (XV), 6920-22; (XVII), 9431-33, 9438-39, 9681-87, 10808-21; (XVIII), 13303, 13996-97, 14000.

KAMATH, SHRI HARI VISHNU:

contd.

Business Advisory Committee:

12th Report (XIII), 339;

14th Report (XIV), 2445, 2447; 2448.

16th Report (XVII), 11088-89.

Committee on Private Members' Bills and Resolutions:

Fourteenth Report (XIII), 3063-64;

Twenty-First Report (XVIII), 13688-91.

Compulsory Deposit Scheme Bill:

Consid. cl. (XVIII), 12027, 12044, 12046-47, 12048, 12049, 12297-99, 12301-02, 12314, 12532-33, 12889-90.

Constitution (Amendment) Bill (*Amendment of articles 100 and 189*):

Motion to consider (XVIII), 13722-27.

Constitution (Amendment) Bill (*Amendment of article 368*):
Int. (XVII), 10742.

Constitution (Fifteenth Amendment) Bill:

Time for presentation of Report of J.C. extended (XIII), 35;

Motion to consider (XVIII), 12993-13001.

Consid. cl. (XVIII), 13188, 13195-200, 13233-35, 13241, 13245-47.

Constitution (Sixteenth Amendment) Bill, as reported by J.C.:

Time for presentation of Report of J.C. extended (XIII), 36;

Motion to consider (XVIII), 13459-68.

Consid. cl. (XVIII), 13479-84.

D.G. (1963-64):

Min. Fin. (XVII), 10197-10208.

Min. H.A. (XV), 6739-50.

Deptt. Parly. Affairs (XVII), 10052-58.

D.G.A., 1963-64 (XIV), 4248-50.

Disclosure of Assets of Ministers Bill:

Int. (XVIII), 13693.

Re. Divisions (XVIII), 13304.

Gold Control Scheme (Dis.) (XIV), 2338-46, 2547-52.

**KAMATH, SHRI HARI VISHNU—
contd.**

Government of India Territories
Bill:

4 Motion to refer to Joint Commit-
tee (XIV), 4348—54.

Motion to Consider (XVIII),
13662—75, 13817—19.

Motion to pass (XVIII), 13906.

Leave of Absence (XVIII), 14186-87.
88, 89.

Official Languages Bill:

Consid. cl. (XVIII), 12211—15,
12282, 12285, 12344—50, 12410—
12, 12448—52, 12470—73.

Motion to pass (XVIII), 12485—
87.

Parliamentary Proceedings on A.I.R.
(H.A.H. Discussion), (XVIII),
13761-62.

Point re. Vivian Bose Commission
Report (XVIII), 12333, 12335.

Proposed Malaysia Federation (CA)
(XIII), 735-37.

Re. Shri Ansar Harvani's letter to
Finance Minister (XVII), 11618-
19, 11620, 11621-22.

Remarks made by Shri Bagri
against the Minister and Offices
of the Ministry of Scientific Re-
search and Cultural Affairs
(XV), 5906, 5907, 5913.

Reported statement made in Wash-
ington by Shri B. Patnaik (CA),
(XV), 5887—88.

Salaries and Allowances of Minis-
ters (Amendment) Bill (*Amend-
ment of sections 3, 4 etc.*)

Int. (XVIII), 13692.

Suspension of Member (XVIII),
12635-36.

Suspension of Rule 214 (XIV),
4248—50.

KAMBLE, SHRI:

D. G. (1963-64):

Min. Trpt. & Communi. (XVI).
8818—24.

KANAKASABAI, SHRI:

D. G. (1963-64):

Min. Com. Dev. and Coop.
(XVI), 7758—62.

Leave of Absence (XVI), 8447.

KANDAPPAN, SHRI S:

Aluminium plant at Mettur Dam
(XVII), 9369.

Children's Book Trust (XVII),
11555—557.

Export Advisory Committee for
Pearls and Precious Stones
(XVII), 10598.

Gold smuggling (XVI), 9126-27.

Indiscipline among students
(XVII), 11539.

National Highway in Salem dis-
trict (XVIII), 12863.

Radiometric Surveys in Salem
District (XVII), 11063-64.

Travelling Ticket Examiners
(XVIII), 12839-40.

Debates

D. G. (1963-64):

Min. Trpt. and Communi. (XVI),
4053—58.

P.A.M. (XIII), 1229—37.

KANUNGO, SHRI:

Central Silk Board (Amendment)
Bill (*Amendment of sections 4
and 6*) by Shri Sham Lal Saraf:
Motion to refer to S. C. (XIII),
836—42.

Correction of answer to Starred
Question No. 414 (XV), 6919.

Part I of the Report of the Attor-
ney General and Shri A. V.
Viswanatha Sastri (St.) (XVIII),
13993—96.

Report of the Commission of In-
quiry into Dalmia Jain Com-
panies (M) (XVIII), 14001—12,
14319—34.

KAPPEN, SHRI:

Bank advances on gold and shares (XIII), 520-21.

Drug Control (XIV), 2708-04.

Foreign Air Mission's visit to India (XIII), 897-900.

Loss due to Chinese aggression (XIV), 1902.

Losses suffered by civilians in NEFA (XIV), 4105-06.

Palai Central Bank in liquidation (XIII), 543.

Palai Central Bank in liquidation (XVII), 10367.

Visas for Indian nationals visiting Ceylon (XV), 5865.

Debates

Agricultural Refinance Corporation Bill:

Motion to consid. (XIII), 1480-82.

Finance Bill, 1963:

Motion to consider (XVII), 9713-19.

Leave of Absence (XVI), 8447.

KAPUR SINGH, SHRI:

Abu Simbel Temples in Egypt (XVII), 11560.

Agricultural service co-operative societies (XVII), 11345.

All-India Printers' Conference (XVIII), 13549.

Austerity diet in Delhi zoo (XVII), 11283.

Ayurvedic graduates (XVI), 7640-41.

Black-marketeering in imported cars (XVIII), 13554.

Camera Factory (XVIII), 12059-61.

Central Housing Board (XVI), 9149.

Concentrated composite foods (XVIII), 13042.

Co-operative farming (XVII), 9848.

Co-ordination of civil and defence production (XVI), 7275.

KAPUR SINGH, SHRI—contd.

Design and Engineering Unit (XVII), 10125-28.

Dhebar Commission (XVII), 11549-550.

Diplomatic immunity enjoyed by Indian diplomats abroad (XVIII), 13953.

Directorate Board of Hindustan Steel Ltd. (XVII), 9370.

Emergency Commission (XVII), 11076-78, 12569.

Excise duty on tractors (XVII), 10365.

Export Advisory Committee for Pearls and Precious Stones (XVII), 10597.

Export of jewellery (XVIII), 12077.

Export of penicillin (XVI), 7368.

Evacuee land given to States (XVII), 10409.

Foreign ships for transportation of coal (XVIII), 12783.

Foreigners employed in A.I.R. (XVIII), 13963.

Fuel efficiency in Indian industry (XVIII), 12084-87.

Gold smuggling (XVI), 9126.

High altitude scientific problems (XVI), 8896.

High protein food for Jawans (XVIII), 12558.

Hindu Religious endowments Commission (XVIII), 12665.

Home science colleges in agricultural universities (XVII), 11291.

Import of Russian watches by S.T.C. (XVIII), 13618-19.

Import of tobacco (XVII), 10612.

Incidence of crimes in Delhi (XVI), 8874.

India Office Library (XVI), 8879.

Indiscipline among students (XVII), 11540.

Inter-State Organisation for Dacoity Menace (XVII), 11589-590.

Joint Farming (XVI), 8146, 8147.

KAPUR SINGH, SHRI—contd.

- Kiriburu iron ore project (XVI), 8864.
- Lady Hardinge Medical College, Delhi (XVIII), 11817.
- Licence to a Cinema house in Delhi (XVII), 10187-88.
- Manufacture of automatic weapons (XVIII), 13976.
- "Maps of India" postage stamps (XVI), 8115.
- Milk drying plants (XVII), 9869.
- Minicoy island (XVIII), 13044.
- Mountain Divisions in Indian Army (XVI), 8414.
- Mouth cancer centre at Agra (XVIII), 13334.
- New telephone system (XVIII), 12813.
- Nutrition education (XVII), 9861.
- Oil refinery in Madras (XVIII), 13039.
- Ordnance factory workers (XVI), 8382.
- Parliamentary proceedings on A.I.R. (XVII), 9628-30.
- Permission to Lt. Gen. B. M. Kaul for appointment in a commercial concern (XVIII), 13979.
- Petro-chemical development at Barauni (XVIII), 13032.
- Plant for iodisation of salt (XVII), 13351.
- Police strength of Delhi (XVIII), 13087.
- Popularisation of Hindi through A.I.R. (XVII), 11014.
- Port charges at Calcutta (XVI), 8200.
- Price of sugar (XVIII), 14148-53.
- Psychological tests for railmen (XVIII), 12817.
- Raid by hostile Nagas (XVI), 8406-07.
- Resignation by Emergency Commission trainees (XVIII), 12602.

KAPUR SINGH, SHRI—contd.

- Rural Labour Enquiry (XVII), 9624-25.
- Sale of damaged foodgrains (XVI), 8141-42.
- Serajuddin & Co. (XVIII), 13578-79.
- Shortage of Army Officers (XVII), 11909-11.
- Siliguri-Jogighopa Railway line (XVI), 8150-51.
- Situation in Laos (XVIII), 12562.
- Stamp to commemorate Netaji's birthday (XVIII), 14139-140.
- Students studying abroad (XVIII), 13339.
- Supply of opium to Russia (XVIII), 13571-73.
- Textile machinery manufacturing industry (XVII), 9364.
- Transport co-operative societies (XVII), 11344.
- White tigers (XVII), 6841.
- Wooden sleepers washed away towards Pakistan (XVIII), 11823.
- Wool shortage (XVII), 10620.
- Village "production plan" (XVII), 6845.
- Violation of Indian airspace (XVII), 9610-11.

Debates

- Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13918.
- B.G. (1963-64), general discussion (XIII), 3573-82.
- Compulsory Deposit Scheme Bill: Consider. cl. (XVIII), 12021, 12305-06.
- D.G. (1963-64):
Deptt. Parly. Affairs (XVII), 10034-37.
- Defence Mission to U.S.A. and U.K. (CA), (XVII), 10422-23.
- Reported drastic cut in pig iron quota supplied to foundries in Punjab (C.A.) (XVIII), 13129.

KAPUR SINGH, SHRI—contd.

Reported kidnapping of some Santhals by East Pakistan Police (C.A.) (XVIII), 13778.

Reported Statement made in Washington by Shri B. Patnaik (C.A.) (XV), 5891.

Sighting of unidentified ships off the Andhra coast (C.A.) (XVII), 1021-22.

Termination of suspension of Member (XVIII), 13401-04.

Water Supply in Delhi (C.A.) (XVIII), 12629-30.

KAR, SHRI PRABHAT:

Afro Asian Journalists' Conference (XVIII), 14160-64.

Coal Development in West Bengal and Bihar (XVI), 7431-32.

Financial Adviser-cum-Chief Accounts Officer in D.V.C. (XVII), 10404-05.

Release of Communists during Bye-elections (XV), 5158-63.

Debates

B.O.H. (XVII), 9433, 9437.

Bengal Finance (Sales Tax), (Delhi Amendment), Bill:

Motion to consider (XVIII), 12650-52.

Compulsory Deposit Scheme Bill:

Motion to consider (XVII), 11227-233.

Consid. cl. (XVII), 11761, 11765-68, (XVIII), 12018, 12021, 12024, 12292-93, 12889.

Motion to pass (XVIII), 12907-08.

Constitution (Fifteenth Amendment) Bill:

Consid. cl. (XVIII), 13176-177, 13185-86, 13195, 13249-50.

D.G. (1963-64):

Min. Fin. (XVII), 10093-12.

Min. Fin. (XVII), 1038-89.

Min. I. and B. (XV), 5256-64.

Min. S.R. & C.A. (XV), 5684-89.

D.G.(R) 1963-64 (XIV), 2755-58.

Nationalisation of Banks (Res.), (XVI), 9581-85.

KAR, SHRI PRABHAT—contd.

Official Languages Bill:

Consid. cl. (XVIII), 12186-89, 12284, 12423-25.

Report of the Commission of Inquiry into Dalmia Jain Companies (M), (XVIII), 14301-07.

Reported shortfall in food production targets during Third Plan period (C.A.) (XVIII), 12873-875.

KARJEE, SHRI:

Leave of Absence (XVI), 8447, (XVIII), 14186.

KARNI SINGHJI, SHRI:

Adult Education Centre at Palana (Rajasthan) (XV), 5857.

Agricultural University in Rajasthan (XIII), 1679.

All India Sports Congress (XV), 4920-21.

Assessment of Income-tax at Bikaner (XV), 5167-68.

Bikaner-Jodhpur telegraph link (XIV), 2147.

Casual workers in Railways (XV), 6096-97.

Copper deposits at Dariba (Rajasthan) (XV), 4917.

Drinking water to Lunkarensar (XIV), 3661-62.

Family Planning in Rajasthan (XIV), 2720-21.

Fortnightly rest for railway employees (XIV), 3171-72.

Ganganagar-Hindumalkot railway line (XIII), 1719.

Ghaggar floods (XIV), 3643-44.

Jaipur Bikaner National Highway (XV), 4614-16.

Land in Delhi (XVI), 8943.

M.E.S. Workers, Bikaner (XV), 4419.

Oil exploration (XIV), 2400-06.

P. & T. colony, Bikaner (XIII), 1719.

Palana Lignite open cast mining project (XV), 5857.

Rajasthan canal (XIII), 1407.

KARNI SINGH JI, SHRI—contd.

- Recruitment in Railways (XV),
4649-50.
- Rural electrification in Rajasthan
(XIV), 2705.
- Second Pay Commission (XIV),
3172.
- Shifting of Government offices
(XIII), 521.
- Telegraph link (XIV), 3181-82.
- Thermal Power Station (XVIII),
11853.
- Trunk telephone lines (XVI), 8751-
52.
- Wagons for Palana Colliery (XV),
6095-96.
- Welfare Centre at Palana Coalfield
(XVI), 7166.

Debates

- B.G. (1963-64), general discussion
(XIII), 3488-3502.
- D.G. (1963-64):
- Min. H. A. (XV), 7016-18.
- Min. I. and B. (XV), 5313-23.
- Min. Irr. and Power (XV), 6197-
6206.
- Gold Control Scheme (Dis) 2357-
61.

KARUTHIRUMAN, SHRI:

- Compulsory Deposit Scheme Bill:
Motion to consider (XVII), 11495
—498.

D.G. (1963-64):

- Min. Food and Agri. (XV), 5095-
5100.
- Min. Irr. and Power (XV), 6243-
48.
- Min. S. R. & C. A. (XV), 5709-
13.

D.G.(R) 1963-64 (XIV), 2820-24.

P.A.M. (XIII), 455-60.

KEISHING, SHRI RISHANG:

- Advance increments for Manipur
employees (XIV), 2428.
- Books Awarded Academic Awards
(XVI), 7424-25.
- Civil Administration in NEFA
(XIII), 907-12.

KEISHING, SHRI RISHANG—contd.

- Cotton spinning mill in Manipur
(XVI), 7938.
- Cultivation in Manipur (XIV),
3180.
- Dam on Barak River in Assam
(XV), 5153-54.
- Emergency Commission (XIV),
1914.
- Engineers in P.W.D. Manipur (XV),
6616.
- Fisheries in Manipur (XV), 4667-
68.
- Formation of service cadre in Union
territories (XVI), 7380-81.
- Handloom production of Manipur
(XIII), 1668.
- Home Guards (XVIII), 13081.
- Hostile Nagas (XIV), 4124-25.
- Hydro-Electric Schemes in Manipur
(XIII), 1421.
- Imphal water supply (XVI), 7678.
- Indian Administrative Service
(XIV), 3424.
- Kopili Hydel Project (XVI), 9111-
13.
- Losses suffered by civilians in
NEFA (XIV), 4106.
- Manipur rice (XIV), 3168.
- Manipur State Transport (XV),
4669, 6070-72.
- Medical students from Manipur
(XIV), 3660-61.
- Milk Supply Scheme (XV), 4662.
- Milk Supply Scheme for Imphal
(XV), 6132-33.
- P.W.D. Divisions in Manipur
(XIV), 3654-55.
- Package programmes (XIII), 1713.
- Paper mill at Manipur (XIII),
1669.
- Planning Boards in States (XV),
4401.
- Primary school teachers in Mani-
pur (XVI), 8924.
- Production of jet aircrafts (XV),
5852.
- Purchase of electricity from Nepal
(XV), 6624.
- Quarters for Central Government
employees (XIV), 2722-23.
- Reclamation for Loushi Pat (XIV),
2140.

KEISENG, SHRI TISHANG—contd.

- Recruitment Rules in Union Territories (XV), 4918-19.
 Registered contractors in Manipur (XIV), 2705.
 Rehabilitation of tribal people in NEFA (XIII), 919.
 Reservations for S. Cs. and S. Ts. (XIV), 2140.
 Revenue appeals in Manipur administration (XIV), 3181.
 Sales tax arrears in Manipur (XVI), 7678.
 Schools in Manipur (XV), 4921.
 Smallpox in the country (XIII), 496-95.
 Soognu Police outpost (XIV), 2428.
 Techno-Economic Survey (XVIII), 12117-18.
 Telephones in Manipur (XVI), 8182-83.
 Transport facilities in North-Eastern Zone (XIV), 3180.
 Tribal welfare department, Manipur (XV), 6393.
 U.P.S.C. appointments for Manipur (XVII), 10171.

Debates

- D. G. (1963-64):
 Min. Com. Dev. and Coop. (XVI), 7829-32.
 Min. Def. (XVI), 8365-69.
 Government of Union Territories Bill:
 Motion to refer to Joint Committee (XIV), 4954-58.
 Motion to consider (XVIII), 13854-57.

KESAR LAL, SHRI:

- Railway bridge at Sawai Madhopur (XVI), 8190.
 Siroj-Tonk Railway line (XVI), 8194.
 Situation in Laos (XVIII), 12562.
 Telephone exchange in Tonk District (XVI), 8189.

KHADILKAR, SHRI:

B. G. (General Discussion) (XIV), 3699-3708.

Constitution (Sixteenth Amendment) Bill, as reported by J.C.:
 Motion to consider (XVIII), 13423-26.

D.G. (1963-64):

Min. Econ. and Def. Coord. (XVII), 9939-48.

Min. Ext. Affairs (XV), 4462-71.

Min. Irri. and Power (XV), 6228-34.

Leave of Absence (XVIII), 14187.

Official Languages Bill:

Motion to consider (XVIII), 11899-906.

Re: alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13925.

Re: termination of suspension of Member (XVIII), 13404-05.

Report of Committee on the conduct of certain members during the President's Address (XV), 4780-81.

KHAN, DR. P. N.:

Commercial Pilots Association (XVIII), 12810-11.

Damodar Valley Corporation (XVIII), 11844-845.

KHAN, SHRI SHAHNAWAZ:

Accident between Tiruchi-Reni Express and a Bus (CA) (XV), 5896-99.

Blasting of railway line and firing on train by Naga hostiles (XVIII), (C.A. and Ad. Motions) 9181, 9184, 9185.

D. G. (R) 1963-64 (XIV), 2742-51.

D.S.G. (R) 1962-63 (XIII), 1426-27, 1466-75.

KHANNA, SHRI MEHR CHAND:

- D. G. (1963-64):
 Min. W. H. & R. (XVI), 7478—7506.

KOHOR, DR.:

- Berhampur-Phulbani Railway line (XV), 4653.
 Coal Mines in Orissa (XV), 6382-83.
 D. B. K. Railway head office (XIV), 3169.
 Hirakud Dam Project (XVIII), 13355.
 Patnagarh sub-post office (XIV), 3169.
 Recruitment from Orissa (XVIII), 12600.
 Staff quarters at Phulbani (XV), 6452-53.

KOTOKI, SHRI LILADHAR:

- Road transport from West Bengal to Assam (XVI), 8631.

Debates

- B. G., General discussion (XIV), 4164-68.
 D. G. (1963-64):
 Min. of Food and Agri. (XV), 5000-05.
 Min. Trpt. & Communi. (XVI), 8843-47.

KOYA, SHRI:

- Colombo proposals (XIII), 883-92.
 Conditions of work for women (XV), 5869.
 Education during emergency (XIII), 270.
 Exhibition units in Kerala, Laccadives and Andamans (XVI), 7180.
 Exploration of mines in Kerala (XIV), 2424.
 Fishing harbour Vazhinjam (XIV), 2076.
 Gauhati Commission Report (XIV), 2658-61.

KOYA, SHRI—contd.

- Haj pilgrims from Kerala (XVIII), 12589.
 Iduky Hydro-Electric Project (XIII), 514-15.
 Indians in Burma (XVII), 11024-26.
 Indian Settlers in Ceylon (XIV), 4107-68.
 Loans to meritorious students (XIII), 308-09.
 National highways (XV), 4650.
 Newsprint (XVII), 683.
 Phyto-Chemical Project at Neriamangalam (XVII), 10579-581.
 Post Offices in Kerala (XIII), 119.
 Precision instrument factories (XVII), 9407.
 Prohibition (XV), 4864-71.
 Railway crossing at Feroke (XVI), 8170.
 Report on Dalmia-Jain concerns (XIII), 1625.
 Sale of produce of Laccadive Islands (XVIII), 13078.
 T. B. Conference (XIV), 2723-24.
 Training centres for goldsmiths (XIII), 479-81.
 Transformer factory at Ankamali (XVIII), 12104-05.
 U.P.—Bihar boundary dispute (XV), 4903-04.

Debates

- B. G. (General Discussion) (XIV), 3813-19.
 D. G. (1963-64):
 Min. Com. & Ind. (XVI), 8563-65.
 Min. Irr. and Power (XV), 6309-11.
 D. G. (R) (1963-64) (XIII), 2988-93.
 Finance Bill, 1963:
 Motion to consider (XVII), 10739-41, 10822-23.
 Regional Disparity (Res.) (XIV), 4053-56.

KRISHNAMACHARI, SHRI T. T.:

D. G. (1963-64):

Min. Econ. and Def. Coord.
(XVII), 1007—21.Defence Mission to U.S.A. and
U.K. (CA) (XVII), 10423.Mention of his name in connection
with certain transaction of a
mine-owner operating in Orissa
from Calcutta (XVI), 7698.**KRISHNAPAL SINGH, SHRI:**Admission in Delhi schools (XVI),
8931Bokaro Steel Plant (XVIII), 13585-
90.National institute of audio-visual
education (XVI), 8941.

Railway schools (XVI), 8693.

Recruitment of workmen and line-
men (XVII), 9922.

Slaughter houses (XV), 6183—86.

Debates

D. G. (1963-64):

Min. Def. (XVI), 8275—81.

D. G. (R) 1963-64 (XIV), 2738—
42.

Finance Bill, 1963:

Motion to consid. (XVII), 10424-
91.

Consid. Cl. (XVIII), 10934, 10950.

Report of the Commission of In-
quiry into Dalmia Jain Com-
panies (M) (XVIII), 14056—58.Sighting of unidentified ships off
the Andhra Coast (CA) (XVII),
10422.**KUMARAN, SHRI M. K.:**U.D.Cs. in Army Headquarters
(XVIII), 12622.**KUNHAN, SHRI P.:**Accumulation of handloom cloth
(XV), 5413—17.Atomic Power Station in Kerala
(XVIII), 12608.**KUNHAN, SHRI P.—contd.**

Cargo freight rates (XV), 6095.

Cashew shell oil processing factory
in Kerala (XIV), 3888-89.China clay mining in Kerala
(XVIII), 13111-12.Conference of State Ministers of Co-
operation (XIV), 2091.Cooperative movement (XIV),
3136—41.

Cottage industries (XVI), 6888.

Cut in Housing Schemes of States
(XVII), 10354.Czech Trade Team's visit to India
(XIII), 1627.Development of agriculture in
Kerala (XV), 4677.Dock Labour Scheme in Cochin
Port (XIV), 1929.Doubling of track between Shoran-
pur and Coimbatore (XIV), 2159.Export of biscuits (XVII), 10614—
616.Extension of C.H.S. Scheme (XVII).
10377—80.Fertilizer Plant, Rourkela (XIV),
2958.Fishing harbour Vazhinjam (XIV),
2076.Flood Control Schemes in Kerala
(XVII), 10412.Graduate course in tea (XVI),
2893—96.Iduky Hydro-Electric Project
(XIII), 514.Indo-Norwegian fisheries project
(XIII), 1720.Kerala collection to N.D.F. (XV),
6606.Licences for starting industries to
Kerala (XVII), 10651-652.Machine Tool Factory (XV),
5379—82.

Machine tool plants (XIII), 1873.

Manufacture of caffeine from tea
waste (XVII), 9362, 9363.

KUNHAN, SHRI P.: contd.

- Marine diesel engines (XVII), 9611-13.
- Medical colleges (XV), 5165-66.
- National Highway in Kerala (XVI), 8681.
- Neendarkara bridge (XV), 6133.
- Oil exploration (XIV), 2400-2406.
- Oil Refinery in private sector in South India (XIV), 2412.
- Palai Central Bank in liquidation (XVII), 10365-67.
- Plantation Labour Housing Scheme (XVIII), 11832-833.
- Port facilities in southern region (XIV), 3154-55.
- Portable typewriter factory (XIV), 2958.
- Power shortage in West Bengal (XVIII), 11881.
- Production of cashewnuts (XV), 4668.
- Production of Children's Films (XVII), 9616-18.
- Production of fertilizers (XVI), 6871.
- Production of tin plates in Kerala (XVII), 9418.
- Publicity material on Kerala State (XVII), 9903.
- Quality control on exportable coir products (XIV), 2959.
- Retirement of High Court Judges (XVII), 10188.
- Rural Housing programme (XIV), 2728.
- Rural Labour Enquiry (XVII), 9620-25.
- Scheduled Castes and Scheduled Tribes on Railways (XVI), 8690.
- Sea Island cotton (XIV), 2159.
- Separation of judiciary from the Executive (XVII), 10130-34.
- Silent Valley Project in Kerala (XVI), 9163.

KUNHAN, SHRI P.: contd.

- Small scale industries in Kerala with Czech, Collaboration (XIV), 3889.
- Smallpox in the country (XIII), 490-95.
- Telephone exchanges and public offices in Kerala (XVI), 8159-60.
- Tenants in Mahe (XVI), 8437-38.
- Transfer of evacuee properties (XVII), 10404.
- Urban Water Supply Scheme in Kerala (XVI), 9176.
- Wind power (XVI), 8925.
- Yield of paddy crop in Kerala (XIV), 1931.

Debates

- D.G. (1963-64) Min. of Food and Agriculture (XV), 5203-06.

KUREEL, SHRI B. N.:

- Archaeological excavations near Chandigarh (XVII), 11602.
- Price of sugar (XVIII), 14143-53.
- Finance Bill, 1963.
- Motion to consider (XVII), 10730-36.

L**LAHRI SINGH, SHRI:**

- Cracker explosion in Delhi (XIV), 3374.
- Facilities to individual house builders in Delhi (XIV), 2377.

LAKSHMIKANTHAMMA, SMT.:

- Agricultural Refinance Corporation Bill:
- Motion to consid. (XIII), 1487-90.
- Constitution (Sixteenth Amendment) Bill, as reported by J.C.
- Motion to consider (XVIII), 13454-59.
- Criminal Law Amendment Bill:
- Int. (XVII), 10741.

LAKSHMIKANTHAMMA SMT.—
contd.

D.G. (1963-64):

Min. Def. (XVI), 8308—12.

Min. Econ. and Def. Coord.
(XVII), 9987—90.

Min. Fin. (XVII), 10090—93.

Min. M. & F. (XV), 9303—07.

D.G. (R) (1963-64) (XIII),
3012—16.Gold Control Scheme (Dis.) (XIV),
2361-62, (XIV), 2696—98.Length of Cinematograph Films
(Ceiling) Bill by Shri Rameshwar
Tantia:

Motion to consid. (XIII), 855—57.

P.A.M. (XIII), 781—90.

Official Language Bill:

Consid. cl. (XVIII), 12245—47.

LASKAR, SHRI N. R.:

£ 30 Million loan from U.K. (XVI),
9145—46.All India Water grid (XVIII),
13371.Amendment of Article 31A of Con-
stitution (XIII), 952.Assistance from Australia for C. D.
projects (XIV), 3195-96.

Barauni Oil Refinery (XIV), 3397.

Bhutanese students in India (XVI),
7430.

Bridge over Lolea (XIII), 1714.

Concessions for students by I.A.C.
(XV), 6130.Cooperative movement (XIV),
3136—41.Co-operative movement in Assam
(XV), 6120.Dam on Barak River in Assam
(XV), 5153-54.Emergency Commission (XIV), 4127-
28.Engineering College, Delhi (XV),
4928.

Ex-N.C.C. cadets (XIV), 1927.

Floods in Brahmaputra (XIV),
3606—10.

Gurgaon canal (XVI), 9166-66.

LASKAR SHRI N. R.—contd.

Hostile Nagas (XIV), 4124-25.

Improved water supply plan
(XVIII), 13370.Indian Chancery building at Tokyo
(XVI), 7184—85.Industrial Extension Centres (XVI),
6911-12.Intensive agriculture programme
(XVI), 8142-43.Kal Kalighat-Dharma Nagar Rail-
way line (XVII), 9905.Land for ex-servicemen in NEFA
(XVII), 11078.

M.I.G. factories (XVII), 9913—16.

National Chemical Laboratory,
Poona (XV), 4928.Peaceful uses of atomic energy
(XVIII), 12603.Purchase of Fertilizer Plant Equip-
ment (XVIII), 12106.Raid by hostile Nagas (XVI), 8404—
07.Raids by Pak dacoits (XVI), 7163-
64.Regional Engineering College, Sil-
har (XIV), 3429.Train from Slicher to Lunding
(XIII), 1715.Training of women workers (XV),
4689-90.Trespassing by Pakistanis (XVII),
11065-66.U.N. Assistance for transport prob-
lem (XVII), 11309.Visit of Joint Committee to Eastern
U.P. (XIII), 893—97.

Debate

B.R. (1963-64), General Discussion
(XIV), 2209—12.

D.G. (1963-64):

Min. Trpt. and Communi. (XVI),
9034—38.

LAXMI BAI, SHRIMATI:

'Adult women's education in Andhra' (XV), 6387-88.

Contribution to National Defence Fund from Former rulers of princely States (XIV), 2419.

Food articles from U.S.A. (XIV), 2119.

Heavy electrical equipment plants (XIV), 3839-42.

Living conditions of University students (XVII), 13084.

Meals for Millions Organisation (XIV), 2150.

Prohibition (XV), 4864-71.

Rural institutes of higher education (XVI), 8934.

D.G. (1963-64):

Min. Ed. (XV), 5633-40.

Min. Food and Agri. (XV), 4993-5000.

Min. Trpt. & Communi. (XVI), 8824-29.

Finance Bill, 1963:

Motion to consider (XVII), 10884-88.

LAXMI DASS, SHRI:

Cement quota to Andhra Pradesh (XVI), 7869-70.

Gauhati Commission Report (XIV), 2659-61.

Heavy electrical equipment plants (XIV), 3839-42.

Nagarjunasagar Project (XVI), 9171.

Roads and Bridges in Andhra (XVI), 8174.

LONIKAR, SHRI:

Acquisition of land (XVIII), 12857.

Miraj-Poona section (XVIII), 12858.

Panchayati Raj Institutions (XVII), 12855-56.

Thermal power schemes of Maharashtra (XV), 5188-89.

Transmitter at Prebhani (XVI), 7178.

LONIKAR, SHRI—contd.*Debate*

D.G. (1963-64):

Min. of Health (XV), 5980-82.

M**MAHADEVA PRASAD, DR.:**

Fertilizer factories (XIII), 1657.

Gold prices and gold smuggling (XIV), 2683-87.

Oil exploration in U.P. (XIII), 328.

Tariff Commission's Report on cloth and yarn (XIII), 1654.

Visit of Joint Committee to Eastern U.P. (XIII), 896.

Debates

D.G.(R) 1963-64 (XIV), 2785-90.

P.A.M. (XIII), 1017-26.

MAHANANDA, SHRI:

Design and Engineering Unit (XVII), 10125-28.

Hirakud Dam Project (XVIII), 13355.

Inter-State Organisation for Dacoity Menace (XVII), 11589-590.

Patnagarh sub-post office (XIV), 3169.

Police strength of Delhi (XVIII), 13087.

Raipur-Waltair Railway line (XVI), 8163.

Recruitment from Orissa (XVIII), 12600.

Sambalpur-Titlagarh Rly. line (XV), 6100-02.

Trade agreement with Sweden (XVIII), 13584-85.

MAHTAB, SHRI:

Official Languages Bill:

Motion to consider (XVII), 11658-69.

MAHIDA, SHRI NARENDRA SINGH:

Anti-Corruption Advisory Committee (XIII), 291.

Cargo service between India and U.S.A. (XV), 4611.

MAHIDA, SHRI NARENDRA SINGH—*contd.*

- Cotton growers (XIII), 61.
 Election of panchayats (XV), 4632.
 Express delivery system (XIV), 2098.
 Forward trading in silver (XIII), 717.
 Home treatment of leprosy patients (XIII), 506.
 Investment by a non-resident Indian citizen in Indian Shipping Co. (XV), 6116-17.
 Jayanti Shipping Company (XV), 4635.
 Koyali oil refinery, Gujarat (XIV), 2382.
 Manufacture of warships and helicopters (XV), 4397.
 National Institute of Industrial Engineers (XV), 4673.
 New Gas Field near Ahmedabad (XIV), 2384.
 Occupational Health hazards in coal mines (XV), 4390.
 Panna Diamond Mines (XV), 4891-92.
 Pig iron (XIV), 3866-67.
 Post retirement passes (XV), 6186-87.
 Public Undertakings (XIV), 2009.
 Quality control and pre-shipment inspections (XIV), 2919.
 Railway restaurants (XIV), 2089.
 Trade teams from Czechoslovakia and Rumania (XV), 5404.
 Waste Mica (XIII), 297.

Debates

- Central Sales Tax (Amendment) Bill:
 Motion to consider (XIV), 4303-05.
 Concentration of Economic Power (Res.) (XIV), 4028-31.
 D.G. (1963-64):
 Min. I. and B., (XV), 5267-73.
 D.G.(R) (1963-64) (XIII), 3003-07.
 Delhi Rent Control (Amnd.) Bill:
 Motion to consider, as framed by

MAHIDA, SHRI NARENDRA SINGH—*contd.*

- R.S. (XIII), 176-77.
 Gold Control Scheme (Dis.), (XIV), 2567-71.
 Government of Union Territories Bill:
 Motion to refer to Joint Committee (XIV), 4343-46.
MAHISHI, DR. SAROJINI:
 Age concessions for I.A.S. examination (XVIII), 13063.
 Agricultural implements (XVII), 9377, (XVIII), 12804.
 Central Institute, Simla (XVII), 11546.
 Central Welfare Committee (XVIII), 13125-26.
 Cost of integral coaches manufactured at Perambur (XVII), 11305.
 Cotton import (XVIII), 13602-03.
 Cut in Housing Schemes of States (XVII), 10353.
 Dhebar Commission (XVII), 11551.
 Display of retail prices (XVII), 9359.
 Economic criteria for backwardness (XVII), 10150.
 Extension of Income Tax Act to Goa (XVIII), 13375.
 Food adulteration in Delhi (XVII), 10384.
 Foreigners employed in A.I.R. (XVIII), 13063.
 Hindu Religious Endowments Commission (XVIII), 12065.
 House-buildings in hire-purchase system (XVIII), 13082.
 Import from Pakistan (XVIII), 13603.
 Import of components for Automobiles (XVIII), 12096.
 Industrial training institutes in Delhi (XVI), 8386.
 Institute for border children (XVIII), 13068.
 Iron ore export to Japan (XIV), 3848.

MAHISHI, DR. SAROJINI—Contd.

- Issue of industrial licences (XVIII), 13581—83.
- 4 Janpath Hotel, New Delhi (XVIII), 11841.
- Lok Sahayak Sena (XVI), 8395-96.
- Manpower training programme (XIII), 1147.
- National academy of administration, Mussorie (XVI), 8886.
- National Water supply and Sanitation Committee (XV), 5156—58.
- Nutrition education (XVII), 9860.
- Pay scales of University teachers (VI), 8894.
- Planning Boards in States (XV), 4404.
- Popularization of Hindi through A.I.R. (XVII), 11015.
- Prices of automobiles (XIII), 705.
- Production of steel castings (XVIII), 13560-61.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11807.
- 7 Rural Labour Enquiry (XVII), 9622—25.
- Separation of judiciary from the executive (XVII), 10131.
- Use of Hindi on A.I.R. (XVIII), 12548.
- Village "production plan" (XVII), 6845.
- Violation of companies Act (XIV), 3865-66.

Debates

- Child Marriage Restraint (Amendment) Bill:
Motion to circulate (XIII), 3094—96.
- Compulsory Deposit Scheme Bill:
4 Motion to consider (XVII), 11253-257.
- D.G. (1963-64):
Min. Ed. (XV), 5332—37.
Min Ex. Affairs (XV), 4594—98, 4791—95.

MAHISHI, DR. SAROJINI—Contd.

- D.G.(R) (1963-64) (XIII), 3029—33.
- Official Languages Bill:
Consid. Cl. (XVIII), 12223—31.
P.A.M (XIII), 1002—11
- MAIMOONA SULTAN, SHRIMATI:
Afro-Asian Solidarity Conference (XIII), 916-17.
Anti-Indian Chinese literature (XVI), 7367—72.
Calcutta University Examination system (XIV), 2407.
Cancer hospital at Jabalpur (XIV), 3656-57.
Central Bureau of Investigation (XIV), 3415.
Colombo proposals (XIII), 883—92.
Committee on sugar industry (XIII), 1681.
Conference of State Ministers of Cooperation (XIV), 2091.
Copper, Zinc and lead deposits in Madras State (XIV), 3406.
Czech Trade Team's visit to India (XIII), 1627.
Evening Colleges (XIII), 305.
Fishing Harbour, Veraval (XIV), 2087.
Foreign Air Mission's visit to India (XIII), 897—900.
Forest wealth of Goa (XIV), 4127.
Gold prices and gold smuggling (XIV), 2683—87.
India-Indonesia trade agreement (XIII), 695-99.
Kothagudem Collieries (XIV), 2148.
Labour Management relations in coal mining industry (XIV), 4134.
Lac procurement centre at Bilaspur, M.P. (XIII), 1670.
Loans to meritorious students (XIII), 308-09.
Medical colleges at Rewa and Raipur (XIV), 3655-56.
MIGs and MIG Factory (XIII), 929.

MAIMOONA SULTAN, SHRIMATI—*Contd.*National Mines Safety Council
(XIV), 4603-04.

Nepa mills (XIII), 1630.

Pak. Nepal trade agreement (XIII),
709—11.

Patriotic plays (XIV), 2430.

Purchase of anti-aircraft missiles
(XIV), 1903.Quality control and pre-shipment
inspections (XIV), 2919.

Relationship with Iraq (XV), 4416.

Russian aid for Defence needs
(XIII), 925.

Sale of iron and steel (XIII), 1635.

Science education in India (XIV),
2409.Settlement of Tibetan refugees in
M.P. (XIV), 1927.Supply of kerosene oil to Nepal
(XIV), 1912.Target of steel production (XIII),
1637.Trust for developing Paradip Port
(XIII), 1641.Use of copper, Tin, zinc and Brass
(XIII), 1672.Visit by team of U.S. farm-leaders
(XIII), 1639.Water and electricity from Mata
Tila Project to M. P. (XIV), 2410.**MALAICHAMI, SHRI M.:**Adulteration of cement (XVIII),
13613-14.Persons registered in Madras (XIV),
4110.T. B. clinics in Madras State (XIV),
2728-29.Utilization of irrigation potential
(XIV), 2728.*Debates*Agricultural Refinance Corporation
Bill:

Motion to consid., (XIII), 224-25.

B. R. (1963-64) General discussion
(XIV), 1888—91.**MALAICHAMI, SHRI M.—contd.**

D. G. (1963-64):

Min. Fin. (XVII), 10219—21.

MALAVIYA, K. D.:

D. G. (1963-64):

Min. M. & F. (XVI), 9307—35.

MALHOTRA, SHRI INDER J.:Afro-Asian Solidarity Conference
(XIII), 916-17.Agricultural implements (XVIII),
12801—05.Agricultural implements centre at
Aligarh (XVI), 8127.Agricultural Machinery Service
Station (XVIII), 12841-42.Agricultural production (XIII), 67—
74.Agricultural production (XIV),
2979.Agricultural programmes (XVI),
8646.Allotment of newsprint to 'LINK'
(XVI), 7146—48.Block-making in Government Press,
Faridabad (XV), 6565.Chairman of Community Develop-
ment Block (XV), 4690.

Chemical fertilizers (XVII), 9872.

Chrysler Automobiles (XVI), 6661-
62.

Civil Defence Plan (XIII), 1163.

Consumers Co-operative Societies
(XVI), 8632.

Delhi water supply (XIV), 2664.

Development of Media of mass
communication in India (XIII),
926.Disbursement of co-operative funds
(XVII), 9878.Economy in civil aviation (XIII),
1608.

Education cess (XV), 4873—77.

Export of bicycles (XVI), 6878.

Export trade targets (XV), 5402.

"Freedom from Hunger" Campaign
(XVI), 8118.

MALHOTRA, SHRI INDER J.—contd.

- Graduates in agriculture (XIV), 3134-35.
- Houses for M.Ps. (XV), 6587.
- Housing Boards (XIV), 3614-15.
- Inaccessible areas committees (XVII), 9855.
- Incidence of crimes in Delhi (XVI), 8871.
- Indian P.O.Ws. (XIII), 924-25.
- Indians travelling abroad (XVIII), 13331.
- Model villages (XVI), 8139.
- Nalagarh Committee Report (XIV), 2135.
- "National science talent search" (XIV), 2372.
- New Gas Field near Ahmedabad (XIV), 2384.
- New Power Station in Delhi (XIV), 2697.
- Parliamentary proceedings on A.I.R. (XVII), 9625-30.
- Pathankot-Jammu. Railway line (XIV), 2100.
- Payment of sugarcane price (XIII), 65-66.
- Power crisis in Delhi (XIII), 1392.
- Powerful transmitter on A. I. R. (XIV), 1898.
- Price of sugar (XVIII), 14145-53.
- Prices of agricultural products (XV), 6053-56.
- Prices of foodgrains (XIV), 3126-28.
- Production of fertilizers (XVI), 6870.
- Research on zoto-bacter and phos-pho-bacterin (XV), 6067-70.
- Sainik school in J. & K. (XVI), 8390-91.
- Sino-Pak. agreement to revive caravan routes (XVII), 11071.
- Sino-Pak border agreement (XIII), 906.

MALHOTRA, SHRI INDER J.—contd.

- Special talks on A. I. R. regarding Emergency (XVII), 11071-72.
- Sugar factories (XIII), 1610.
- Village "production plan" (XVII), 6844.
- World Food Congress (XVII), 1310.
- World Food Programme (XV); 6080-81.

Debates

- B.G. (1963-64), general discussion, (XIII), 3582-88.
- D. G. (1963-64):
- Min. Food and Agri. (XV), 4980-85.
- Min. I. and B. (XV), 5368-72.
- Min. Trpt. and Communi. (XVI), 8847-50.
- Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia.
- Motion to consid. (XIII), 863.
- Parliamentary Proceedings on A.I.R. (H.A.H. Discussion) (XVIII), 18756-61.
- Re: Statement by Member (XVI), 7952.

MALLICK, SHRI:

- Accident at Cuttack station level crossing (XIV), 3170-71.
- Adult education in Orissa (XVI), 8911.
- Aid to Utkal University (XVII), 10156.
- Ancient remains in Orissa (XVI), 7410.
- Assistance to Orissa Government (XVI), 8667.
- Bharat Sewak Samaj, Orissa (XVIII), 13073-74.
- Blood donation in Orissa (XV), 6610.
- Central Government employees in Orissa (XVI), 9151.

MALLICK, SHRI:—contd.

- Class IV Railway employees (XVI), 8154.
- Coir industries in Orissa (XVII), 10636-637.
- Colonies for Scheduled Castes and Scheduled Tribes in Orissa (XVII), 11577.
- Construction of capital at Bhubaneswar (XVIII), 11845-846.
- Cotton production (XVI), 6915-16.
- Dam at Tikkerepara on Mahanadi (XVI), 7187-88.
- Deep sea fishing in Orissa (XV), 6096.
- Development of agriculture in Orissa (XVI), 8753.
- Development of fruit production in Orissa (XVI), 8153-54.
- Development of Hindi in Orissa (XVII), 10155.
- Economic criteria for backwardness (XVII), 10146-50.
- Export of bicycles (XVI), 6875-78.
- Export of Indian films (XVII), 9391.
- Family Planning in Orissa (XVII), 10395.
- Foreign languages scholarships scheme (XVI), 8907.
- Geological Survey in Orissa (XIV), 3412.
- Godown at Cuttack (XV), 4649.
- Hostels for S.C. and S.T. students in Orissa (XVI), 8912.
- I.A.S. and I.P.S. Officers (XVII), 10166.
- Import of foreign films (XVII), 9390.
- Khadi and Village Industries Board in Orissa (XVII), 10636.
- Lalitigiri in Cuttack district (XVI), 7410-11.
- Laxmi Cotton Traders Private Ltd. (XVII), 10641-642.
- Lok Sahayak Sena (XVI), 8425.
- Manufacture of automatic weapons (XIV), 1863.
- MIG factories (XVII), 9613-16.

MALLICK, SHRI:—contd.

- Mineral Survey in Orissa (XIV), 3411.
- Murder of Army courier at Jodhpur (XV), 6063.
- National malaria eradication programme in Orissa (XV), 6610.
- Officers from Orissa at Centre (XVII), 11577-578.
- Over-bridge at Jaipur-Keonjhar Road (XVII), 11316.
- Panchayat industries in Orissa State (XVI), 7187.
- Pepper industries (XVII), 11313.
- Pig Iron Factory at Barabil (XVI), 7910.
- Public Libraries in Orissa (XIV), 3412.
- Quarters for Railway employees (XV), 4678-79.
- Radio transmitter at Sambalpur (XVI), 7168-69.
- Repatriation of Indians from Mozambique (XIV), 4089-94.
- Road and bridges in Orissa (XIV), 3171.
- Scheduled Castes in Orissa (XVII), 11574.
- Sale of tobacco goods (XVI), 6904-05.
- Small Savings (XVIII), 13379.
- State Education Ministers' Conference (XV), 6338-41.
- Students from Orissa for training abroad (XVI), 8907.
- Students sent abroad (XVI), 8907.
- Taicher power station in Orissa (XIV), 3647-48.
- Under-bridge at Cuttack station level crossing (XVII), 9877.
- Wagons for Orissa (XVI), 8156-57.
- Welfare of S.C. and S.T. (XV), 4906-07.
- Welfare of Scheduled Castes in Orissa (XV), 6388.
- Debates*
- D. G. (1963-64):
Min. of Health (XV), 3983-85.

MALVIYA, SHRI R. K.:

Accident at Jamuria Colliery (C.A.)
(XV), 5609—11.

Accidents at Mithani and Sirpur
Collieries (CA) (XVII), 10661—
63.

Jharkhand Colliery Accident (CA)
(XVIII), 13622-23.

Mines (Amendment) Bill (*Amend-
ment of sections 12, 55, 64, 66, 67,
70, and 72C and 79*) by Shri S. C.
Samanta.

Motion to consider (XVII), 10778
—84.

MANAEN, SHRI:

Community Development (XVIII),
12788.

Foreigners employed in A. I. R.
(XVIII), 13962.

Gandhian literature (XVIII), 12555.

Khadi and Village Industries Com-
mission (XVIII), 13565-66.

Psychological taste for railmen
(XVIII), 12817.

Debates

D.G. (1963-64):

Min. Ex. Affairs (XV), 4530—36.

Finance Bill, 1963:

Motion to consider (XVII), 10869—
73.

MANDAL, DR. P.:

Finance Bill 1963:

Motion to consider (XVII), 10708—
13.

MANDAL, SHRI B. N.:

Assets in foreign banks (XIV),
2655—58.

Compulsory military training (XIV),
1904.

Modernisation of armed forces
(XIV), 1879.

Debates

Agricultural Refinance Corporation
Bill:

Motion to consid., (XIII), 200—
04.

MANDAL, SHRI B. N.—contd.

Official Languages Bill:

Int. (XVII), 9447-48.

Report of Committee on the Con-
duct of certain Members during
the President's Address (M)
(XV), 4739—44.

MANDAL, SHRI YAMUNA PRASAD:

Economic criteria for backwardness
(XVII), 10148.

Transport and Communications in
Border districts of Bihar (XVI),
8173-74.

Debates

D.G. (1963-64):

Min. Irr. and Power (XV), 6236—
43.

D.G. (R) 1963-64 (XIV), 2880—83.

MANIYANGADAN, SHRI:

Afro-Asian Solidarity Conference
(XIII), 916-17.

Age limit for admission to engineer-
ing colleges (XV), 6373-74.

Fourth Oil Refinery in South India
(XIII), 304-305.

Government press at Koratty in
Kerala (XIV), 3657.

Iduky Hydro-Electric Project (XIII),
514-15.

Oil exploration (XIV), 2400—2406.

Oil gasification plant (XIII), 1646.

Phyto-Chemical Project at Neria-
mangalam (XVII), 10579—581.

Precision Instrument Factory (XV),
5430.

Re-plantation of rubber (XVIII),
13615-16.

Rubber plantation in Andamans
(XVIII), 13616.

Rubber requirements (XVIII), 13597-
98.

Sea Island cotton (XIV), 2159.

Synthetic rubber factories (XVIII),
13580-81.

Titanium factory at Trivandrum
(XIII), 1671.

MANIYANGADAN, SHRI—*contd.**Debates*

- B.R. (1963-64),
 General discussion (XIV), 2229—34.
 Compulsory Deposit Scheme Bill:
 Consid. Cl. (XVIII), 12036.
 Official Languages Bill:
 Motion to consider (XVII), 11724—28.
 P.A.M. (XIII), 615—21.

MANOHARAN, SHRI:

- D.B.K. Railway head office (XIV), 3169.

Debates

- Obituary Reference:
 Demise of Dr. Rajendra Prasad (XIII), 1580-81.
 Official Languages Bill:
 Motion to consider (XVII), 11669—81.
 MANTRI, SHRI D. D.:
 Accident in Ballihari Colliery (XVII), 11042-43.
 All India Printers' Conference (XVII), 13547—49.
 Allowances to Ministers (XVI), 8866.
 Assets of limited companies in West Pakistan (XIII), 513-14.
 Bomb Explosion on Railway track (XVI), 8853.
 Bye-elections (XIII), 670-80.
 Cement factories (XIV), 2940.
 Collection of National Defence Fund in Ceylon (XVII), 9679.
 Colombo proposals (XIII), 883—82.
 Death of a New Delhi Journalist (XVI), 7407.
 Declaration of gold by dealers (XIII), 540.
 Delhi Electric Supply Undertaking (XVI), 6179.
 Delhi Water Supply and Sewage Disposal Undertaking (XVII), 10391.
 Foreign Air Mission's visit to India (XIII), 897—900.

MANTRI, SHRI D. D.—*contd.*

- Fourth Oil Refinery in South India (XIII), 304-305.
 "Friendship March" to Peking (XV), 5847.
 I.A.C. inaugural flight to Goa (XVII), 11311.
 Import and export licences (XIV), 2957.
 India-Indonesia trade agreement (XIII), 698-99.
 Manufacture of power cables (XVIII), 13614-15.
 Manufacture of tin containers (XVIII), 13595.
 Military Officers in commercial firms (XVIII), 12615.
 Milk supplied by D.M.S. (XVI), 8861.
 Permission to Lt. Gen. B. M. Kaul for appointment in a commercial concern (XVIII), 13977—980.
 Railway accidents (XIII), 119.
 Repatriation of Indians from Mozambique (XIV), 4089—93.
 Retired Railway officials in commercial concerns (XVIII), 12861.
 Senior Engineering Officers of C.B.I.P. (XVII), 13392.
 Situation in Laos (XVIII), 12562.
 Sugar mills (XIII), 88-89.
 Tragedy at National Cycling Championship (XVI), 8899.
 Trust for developing Paradip port (XIII), 1641-42.
 Village volunteer force (XIII), 1604—1609.

Debates

- Accident at Jamuria Colliery (CA) (XV), 5611.
 Agricultural Refinance Corporation Bill:
 Motion to consid. (XIII), 1492—94.
 D.G. (1963-64):
 Min. Com. & Ind. (XVI), 8543—48.

MANTRI, SHRI D. D.—contd.

Min. Com. Dev. & Co. op. (XVI),
7609—16.

Government of Union Territories
Bill:

Consid. Cl. (XVIII), 13876, 13877-
78, 13895-96.

Marine Insurance Bill, as passed by
R.S.:

Motion Consid. (XV), 5602—04,
(XVI). 8060-61.

Outcome of Visit of the Minister of
Steel and Heavy Industries to
Austria & West Germany (CA),
(XVIII), 13989.

MARANDI, SHRI:

A.I.R. employees in Bihar (XV),
4425.

Air crashes (XIII), 121-22.

Anti-corruption Advisory Com-
mittee (XIII), 288—92.

Barter deal with Japan (XVIII),
15541—44.

Chinese nationals (XIII), 1140—43.

Cooperative movement (XIV),
3138—41.

Czech Trade Team's visit to India
(XIII), 1627.

Crimes in Delhi (XIII), 1175.

Defence of India Rules (XIII), 303.

Drinking water in Manipur, Tripura
and Andamans (XIII), 1419.

Election petitions (XIII), 721.

Iron-ore export to Japan (XIV),
3844—48.

Man-handling of Railway employees
(XIII), 123.

Mineral survey in Bihar (XIII),
313.

National Defence Fund (XIII),
1380—88.

National Discipline Scheme (XIII),
276—80.

Pending cases in High Courts and
Supreme Court (XVI), 8919.

Poisoning cases in Delhi (XV),
4905.

MARANDI, SHRI—contd.

Post-matric scholarships in Santhal
Parganas (XIV), 2413.

Recovery of goods meant for the
poor in Delhi (XVI), 7419.

Recruitment of assistants from
Scheduled Tribes (XVII), 11612.

Shifting of Government offices
(XIII), 521.

Shortage of coal supply (XIII), 333.
Shortage of coke (XIV), 3408.

Small Scale Industries in Union
Territories (XVI), 7923-24.

Smallpox in the country (XIII),
490—95.

Statutes regarding mines and fac-
tories (XIV), 1872.

Suicides (XIV), 3408.

Violation of Indian airspace (XVII),
9607—11.

Visit of Indrani Rehman's troupe to
Sikkim (XVII), 11576-577.

Wrist watches (XIII), 720-21.

Debates

D.G. (1963-64):

Min. Com. Dev. and Coop. (XVI),
17793—99.

Min. Food and Agri. (XV), 5206—
09.

Min. M. & F. (XVI), 9258—61.

**MATHUR, SHRI HARISH
CHANDRA:**

Administration of Justice (XIV),
3369.

Afro-Asian Solidarity Conference
(XIII), 916-17.

Air Defence requirements (XVI),
7139—44.

Air India (XVIII), 12817-18.

Anti-corruption Advisory Commit-
tee (XIII), 288—95.

Assets in foreign banks (XIV),
2655—58.

Automobiles for Defence (XVII),
10629-630.

Boeing aircraft for Air India (XIV),
3149.

MATHUR, SHRI HARISH CHANDRA

—contd.

- Bokaro Steel Plant (XVIII), 12078—81.
- Catering arrangements at Santa Cruz (XVII), 9897.
- Change in the administrative set up of Delhi (XV), 4877—81.
- Chrysler Automobiles (XVI), 6862.
- Civil Defence Plan (XIII), 1158. 63.
- Class I coaches (XVII), 9892.
- Code of Conduct for Police (XVIII), 13085-86.
- Colombo proposals (XIII), 883—92.
- Complaint against personnel of All India Services (XVIII), 13085.
- Complaints against police (XVII), 11590-591.
- Co-ordination of civil and defence production (XVI), 7871—77.
- Cost of production of steel (XIV), 2939.
- Cost of steel production (XIII), 673—76.
- Cotton growers (XIII), 63.
- Credit guarantee scheme (XIV), 3852-53.
- Cut in staff of Central Ministries (XVIII), 13070.
- Delhi Electric Supply Undertaking (XVI), 9179.
- Delhi water supply (XV), 6599.
- Delhi Water Supply and Sewage Disposal Undertaking (XVII), 10391.
- Democratic decentralisation (XIV), 3120-21.
- Diplomatic assignment of officials and non-officials (XV), 4413.
- Directorate Board of Hindustan Steel Ltd. (XVII), 9370.
- Economy in civil aviation (XIII), 1600—1604.
- Elections of Panchayats (XV), 4630—33.
- Encroachments on Government land in Delhi (XVI), 9115—19.

MATHUR, SHRI HARISH CHANDRA

—contd.

- Enquiries against Officers in All India Cadre (XVIII), 13093.
- Estate dealers in Delhi (XVII), 11571-572.
- Export promotion scheme for handi-crafts (XIV), 3856-57.
- Farakka barrage (XIII), 1400—1403.
- Fertilizer factory at Hanuman Garh (XIV), 3857—60.
- Foreign Air Mission's visit to India (XIII), 897—900.
- Ghaggar floods (XIV), 3643-44.
- Gold prices and gold smuggling (XIV), 2883—87.
- Graduate course in tea (XVI), 7894.
- High Court Judges (XIV), 3399.
- Hindi in U.P.S.C. examinations (XV), 6345.
- I.C.S. and I.A.S. Officers in public sector (XVII), 11588.
- Idle installed capacity of industry (XIII), 1628.
- Increase in smoking (XIV), 3597—3600.
- India's relations with foreign countries (XIV), 4065—69.
- Indian airlines (XIII), 1645.
- Indo-Pak. Border in Rajasthan (XIII), 311.
- Industrial points (XVI), 7907.
- Integrated Power Grid (XIV), 3639-40.
- Interchange of I.A.S. and I.F.S. Officers (XVI), 7388—91.
- Inter-State Organisation for dacoity menace (XVII), 11589-90.
- Inter-University Board (XVI), 7375—80.
- Jaipur Bikaner National Highway (XV), 4614-15.
- Khadj institutions (XVII), 9350.
- Land prices in Delhi (XV), 6350—54.

MATHUR, SHRI HARISH CHANDRA
—contd.

- Lapsed policies (XV), 5173-74.
 Losses suffered by civilians in NEFA (XIV), 4105-06.
 Marking of drug prices on cartons (XVI), 7628-30.
 Military awards (XIV), 1866.
 Modernisation of armed forces (XIV), 1879.
 National academy of administration, Mussoorie (XVI), 8883.
 National Development Council (XIV), 4111-12.
 National Defence Fund (XVII), 10409-10.
 Over-growth of Delhi (XVI), 7650-54.
 Pending cases in High Courts and Supreme Court (XVI), 8919.
 Personality test (XIII), 1176.
 Plannig Boards in States (XV), 4404.
 Police Administration (XIV), 3381.
 Pong Dam project (XIV), 3637.
 Power shortage in the country (XIV), 2699-2700.
 Prices of automobiles (XIII), 702-08.
 Production of motor trucks (XIII), 715-16.
 Promotion of tourism (XVI), 8177-81.
 Public sector projects (XV), 5832.
 Public undertakings (XIV), 2906..
 Purchases by D.G.S. & D. (XVI), 6883-84.
 Raw material and manufactured goods (XIII), 1636.
 Recruitment of officers (XVII), 10151.
 Relationship with Iraq (XV), 4416.
 Rent of houses in Delhi (XVII), 11593-594.

MATHUR, SHRI HARISH CHANDRA
—contd.

- Reorganisation of Planning Commission (XVIII), 12566.
 Repatriation of accumulated funds (XVIII), 11866.
 Report on Dalmia-Jain concerns (XIII), 1625.
 Republic Day Parade (XIV), 4147.
 Second Class travel facilities (XVI), 8665.
 Senior civil servants in commercial concerns (XVI), 8904.
 Shipping companies (XVI), 8664.
 Sino-Pak border agreement (XIII), 903-07.
 Sino-Pak Border Agreement in Security Council (XVI), 8439.
 State Civil Officers in Centre (XIV), 3425.
 Stepping up of industrial production (XV), 5419-21.
 Suicides (XIV), 3408.
 Third Division in examinations (XIII), 287.
 Tour programme of Minister (XVIII), 13612.
 Tusker project (XIV), 1859.
 Wool industry in Rajasthan (XVII), 9400.
 World Police Force (XVI), 7171-72.
 Writ petitions in High Courts (XVIII), 13093.

Debates

- B.G. (1963-64), General Discussion (XIII), 3480-88.
 B.O.H. (XIV), 2974, 2984. (XIV), 7046-47.
 B.R. (1963-64), General Discussion (XIV), 1252-61.
 Constitution (Amendment) Bill, 1962. (Insertion of new Article 115A and amendment of article 167) by Shri Paliwal.
 Motion to Consid. (XVI), 8088-93.

MATHUR, SHRI HARISH CHANDRA
—contd.

Constitution (Sixteenth Amendment) Bill:

Time for presentation of Report of J.C. extended (XIII), 36-37.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8565-72

Min. Econ. and Def. Coord. (XVII), 9780-90.

Min. H.A. (XV), 6676-86.

Leave of Absence (XVIII), 14186.

Re: Motion on Standing Committee for Public Enterprise (XVI), 8203-05.

Re: Remarks made by Shri Bagri against the Minister and Officers of the Ministry of Scientific Research and Cultural Affairs (XV), 5910-11.

Regional Disparity (Res.) (XIV), 4056-58.

Regional Disparity (Res.) (XVII), 9521-27.

Visit of Joint United States-Commonwealth Air Mission to India (C.A.) (XIII), 544-47.

MATE, SHRI:

Alitalia crash report (XIV), 3163.

Hotel at Minto Road, Delhi (XV), 5168.

P.C.O. at Bijawar (XIII), 1679.

Railway out-agency, Tikamgarh, (XIII), 1678.

Smallpox in the country (XIII), 490-95.

Debates

D.G. (R) 1963-64 (XIV), 2883-84.

MAURYA, SHRI:

Ayurvedic cum allopathic system of medicines (XV), 5140-41.

Review of Punishment (XV), 4686.

MATHUR, SHRI HARISH CHANDRA
—contd.

Debates

D.G. (1963-64):

General Discussion (XIII), 3517-31.

B.R. (1963-64), General Discussion (XIV), 2030-41.

D.G. (1963-64):

Min. I. and B. (IV), 5386-43.

OBITUARY REFERENCE:

Demise of Dr. Rajendra Prasad (XIII), 1580.

Official Languages Bill:

Motion to Consid. (XVII), 11754-57; (XVIII), 11891-99.

P.A.M. (XIII), 1063-76.

Report of the Commission of Inquiry into Dalmia Jain Companies (XVIII), 14270-75.

MEHDI, SHRI S. A.:

Hirakud Dam Project (XVIII), 13355.

MEHROTRA, SHRI BRAJ BIHARI:

Central Institute of Pharmacy (XIV), 2729.

Dredger for Calcutta Port (XV), 4605.

Electricity from Rihand Dam Project (XV), 6571.

Import of trucks (XV), 5389.

Khadi and Village Industries Commission (XVIII), 13565-66.

Matatila Project (XV), 5121-23.

Synthetic Rubber Factories (XVIII), 13580-81.

Transfer of Technical Officers (XVIII), 13118.

Debates

D.G. (1963-64):

Min. Com. Dev. Coop. (XVI), 7799-7804.

MEHROTRA, SHRI BRAJ BEHARI—
contd.

Agricultural Refinance Corporation
Bill:

Motion to consid. (XIII), 1491-92.

Compulsory Deposit Scheme Bill:

Motion to pass (XVIII), 12913-14.

DEG(R) 1960-61 (XVIII), 12697-98.

D.G.(R) 1963-64 (XIV), 2826-31.

MEHTA, SHRI JASWANT:

Agreement with Government of
France (XVI), 8420-21.

Agricultural programmes (XVI),
8648.

Anti-Indian Chinese literature
(XVI), 7367-72.

Bhavnagar airport (XVII), 11343.

Cluster-type Institution Scheme for
rural artisans (XVIII), 12176.

Coal Transport Problems (XVIII),
12089.

Dredger for Calcutta Port (XV),
4605.

Education during emergency (XIII),
270.

Education Ministers' Conference
(XVII), 11564.

Election of panchayats (XV), 4632.

Expansion of steel plants (XVIII),
12084.

Fertilizer Factory (XVII), 10659-
660.

Gold smuggling (XVI), 9125.

Gujarat Oil Refinery (XVII),
11567-569.

Illiteracy (XIV), 2442.

Import of components for auto-
mobiles (XVIII), 12097.

Import of pig iron (XVIII),
13555-58.

Iron and steel for agricultural
purposes (XVII), 11294.

New oil wells in Gujarat (XVII),
11611.

MEHTA, SHRI JASWANT—contd.

Loans to private sector coal indus-
try (XVIII), 11813-814.

Narmada Valley Authority (XVI),
9141-42.

Petroleum-engineering course
(XVII), 10151-52.

Pipelines from Cambay for gas
supply (XVII), 11614.

Public Sector Undertakings
(XVIII), 12071.

River Boards (XV), 6574.

Small Scale Industries in Gujarat
State (XVII), 10660-661.

Smuggling of gold from India
(XVIII), 11828.

Social Education Programme (XIV),
2160.

Violation of gold control rules
(XIII), 508.

MELKOTE, DR. :

D.G. (1963-64):

Min. Com. & Ind. XVI, 8515-23.

Min. Def. (XVI), 8031-36.

Min. Health (XV), 5972-77.

Min. Lab. and Emp. (XV), 6472-
76.

Min. M. & F. (XVI), 9232-36.

Min. S.R. & C.A. (XV), 5689-95.

Official Languages Bill:

Consid. Cl. (XVIII), 12247-51.

MENGI, SHRI GOPAL DATT:

Extraction of Coal in Jammu and
Kashmir 6399.

National Income (XIV), 1900.

Railway line to J. & K. coal mines
(XIV), 2167.

Ropeway at Banihal cart road in
J. & K. (XVI), 7181.

Sainik school in J & K (XVI),
8390-91.

Sapphire deposits in Jammu and
Kashmir (XV), 6398-99.

Small and large scale industries
(XIV), 2963.

Small Scale Industries (XVI),
7926-27.

MENGI, SHRI GOPAL DATT—contd.

Steel Plant in Jammu and Kashmir State (XIV), 2964.

Traffic on Benihal cart road in J&K (XVI), 7182.

Debates

B.G. (General Discussion) (XIV), 3796—3805; (XIV), 4191—4206.

MENON, SHRI KRISHNA:

Constitution (Fifteenth Amendment) Bill:

Motion to consider (XVIII), 12986—995.

MENON, SHRIMATI LAKSHMI:

Attack by Naga Hostiles on a Railway passenger train on 9-4-58 (St.) (XVII), 10606—07.

Reported Kidnapping of Indian Nationals by Armed Pakistanis (C.A.) (XVII), 10323—26.

MIRZA, SHRI BAKAR ALI:

Constitution (Fifteenth Amendment) Bill:

Consid. cl. (XVIII), 13211—213.

Constitution (Fifteenth Amendment) Bill:

consid. cl. (XVIII), 13257.

D.G. (1963-64):

Min. Ex. Affairs (XV), 4513—18.

Min. HA (XV), 6702—07.

Finance Bill, 1963.

Motion to consid. (XVII), 10467—74.

Official Languages Bill

Motion to consider (XVIII), 11928—30.

MISHRA, SHRI BIBHUTI:

Acquisition of land in States (XVIII), 534.

Action against certain newspapers (XII), 307.

Afro-Asian Solidarity Conference (XIII), 916-17.

Agricultural Administration (XIV), 1903.

MISHRA, SHRI BIBHUTI—contd.

Agricultural programmes (XVI), 8646.

Aid by U.S.A. for agricultural research (XV), 4661.

All day milk stalls (XIV), 2110.

Alleged sale of banned books (XIII), 1186-87.

Allotment of iron for agricultural implements (XVIII), 12833-34.

Anti-Indian Chinese literature (XVI), 7370.

Bokaro Steel Plant (XIII), 697-98. (XVIII), 13585—90.

Borrowing programmes (XV), 5130—32.

Britain's entry into E.C.M. (XIV), 2895.

Bye-elections (XIII), 679-80.

Ceiling on land holdings (XIII), 937.

Central Excise Reorganisation Committee (XVII), 10371—73.

Central Tea Wage Board (XIII), 927.

Chairman of Community Development Block (XV), 4609.

Children's film society (XIV), 4087-88.

Chinese detainees in India (XIII), 1139-40.

Chrysler Automobiles (XVI), 6861-62.

Civil Administration in NEFA (XIII), 907—12.

Civil Aerodromes (XV), 4385.

Colombo proposals (XIII), 883—92.

Committee for negotiation with foreign collaborators (XV), 6575.

Committee on distribution of steel (XIV), 2943.

Compulsory military training (XIV), 1904.

Community Development (XVIII), 12784—89.

Cooperative movement (XIV), 3138—41.

MISHRA, SHRI BIBHUTI—*contd.*

- Cost of steel production (XIII), 673—76.
- Cotton consumption by Mills (XVI), 7878.
- Cracker explosions in Delhi (XIV), 3371.
- D. V. C. (XVIII), 13345.
- Defence of India Rules (XIII), 303.
- Delimitation of Constituencies (XIV) 2946.
- Democratic decentralisation (XIV), 3117—21.
- Duty on Indo-Nepal Border trade (XVI), 7667-68.
- Economy measures in D.V.C. (XIII), 1409.
- Economic criteria for backwardness (XVII), 10146—50.
- Education cess (XV), 4873—77.
- Education Ministers' Conference (XVII), 11565.
- Exhibition of Russian Text books (XIV), 3419.
- ▶ Expert Committee for Dandakaranya Project (XIII), 1392—95.
- Export of sugar to U.S.A. (XIII), 1620—22.
- Export trade targets (XV), 5402.
- Foreign Air Mission's visit to India (XIII), 897—950.
- Foreign investment in India (XIV), 2690—93.
- Forged passports (XV), 5850.
- Fourth Oil Refinery in South India (XIII), 304-305.
- Free water and electricity to Central Ministers (XIV), 3615—24.
- Gandak Project (XIII), 486—88.
- Goan economy (XIV), 1875.
- Gold Bonds (XIII), 509—13.
- Graduate course in Tea (XVI), 7895.
- High Power Commissions for water and power (XIV), 2687—90.

MISHRA, SHRI BIBHUTI—*contd.*

- Home treatment of leprosy patients (XIII), 506.
- Homeless persons in Delhi (XIV), 3381.
- IISCO (XIV), 3854-55.
- Import of foodgrains (XVIII), 12834-35.
- Import of stainless steel (XVI), 6891-92.
- Inaccessible areas committees (XVII), 9657.
- India Office Library (XVI), 8876.
- India's relation with Foreign countries (XIV), 4065—69.
- Indian Navy (XIII), 922.
- Indian P.C.Ws. (XIII), 924—26.
- Indiscipline among students (XVII), 11537—540.
- Indo-Soviet Trade Agreement (XIII), 725.
- Industrial units (XVI), 7907, 7908.
- Industrial use of aluminium (XIV), 2420.
- Institute of Journalism (XVII), 9631—34.
- Insurance currency in Nepal (XVI), 7648.
- Joint Board for water resources of Nepal and India (XVII), 10362-63.
- Loans to meritorious students (XIII), 308-09.
- Losses suffered by civilians in NEFA (XIV), 4105-06.
- Machine tool industry (XIII), 1626.
- Manufacture of automatic weapons (XIV), 1863.
- Manufacture of motor-cycles (XVIII), 13590-91.
- MIGs, and MIG Factory (XIII), 929.
- Minor irrigation projects (XVI), 8164.
- Minor irrigation schemes (XVII), 11276.

MISHRA, SHRI BIBHUTI—contd.

- Mouth cancer centre at Agra (XVIII)
1333B.
- Naharkatiya-Barauni Oil pipeline
(XVI), 7387.
- National Book Trust (XVI), 7372—
74.
- National Defence Fund (XIII),
1380—88.
- Nationalisation of General Insurance
(XVII), 10347—50.
- Natural gas at Avadi (XIII), 329.
- Newsprint (XIII), 685.
- ‘Nine Hours to Rama’ (XIII), 919.
- Oil exploration in Bihar (XV), 4918.
- Oil Refinery in private sector in
South India (XIV), 2412.
- Package programme for sugarcane
(XIV), 2124.
- Pak. Nepal trade agreement (XIII),
709—11.
- Participation of labour in manage-
ment (XVII), 9603—07.
- Payment of sugarcane price (XIII),
64—66.
- Pensions (XVII), 10120-21.
- Planning Boards in States (XV),
4403.
- Power shortage in the country
(XIV), 2699-2700.
- Price of raw jute (XIV), 2930.
- Prices of agricultural products (XV)
6053—56.
- Production in Ordnance factories
(XVI), 7128—32.
- Production of lac in Bihar (XVII),
9863.
- Production of sugar (XIV), 2064-
65.
- Production of sugarcane (XV),
4624—28.
- Professor Blackett's visit to India
(XIII), 304.
- Prohibition in Delhi (XVII), 10118.
- Provision for Corporation (XVIII),
12799.

MISHRA, SHRI BIBHUTI—contd.

- Public Undertakings (XIV), 2908.
- Purchase of anti-aircraft missiles
(XIV), 1903.
- Railway Accidents Enquiry Com-
mittee (XIII), 55—58.
- Rebate on purchase of fertilizers
(XIV), 3175-76.
- Recruitment of Jawans (XIII),
939.
- Reduction in staff in Government
offices (XIV), 3604.
- Regional Organisation for export
trade (XV), 5425-26.
- Relationship with Iraq (XV), 4416.
- Repatriation of Indians from Moz-
ambique (XIV), 4089—93.
- Report of Mahalanobis Committee
(XIV), 1881.
- Report on Dalmia-Jain concerns
(XIII), 1625.
- Rise in price of sugar (XIII), 49—
53.
- River Boards (XV), 6572.
- Road bridge on Gandak river
(XVIII), 12832.
- Road transport from West Bengal
to Assam (XVI), 8629.
- Sainik School in Assam (XVIII),
12560.
- Sale of Indian oil (XVII), 11583-584.
- Separation of judiciary from the ex-
ecutive (XVII), 10134.
- Small and Minor Irrigation Schemes
(XIII), 48.
- Smallpox vaccination (XV), 6601.
- Standard of education (XIV), 2426.
- Sugar mills taken over by Govern-
ment (XIII), 185.
- Super market in New Delhi (XIII),
1365.
- Superior grade coal (XV), 5379—80.
- Supply of seeds to farmers (XVI),
8165—67.

MISHRA, SHRI BIBHUTI—contd.

- Survey of mines (XIII), 306.
 Teaching of foreign languages in India (XVII), 11554—555.
 Tube wells (XIII), 1692.
 Trade agreement with Soviet Union (XVI), 7887.
 Tusker Project (XIV), 1859.
 U.N. Expert for river basin surveys in India (XVI), 9135.

U. N. Technical assistance (XIV), 2703.

Underground rail system for Delhi (XIII), 1612-13.

Unemployment (XV), 5814.

Unemployment in Goa (XIV), 1892.

Village "production plan" (XVII), 6842.

Wage Board for Iron Ore Mines (XV), 4390.

Wagon shortage (XIII), 77-78.

Welfare of coal-mine workers (XVIII), 12544.

White tigers (XVII), 6840.

Withdrawal by Chinese from Ladakh (XIII), 877—82.

Wool shortage (XVII), 10621.

Debates

B. G. (General Discussion) (XIV), 3805—13.

Constitution (Amendment) Bill, 1962.

(Insertion of new Article 115A and amendment of article 167).
 by Shri Paliwal.

Motion to consid. (XVI), 8097—99.

D. G. (1963-64):

Min. Food and Agri. (XV), 4965—74.

MISHRA, SHRI BIBUDHENDRA:

Child Marriage Restraint (Amendment) Bill;

Motion to circulate (XIII), 3102-03.

MISHRA, SHRI BIBUDHENDRA—contd.

Correction of answer to S. Q. 654 (XVII), 11085-086.

MISHRA, DR. U.:

Hindustan Steel Ltd. (XIII), 10563.

Potential Industrial Hazards (XVIII), 12114.

Steam boilers (XV), 6589.

Debates

D. G. (1963-64):

Min. H. A. (XV), 6733—38.

Min. S. & H. I. (XVI), 9472—82.

D. G. (R) 1963-64 (XIV), 2877—80.

MISRA, SHRI MAHESH DUTTA:

Report of the Commission of Inquiry into Dalmia Jain Companies (XVIII), 14078—87.

MOHAMMAD IBRAHIM, HAFIZ:

D. G. (1963-64):

Min. Irr. and Power (XV), 6416—28.

MOHAN SWARUP, SHRI:

Air conditioned trains coaches (XVII), 11311.

Allowances to Ministers (XVI), 8866.

Border districts (XVIII), 13079-80.

Cut in staff of Central Ministries (XVIII), 13070.

Electricity generation in U. P. (XIII), 1183-84.

Heavy Electricals Limited, Bhopal (XIII), 688—90.

Homeless persons in Delhi (XIV), 3386.

Indian settlers in Ceylon (XIV), 4107-08.

Looting of railway property by students (XIII), 1587—89.

Railway engines (XVIII), 12847.

Release of P.O.Ws. by Chinese (XVIII), 12580.

MOHAN SWARUP, SHRI—contd.

- Rihand Dam (XIII), 1135—40.
 Squatters in the capital (XIV), 3630—34.
 Tharu and Bhuxsa Communities of U. P. (XIII), 323.
 Tribal blocks (XIII), 298—301.
 Tube wells (XIII), 1690.
 Village volunteer force (XIII), 1604—1609.

Debates

D. G. (1963-64):

- Min. of Health (XV), 5962—69.
 Min. W. H. & R. (XVI), 7358—62, 7450—57.

MOHANTY, SHRI G.:

- Alignment of national highway in Bhadrak town (XVII), 9906.
 Ayurvedic scriptures (XVI), 7660.
 Central Health Cadre (XVIII), 11851.
 Central Marketing Organisation at Tripura (XIII), 1659.
 Cut in staff of Central Ministries (XVIII), 13070.
 Development activities in Border Areas (XV), 6391.
 Economic criteria for backwardness (XVII), 10146—50.
 Enquiry into Railway accident (XIII), 1646.
 Expansion of steel plants (XVIII), 12081—84.
 Indian military personnel in Congo (XV), 5820.
 Indian P.O.s. (XIII), 924—26.
 Khadi and Village Industries Commission (XVIII), 13561—66.
 Laxmi Cotton Traders Private Ltd. (XVII), 10641—642.
 Leprosy Pilot Projects in Orissa (XIV), 2693—95.
 Looting of railway property by students (XIII), 1587—89.
 Manipur State Transport (XV), 6070—72.

MAHANTI, SHRI G.—contd.

- Manufacture of automatic weapons (XIV), 1863.
 MIGs, and MIG Factory (XIII), 929.
 Monkey and rat menace in North and South Avenue, New Delhi (XVII), 13387.
 Murder of Army courier at Jodhpur (XV), 6063.
 Naroj Bridge Accident (XIII), 1614—15.
 National Highway (Orissa) (XV), 6123—24.
 Political sufferers (XVIII), 13045—50.
 Proof and Experimental Centre, Chandipur (XVII), 9672.
 Repatriation of Indians from Mozambique (XIV), 4089—93.
 Sahitya Akademi award (XVII), 10179—80.
 Sale of tobacco goods (XVI), 6904—05.
 Settlement operations in Manipur (XIII), 1700.
 Small Scale Industries Corporation 729—30.
 State Education Ministers' Conference (XV), 6338—41.
 Ticketless travelling in trains (XIII), 123.
 Welfare of Scheduled Castes in Orissa (XV), 6388.

Debates

B. R. (1963-64)—General Discussion (XIV), 2009—12.

MOHIUDDIN, SHRI:

- Accident to Aircraft of Delhi Flying Club (CA) (XVIII), 14177—80.
 D. G. (1963-64):
 Min. Trpt. and Communi. (XVI), 9019—26.

MOHSIN, SHRI:

- Gauhati Commission Report (XIV), 2659—61.
 Issue of licences for sugar industry (XIV), 3177.

MOHSIN, SHRI—contd.*Debates*

D. G. (1963-64):

Min. Ed. (XV), 5629—33.

Min. H. A. (XV), 6840—45.

Min. Lab. and Emp. (XV), 6493—96.

MORARKA, SHRI:

Ankleshwar oil (XIII), 309-10.

Air Force Reservists (XVII), 9669-70.

Barter deal with Japan (XVIII), 13541—44.

Boeing aircraft for Air India (XIV), 3148-49.

Bokaro Steel Plant (XVIII), 13583—90.

Bokaro Steel Plant (XIII), 697-98.

Britain's entry into E. C. M. (XIV), 2895.

Britain's entry into E. C. M. (XIV), 2895.

Commercial publicity (XVI), 7909-10.

Cost of production of steel (XIV), 2939.

Directorate Board of Hindustan Steel Ltd. (XVII), 9372.

Emergency Insurance Scheme (XIV), 2681—83.

Empire of India Life Assurance Co., Ltd. (XVIII), 13363.

Export Houses (XV), 5428.

Export of raw sugar to Japan (XIII), 1638.

Fatehpur-Churu railway line (XIII), 1701.

Foreign investment in India (XIV), 2690—93.

Foreign participation in Indian shipping companies (XIII), 1597—1600.

Hindustan Steel Limited (XVIII), 13588—70.

Indian Star Lines (XIII), 95.

MORARKA, SHRI—contd.

Liberal licensing policy (XV), 5382—86.

Liquidators for empire of India Life Assurance Company (XVIII), 13383.

Loans to TISCO and IISCO (XV), 5421-22.

Palai Central Bank in liquidation (XVII), 10367.

Plants for Defence production (XIII), 924.

Public sector projects (XV), 5332.

Purchases by Air India (XVIII), 12793.

Release of foreign exchange to export houses (XVII), 10609.

Reorganisation of Planning Commission (XVIII), 12568.

Rourkela and Durgapur steel plants (XIV), 3869—72.

Rourkela and Durgapur Steel Plants (XIV), 2937.

Russian oil for oil production (XV), 6371.

Second Shipyard (XV), 6060—63.

Soviet collaboration in Plan projects (XIV), 2706.

Steel Plant in South (XIV), 3855-56.

Steel production (XIII), 1630.

Target of steel production (XVII), 9382.

Tool alloy steel plant (XIV), 3848-49.

Tool Alloy Steel Plant, Durgapur (XIV), 2912.

Tool Alloy Steel Plant, Rourkela (XIII), 718-19.

Uniform allowance to Air Force Reservists (XVII), 9670.

West German aid for Plan projects (XIII), 517-18.

World Bank loan for Railways (XVI), 8128.

MORARKA, SHRI: contd.**Debates**

B.G. (General Discussion) (XIV),
3902—14.

Committee on Government Assu-
rances:

Minute laid (XVI), 7195.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8501—
12.

Min. S. & H. I. (XVI), 9482—95.

Gold Control Scheme (Dis.)
(XIV), 2603—2607.

Finance Bill, 1963:

Motion to consider (XVII),
10683—92.

Re: alleged leakage of Report of
Attorney General on Bose Com-
mission Inquiry (XVIII), 13941.

Report of the Commission on Inquiry
into Dalmia Jain Companies (M)
(XVIII), 14275—87.

Super Profits Tax Bill:

Motion to consider (XVII),
10985-86.

Super Profits Tax Bill:

Motion to consider (XVII),
11118—22.

Consid. cl. (XVII), 11161—66,
1179—80.

MORE, SHRI K. L.:

B.R. (1963-64):

General Discussion (XIV), 2476—
79.

D.G. (1963-64):

Min. H.A. (XV), 6995—68.

MORE, SHRI S. S.:

Orientation of Primary Schools
(XV), 4685-86.

Prices of agricultural products
(XV), 6055-56.

Prohibition (XV), 4864—71.

River Boards (XV), 6573.

MORE, SHRI S. S.: contd.

Constitution (Amendment) Bill
(Amendment of articles 100 and
189) by Shri M. L. Dwivedi:

Motion to consider (XVIII), 13728-
29.

Constitution (Fifteenth Amendment)
Bill:

Motion to consider (XVIII),
12922—924.

D.G. (1963-64):

Min. Food and Agri. (XV), 4974—
79.

Min. Irr. and Power (XV),
6164—69.

MUKERJEE, H. N.

Complaints against Visva-Bharati
University (XVII), 11593.

Confirmation of Upper Division
Clerks (XVII), 10176.

Co-operative farming (XVII), 9648.

Electric train terminus on Ganga
(XVII), 9674.

Electrification of Indian Railways
(XVII), 9665.

Farakka barrage (XIII), 1402.

Foreign exchange for business travel
(XVI), 9139—41.

Income of Companies (XVIII),
13399.

India's trade with European Econo-
mic Community (XVII), 10622—
629.

Indian Education Service (XIII),
1168.

Indians working in Afro-Asian
Solidarity Conference Secreta-
riat (XV), 4408.

National Discipline Scheme (XIII),
280.

Nationalisation of General Insurance
(XVII), 10349-50.

Non-departmental telegraphists
(XVII), 9676.

Reclamation of salt lakes near Cal-
cutta (XVII), 11006.

Rupee proceeds under P.L. 480
(XVII), 10407.

MUKERJEE, SHRI H. N.: contd.

Setting up of a Bengali regiment (XVII), 9600—9603.

Teachers for Third Five Year Plan (XVI), 8943.

Water supply for greater Calcutta (XVII), 10368—71.

Debates

B.O.H. (XVI), 9436.

Compulsory Deposit Scheme Bill:

Motion to consider (XVII), 11237.

Consid. cl. (XVII), 12300-01, 12528.

Constitution (Sixteenth Amendment) Bill, as reported by J.C.:

Motion to consider (XVIII) 13413—22.

D.G. (1963-64):

Deptt. of Atomic Energy (XV), 5769—75.

Deptt. of Parly. Affairs (XVII), 10024—35.

Min. Econ. and Def. Coord. (XVII), 9766—80.

Min. Ed. (XV), 5482—92.

Min. Ex. Affairs (XV), 4444—62.

Diplomatic assignment of officials and non-officials (XVI), 4414.

Official Languages Bill:

Motion to consider (XVII), 11400—413.

Consid. cl. (XVIII), 12234—40, 12409-10, 12432-33.

Motion to pass (XVIII), 12470—72.

P.A.M. (XVIII), 563—81.

Re: Alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13916.

re. Motion for Adjournment (XVIII), 12623—26.

Re: remarks made by Shri Bagri against the Minister and Offices of the Ministry of Scientific Research and Cultural Affairs (XV), 5904—06, 5907-08.

Re. termination of suspension of Member (XVIII), 13139.

MUKERJEE, SHRI H. N.: contd.

Report of Committee on the conduct of certain members during the President's Address (M) (XV), 4757—62.

Reported shortfall in food production targets during Third Plan period (C.A.) (XVIII), 12873—875.

Sixteenth Report of Business Advisory Committee (XVII), 11093-94.

Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill: (Insertion of new section 7A) by Shri C. K. Bhatiacharyya. Consid. (XV), 5336—59.

MUKERJEE, SHRIMATI SHARDA:

Accumulation of handloom cloth (Q) (XV), 5413—17.

AVRO—748 (Q) (XV), 4416.

Boeing aircraft for air India (XIV), 3148-49.

Coal for steel plants (XVI), 6864—66.

Emergency Insurance Scheme (XIV), 2681—83.

Emergency risk insurance (XV), 5132—35.

Enquiry into N.E.F.A. reverses (XIV), 4079—81.

Expansion of steel plants (XVIII), 12081—84.

Export in handloom industries (XIV), 2959.

Foreign exchange requirements for N.C.D.C. (XV), 4882.

Helicopters from Russia (XIV), 4085—87.

Import of parachutes (XVI), 8445-46.

Industries in Goa (XVII), 9354.

Manufacture of Defence stores by private sector (XV), 5814.

M.I.G. factories (XVII), 9613—16.

National Discipline Scheme (XV), 6357-58.

National volunteer force (XV), 5827.

Ordnance factory workers (XVI), 8383.

Pensions to widows (XVI), 7154—56.

MUKERJEE, SHRIMATI SHARDA:

Release of Indian P.O.Ws. by Chinese (XVIII), 14164—67.

Rourkela and Durgapur Steel Plants (XIV), 2937.

Soldiers' Sailors' and Airmen's Board (XVI), 7164-65.

Special allowances for families of Jawans (XVII), 9661-62.

Target of steel production (XVII), 9382.

Textile machinery manufacturing industry (XVII), 9365.

Transport aeroplanes (XV), 5846.

Trucks and tractors (XVIII), 13974-975.

World Bank loan for Railways (XVI), 6127—29.

World Bank loan to Railways (XVI), 8129.

Debates

Agricultural Refinance Corporation Bill:

Motion to pass as amended (XIII), 1520-21.

B.G. (1963-64):

General discussion (XIII), 3542—46.

D.G. (1963-64):

Min. Def. (XVI), 8000—06.

Min. Fin. (XVII), 10237.

Finance Bill, 1963:

Motion to consider (XVI), 10843—48.

MURTI, SHRI M. S.:

Educational facilities to students joining Army (XV), 6341—44.

Launching of rounding rockets (XV), 5853.

Looting of railway property by students (XVIII), 1587—89.

Marketing boards (XIII), 1644.

National volunteer force (XV), 5824.

Salt cess (XIV), 3675.

Wage Board for Coal Mining (XV), 4363.

MURTI, SHRI M. S.: contd.*Debates*

B. R. (1963-64):

General Discussion (XIV), 2004—09.

D.G. (1963-64):

Min. Trpt. and Communi. (XVI), 8951—55.

MUSAFIR, G. S.:

Chinese nationals (XIII), 1142.

Delhi Water Supply (XIV), 2665.

Expert Committee for Dandakaranya Project (XVIII), 1393.

Facilities to individual house builders in Delhi (XIV), 2360.

India-Indonesia trade agreement (XIII), 699.

Language statistics for Rajasthan (XVIII), 13112.

Major irrigation and power projects (XIII), 1367.

National Defence Fund (XIII), 1386.

Railway restaurants (XIV), 2091.

Sainik schools (XIII), 915.

Training Centres for goldsmiths (XIII), 481.

Debates

D.G. (1963-64):

Min. I. and B. (XV), 5331—36.

Min. W. H & R. (XVI), 7323—28.

P.A.M. (XIII), 622—31.

MUTHIAH, SHRI:

Coal deposits in Chingleput district, Madras State (XV), 4929-30.

Sethusamudram Project (XVI), 8642.

Thrunelveli Kanyakumari Railway line (XV), 4696.

Debates

D.G. (1963-64):

Min. Ed. (XV), 5507—11.

Min. Trpt. & Communi. (XVI), 8829—32.

P.A.M. (XIII), 1029, 1210—15.

MUZAFFAR HUSSAIN, SHRI:

D.G. (1963-64):

Min. H. A. (XV), 7024—32.

T*

NAIK, SHRI D.J.:

Area under cultivation (XIV), 3155—57.

Co-operative farming (XVII), 6845.

Economic criteria for backwardness (XVII), 10146.

Export of manganese ore (XIII), 701.

Fluorite and Lignite deposits in Gujarat (XV), 4916.

Idle manpower (XVII), 11038.

Integrated Power Grid (XIV), 3639-40.

Losses suffered by civilians in NEFA (XIV), 4106.

Rural Industrial projects (XVIII), 13983.

Shortage of pig iron in Gujarat (XIV), 2915.

Soya Bean Oil (XIV), 3897.

Textile mills (XVIII), 13618.

Tribal Development Blocks (XIV), 3190.

Debates

B. G. (1963-64), general discussion (XIII), 3588—92.

(XIV), 3669—71.

NAIK, SHRI MAHESHWAR:

Accumulation of handloom cloth (XV), 5413—17.

Agricultural indebtedness (XVII), 11322.

Air Defence requirements (XVI), 7139—44.

Air lines (XVI), 8151.

All India Services (XVII), 11569-570.

Allotment of land to Government employees (XV), 6583.

NAIK, SHRI MAHESHWAR: contd.

Annual Plan for Delhi (XIV), 4121-22.

Asian Common Market (XVII), 10633-634.

Asian Economic Development Institute (XVIII), 12090—72.

Asian Highways (XVII), 9851.

Bird population of Delhi Zoo (XVI), 8184.

Bokaro Steel Plant (XVIII), 12078—81.

Bomb Explosion on Railway track (XVI), 8653.

Bombay docks (XIV), 2100.

Chandrapura Thermal Power Station (XVIII), 11860.

Change in Delhi Administration (XV), 4877—81.

Chemical fertilizers (XVII), 9872.

Chittaranjan Works (XIV), 2115.

Coal loading in railway wagons (XV), 6374-75.

Commissioning of projects (XVII), 9406.

Commonwealth trade Ministers' Conference in London (XVII), 9417.

Confectionery exports (XVI), 7900—02.

Conference of Atomic Scientists held in Tokyo (XVIII), 12550.

Co-operative farming (XVII), 6845.

Cooperative grain banks (XVII), 9889.

Cotton consumption by Mills (XVI), 7877—79.

Cut in Housing Schemes of States (XVII), 10350—54.

Death of a New Delhi Journalist (XVI), 7407.

Defence production in Private sector (XVIII), 13380.

Delhi Co-operative Housing Societies (XVIII), 13083-84.

Delhi water supply (XV), 6599.

NAIK, SHRI MAHESHWAR: *contd.*

- Development of Plans of Railways (XVI), 8663.
- Development of Scheduled Tribes (XV), 4863-64.
- Dog squad in Delhi (XVI), 8993.
- Drinking water supply to municipalities in Orissa (XV), 5169-70.
- Edinburgh Music Festival (XVIII), 13106-07.
- Education case (XV), 4876-77.
- Education through television (XVI), 6433-34.
- Egyptian cotton for Indian textile mills (XVII), 9407.
- Electric sheet rolling mill (XVII), 9361, 9362.
- Electrification of Railway line from Howrah to Kharagpur (XIV), 2079.
- Employment of foreigners in firms (XIV), 3892-93.
- Employees' State Insurance Scheme (XVIII), 12581.
- English as an associate language (XIV), 2435.
- Eradication of famine (XVI), 7626-27.
- Exchange of students scheme (XVII), 10168.
- Expansion of steel plants (XVIII), 12081-84.
- Export of bicycles (XVI), 6875-78.
- Export of lathe machines (XVII), 9344.
- Export of mangoes (XVI), 6894.
- Export of salt (XVIII), 13594-95.
- Export of textile to Burma (XVII), 10598-601.
- Extension of C.H.S. Scheme (XVII), 10878.
- Foreign investment in India (XIV), 2690-98.
- Free trade ports (XIV), 2901.
- Goods lost in transit (XIV), 3190.

NAIK, SHRI MAHESHWAR: *contd.*

- Health Insurance Scheme (XVI), 9107-08.
- Heavy electrical equipment plants (XIV), 3839-42.
- Heavy Electricals Ltd., Bhopal (XVII), 10630.
- Hostels for M.P.s (XIV), 2719-20.
- Hostel for working girls (XVI), 7673.
- Hostile Nagas (XIV), 4124-25.
- Housing Boards (XIV), 3613-15.
- Import of pig iron (XVIII), 13555-58.
- Import of stainless steel (XVI), 6891-92.
- Import of wooden sleepers from Burma (XVI), 8135.
- India Office Library (XVI), 8876.
- Indian P.O.Ws. (XIII), 924-25.
- Indian tea delegation (XVII), 10594-588.
- Industrial training institutes in Delhi (XVI), 8385-90.
- Industries in Goa (XVII), 9355.
- Indirect trade handled by State Trading Corporation (XVIII), 13607-08.
- International Youth Hostel, Delhi (XVI), 8923.
- Inter-State Organisation for dacoity menance (XVII), 11589-590.
- Iron and Steel output (XVI), 7925.
- Iron-ore export to Japan (XIV), 3844-48.
- Japanese Team's visit to India (XVIII), 12071-75.
- Joint Board for water resources of Nepal and India (XVII), 10359-63.
- Kalakat Coalmines (XIV), 3693.
- Liberal licensing policy (XV), 5386.
- Loans to private sector coal industry (XVIII), 11810-814.
- MIG factories (XVII), 9812-16.
- Manipur State Transport (XV), 6072

NAIK, SHRI MAHESHWAR: *contd.*

- Manufacture of Defence stores by private sector (XV), 5809.
- Marmugao Harbour (XVIII), 12807—10.
- Marriages of Indians with foreigners (XIV), 3892.
- Mechanisation of farming (XVI), 8638.
- Micro-wave ling in Assam (XV), 4628—30.
- Mountaineering Institute (XVII), 9657-58.
- Neharkatiya-Barauni oil pipeline (XVI) 7384—88.
- Naraj Bridge accident (XIII), 1618.
- National highway system in Orissa (XIV), 3191.
- New telephone as system (XVIII), 12813.
- Nutrition education (XVII), 9357.
- Office space in Capital (XV), 6603.
- Oil exploration (XIV), 2400—2406.
- Ordnance factories (XVI), 7128.
- Package programme for sugarcanes (XIV), 2124.
- Paper production (XVII), 10643-644.
- Partial payment of workers' wages in food (XV), 6181—83.
- Per capita income in villages (XVI), 7123—27.
- Port carges at Calcutta (XVI), 8200.
- Postal intimation of traffic offences in Delhi (XVII), 11604.
- Power surplus in Delhi (XVI), 9143.
- Power shortage in the country (XIV), 2699-2700.
- Press Council (XV), 5828.
- Prices of foodgrains (XIV), 3128—28.
- Price of raw jute (XIV), 2930.
- Production of drugs (XV), 5896—54.
- Production of fertilizers (XVI), 6871.

NAIK, SHRI MAHESHWAR: *contd.*

- Production of jet aircrafts (XV), 5852.
- Production of machinery (XVIII), 12107-08.
- Production of sugarcane (XV), 4624—28.
- Prohibition in Delhi (XVII), 10115—18.
- Psychological tests for railmen (XVIII), 12814—17.
- Purchase of mules from Cyprus (XVI), 8401—04.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804—810.
- Rehabilitation of evacuees in NEFA (XVII), 11049-50.
- Repatriation of Indians from Mozambique (XIV), 4089—93.
- Rise in prices of kerosene oil (XV), 4903.
- Rourkela and Durgapur Steel plants (XIV), 3871-72.
- Rourkela Steel Plant (XVI), 7929.
- Rourkela Steel works (XVII), 9360.
- Rupee loans for collieries (XVIII), 13058.
- Russian aid for oil production (XV), 6369—71.
- “SOS” villages for orphans (XVII), 10121.
- Sainik School in Assam (XVIII), 12560.
- Sale of damaged foodgrains (XVI), 8140.
- Seizure of watches at Santa Cruz airport (XV), 6591.
- Semi-conducting rock in Rajasthan (XVI), 7391—93.
- Settlement of Tibetan refugees in Orissa (XV), 5859.
- Shifting of Railway Mineral siding from New Delhi Yard (XVII), 9873.
- Ship carrying Indian Cargo (XVIII), 12061-62.

NAIK, SHRI MAHESHWAR: contd.
 Shortage of pig iron in Gujarat (XIV), 2915.
 Siltation of Calcutta Port (XVI), 8644.
 Sino-Pak Border Agreements in Security Council (XVI), 8439.
 Small Savings (XVIII), 13379.
 Squatters in the capital (XIV), 3630-34.
 State Education Ministers' Conference (XV), 6338-41.
 Stray dogs (XV), 6117.
 Sub-soil water in Delhi (XIV), 3641-42.
 Suicide by goldsmiths (XVI), 9127-31.
 Super market in New Delhi (XIII), 1364.
 Surplus staff (XVI), 7428.
 Target of cotton production (XVI), 8658.
 Teachers' Workshop Project (XVIII), 13106.
 Tibetan refugees (XV), 5838.
 Trade teams from Czechoslovakia and Rumania (XV), 5404.
 Traffic problem in Delhi (XVII), 10152.
 Transport of coal by sea (XV), 6392.
 U.N. expert for river basin surveys in India (XVI), 9132-35.
 U. N. peace-keeping operations (XVII), 11050-51.
 Unemployment (XV), 5814.
 Utilisation of vanadium (XV), 8433-34.
 Village volunteer force (XIII), 1604-09.
 Violation of foreign exchange regulation act (XVI), 7876.
 Violation of import and export regulations (XVIII), 12121.
 Zonal Transport Corporation (XVI), 8121-24.

NAIK, SHRI MAHESHWAR: contd.
Debates
 Agricultural Refinance Corporation Bill:
 Motion to consid. (XIII), 1482-84.
 D. G. (1963-64):
 Min. M. & F. 9236-39.
 Min. S. & H. I. (XVIII), 9704-06.
 P.A.M. (XIII), 653-57.
NAIR, SHRI SHREEKANTAN:
 Attorney-General's advice on affairs of a firm (XVIII), 13053.
 Increase in smoking (XIV), 3599-606.
 Industrial closures (XIV), 4097-98.
Debates
 P.A.M. (XIII), 437-46.
 Report of Committee on the conduct of certain members during the President's Address (XV), 4781-82.
NAIR, SHRI VASUDEVAN:
 Agricultural programmes (XVI), 8647.
 Anti Sea Erosion Projects in Kerala (XVIII), 13396.
 Cement factory in West Bengal (XVII), 10605-608.
 Coir goods (XVIII), 12114-15.
 Concrete sleepers for railways (XVII), 11275.
 Diversion of plan funds (XVIII), 12601.
 Education during emergency (XIII), 270-71.
 Employment and guidance Bureaux in Universities (XVI), 8418.
 Eradication of famine (XVI), 7626-27.
 Fall in export of ilmenite (XIV), 1887.
 Foreign exchange for business travel (XVI), 9139-40.
 Freight rates on coir goods (XVIII), 12838.
 Hindi in South India (XII), 1150.
 L.A.C. fares (XVII), 11296.

NAIR, SHRI VASUDEVAN: contd.
 Iduky Hydro-Electric Project (XIII), 515.
 Import of pig iron (XVIII), 13557-58.
 Indian delegation of scientists to Geneva (XVIII), 13094-95.
 Indians travelling abroad (XVIII), 13329.
 Industrial training institutes in Delhi (XVI), 8387.
 Manufacture of caffeine from tea waste (XVII), 9363.
 Manufacture of Defence stores by private sector (XV), 5813.
 Minicoy, Island (XVIII), 13045.
 National Discipline Scheme (XV), 6357-58.
 Naval Exercises (XV), 7153.
 Power supply to Kerala from Neyveli (XVI), 9179.
 Prohibition (XVIII), 12579.
 Publication of American and U.K. text-books in India (XV), 6372.
 Smallpox in the country (XIII), 494.
 Students studying abroad (XVIII), 13339.
 Super market in New Delhi (XIII), 1364.
 Training in the manufacture of Synthetic drugs (XVI), 7890.
 U.D.Cs. in Army Headquarters (XVIII), 12622.
 Village volunteer force (XIII), 1609.

Debates

BOH (XVIII), 13999.
 B. R. (1963-64), General discussion (XIV), 2266-67.
 D.G. (1963-64):
 Min. H.A. (XV), 6665-76.
 Government of Union Territories Bill:
 Motion to consider (XVIII), 13789-97.

NAIR, SHRI VASUDEVAN: contd.
 Government of Union Territories Bill:
 Consid. Cl. (XVIII), 13863, 13887-88, 13893-94.
 Government of Union Territories Bill:
 Motion to pass (XVIII), 13903-04.
 Official Languages Bill:
 Motion to consider (XVIII), 11906-13.
 P.A.M. (XIII), 986-96.

NALLAKOYA, SHRI:
 Leave of absence (XVIII), 14186.

NAMBIAR, SHRI:
 Allotment of newsprint (XVII), 9667.
 Bridges on National Highway No. 7 (XVII), 9911.
 Broadcasts from Radio stations on Defence efforts (XIV), 4130-31.
 Cast iron sleepers (XV), 6138-39.
 Cement factories in Madras (XIII), 1674.
 Demurrage paid by Railways (XV), 6139.
 Development of fisheries in Madras (XVII), 9912.
 EK 17 section of R.M.S. (XVII), 9913.
 Fertilizer Plant building of the Neyveli Lignite Scheme (XV), 4927-28.
 Film Institute, Poona (XVI), 8443.

NIGAM, SHRIMATI SAVITRI:
 Hostile Nagas (XIV), 4124-25.
 Loss to Railways (XV), 6139-40.
 Misuse of newsprint (XVII), 9643.
 Planning of Krishna waters by Madras and Andhra Pradesh (XIV), 2727-28.
 Post matric scholarship for backward classes (XIV), 3427.

NAMBIAR, SHRI: contd.

Press Consultative Committee (XVII), 9666-67.

R.M.S. section at Dindigul (XVII), 9913.

Railway quarters (XV), 3193; (XV), 6137-38.

Recovery of dues from Timber contractor (XVII), 9409.

Sandal trees (XVII), 9914.

Seats in Engineering Colleges in Madras (XIV), 9423.

Tamil artistes (XVI), 8442-43.

Water supply to Madras city (XIV), 2727.

Debates

Leave of Absence (XVI), 8447. (XVIII), 14186.

NANDA, SHRI:

Concentration of Economic Power (Res.) (XIV), 4035-46.

D.G. (1963-64):

Min. of Labour and Emp. (XV), 6538-56; 6632-54.

Maintaining prices of essential commodities at reasonable level (M), (XIII), 228-49.

NASKAR, SHRI P. S.:

D.G. (1963-64):

Min. W.H. & R. (XVI), 7343-59.

NATH PAI, SHRI:

Abu Simbel Temples in Egypt (XVII), 11566

Afro-Asian Journalists' Conference (XVIII), 14159-64.

Bokaro Steel Plant (XVIII), 13565-90.

Central Government Officers in Assam (XIV), 2374.

Chinese internees in India (XVIII), 13060.

Colombo proposals (XIII), 689.

Education Ministers' Conference (XVII), 11860.

NATH PAI, SHRI: contd.

Express delivery system (XIV), 2097.

Indians employed in Ceylon (XVI), 8400.

Indians in South Africa (XVI), 8409.

Joint U.S.-Commonwealth Air Mission (XVII), 11046.

Mountain Divisions in Indian Army (XVI), 8416.

Release of communists during Bye-election (XV), 5158-63.

Release of Indian P.O.Ws. by Chinese (XVIII), 14166-67.

Reorganisation of Planning Commission (XVIII), 12667.

Sino-Pak border agreement (XIII), 905.

Trade agreement with Soviet Union (XVI), 7887.

Training of armed forces (XVI), 8411.

D.G. (General Discussion) (XIV), 3828-39.

Business Advisory Committee 14th Report (XIV), 2445-46.

Compulsory Deposit Scheme Bill; Consid. Cl. (XVIII), 12752-53.

D.G. (1963-64):

Min. Def. (XVI), 8290-8303.

Min. Econ. and Def. Coord. (XVII), 9948-59.

Min. Ex. Affairs (XV), 4468-4504.

Leave of Absence (XVIII), 14191-92.

Official Languages Bill:

Consid. Cl. (XVIII), 12398-99.

Re: Statement by Member (XVI), 7954.

Re: Termination of Suspension of Member (XVIII), 13404-05.

NAYAR, DR. SUSHILA:

D.C. (1963-64):

Min. of Health (XV), 6043-46.

Food adulteration in Delhi (H.A.H.) (XVIII), 13310-318.

Water Supply in Delhi (CA) (XVIII), 12626-30.

NEHRU, SHRI JAWAHARLAL:

Administrative Policy in NEFA (Res.) (XV), 7065-78.

Affairs of Serajuddin and Company (St.) (XVIII), 14207-15.

B.O.H. (XVIII), 13303; 13398-99.

Blasting of Railway line and firing on train by Naga hostiles (XVIII), (C.A. and Ad. Motion) 9181, 9184, 9185, 9186, 9187-88.

Concentration of Chinese Troops in Tibet (C.A.) (XV), 5612-18.

D. G. (1963-64):

Deptt. of Atomic Energy (XV), 5915-18.

Min. Ex. Affairs (XV), 4814-46.

Discussion with Foreign Dignitaries (St.) (XVIII), 14193-206.

Firing by Naga hostile on a military special train on 11.4-63 near Loajan Station (C.A.) (XVII), 9424, 9425-26, 9427.

Industrial licencing policy (C.A.) (XVII), 11351-356.

Official Languages Bill:

Motion to Consider (XVII), 11631-58.

P.A.M. (XIII), 1307-42.

Proposed Malayasia Federation (C.A.) (XIII), 735-37.

Proposed merger of UAR, Iraq and Syria into one federal state and reaction of Government of India thereto (C.A.) 11357-358.

Re: Interruptions and walk-out during President's Address (XIII), 9-10.

Re: Termination of Suspension of Member. (XVIII), 13407-08.

NEHRU, SHRI JAWAHARLAL:
contd.

Report of Committee on the conduct of certain members during the President's Address (M) (XV), 4770-73.

Reported entry of Naga Hostiles into India through Manipur (C.A.) (XIII), 1731-34.

Reported Statement made in Washington by Shri B. Patnaik (C.A.) (XV), 5880-92.

Sighting of unidentified Ship off the Andhra Coast (C.A.) (XVII), 10420-21.

Visit of Joint United States-Commonwealth Air Mission to India (C.A.) (XIII), 544-47.

NESAMONY SHRI A:

Leave of Absence (XVI), 8447; (XVIII), 14186.

NIGAM, SHRIMATI SAVITRI:

A.I.R. station at Port Blair (XVI), 8298.

Accumulation of handloom cloth (XV), 5413-17.

Afghan Trade Mission's visit to Delhi (XIV), 2939.

Afro-Asian Solidarity Conference (XIII), 916-17.

Agents for Small Savings Scheme (XVIII), 14142-43.

Allotment of land to Government employees (XV), 6583.

Aluminium factory at Pipri (XVII), 10618.

Anti-corruption Advisory Committee (XIII), 288-95.

Arrest of criminals (XIV), 2416.

Asian Economic Development Institute (XVIII), 12091.

Assistance to farmers (XVII), 9885.

Audio-metre centres (XV), 6614.

Ban on manufacture of Gur and Khandhari (XV), 6058-60.

Basic Education (XV), 4913-14.

Bio Gas Plant (XVII), 9887.

NIGAM, SHRIMATI SAVITRI:
contd.

- Black-marketeering in imported cars (XVIII), 13554.
- Block-making in Government Press, Faridabad (XV), 6563.
- Boeing aircraft for Air India (XIV), 3147-49.
- Bokaro Steel Plant (XVIII), 12078-81.
- Bomb Explosion on Railway track (XVI), 8653.
- Budget of Development Blocks (XV), 6105-06.
- Business and Export Houses (XV), 5408.
- Britain's entry into E.C.M. (XIV), 2895.
- C.D. Programme in Andamans and Nicobar Island (XIV), 3173.
- C.H.S. Scheme for Central Government Employees at Shahdara (Delhi) (XV), 5119-21.
- Camera Factory (XVIII), 12060.
- Car thefts in Delhi (XV), 4917.
- Cashewnut (XVII), 9399.
- Cashewnut cultivation (XVI), 9168-69.
- Cashew plantation (XVIII), 12835.
- Central Institute, Simla (XVII), 11546.
- Central Institute for Labour Research (XIV), 1909.
- Central Prohibition Committee (XVII), 10163.
- Central Road Reserve Fund (XIV), 2135.
- Central Workers' Education Board (XVII), 11003-05.
- Chairman of Community Development Block (XV), 4605-09.
- Chemical fertilizers (XVII), 9871.
- Chinese aggression (XIII), 936.
- Chinese nationals (XVI), 1140-43.
- Chromite deposits in Mysore (XVI), 8680.

NIGAM, SHRIMATI SAVITRI:
contd.

- Cinema ticket rackets in Delhi (XVI), 7421.
- Civil Administration in NEFA (XIII), 907-12.
- Civil Defence Plan (XIII), 1158-63.
- Coal loading in railway wagons (XV), 6374-75.
- Coal transport (XIV), 2427.
- Coal Transport Problems (XVIII), 12089.
- Colombo proposals (XIII), 883-92.
- Compulsory primary education (XIII), 283-86.
- Community Development (XVIII), 12784-89.
- Commonwealth trade Ministers' Conference in London (XVII), 9417.
- Concrete sleepers for railways (XVII), 11275.
- Construction of overbridges (XVI), 8680.
- Consumers' cooperatives (XIII), 1682.
- Consumers Co-operative societies (XVI), 8635.
- Conversion of iron scrap into pig iron (XVI), 7904-05.
- Coordination of Scientific Research (XIII), 280-82.
- Cost of steel production (XIII), 673-76.
- Crippled Jawans (XIII), 934.
- Cut in imports (XVI), 6899-900.
- Czech Trade Team's visit to India (XIII), 1627.
- Death of New Delhi Journalists (XVI), 7407.
- Declaration of permanent Government posts (XVIII), 11799-804.
- Decline in export to South-East Asian regions (XIII), 1655.
- Delhi Water Supply (XIV), 2665.
- Defence publicity (XVI), 8430-31.

NIGAM, SHRIMATI SAVITRI:
contd.

- Democratic decentralisation (XIV), 3117-21.
- Design and Engineering Unit (XVII), 10127.
- Dhebar Commission (XVII), 11551.
- Disinfection of imported plants (XIV), 2125.
- Drinking (XIV), 2385.
- Drinking Water Supply for Banaras (XVI), 9123.
- Easing of work load of rural house-wives (XV), 4618.
- Economy in Railway Administration (XIV), 2116.
- Edinburgh Music Festival (XVIII), 13106-07.
- Education during Emergency (XIII), 269-71.
- Education Ministers' Conference (XVII), 11565.
- Education of extension workers (XIII), 1712.
- Education of the physically handicapped persons (XVI), 7420-21.
- Education through television (XVI), 8433-34.
- Elections in Nagaland (XIV), 1918.
- Electrification of Western Railway (XIV), 2061.
- Employees' State Insurance Scheme (XVIII), 12581.
- Employment and guidance Bureaux in Universities (XVI), 8418.
- Engineering industries (XIII), 726-27.
- Enquiry into N.E.F.A. reverses (XIV), 4072-81.
- Eradication of famine (XVI), 7627.
- Expansion of steel plants (XVIII), 12081-84.
- Expenditure on literature (XIV), 3161-62.
- Export of biscuits (XVII), 10615-16.

NIGAM, SHRIMATI SAVITRI:
contd.

- Export of Indian textiles to U.S.A. (XIV), 3835-38.
- Export of penicillin (XVI), 7868.
- Extension of C.H.S. Scheme (XVII), 10379.
- Facilities to individual house builders in Delhi (XIV), 2376.
- Food adulteration in Delhi (XVII), 10384.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Free water and electricity to Central Ministers (XIV), 3615-24.
- "Friendship March" to Peking (XV), 5847.
- Fruit and Cattle Farms (XVII), 11288.
- G.T. Road (XIV), 2075.
- Gandhian literature (XVIII), 12554.
- Gas for cooking purposes (XIV), 3885.
- Gas Plant (XIV), 2130.
- Glass factory at Hyderabad (XVI), 7904.
- Glass sand deposits in Banda district (XVI), 7418-19.
- Goan economy (XIV), 1877.
- Gold Bonds (XIII), 509-13.
- Gold for industry (XVI), 9147.
- Gold prices and gold smuggling (XIV), 2683-87.
- 'Goshala Development' schemes (XIII), 1686.
- Graduates in agriculture (XIV), 3134-36.
- Head Post office for Hamirpur (U.P.) (XVII), 9684.
- Hearing aids for children (XVII), 11584-85.
- Heavy Electricals Limited, Bhopal (XIII), 690.
- Help to Copra growers (XVII), 11318.
- Hindi assistants in Ministry of Economic and Defence Coordination (XIV), 3879-80.

NIGAM, SHRIMATI SAVITRI:
contd.

- Hindi in Central Government offices (XIV), 3413.
- Hindi in U.P.S.C. examinations (XV), 6344-47.
- Hindi work (XIII), 96.
- Hindu Religious Endowments Commission (XVIII), 12065.
- Homeless persons in Delhi (XIV), 3388.
- Home treatment of leprosy patients (XIII), 504-05.
- Hospitals in Delhi (XIV), 2667-72.
- House-building loans (XVI), 9138.
- L.A.C. (XIV), 3160.
- Incidence of crimes in Delhi (XVI), 8876.
- India's relations with foreign countries (XIV), 4068-69.
- Indians in South Africa (XVI), 8408.
- Indian military personnel in Congo (XV), 5819.
- Indian P.O.Ws. (XIII), 924-25.
- Indian settlers in Ceylon (XIV), 4107-08.
- Indian tea delegation (XVII), 10588.
- Indo-Pak Border in Rajasthan (XIII), 311.
- Industrial disputes for adjudication (XIII), 933.
- Industrial estates in Uttar Pradesh (XIII), 1651.
- Industrial training institutes in Delhi (XVI), 8385-90.
- Industrial units (XVI), 7908.
- Industries in Goa (XVII), 9354, 9356.
- International Labour Organisation (XV), 5862.
- Iron and steel for agricultural purposes (XVII), 11292.
- Janpath Hotel, New Delhi (XVIII), 11849.

NIGAM, SHRIMATI SAVITRI:
contd.

- Joint Board for water resources of Nepal and India (XVII), 10362.
- Joint power pool of Punjab, Delhi and U.P. (XVI), 7632-33.
- Kerosene oil (XIII), 1190-91.
- Khadi and Village Industries Commission (XVIII), 13565-66.
- Launching of sounding rockets (XV), 5852.
- Liberal licensing policy (XV), 5386.
- Losses suffered by civilians in NEFA (XIV), 4105-06.
- Lucknow Military Hospitals (XIV), 4112.
- Manufacture of Defence Stores by private sector (XV), 5809.
- Manufacture of engines for Alouette Helicopters (XIV), 1905.
- Manufacture of jet fighters (XV), 4380.
- Matatila Project (XV), 5121-23.
- Micro-Hydel Schemes (XVIII), 11835.
- Micro-wave link in Assam (XV), 4628-30.
- Mouth cancer centre at Agra (XVII), 13336.
- N.E.F.A. hospitals (XVI), 9114.
- Najafgarh Nullah (XIII), 542.
- National Book Trust (XVI), 7374.
- National Defence Fund (XIII), 1380-88.
- National Discipline Scheme (XIII), 276-80.
- National Institute of Industrial Engineers (XV), 4871-73.
- "National science talent search" (XIV), 2370.
- National Water supply and Sanitation Committee (XV), 5157-58.
- Nationalisation of General Insurance (XVII), 10347-50.

NIGAM, SHRIMATI SAVITRI:
contd.

- New Civil Airport at Delhi (XVIII, 12790).
- Nutrition education (XVII), 9857.
- Ordnance factory workers (XVI), 8383.
- Out-of-turn allotment (XVIII), 13379.
- Overseas Purchase Organisation (XVII), 9399.
- Package programme for sugarcane (XIV), 2124.
- Palace of Maharani Laxmi Bai at Jhansi (XVI), 8915.
- Panna Diamond Mines (XV), 4886—32.
- Parliamentary proceedings on A.I.R. (XVII), 9629—30.
- Participation of labour in management (XVII), 9603—07.
- Pensions to Widows (XVI), 7155—56.
- Physically handicapped (XVI), 8919.
- Plan for coal gasification (XIII), 319.
- Popularisation of Hindi through A.I.R. (XVII), 11014.
- Post Office accounts of displaced persons (XIII), 1681.
- Postal guide (XIV), 3121—23.
- Power supply for industrial purposes in Delhi (XV), 6580.
- Powerful transmitter on A.I.R. (XIV), 1896.
- Powerloom industry (XIII), 690—94.
- Prices of foodgrains (XIV), 3124—28.
- Price of sugar (XVIII), 14150—53.
- Production of Children's Films (XVII), 9618.
- Production of drugs (XV), 5400.
- Production of Mopeds (XVII), 9398.
- Production of motor trucks (XIII), 713—16.
- Production of small tractors (XVIII), 13545—46.

NIGAM, SHRIMATI SAVITRI:
contd.

- Production of sugarcane (XV), 4624—28.
- Prohibition (XV), 4864—71.
- Prohibition in Delhi (XVII), 10117.
- Prototype Production and Training Centre at Rajkot (XVII), 10595.
- Psychological tests for railmen (XVIII), 12614—17.
- Publications of various industries (XVII), 9651—52.
- Quality control and pre-shipment inspections (XIV), 2919.
- Radio industry (XIII), 1660.
- Railway restaurants (XIV), 2090.
- Raksha Grihas in Delhi (XIV), 2417.
- Recommendations of Second Pay Commission (XVII), 10161—62.
- Reduction in staff in Government offices (XIV), 3600—04.
- Regaul station (XVI), 8679.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Repatriation of Indians from Mozambique (XIV), 4086—93.
- Republic Day Parade (XIV), 4147.
- Research on plant genetics (XV), 6111.
- Resignation of employees on selection to other posts (XIII), 314—15.
- Retirement age of Government employees (XVII), 11537.
- Rifle training (XVI), 8920.
- Rihand Dam (XIII), 1135—40.
- Rise in prices of paper (XIV), 2927.
- Rise in price of sugar (XIII), 49—53.
- Rourkela Steel Plant (XVI), 7929.
- Rupee loans for collieries (XVIII), 13038.
- Russian aid for Defence needs (XIII), 925.
- "SOS" villages for orphans (XVII), 10121—22.

NIGAM, SHRIMATI SAVITRI:
contd.

- Sainik schools (XIII), 912—16.
 Sale of land in Delhi (XV), 4897—4900.
 Selling of Heir-loom by ex-rulers (XIII), 1180.
 Semi-conducting rock in Rajasthan (XVI), 7391—93.
 Setting up of a Bengali regiment (XVII), 9600—9603.
 Shifting of Government offices (XIII), 521.
 Shops in Ramakrishnapuram (XIII), 527.
 Shortage of pig iron in Gujarat (XIV), 2916.
 Sino-Pak Border Agreement in Security Council (XVI), 8439.
 Sino-Pak border agreement (XIII), 903—07.
 Slaughter houses (XV), 6185-86.
 Slum in big cities (XV), 5129-30.
 Smallpox in the country (XIII), 490—95.
 Smuggling on Rajasthan-Pakistan border (XVIII), 13328.
 Special services to Delhi telephones (XVII), 11317.
 Specialised training for armament factories (XVII), 11017.
 Squatters in the capital (XIV), 3631—34.
 Stamp to commemorate Netaji's birthday (XVIII), 14139-140.
 Standing labour committee (XVI), 8432.
 State Educational Ministers' Conference (XV), 6338—41.
 Steel for Ordnance Factories (XV), 4392.
 Steel Plant in South (XIV), 3865-66.
 Structural steel (XVIII), 11831-832.
 Sub-soil water in Delhi (XIV), 3641-42.

NIGAM, SHRIMATI SAVITRI:
contd.

- Subsidiary Health Centres in rural areas (XIII), 1371.
 Sugar mills (XIII), 88-89.
 Sugar trade in Delhi (XV), 6074.
 Super tanker (XIII), 1592—94.
 Superior grade coal (XV), 5379-80.
 Survey of mines (XIII), 306.
 Synthetic rubber factory, Bareilly (XIV), 3863.
 Synthetic rubber factories (XVIII), 13590-81.
 Target of cotton production (XVI), 8659.
 Target of steel production (XVII), 9382.
 Teachers' Workshop Project (XVIII), 13106.
 Technical Glossary (XIII), 310.
 Teleprinter services for Jhansi (XV), 4644-45.
 Thefts in Railway Workshops (XIII), 99-100.
 Tibetan refugees (XV), 5838.
 The reserves (XIII), 1191.
 Tin sheets (XIV), 3176.
 Trained workers for Panchayats (XV), 4668.
 Train service around Delhi (XV), 6047—50.
 Training Centre, for goldsmiths (XIII), 479—81.
 Training period for Gram Sevaks (XIII), 43—46.
 Transport and communication in border districts of U.P. (XIV), 2111.
 Tanker project (XIV), 1859.
 U. S. Military aid (XIII), 901-02.
 Underground rail system for Delhi (XIII), 1612-13.
 Unemployment (XV), 5814.
 Unemployment in Goa (XIV), 1893.
 Unlicensed radios (XVII), 9851.

NIGAM, SHRIMATI SAVITRI:
contd.

- Untouchability in education (XIII), 1180-81.
- Use of Hindi dictionaries in A.I.R. (XVII), 11055-56.
- Utilisation of vanadium (XV), 5433-34.
- Village "production plan" (XVII), 6843.
- Violation of foreign exchange regulation Act (XVI), 7676.
- Violation of gold control rules (XIII), 507-09.
- Visit of Joint Committee to Eastern U.P. (XIII), 894.
- Vividh Bharati (XVI), 7134-37.
- Wage Board for Iron Ore Mines (XV), 4392.
- Wagon shortage (XIII), 77.
- Water for irrigation in Union territory of Delhi (XIV), 3658-59.
- Welfare of coal-mine workers (XVIII), 12541.
- Welfare work for Jawans (XVII), 9652-53.
- Whitley Councils (XIV), 2367.
- Withdrawal by Chinese from Ladakh (XIII), 877-82.
- World Food Programme (XV), 6079-81.
- Zonal Transport Corporation (XVI), 8121-24.

Debates

- B. G. (General Discussion), (XIV), 3708-12.
- Gold Control Scheme (Dis) (XIV), 2328-38.
- Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill:
(*Insertion of new section 7A*) by Shri C. K. Bhattacharyya. Considered. (XV), 5574-75.

NIRANJAN LAL, SHRI:

- Gazetted Officers in Textile Commissioner's Office (XVIII), 12134-35.

O

OMKAR SINGH, SHRI:

- Indian Navy (XIII), 922.
- Indian P.O.Ws. (XIII), 924-26.
- Repatriation of Indians from Mozambique (XIV), 4089-93.

Debates

D. G. (1963-64):

- Min. Irr. and Power (XV), 6169-74.

OZA, SHRI:

D. G. (1963-64):

- Min. Irr. and Power (XV), 6234-38.
- Min. Lab. and Emp. (XV), 6484-89.

P

PALIWAL, SHRI:

- Constitution (Amendment) Bill, 1962:
(*Insertion of new Article 115A and amendment of article 167*) by Shri Paliwal.
Motion to consid. (XVI), 8072-85, (XVII), 10755-61.

PANDE, SHRI K. N.:

- Asthama patients in textile mills (XIII), 947.
- Emergency Production Committees (XV), 5836.
- Ex-factory price of sugar (XVIII), 12821.
- Families of insured workers (XIII), 947.
- Gorakhpur Labour Organisation (XIII), 946.
- Labour Recruiting Depot, Gorakhpur (XVII), 11040-41.
- Price of sugar (XVIII), 14143-53.
- Tripartite Conference (XIII), 921-22.
- Whitley Councils (XIV), 2368.

Debates

- B. R. (1963-64), general discussion (XIV), 2047-51.

PANDE, SHRI K. N.: *contd.*

D. B. (1963-64):

Min. Food and Agri. (XV), 5050—56.

Min. Lab. and Emp. (XV), 6460—65.

Mines (Amendment) Bill—

(Amendment of sections 12, 64, 66, 67, 70, 72C and 73) by Shri S. C. Samanta.

Motion to consider (XVII), 10776—78.

PANDEY, SHRI R. S.:

Agriculturist families of Kerala (XVI), 8188-89.

Air services to Bhopal (XV), 4640-41.

Alitalia crash report (XIV), 3163.

Barauni oil refinery (XV), 6377.

Barter deal with Japan (XVIII), 13541-44.

Barter link arrangements by S. T. C. (XIV), 2948.

Bonus to sugar mills (XIV), 3145-46.

Britain's entry into E.C.M. (XIV), 2895.

Cashew shell oil processing factory in Kerala (XIV), 3888-89.

Cement factories (XIV), 2940.

Coal for steel plants (XVI), 6864-66.

Conversion of iron scrap into pig iron (XVI), 7905.

Copper, Zinc and lead deposits in Madras State (XIV), 3406.

Czech Trade Team's visit to India (XIII), 1627.

Delhi water supply (XIV), 2864.

Delhi water supply (XV), 6000.

Direct telephone dialling facilities (XVIII), 12818-19.

Drugs Technical Advisory Board (XIV), 3686.

Dry farming (XV), 4621.

Engineering Colleges, Delhi (XV), 4928.

PANDEY, SHRI R. S.: *contd.*

Ex-factory price of sugar (XVIII), 12821.

Export of ilmenite to Czechoslovakia (XVII), 9672-73.

Export of manganese ore (XIII), 701-02.

Export of steel and aluminium utensils to Malaya and Singapore (XIV), 389.

Export of textiles to Burma (XVII), 10601.

Export of vanaspati (XIV), 3198-99.

Fertilizer factory at Hanuman Garh (XIV), 3859-60.

Fertilizer Plant, Katni (XVII), 10588-591.

Flying clubs in M.P. (XVI), 8188.

Foreign investment in India (XIV), 2690-93.

Freight rates (XVI), 8656.

Gauhati Commission Report (XIV), 2850-61.

Heavy Electricals Limited, Bhopal (XIII), 690.

High pressure boiler plants (XIV), 3867-69.

Hospitals in Delhi (XIV), 2672.

I.D.A. loan for highways (XIV), 3195.

Import of electric locomotives (XVII), 11299.

Import of pig iron (XVIII), 13555-58.

Import of trucks (XV), 5390.

Incidence of crimes in Delhi (XVI), 8875.

Increase in smoking (XIV), 3600.

India's trade with European Economic Community (XVII), 10622-629.

Indian Shipping Companies (XV), 6107.

Industrial Undertakings in M.P. (XVI), 7183.

Iron-ore export to Japan (XIV), 3846-48.

PANDEY, SHRI R. S.: contd.

Japanese Team's visit to India (XVIII), 12071-75.

Jute Industry (XVI), 7899.

Large-sized Machine Tools Factory at Ranchi (XVII), 10633.

Machine Tool Factory (XV), 5379-82.

Manufacture of aircrafts (XVII), 9641-42.

Manufacture of liquified gas (XV), 6373.

Manufacture of warships and helicopters (XV), 4396.

Minor irrigation schemes (XVII), 11278.

Model youth hostel in New Delhi (XIV), 2409.

Mystery disease in Madhya Pradesh (XV), 6627.

Naharkatiya-Barauni oil pipeline (XVI), 7384-88.

Nationalisation of General Insurance (XVII), 10347-50.

New transmitters at Jabalpur and Gwalior (XIV), 1930.

Newsprint (XIII), 683.

Neyveli Thermal Power Station (XV), 4925.

Occupational Health Hazards in coal mines (XV), 4388.

Oil exploration (XIV), 2400-2401.

Oil refineries in India (XIV), 3407.

Over-growth of Delhi (XVI), 7653-54.

Participation of labour in management (XVII), 9603-07.

Permit for purchase of gold (XIV), 2680.

Petro-chemicals industry (XVIII), 13056.

Power shortage in the country (XIV), 2699-2700.

Price of newsprint (XIV), 2924.

Production of drugs (XV), 5399.

Productivity team on steel industries (XVII), 10604-605.

PANDEY, SHRI R. S.: contd.

Property left in Pakistan by D.Ps. (XIV), 2724.

Purchase of wheat in Madhya Pradesh (XV), 4697.

Release of property of Ex-ruler of Bastar (XV), 6354-56.

Retention price of steel (XVI), 7917-18.

Rubber and ceramics factories with Czech Collaboration (XIV), 3890.

Rural institute for women at Indore (XV), 6393-94.

Special steel plant in Durgapur (XVIII), 12107.

Shortage of pig iron in Gujarat (XIV), 2916.

Shortage of tin containers (XVIII), 13591.

Steel Plant at Vishakhapatnam and Goa (XIV), 2942.

Trade with Australia (XVI), 7881.

Vijnan Mandirs in Madhya Pradesh (XVI), 7427.

Visit of Joint Committee to Eastern U.P. (XVIII), 896.

Vividh Bharati (XVI), 7136-37.

Wage Board for lime industry (XIV), 1906.

White tigers (XVII), 6840.

Withdrawal of U.S. Transport planes (XIV), 4109-10.

Debates

D. G. (1963-64):

Min. H. A. (XV), 6922-28.

Min. Health (XV), 6009-11.

Min. Lab. and Emp. (XV), 6530-33.

Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia.

Motion to consid. (XIII), 849-52.

P. A. M. (XIII), 341-59.

PANDEY, SHRI SARJOO:

- Agricultural implements (XVIII), 12904.
- Agricultural production (XIV), 2079.
- Air-wing for N.C.C. in Gazipur College (XIII), 987.
- Allotment of non-ferrous metals to Uttar Pradesh (XVI), 7912-13.
- Applications for Industrial licences from Uttar Pradesh (XVI), 7912.
- Assistance to U.P. for irrigation (XVI), 8755.
- Bokaro Steel Plant (XIII), 697-98.
- Bridge across Ganges at Ghazipur (XIII), 1716.
- Bridges in Eastern Uttar Pradesh (XIII), 1716.
- Broad Gauge lines in Eastern U.P. (XIV), 2142.
- Chairman of Community Development Block (XV), 4608.
- Civil Aerodromes (XV), 4387.
- Community Development (XVIII), 12788.
- Compulsory Hindi examinations in Madras (XVIII), 13034.
- Cottage and Small Scale Industries in U. P. (XVII), 10648.
- Delegation for promoting export of Bananas (XV), 5430-31.
- Development of agriculture in U.P. (XVI), 8756.
- Drug Control (XIV), 2703-04.
- Dry farming (XV), 4622.
- Family Planning (XVIII), 13359.
- Foreign investment in India (XXV), 2690-93.
- Freedom from hunger "campaign" (XVI), 8119.
- Gandhian literature (XVIII), 12555.
- Ghazipur Opium Factory (XIII), 1419.
- Heavy Engineering Projects in U.P. (XVII), 10635-636.
- Hostels for M.Ps. (XIV), 2719-20.
- Indians kidnapped by Nepali police (XVII), 11060-61.

PANDEY, SHRI SARJOO: *contd.*

- Industrial Cooperative Societies in Uttar Pradesh (XVII), 12108.
- Industries in Uttar Pradesh (XVII), 9389.
- Joint farming (XVI), 4146.
- Loans for private sector coal industry (XVI), 7404-06.
- Lok Sahayak Sena (XVI), 8393-96.
- MIGs, and MIG Factory (XIII), 929.
- Minor irrigation in U.P. (XVI), 8668.
- Mouth cancer centre at Agra (XVIII), 13334.
- Oil drilling in U.P. (XVI), 7425-26.
- Paper mill in Ghazipur (XVII), 9389.
- Political sufferers (XVIII), 13049.
- Postal services in U.P. (XVI), 8154-55.
- Powerloom industry (XIII), 694.
- Prices of foodgrains (XIV), 3124-28.
- Production of machinery (XVII), 12107-08.
- Ramakrishnapuram colony, New Delhi (XV), 6632.
- Registration of skilled and unskilled persons in U.P. (XVII), 11059.
- Relationship with Iraq (XV), 4416.
- Russian aid for Defence needs (XIII) 925.
- Scarcity of water at Banaras Railway station (XVI), 8667.
- Sericulture industry in Uttar Pradesh (XVII), 9388.
- Small and Minor Irrigation Schemes (XIII), 48.
- Small pox vaccination (XV), 6601.
- Supply of inferior quality coal (XIV), 2395.
- Supply of opium to Russia (XVIII), 13573.
- T. B. clinics (XIII), 483.
- Telephones in U.P. (XVI), 8135.

PANDEY, SHRI SARJOO: *contd.*

Third Plan targets for U.P. (XVI), 7188.

Trade with Australia (XVI), 7879—82.

Trade agreement with Soviet Union (XVI), 7887.

Use of Hindi on A.I.R. (XVIII), 12547.

Utilisation of irrigation potential (XIII), 498.

Visit of Joint Committee to Eastern U.P. (XIII), 893—97.

Debates

D. E. G. (General) 1960-61 (XVIII), 12673—75.

D. E. G. (R) 1960-61 (XVIII), 12692-93.

D. G. (1963-64):
Min. Com. Dev. & Co-op., (XVI), 7598—7609.

Delhi Land Reforms (Amendment) Bill by Shri Naval Prabhakar.
Motion to consider (XVIII), 13743—45.

Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia.

Motion to consid. (XIII), 852—55.

P. A. M. (XIII), 761—76.

PANDEY, SHRI VISHWA NATH:

A.I.R. Programme for prisoners (XVIII), 12598.

Aerodrome at Kasia (U.P.) (XVII), 9658.

Air Defence requirements (XVI), 7139—44.

Alarm chains (XVII), 9889.

Books for Jawans (XVIII), 12596.

Cottage and Small Scale Industries in U.P. (XVII), 10643.

Discharge of filthy water by sugar mills (XVIII), 13369.

Drinking Water Supply for Banaras (XVI), 9119—24.

PANDEY, SHRI VISHWA NATH: *contd.*

Expansion of steel plants (XVIII), 12081—84.

Food adulteration in Delhi (XVII), 10380—84.

Gandhian literature (XVIII), 12552.

I.A.S. and I.P.S. officers in U.P. (XVII), 11587-588.

Illegal mint at Hapur (XVIII), 11863.

Improved method of cultivation (XVIII), 12840-41.

Indian military personnel in Congo (XV), 5820.

Indian students in America (XVII), 10167-68.

Industries in backward areas of Uttar Pradesh (XVII), 10642.

Institute of Physiology (XVIII), 12597.

Joint Board for water resources of Nepal and India (XVII), 10359—63.

Labour Recruiting Depot, Gorakhpur (XVII), 11040-41.

Medical College at Gorakhpur (XVIII), 11854-55.

Mouth cancer centre at Agra (XVIII), 13332.

Railway line in U.P. (XVII), 11329.

Recruitment of Gurkhas (XVII), 9660-61.

Registration of skilled and unskilled persons in U.P. (XVII), 11059.

Rural electrification in U.P. (XVII), 10401-02.

Shortage of clothing materials (XVIII), 12121-22.

Telephone revenue (XVII), 11322.

Tibetan refugees (XV), 5888.

Trade with Australia (XVI), 7879—82.

Debates

B. R. (1963-64), general discussion (XIV), 2202—09.

PANDEY, SHRI VISHWA NATH:
contd.

D. G. (1963-64):

Min. Def. (XVI), 8369-72.

PANT, SHRI K. C.:

Barter deal with Japan (XVIII),
13543-44.

Chinese internees in India (XVIII),
13060.

Civil aerodromes (XV), 4386.

Cost of integral coaches manufac-
tured at Perambur (XVII), 11305.

Diplomatic relations with 'KMT'
Government (XVIII), 12562

Expansion of steel plants (XVIII),
12081-84.

Fruit and cattle farms (XVII), 11288.

Gandak-Narainin Flood Control
Scheme (XVII), 10356.

Homeless persons in Delhi (XIV),
3389.

Khadi and Village Industries Com-
mission (XVIII), 13565-66.

Naharkatiya-Barauni Oil pipeline
(XVI), 7367.

National Discipline Scheme (XV),
6357.

"National science talent search"
(XIV), 2371.

Oil exploration (XIV), 2405.

Price of newsprint (XIV), 2925.

Production of sugarcane (XV),
4627.

Report on coal gradation ((XVI),
7398.

Rourkela and Durgapur steel plants
(XIV), 3871-72.

Structural steel (XVII), 11832.

Water supply for greater Calcutta
(XVII), 10371.

World Food Programme (XV), 6076-
77.

Debates

D. G. (1963-64):

Min. Def. (XVI), 8236-41.

PANT, SHRI K. C.: *contd.*

Min. Food and Agr. (XV), 5209-
14.

P. A. M. (XIII), 776-81.

PARAMASIVAN, SHRI:

Bed-strength of Central Govern-
ment hospitals (XIV), 3645-46.

Cancer hospitals (XIV), 3645.

Debates

Finance Bill, 1963:

Motion to consider (XVII), 10850-
53.

PARASHAR, SHRI V. C.:

Finance Bill, 1963:

Motion to consid. (XVII), 10552-
61.

Re: Interruptions and walk-out
during President's Address (XIII),
10.

PATEL, SHRI MAN SINH P.:

Agents for Small Savings Scheme
(XVIII), 14142-43.

Electrification of Western Railway
(XV), 2064.

Family Planning (XVIII), 13361.

Foreign Exchanges for travel (XVI),
9140.

Forest Research Institute (XVI),
8651.

Idle manpower (XVII), 11036.

Iron and steel for agricultural pur-
poses (XVII), 11292.

Minor irrigation schemes (XVII),
11278.

Provision for Corporation (XVIII),
12799.

River Boards (XV), 6574.

Synthetic rubber factory, Bareilly
(XIV), 3960-63.

Debates

B. R. (1963-64), general discussion
(XIV), 2234-41.

PATEL, SHRI MAN SINH P.:
contd.

Constitution (Fifteenth Amendment)
Bill:

Consid. Cl. (XVIII), 13177—179.

D. G. (1963-64):

Min. Com. Dev. and Coop. (XVI),
7753—58.

Government of Union Territories
Bill:

Motion to consider (XVIII),
13851—54.

Official Languages Bill:

Consid. Cl. (XVIII), 12372—74.

PATEL, SHRI N. N.:

D. G. (1963-64):

Min. Fin. (XVII), 10252—56.

Min. Trpt. and Communi. (XVI),
9058—65.

PATEL, SHRI P. R.:

Agricultural implements (XVII),
9376.

Agricultural production (XIV),
2084.

Boundary pillar removed by Pakis-
tani (XIV), 4136.

Compulsory Primary Education
(XIII), 283.

Co-operative farming (XVII), 6845.

Cracker explosions in Delhi (XIV),
3372.

Cut in Housing Schemes of States
(XVII), 10353.

Durga Cotton Mills, Kadi (Gujarat)
(XIV), 4136-37.

Education cess (XV), 4873—77.

Family Planning (XVIII), 13360.

Family planning conference at Sin-
gapore (XV), 5136-37.

Food production (XIII), 81.

Foreigners employed in A.I.R.
(XVIII), 13963.

Gandhigram railway station (XIII),
1641.

Gujarat Oil Refineries (XVII), 11569.

Hindu Religious Endowments Com-
mission (XVIII), 12065.

PATEL, SHRI P. R.: *contd.*

Housing Boards (XIV), 3614-15.

Idle manpower (XVII), 11036.

Import of tobacco (XVII), 10613-
614.

Iron and steel for agricultural pur-
poses (XVII), 11292.

Joint farming (XVI), 4147, 4148.

Koyali Oil Refinery, Gujarat (XIV),
2383.

Master Plan for Development of
tourism (XIII), 1596.

Minor irrigation schemes (XVII),
11279.

Model villages (XVI), 8139-40.

Narmada Valley Authority (XVI),
9141-42.

New Gas Field near Ahmedabad
(XIV), 2384.

Oil reserves in Kalol and Anklesh-
war (XIII), 1185.

Oil wells in Gandhi Nagar area
(XIV), 2440.

Power requirements of the country
(XIV), 3629-30.

Prices of agricultural products (XV),
6053—56.

Purchase of wheat by Government
(XVI), 8130-31, 8132.

Repatriation of Indians from Mosam-
bique (XIV), 4089—93.

Report of Mohalanobis Committee
(XIV), 1882.

Rural Labour Enquiry (XVII),
9223—25.

Sale of plots in Defence Colony,
New Delhi (XV), 5182.

Shortage of pig iron in Gujarat
(XIV), 2916.

Suicide by goldsmiths (XVI), 9129.

Synthetic rubber factory, Bareilly
(XIV), 3862-63.

Target of cotton production (XVI),
8659.

Utilisation of irrigation potential
(XIII), 497.

Village "production plan" (XVII),
6943.

PATEL, SHRI P. R.: *contd.*

Debates

Compulsory Deposit Scheme Bill:

Consid. Cl. (XVII), 11763, 11785-86; (XVIII), 12024, 12905-906.

Motion to pass (XVIII), 12910-911.

Constitution (Fifteenth Amendment) Bill:

Consid. Cl. (XVIII), 13161, 13174-75, 13230-31.

D. G. (1963-64):

Min. Food and Agri. (XV), 5089-92.

Min. I and B. (XV), 5365-68.

Min. M. & F. (XVI), 9288-91.

Min. S & H. I. (XVII), 9724-27.

D. G. (R) 1963164:

(XIV), 2732-36.

Finance Bill, 1963:

Consid. Cl. (XVII), 10938, 10944-45.

Nationalisation of Banks (Res.) (XVI), 9585-88.

Official Languages Bill:

Motion to consid. (XVII), 11750-54.

P. A. M. (XIII), 561-86.

PATEL, SHRI RAJESHWAR:

Houses for M.Ps. (XV), 6587.

Debates

D. G. (1963-64):

Min. M. & F. (XVI), 9294-99.

PATIL, SHRI D. S.:

Accident near Lasina (XV), 4693-94.

Agricultural University in Maharashtra (XVII), 12825.

Cement factories in Maharashtra (XVIII), 1360-61.

Cotton prices (XIII), 1632.

Cradle (XVIII), 13390.

Darwaha-Pusad Railway line (XVI), 8670.

PATEL, SHRI D. S.: *contd.*

Development of cotton in Maharashtra (XVII), 11348.

Development of fruit production (XVII), 11349.

Distribution of radio sets in Maharashtra (XVIII), 12584.

Hostels for Scheduled Castes and Scheduled Tribes students in Maharashtra (XV), 6379.

I.A.F. Pilots (XVIII), 12586.

Local Development Works (XVIII), 12585.

P. & T. Offices (XVIII), 12830-31.

Persons registered in Maharashtra (XVIII), 12585.

Polytechnics in Maharashtra (XIV), 2435.

Post-Matric Scholarships to backward class students in Yeotmal (XV), 4911.

Prices of agricultural products (XV), 6055-56.

Quarters for Railway employees (XVII), 9878.

Small Scale Industries in Maharashtra (XVIII), 13601-602.

Spinning mill in Maharashtra (XIV), 2946.

Target of cotton production (XVI), 8658.

Telephone system in Maharashtra (XVII), 11349.

Tubewells in Maharashtra (XVIII), 12826.

Village volunteer force (XIII), 1604-1609.

Yeotmal Murtazapur Railway (XV), 6125-26.

Debates

Agricultural Refinance Corporation Bill:

Motion to consid. (XIII), 192-95.
Motion to pass as amended (XIII), 1521.

Compulsory Deposit Scheme Bill:

Consid. Cl. (XVII), 11763-64, 11786-90.

PATIL, SHRI D. S.: *contd.*

Motion to pass (XVIII), 12909-10.

D. G. (1963-64):

Min. Com. & Ind. (XVI), 8707-11.

Min. H. A. (XV), 6976-81.

Min. Lab. and Emp. (XV), 6507-11.

D. G. (R) 1963-64 (XIV), 2832-34.

Defence of India Act (Res.) (XVIII), 12538.

Finance Bill, 1963:

Motion to consid. (XVII), 10561-67.

Consid. Cl. (XVII), 10938, 10945-47.

PATIL, SHRI S. B.:

Broad gauge line to Hubli (XV), 6115-16.

Export of iron ore (XVI), 6903-04.

Hassan-Mangalore Railway line (XV), 4658-59.

National Highways (XV), 4691-92.

Ore-carrying road in Mysore (XV), 4691.

Roads and bridges in Mysore (XIV), 2153-54.

Water supply in cities (XIV), 2724.

PATIL, SHRI S. K.:

Alleged Scarcity of Sugar in Punjab (C.A.) (XVIII), 13986-89.

D. G. (1963-64):

Min Food and Agri. (XV), 5231-53.

Price support for rice and wheat in 1963-64 season (St.) (XVIII), 12142-46.

Reported shortfall in food production targets during Third Plan period (C.A.) (XVIII), 12872-875.

Sugar situation and Measures to deal with it (St.) (XVII), 10328-35.

PATNAIK, SHRI B. C.:

Reported statement made in Washington by, (C.A.) (XV), 5880-96.

PATTABHI RAMAN, SHRI C. R.:

Amendment of article 31A of the Constitution (H.A.H. Discussion) (XVIII), 13016-020.

Regional Disparity (Res.) (XVII), 9547-65.

Working Journalists (Conditions of Service), and Miscellaneous Provisions (Amendment) Bill—
(Insertion of new section 7A) by
Shri C. K. Bhattacharyya.

Consid. (IV), 5581-85.

PATNAYAK, SHRI KISHEN:

Anti-Indian Chinese literature (XVI), 7367-72.

Education cess (XV), 4877.

Debates

Concentration of Chinese Troops in Tibet (C.A.) (XV), 5614.

D. G. (1963-64):

Min. Ed. (XV), 5522-28.

Min. Fin. (XVII), 10256-62.

Min. Lab. Emp. (XV), 6511-15.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14266-69.

PILLAI, SHRI NATARAJA:

B. G., General discussion (XIV), 4174-78.

POTTEKKATT, SHRI:

A.I.R. broadcasts for Lacadives island (XVII), 11073-74.

Administration of Justice in Laccadives (XVII), 10180.

Aerodrome in Malabar area (XVII), 9673.

Amendment of Article 31A of Constitution (XIII), 952.

Army nursing service (XIV), 4123-24.

Baby Food Plant (XIII), 114.

Boypore Port (XIV), 3193-94.

Bye-elections (XIII), 679-80.

POTTEKKATT, SHRI: contd.

- Cement factory in West Bengal (XVII), 10605-608.
- Central Bureau of Investigation (XIV), 3415.
- Commercial Pilots Association (XVIII), 12810-11.
- Defence production industries in Kerala (XV), 5875.
- Duty-free cigarettes to army personnel (XIV), 3653-54.
- Economic criteria for backwardness (XVII), 10146-50.
- Emergency Commission (XVII), 9670-71.
- Facilities for fishermen in Laccadives (XVII), 10179.
- Fourth Oil Refinery in South India (XIII), 304-305.
- High Court in Delhi (XVIII), 13100.
- Hostels for technical institute in Kerala (XVIII), 13100-02.
- I.A.C. (XIV), 3160, 4678.
- I.A.C. fares (XVII), 11296.
- I.A.S. and I. P. S. Officers (XIII), 1194.
- I.A.S. and I.P.S. Officers for Emergency Commission (XIII), 1193-94.
- Import of copra (XVI), 6910-11.
- Junior technical schools in Cannanore and Calicut (XVIII), 13102.
- Kozhikode regional engineering college (XIII), 1192-93.
- Laccadives (XVII), 11613.
- Land reforms in Mahe (XIV), 1895.
- Major Irrigation and Power projects in Kerala (XIII), 1418.
- Manufactures of Salt Tablets (XVIII) 12132-33.
- Marriages and divorces in Laccadives (XVIII), 13105-06.

POTTEKKATT, SHRI: contd.

- Minicoy island (XVIII), 13043-45.
- Mishap at Bangalore Railway station (XVII), 9869.
- National Defence College (XV), 5871.
- New aerodromes (XVII), 11347.
- New Civil Airport tax at Delhi (XVIII), 12790-91.
- Polytechnic at Cannanore (XVIII), 13099-100.
- Power supply to Kerala from Neyveli (XVI), 9179.
- Production of tin plates in Kerala (XVII), 9418.
- Prohibition (XVIII), 12579.
- Publicity material on Kerala State (XVII), 9903.
- Railway quarters (XIV), 3193.
- Regional Engineering College, Calicut (XVII), 11606-607.
- Replanting of rubber in Kerala (XIII), 1664.
- Rural electrification in Kerala (XV), 5189-90.
- Rural Labour Enquiry (XVII), 9620-25.
- Scarcity of Lubricating oils (XIV), 3427.
- School of catering, Kerala (XIII), 1706.
- Sea Erosion in Laccadives (XVII), 11601.
- Separation of judiciary from the executive (XVII), 10180-84.
- Synthetic fish net twine making factory (XVIII), 12843-44.
- Taxation system in Laccadives (XVII), 11600-601.
- Transport Cooperative Societies (XV), 6130-31.
- Urban Water Supply Schemes in Kerala (XVI), 9176.
- Washery-cum-Sodium Sulphate Recovery Plant at Sambher (XVIII), 12131-32.

POTTEKKATT, SHRI: *contd.*

- Wharf at Beypore (XVII), 11342.
Women's polytechnic at Calicut (XVII), 13096-99.

PRABHAKAR, SHRI NAVAL:

- Cases of abduction in Delhi (XVI), 8922.
Companies in Rajasthan for advancing loans (XVIII), 13605-06.
Elections to Panchayats (XVII), 11340.
Eye-sight standard for engineering students (XVIII), 13096.
Flag station between Nangloi and Gheore (XVII), 11339.
Housing Schemes in Delhi (XVII), 11603.
Installation of tube-wells in Rajasthan (XVI), 8172-73.
Kirti Nagar Colony (XVIII), 11873.
Level crossing at Rohtak Road, Delhi (XVII), 11338.
Loan to small scale industries in Delhi (XVIII), 12130.
Medical College, Bikaner (XVI), 9160-61.
Naal aerodrome (XVIII), 12588.
Nomination of Scheduled Castes to Advisory Committees in Delhi (XVII), 11609-610.
Non-completion of road in Delhi State (XVIII), 13096-98.
Patel road railway crossing, Delhi (XVII), 11339.
Post-matric scholarships to Scheduled Caste students in Delhi (XVIII), 13103-04.
Public relations Committee of Delhi Administration (XVII), 11610.
Remodelling of Tihar village (XVII), 11603-604.
Replacement of Railway line in Bikaner division (XVII), 9887.
Smuggling on Rajasthan-Pakistan border (XVIII), 13325.
Telephone connections in Najafgarh (XVII), 11340.

PRABHAKAR, SHRI NAVAL: *contd.*

- Telephone connections in Rajasthan (XVII), 11321.
Use of Hindi by Delhi Administration (XVIII), 13096-98.
Vikas Bhawan in Delhi (XVII), 11609.
Welfare of backward classes (XVIII), 13103.

Debates

D. G. (1963-64):

- Min. H. A. (XV), 6990-94.
Min. W. H. & Reh. (XVI), 7457-61.

Delhi Land Reforms (Amendment) Bill by Shri Naval Prabhakar:

- Motion to consider (XVIII), 13738-43, 13752-54.

Delhi Rent Control (Amdt.) Bill:

- Motion to consid., as passed by R. S. (XIII), 175.

PRATAP SINGH, SHRI:

- Committees constituted by Home Ministry (XVII), 10158-59.
Government Degree College at Nahar (XVII), 10176-77.
Himachal Pradesh State Co-operative Bank (XVIII), 12830.
Prices of cycle tyres and tubes (XVI), 7916-17.
Recruitment in the Army (XVI), 8426-27.
Shortage of cycle tyres and tubes (XVI), 7916-17.

Debates

D. G. (1963-64):

- Min. H. A. (XV), 6783-89.

Government of Union Territories Bill:

- Motion to consider (XVIII), 13838-44.

- Consid. Cl. (XVIII), 13876, 13879-80.

PURI, SHRI D. D.:

- Food parcels for Indian P.O.Ws. (XVI), 7177.
 Indian P.O.Ws. in China (XIV), 4105.
 Parcels for Indian prisoners in China (XV), 6088.

Debates

- B. G. (1963-64), general discussion, (XIII), 3510-17.
 D. G. (1963-64):
 Min. Food and Agri. (XV), 5197-5203.

E**RAGHAVAN, SHRI A. V.:**

- A.I.R. broadcasts for Laccadives island (XVII), 11073-74.
 Administration of Justice in Laccadives (XVII), 10180.
 Aerodrome in Malabar area (XVII), 9673.
 Amendment of Article 31A of Constitution (XIII), 952.
 Army nursing service (XIV), 4123-24
 Baby Food Plan (XIII), 114.
 Beypore Port (XIV), 3193-94.
 Bye-elections (XIII), 679-80.
 Cement factory in West Bengal (XVII), 10605-608.
 Central Bureau of Investigation (XIV), 3415.
 Commercial Pilots Association (XVIII), 12810-11.
 Construction of Badagara pier in Kerala (XIII), 1704.
 Defence production industries in Kerala (XV), 5875.
 Duty-free cigarettes to army personnel (XIV), 6653-54.
 Economic criteria for backwardness (XVII), 10146-50.

RAGHAVAN, SHRI A. V.: contd.

- Emergency Commission (XVII), 9670-71.
 Facilities for fishermen in Laccadives (XVII), 10179.
 Fourth Oil Refinery in South India (XIII), 304-305.
 Graduate course in tea (XVI), 7692-96.
 Harbour expert for Kerala (XVII), 11342.
 High Court in Delhi (XVIII), 19100.
 Hostels for technical institute in Kerala (XVIII), 13100-02.
 I.A.C. (XIV), 3100, (XV), 4678.
 I.A.C. fares (XVII), 11295.
 I.A.S. and I.P.S. Officers (XIII), 1194.
 I.A.S. and I.P.S. Officers for Emergency Commission (XIII), 1193-94.
 Import of copra (XVI), 6910-11.
 Junior technical schools in Cannanore and Calicut (XVIII), 13102.
 Kozhikode regional engineering college (XIII), 1192-93.
 Laccadives (XVII), 11613.
 Land reforms in Mahe (XIV), 1896.
 Lubricating Oil Plant (XVII), 11561-563.
 Major Irrigation and Power projects in Kerala (XIII), 1418.
 Manufacture of caffeine from tea waste (XVII), 9362, 9363.
 Manufacture of Salt Tablets (XVIII), 12132-33.
 Marriages and divorces in Laccadives (XVIII), 13105-06.
 Minicoy island (XVIII), 13043-45.
 Mishap at Bangalore Railway station (XVII), 9869.
 National Defence College (XV), 5871.
 New aerodromes (XVIII), 11347.
 New Civil Airport at Delhi (XVIII), 12790-91.

RAGHAVAN, SHRI A. V.: contd.

- Palai Central Bank in Liquidation (XVII), 10366.
- Persons arrested under Police Act (XVI), 8933.
- Polytechnic at Cannanore (XVIII), 13099-100.
- Post-war Reconstruction Fund (XVI), 7185-86.
- Power supply to Kerala from Neyveli (XVI), 9179.
- Production of plants in Kerala (XVII), 9418.
- Prohibition (XVIII), 12579.
- Publicity material on Kerala State (XVII), 9903.
- Railway quarters (XIV), 3193.
- Regional Engineering College, Calicut (XVII), 11606-607.
- Replanting of rubber in Kerala (XIII), 1664.
- Retirement of High Court Judges (XVII), 10188.
- Rubber Tappers Training Schools in Kerala (XVI), 7939.
- Rural electrification in Kerala (XV), 5189-90.
- Rural Labour Enquiry (XVII), 9620-25.
- "Sainik Samachar" (XV), 5860.
- Scarcity of Lubricating oils (XIV), 3427.
- School of catering, Kerala (XIII), 1708.
- Sea Erosion in Laccadives (XVII), 11601.
- Separation of judiciary from the Executive (XVII), 10130-34.
- Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.
- Synthetic fish net twine making factory (XVIII), 12843-44.
- Taxation system in Laccadives (XVII), 11600-601.
- Telephone exchanges and public call officers in Kerala (XVI), 8159-60.
- Telephones in Khozikode District (XIII), 1705.

RAGHAVAN, SHRI A. V.: contd.

- Transport Cooperative Societies (XV), 6130-31.
- Tenants in Mahe (XVI), 8437-38.
- Urban Water Supply Schemes in Kerala (XVI), 9176.
- Washery-cum-Sodium Sulphate Recovery Plant at Sambhar (XVIII), 12131-32.
- Wharf at Beypore (XVII), 11342.
- Women's polytechnic at Calicut (XVIII), 13098-99.

Debates

D.G. (1963-64):

Min. Def. (XVI), 8260-65.

RAGHUNATH SINGH, SHRI:

- A.I.R. Station at Raipur (XV), 4425.
- Accident to Hyderabad Flying Club Aircraft (XV), 4612-13.
- Accommodation for Middle class tourists (XV), 4646-47.
- Advertisement of drugs (XV), 5144-47.
- Advisory Committee for the Chief Commissioner of Andamans (XIII), 1169-70.
- Afghan Trade Mission's visit to Delhi (XIV), 2939.
- Afro-Asian Solidarity Conference (XIII), 916-17.
- Air crash near Hyderabad (XIV), 4126.
- Andaman Labour Force (XVI), 7433-36.
- Anti-Indian Chinese literature (XVI), 7367-72.
- Archaeological finds at Casual in Aligarh (XIII), 1192.
- Asian population conference (XIV), 4124.
- Atomic minerals found in Golbarga (XV), 4924-25.
- Ball Bearing Unit in Punjab (XIV), 2914.

RAGHUNATH SINGH, SHRI: *contd.*

- Barauni and Koyali refineries (XIV), 2411.
- Boat building yard at Karwar (XVI), 8169-70.
- Brintain's entry into E.C.M. (XIV), 2895.
- Capture of foreign textile markets by China (XVII), 10635.
- Central Board of Irrigation and Power (XIII), 1418.
- Central Government Officers in Assam (XIV), 2376.
- Chinese nationals (XIII), 1140-43.
- Chromite deposits in Mysore (XVI), 8880.
- Chrysler Automobiles (XVI), 6861-62.
- Civil Administration in NEFA (XIII), 907-12.
- Civil Defence Plan (XIII), 1158-63.
- Closure of cotton mills (XIV), 3385-86.
- Coal transport in India (XIII), 1359-61.
- Col. Bhattacharjee (XIV), 1887.
- Colombo proposals (XIII), 883-92.
- Colouring of vanaspati (XIII), 1645.
- Copper deposits near Gangtok (XIII), 1191.
- Coronary thrombosis (XIII), 541.
- Cotton cultivation (XVI), 8665.
- Crimes in Delhi (XIII), 1175.
- Dacoities by Pakistani nationals (XVIII), 12588.
- Dry docking and repairing of ships (XIV), 3178-79.
- Enquiry into NEFA reverses (XIV), 4072-81.
- Export Committee on Khadi (XIII), 711-12.
- Export of Indian textiles to U.S.A. (XIV), 3835-38.
- Export of iron ore to East European countries (XVI), 6894-95.

RAGHUNATH SINGH, SHRI: *contd.*

- Export of sugar to U.S.A. (XIII), 1620-22.
- Family Planning conference at Singapore (XV), 5135-37.
- Fire in railway goods shed, Howrah (XIV), 3177-78.
- Fishing Harbour, Veraval (XIV), 2087.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Foreign investment in India (XIV), 2690-93.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Foreign seamen in India (XIV), 2137.
- Foreigners in Indian shipping companies (XIII), 1701.
- Fourth Oil Refinery in South India (XIII), 304-305.
- Free water and electricity to Central Ministers (XIV), 3615-24.
- "Friendship March" to Peking (XV), 5847.
- Gulhati Commission Report (XIV), 2658-61.
- Goan economy (XIV), 1875.
- Gold prices and gold smuggling (XIV), 2683-87.
- Heavy Electrical Equipment plants (XIV), 3838-42.
- Hindi in U.P.S.C. examinations (XV), 6347.
- Hospital at Bomdila (XIII), 931.
- Import of trucks (XV), 5386-90.
- Indian currency in Nepal (XVI), 7665-48.
- Indian Navy (XIII), 922.
- Indian F.O.Ws. (XIII), 924-25.
- Indians in Burma (XVI), 7183-84.
- Jamālpur Railway Workshop (XIV), 2136.
- Jeep accident near Bomdila (XIII), 951.

RAGHUNATH SINGH, SHRI: *contd.*

- Jullundur-Pathankot Highway, (XV), 6114.
- Kalakote coal mines (XIII), 334.
- Kerosene distribution in Andamans (XVI), 7433-34.
- Large-sized Machine Tools Factory at Ranchi (XVII), 10633.
- Leprosy (XIII), 534.
- Losses suffered by civilians in NEFA (XIV), 4106.
- Lubricating oil plant (XIV), 2411.
- Manufacture of power tillers (XVII), 9400.
- Matatila Project (XV), 5121-22.
- Medical colleges (XV), 5165-66.
- MIGs, and MIG Factory (XIII), 929.
- National Defence Fund (XIII), 1380-88.
- National Mines Safety Council (XIV), 4103-04.
- Natural Gas at Avadi (XIII), 329.
- New universities in Madhya Pradesh (XIII), 1197.
- Officials Language (Legislative) Commission (XIV), 2950.
- Oil Refinery in private sector in South India (XIV), 2412.
- Pak. Nepal trade agreement (XIII), 709-11.
- Pending cases in High Courts and Supreme Court (XVI), 8919.
- Pre-historic remains near Rajkot (XVII), 10136.
- Production of sugar (XIV), 2068.
- Purchase of ships by Indian shipping Company (XVI), 8150.
- Radars for Indian ships (XV), 6114.
- Railway Bridges (XIII), 1638.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Repatriation of Indians from Mozambique (XIV), 4089-93.

RAGHUNATH SINGH, SHRI: *contd.*

- Replacement of ships (XV), 4666-67.
- Rihand Dam (XIII), 1135-40.
- Russian aid for Defence needs (XIII), 925.
- Second Shipyard (XV), 6060-63.
- Seizure of wrist watches by Bombay customs (XIV), 2717.
- Ships (XIII), 1701.
- Ships for movement of coal (XVI), 8636.
- Sino-Pak border agreement (XIII), 903--07.
- Smallpox in the country (XIII), 490-95.
- Sugar mills (XIII), 88-89.
- Survey of mines (XIII), 306.
- Tagore Estate in Kustia (East Pakistan) (XIV), 1925.
- Thefts of telegraph wires (XIV), 3168-69.
- Ticketless travelling (XIII), 1616-20.
- Training Centres for goldsmiths (XIII), 479-81.
- U.N. technical assistances (XIV), 2703.
- U.S. Military aid (XIII), 901-02.
- Violation of gold control rules (XIII), 507-09.
- West German aid for Plan projects (XIII), 517-18.
- Withdrawal by Chinese from Ladakh (XIII), 877-82.

Debate

- Accident at Jamuria Colliery (C.A.) (XV), 5611.
- Central Silk Board (Amendment) Bill (Amendment of section 4 and 6) by Shri Sham Lal Saraf.
- Motion to refer to S.C. (XIII), 833-36.

D.G. (1963-64):

- Min. Def. (XVI), 7991-8000.
- Min. Trpt. and Communi. (XVI), 9005-12.

RAJ, SHRIMATI SAHODRABAI:

D.G. (1963-64):

Min. Irr. and Power (XV), 6311—18.

Gold Control Scheme (Dis.) (XIV), 2353—57, 2583—88.

RAJ BAHADUR, SHRI—

D.G. (1963-64):

Min. Trpt. and Communi. (XVI), 8973—89.

RAJANAM, SHRI:

India International Centre, New Delhi (XV), 492.

Issue of industrial licences in Madras (XVIII), 13604.

Small Scale Industries in Madras (XVIII), 13603-04.

Trade agreement with Sweden (XVIII), 13584-85.

Debates

B.G. (General Discussion) (XIV), 3792—96.

D.G. (1963-64):

Min. Def. (XVI), 8350—54.

P.A.M. (XIII), 650—53.

RAJU, SHRI D. B.

Family Planning Centres in Andhra Pradesh (XVII), 10413-14.

Filariia Eradication in Andhra Pradesh (XVIII), 13385.

Post Offices in Andhra Pradesh (XVII), 11345.

Thefts in G.T. Express (XVII), 11345.

Debate

D.G. (1960—64):

Min. Irr. and Power (XV), 6323—28.

RAM, SHRI T.:

D.G. (1963-64):

Min. H.A. (XV), 6946—51.

RAM SEWAK, SHRI:

D.G. (R) 1963-64 (XIV), 2571—74.

RAMSHEKHAR PRASAD SINGH, SHRI:

Accident in Ballihari Colliery (XVII), 11042-43.

Afro-Asian Solidarity Conference (XIII), 916-17.

Agricultural production (XIII), 67—74, (XIV), 2079.

Archaeological survey of India help to Nepal (XVI), 8942.

Car plates in Hindi (XIV), 2427.

Central Housing Board (XVI), 9179.

Compulsory military training (XIV), 1904.

Cooperative movement (XIV), 3136—41.

Customs duty on goods of repatriates from Mozambique (XIII), 1406.

Delhi Electric Supply Undertaking (XVI), 9179.

Delhi Water Supply and Sewage Disposal Undertaking (XVII), 10391.

Economy measure in D.V.C. (XIII), 1409.

Foreign exchange (XV), 5151—53.

Goods lost in transit (XVI), 8201.

Green manure and compost (XV), 6098-99.

Heavy Electricals Limited, Bhopal (XIV), 2935.

Indian Ocean expedition (XV), 4999.

Industrialisation of under-developed countries (XIV), 3419.

Inter-University Board (XVI), 7375—80.

Medical colleges (XV), 5165-66.

National Book Trust (XVI), 7372—74.

Noonmati Oil Refinery (XVII), 11605.

North Eastern Railway (XV), 6090.

Planning Boards in States (XV), 4401.

RAMSHEKHAR PRASAD SINGH—
contd.

Powerful transmitter on A.L.R. (XIV), 1896.

Prices of agricultural products (XV), 6053—56.

Railway restaurants (XIV), 2088.

Reduction during emergency (XIII), 269—71.

Report of Mahalanobis Committee (XIV), 1881.

Shifting of Hindi Directorate (XIII), 1174.

Steel and heavy industries (XIII), 1667.

Strike in Burauni Oil Gas Refinery (XVII), 11605-606.

Study group on primary education (XV), 6390-91.

Sub-soil water in Delhi (XIV), 3641-42.

Sugar mills (XIII), 88-89.

Suicide by Liaison officer (XIII), 1650.

Supply of oil to Ceylon (XV), 4927.

Three-year degree course (XIV), 2390.

University courses in Medicine (XIII), 523.

Debates

B.R. (General Discussion) (XIII), (XIII), 1831—39.

P.A.M. (XIII), 977—86.

RAM SINGH, SHRI:

D.G. (1963-64):

Min. of Health (XV), 5943—47.

RAM SUBHAG SINGH, DR.

D.G. (1963-64):

Min. Food and Agri. (XV), 5071—81.

Reported shortfall in food production targets during third Plan period (C.A.) (XVII), 12869—875.

RAM SWARUP, SHRI:

D.G. (1963-64):

Min. Irr. and Power (XV), 6300—04.

RAMABADRAM, SHRI:

India International Centre, New Delhi (XV), 4924.

Debates

D.G. (1963-64):

Min. Com. Dev. and Coop. (XVI), 7778—83.

RAMAKRISHNAN, SHRI P. R.:

B.G. (1963-64) General discussion (XIV), 3347—52.

Leave of Absence (XVI), 8447.

RAMASWAMY, SHRI S.V.:

D.G. (R) (1963-64) (XIII), 2993—3003.

D.E.G. (1960-61) (XVIII), 12688-89, 12702-03.

D.S.G. (R) 1963-64, (XVIII), 12705—08, 12725—31.

Freight Concessions to Export Traffic. (St.) (XIII), 1208-09.

RAMESHWARANAND, SHRI:

Ayurvedic graduates (XVI), 7637—41.

Bharat Sewak Samaj (XIV), 4116.

Bombs lost in Suratgarh area (Q.) (XV), 5842.

Central Flood Control Board (XVII), 10417-18.

Colombo proposals (XIII), 833—92.

Committee for negotiations with foreign Collaborators (XV), 6577.

Commodities brought by Indians from abroad (XV), 5180-81.

Compulsory primary education (XIII), 284.

Death of animals (XV), 6121-22.

Distribution of coal (XII), 314.

Encroachments on Government land in Delhi (XVI), 9118.

RAMESHWARANAND, SHRI: contd.

- Evaluation of character of students (XIV), 2420.
- Facilities to families of Jawans (XIV), 1913.
- Facilities to individual house builders in Delhi (XIV), 2379.
- Free Water and electricity to Central Ministers (XIV), 3619-24.
- Gold prices and gold smuggling (XIV), 2685.
- Handing over of equipment by Chinese (XIV), 4095-96.
- Hospitals in Delhi (XIV), 2671-72.
- House-building loans (XVI), 9137-38.
- IISCO (XIV), 3853-55.
- Import of small pox vaccines (XVI), 6620.
- Indian currency in Nepal (XVI), 7648.
- Injections for birth control (XV), 6622.
- Land prices in Delhi (XV), 6354.
- Leather facilities (XVIII), 12113-14.
- Manufacture of automatic weapons (XIV), 1863.
- Military Training Centres (XIV), 1915.
- National Defence Fund (XIII), 1385.
- National volunteer force (XV), 5827.
- Naval Exercises (XVI), 7153.
- NEFA Reverses (XVI), 7151-52.
- Ordnance factories (XVI), 7129.
- Orientation of Primary schools (XV), 4885-86.
- Pak. Nepal trade agreement (XIII), 711.
- Power surplus in Delhi (XVI), 9144.
- Production and distribution of steel tubes (XVIII), 12112-13.
- Production of drugs (XV), 5396-5400.

RAMESHWARANAND, SHRI: contd.

- Prohibition (XV), 4864-71.
- Recruitment of Jawans (XIII), 939.
- Recruitment to Army (XIV), 4115-16.
- Religions and Rural education (XV), 6376.
- Rifle training to N.C.C. Cadets (XV), 5838.
- Rourkela and Durgapur steel plants (XIV), 3871-72.
- Scholars sent abroad (XVI), 8930.
- Synthetic rubber factory, Bareilly (XIV), 3863.
- Third Division in examinations (XIII), 286-88.
- Trade with Japan (XVI), 7885.
- "Tripitaka" in Hindi (XVI), 8890.
- Trisuli Project in Nepal (XV), 6581.
- Unemployment in Goa (XIV), 1894.
- Use of intoxicants by Military officers (XVI), 7183-84.
- Value of India's exports and imports (XVII), 10660.

Debates**D.G. (1963-64):**

- Min. Def. (XVI), 8046-59.
- Min. Ed. (XV), 5511-18.

OFFICIAL LANGUAGES BILL:

- Int. (XVII), 9441, 9447, 9450, 9451, 9452, 9453, 9454, 9456.
- P.A.M. (XIII), 1285-92.
- Report of Committee on the conduct of certain members during the President's Address (M) (XV), 4744-45.

RAMPURE, SHRI M.:

- Distribution of Krishna and Godavari waters (XVIII), 13386.

RANANJAI SINGH, SHRI:

- Aid given to Bharat Sewak Samaj (XVII), 10155-56.

BANANJAI SINGH, SHRI: contd.

District soldiers', sailors' and Air-men's Boards (XVI), 7169.

Halt station between Arhanpur and Nihalgarh (XVI), 8157.

Kashi Nagari Pracharini Sabha (XVI), 7411.

Debates

D.G. (1963-64):

Min. Ed. (X), 5649—54.

RANE, SHRI:

Business Advisory Committee:

Thirteenth Report prescribed (XIII), 870.

Fifteenth Report Presented (XVI), 8624.

RANGA, SHRI:

All India Insurance Employees Association (XIII), 1362.

Allotment of newspaper to 'Link' (XVI), 7146—48.

Andaman and Nicobar Islands (Q) (XIII), 1172.

Anti-Corruption Advisory Committee (XIII), 292.

Attorney-General's advice on affairs of a firm (XVIII), 13054.

Ayurvedic graduates (XVI), 7640-41.

Chairman of Community Development Block (XV), 4608-09.

Chinese internees in India (XVIII), 13039.

Civil Administration in NEFA (XIII), 911.

Civil Defence Plan (XIII), 1162.

Coal transport problems (XVIII), 12088.

Colombo proposals (XIII), 888.

Compulsory Hindi examinations in Madras (XVIII), 13035, 13036.

Cotton growers (XIII), 63.

Delhi Engineering College (XV), 4895-96.

RANGA, SHRI: contd.

Election of panchayats (XV), 4633.

Emergency Commissions (XVIII), 12570.

Enquiry into NEFA reverses (XIV), 4075—81.

Eradication of famine (XVI), 7627.

Excise duty on tractors (XVII), 10365.

Express delivery system (XIV), 2098.

Farrakka barrage (XIII), 1402.

Foreign Air Mission's visits to India (XIII), 899.

Gold Prices and gold smuggling (XV), 2686.

Gulhati Commission Report (XIV), 2659.

Heavy Electricals Limited, Bhopal (XIII), 688.

High protein food for Jawans (XVIII), 12558.

Idle manpower (XVII), 11039.

Industrial truce (XV), 4399.

Industrial units (XVI), 7900.

Jaipur Bikaner National Highway (XV), 4615.

Joint U.S.-Commonwealth Air Mission (XVII), 11045.

Liberty licencing policy (XV), 5384-85.

Manpower training programme (XIII), 1147.

Micro-wave link in Assam (XV), 4629.

Military awards (XIV), 1867.

Navigation in Rajasthan canal (XIII), 1372.

Oil exploration (XIV), 2403.

Partial payment of workers' wages in food (XV), 6183.

Planning Boards in States (XV), 4403.

Planning Commission Adviser's visit to Andhra Pradesh (XVII), 11030.

RANGA, SHRI: contd.

- Power projects (XIII), 1378.
 Powerloom industry (XIII), 894.
 Press Council (XV), 5829.
 Prices of agricultural products (XV), 6055-56.
 Production of tractors and trucks (XVII), 11020.
 Provision for Corporation (XVIII), 12793-94.
 Public sector projects (XV), 5832.
 Public Undertakings (XIV), 2910.
 Publication of American and U.K. text-books in India (XV), 6372.
 Release of communists during Bye-elections (XV), 5163.
 Research in NEFA operations (XIV), 1884.
 Research in private institutions (XV), 6337.
 Shortage of Army Officers (XVII), 11008.
 Shortage of pig iron in Gujarat (XIV), 2918.
 Sindri Fertilizer Factory (XIII), 696.
 Statutes regarding mines and factories (XIV), 1875.
 Small and Minor Irrigation Schemes (XIII), 49.
 Ticketless travelling (XIII), 1618.
 Tusker Project (XIV), 1862.
 Village volunteer force (XIII), 1607-1608.
 Withdrawal by Chinese from Ladakh (XIII), 880.

Debates

- B.G., General Discussion (XIV), 4178-91.
 B.O.H. (XIII), 743, (XV), 6920-21.
 Compulsory Deposit Scheme Bill:
 Motion to consider (XVII), 11220-224.
 Consid. Cl. (XVIII), 12902.
 Motion to pass (XVIII), 12906-07.

RANGA, SHRI contd.

- Constitution (Fifteenth Amendment) Bill:
 Consid. cl. (XVIII), 13253-254.
 D.G. (1963-64):
 Min. Com. Dev. and Coop. (XVI), 7698-7711.
 Min. Def. (XVI), 7974-89.
 Min. H.A. (XV), 6691-6702.
 Min. Irr. and Power (XV), 6155-65.
 Finance Bill, 1963:
 Motion to consider (XVII), 10719-30.
 Motion to pass (XVIII), 10974-76.
 Obituary Reference:
 Demise of Dr. Rajendra Prasad (XII), 1574-76.
OFFICIAL LANGUAGES BILL:
 Consid. Cl. (XVIII), 12153-80, 12474-75.
 Motion to pass (XVIII), 12475.
 P.A.M. (XIII), 384-400.
 Re: Interruptions and walk-out during President's Address (XIII), 6-7.
 Re: remarks made by Shri Bagri against the Minister and Offices of the Ministry of Scientific Research and Cultural Affairs (XV), 5903.
 Re: Statement by Member (XVI), 7949-50.
 Re: Suspension of Member (XVIII), 12640.
 Re: termination of suspension of Member (XVIII), 13137-138.
 Sighting of unidentified Ships off the Another Cadet (C.A.) (XVII), 10518.
 Sixteenth Report of Business Advisory Committee (XVII), 11094.
 Super Profits Tax Bill:
 Motion to consider (XVII), 11107-14.

RANGE RAO, SHRI, R. V. G.A.:

Leave of Absences (XVI), 8447,
(XVIII), 13166.

RAO, DR. K. L.:

Advance courses in Defence sciences in Universities (XIV), 4085.

Bilaspur road (XVII), 11308.

Cement quota to Andhra Pradesh (XVI), 7871.

Coal transport problems (XVIII), 12088.

Concrete sleepers for Railways (XVII), 11274.

Coordination of Scientific Research (XIII), 282.

Design and Engineering Unit (XVII), 10127.

Electrification of trains (XIV), 3130.

Floods in Brahmaputra (XIV), 3610.

Gandak-Naraini Flood Control Scheme (XVII), 10355-56.

Heavy electrical equipment plants (XIV), 3838-42.

High pressure boiler plants (XIV), 3869.

Import of wooden sleepers from Burma (XVI), 8136.

Insecticides (XIV), 3605-606.

International Programme on Scientific Hydrology (XVII), 10124.

Kolaghat bridge (XVIII), 14155-57.

Marine diesel engines (XVII), 9611-13.

National Institute of Industrial Engineers (XV), 4871-73.

National Water Supply and Sanitation Committee (XV), 5158.

New Civil Airport at Delhi (XVIII), 11791.

New Power Station in Delhi (XIV), 2697.

Power projects (XIII), 1378.

Power requirements of the country (XIV), 3628-30.

RAO, DR. K. L.: contd.

Public Sector Undertakings (XVIII), 12070.

Rail bridge over Jamuna (XIV), 2072.

Reorganisation of Planning Commission (XVIII), 12568.

Sethusemudram Project (XVI), 8642.

Siltation of Calcutta Port (XVI), 8644.

Structural steel (XVIII), 11831.

Survey of Himalayan region (XVII), 11544.

Textile machinery manufacturing industry (XVII), 9365.

Training in the manufacture of Synthetic draga (XVI), 7892.

Underground rail system for Delhi (XIII), 1613.

Visit of Joint Committee to Eastern U.P. (XIII), 896.

Water supply for greater Calcutta (XVII), 10371.

Debats

B.R. (1963-64), General Discussion (XIV), 1968-74.

D.G. (1963-64):

Deptt. of Atomic Energy (XV), 5775-80.

Min. Econ. and Def. Coord. (XVII), 9931-38.

Min. Irr. and Power (XV), 6187-97.

Min. S. & H.I. (XVII), 9712-18.

P.A.M. (XIII), 359-66.

RAO, SHRI KRISHNAMOORTHY:

Committee on Private Members' Bills and Resolutions Fourteenth Report (XIV), 2730.
Seventeenth Report (XV), 6405.

Report of Committee on the conduct of certain Members during the President's Address (M), (XV), 4709-14.

RAO, SHRI E. MADHUSUDAN:

- Accommodation for Government employees (XV), 5179.
- Adult education in Andhra Pradesh (XVIII), 13078.
- Agencies of Delhi Milk Supply Scheme (XVI), 8260-61.
- Allowances to Ministers (XVI), 8866.
- Assistance to Andhra Pradesh (XV), 4650-51.
- Automatic telephones in Warangal (XIV), 2122.
- Barter deals (XVIII), 13613.
- Bridge at Warangal (XVI), 8160.
- Colonies for Scheduled Castes in Andhra Pradesh (XVI), 8937.
- Cottage and small scale industries in Andhra Pradesh (XIV), 3878.
- Distribution of radio sets in Andhra Pradesh (XVII), 9678.
- Documentary films on Folk Dances of Andhra Pradesh (XVI), 7166.
- Documentary films on scientific subjects (XVI), 8443-44.
- Documentaries for Children (XVI), 8443.
- Family Planning Centres in Andhra Pradesh (XVII), 10413-14.
- Fixation of salary of I.C.S. Officers (XVI), 7412-13.
- Gold mines in Andhra Pradesh (XVI), 7412.
- Hindi in South India (XIII), 1148-52.
- Hindi writers (XIV), 2435.
- Housing colonies for handloom weavers in Andhra Pradesh (XVII), 8414.
- Housing colonies for tribals (XVI), 8936.
- I.A.S., I.P.S., and I.F.S. Officers from Andhra Pradesh (XIV), 2443.
- Indian Ocean expedition (XV), 4909.
- Iron and Steel Plant in Andhra Pradesh (XVI), 7914.

RAO, SHRI E. MADHUSUDAN—contd.

- Issue of industrial licences in Andhra Pradesh (XVI), 7915.
- Kozipet Junction (XIV), 2123.
- Manufacture of explosives (XVIII), 13612.
- Medical colleges (XV), 5165-66.
- National Defence College (XV), 5871.
- National Discipline Scheme in Andhra Pradesh (XIV), 2415.
- New University in Delhi (XVI), 7412.
- Oil exploration (XIV), 2400-2406.
- Pending cases in Andhra Pradesh High Court (XVIII), 13110-11.
- Procurement of foodgrains (XV), 4657.
- Procurement of rice in Andhra Pradesh (XVII), 9885.
- Production of paper mills (XIV), 3878.
- Projects in Andhra Pradesh with Russian aid (XVI), 7915-16.
- Regional Engineering College, Warangal (XIV), 2414.
- Registration in Employment exchange in Andhra Pradesh (XIV), 4111.
- Rural electrification in Andhra Pradesh (XVIII), 10413.
- Sahitya Akademy awards (XIV), 3413.
- Scholarships in Andhra Pradesh (XVII), 10154-55.
- Second State Trading Corporation (XVIII), 9346.
- Shorter National Anthem on A.I.R. (XVIII), 12579.
- Small Scale Industries in Andhra Pradesh (XVI) 7914-15.
- State Trading Corporation (XVIII), 12139.
- Supply of military trucks by Tatas (XIV), 4139.

RAO, SHRI MADHUSUDAN—contd.

Technical Institutes and Engineering Colleges for border areas (XV), 4909-10.

Technical qualifications (XVII), 10163.

Traffic on Railway bridge, Delhi (XV), 6050-53.

Training Centres for emergency commissioned officers (XIV), 1890.

Welfare of S.C. and S.T. in Andhra Pradesh (XVIII), 13111.

Zonal office of Railways in Andhra Pradesh (XVI), 8689.

RAO, SHRI MUTHYAL:

Enquiry into N.E.F.A. reverses (XIV), 4081.

RAO, SHRI RAMESHWAR:

Regional Disparity (Res.) (XVII) 9533-36.

RAO, SHRI THIRUMALA:

Agricultural production (XXIII), 72.

Anti-Indian propaganda by Chinese Embassy in Colombo 4082-83.

Foreign Air Mission's visit to India (XIII), 900.

Gold prices and gold smuggling (XIV), 2686.

Oil exploration (XIV), 2404.

Port facilities in southern region (XIV), 3135.

Shortage of pig iron in Gujarat (XIV), 2916.

Three-year degree course (XIV), 2392.

Wooden sleepers washed away towards Pakistan (XVIII), 11921.

Debates

D. G. (1963-64):

Min. Trpt. and Communi. (XVI), 8955-63.

RAO, SHRI THIRUMALA—contd.

Marine Insurance Bill.

Motion to pass (XVI), 8070-71.

Re: remarks made by Shri Bagri against the Minister and Offices of the Ministry of Scientific Research and Cultural Affairs (XV), 5910-11.

RATTAN LAL, SHRI:

Explorations of Flourite in Rajasthan (XVIII), 13108-09.

Udaipur-Himmatnagar Railway Line (XVIII), 12849.

RAY, SHRIMATI RENUKA:

Calcutta Gas Company (XVII), 11027.

Civil Administration in NEFA (XIII), 911.

Compulsory primary education (XIII), 284.

Co-ordination of civil and defence production (XVI), 877.

Dairy Development Schemes (XVII), 9873

Economic criteria for backwardness (XVII), 10146-50

Economy in civil aviation (XIII), 1602.

Export of bicycles (XVI), 7876.

Farakka barrage (XIII), 1400-1403.

Gold prices and gold smuggling (XIV), 2686.

Import of electric locomotives (XVII), 11301.

Import of pig iron (XVIII), 1355-58.

Milk drying plants (XVII), 9868.

Prices of automobiles (XIII), 707.

Production of steel castings (XVIII), 1358-61.

Production of tractors and trucks (XVII), 11021.

Promotion of export trade (XVIII), 12099-12104.

RAY, SHRIMATI RENUKA—contd.

Quality control and pre-shipment inspections (XIV), 2921.

Ticketless travelling (XIII), 1620.

Debates

B.G. (1963-64) General discussion (XIV), 3397-414.

Central Silk Board (Amendment)

Bill (Amendment of sections 4 and 6) by Shri Sham Lal Saraf:

Motion to refer to S.C. (XIII), 825-27.

Child Marriage Restraint (Amendment) Bill:

Motion to circulate (XIII), 3075-76.

Compulsory Deposit Scheme Bill:

Motion to consider (XVII), 11224-227.

D.G. (1963-64):

Min. Com. Dev. and Coop. (XVI), 7718-23.

Min. H.A. (XV), 7082-85.

D.G. (R) 1963-64 (XIV), 2552-56.

Gold Control Scheme (Dis.) (XIV), 2313-23.

Official Language Bill.

Motion to consider (XVIII), 11958-63.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14087-92.

Reported kidnapping of some Santhals by East Pakistan Police (C.A.) (XVIII).

REDDI, DR. B. GOPALA:

D.G. (1963-64):

Min. I and B (XV), 5446-78.

REDDI, SHRI R. N.:

Central Sales Tax (XVIII), 13377.

Inter-State Sales Tax (XVIII), 13376.

REDDIAR, SHRI:

All India Handloom Board (XVII), 10649-651.

Emergency Commissioned Officers (XVIII), 12587.

REDDIAR, SHRI—contd.

Handloom Export Organisation (XVII), 10648-649.

Weavers Service Centres (XVIII), 12124.

REDDY, SHRI ESWARA:

Andhra Sugars Limited (XVII), 9387.

Avro 748 for Indian Airlines Corporation (XVIII), 12853.

Barium Chemical Plant at Kothagudium (XVI), 7941-42.

Brakeblocks for South-Eastern Railway (XVII), 9899.

Cement factory at Yerraguntla (XVII), 10659.

Cormandel Fertilizers Private Limited (XVI), 9165.

D.K. Railway track (XVII), 11335.

Fatal accidents in collieries in Yellandu (XVII), 9667-68.

Fish-plates and tie bars for southern railway (XVI), 8196-97.

Glass Factory at Hyderabad (XVI), 7902-04.

Hopper wagons on Southern Railway (XVI), 8664.

Import of wrought iron pipes (XVII), 10657-658.

Industrial Units (XVI), 7905-08.

Integral Coach Factory (XVI), 8195-96.

Interest on Provident Fund (XVI), 8419.

Iron and Steel Plant in Andhra Pradesh (XVI), 7914.

Limestone deposits in Khammam district, Andhra Pradesh (XVI), 7435.

Low Temperature Carbonisation Plant at Kothagudium (XVI), 7399-7400.

Madras Airport (XVI), 8688.

Manufacture of 'Box' type wagons in Lallaguda (XVI), 8196.

Miners' quarters (XVI), 7188.

REDDY, SHRI NARASIMHA—contd.

- Mobile welding plants (XVI), 8195.
 Multi-purpose institutes at Kothagudam (XVI), 8440-41.
 Palai Central Bank in liquidation (XVII), 10365-67.
 Permanent Way Inspectors (XVII), 12852-53, 11327.
 Post of Financial Commissioner, Railways (XVII), 9898.
 Progress of Third Plan (XVIII), 12591.
 Quarters for staff of coal mines at Kothagudam (XV), 7189-90.
 Railway technical training schools (XVII), 9899.
 Railway track (XVI), 8687.
 Regional hospital at Ramagundam (XVI), 7189.
 Rudimentary interlocking (XVIII), 12852.
 Selection of General Manager (Railways) (XVI), 8688.
 Senior scale officers in Railway Board (XVI), 8688.
 Signalling on Central Railway (XVII), 11334.
 Singareni collieries Company (XVI), 8441, 8445, 8934.
 Thermal Plant at Kothagudam (XVI), 7680-81.
 Time tables (XVII), 11334.
 Track between Bhadrachellam Road and Colliery siding (XVII), 9920.
 Training establishments for Railway officers (XVII), 9900.
 Training in the manufacture of Synthetic drugs (XVI), 7890-92.
 Tungabhadra Hydro-electric scheme (XVI), 7681.
 Upper quadrant two aspect signals (XVIII), 12851-52.
 Winding engines (XVI), 7842.

REDDY, SHRI K.C.:

Re: alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13941-43.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8727-66.

REDDY, SHRI NARASIMHA:

Allowances to Ministers (XVI), 8866.

Design and Engineering Unit (XVII), 10125-28.

Food production (XIII), 81.

Fuel efficiency in Indian industry (XVIII), 12084-87.

High altitude scientific problems (XVI), 8896.

Hindi in South India (XIII), 1150.

Import of dry fruits from Iran (XV), 5405-06.

Inter-State Organisation for Dacoity Menace (XVII), 11589-590.

Oil refinery in Madras (XVIII), 13039.

Police strength of Dehi (XVIII), 13087.

Port charges at Calcutta (XVI), 8200.

Russian aid for Defence needs (XIII), 925.

Siliguri-Jogighopa Railway line (XVI), 8150-51.

Small and Minor Irrigation Schemes (XIII), 48.

Textile machinery manufacturing industry (XVII), 9364.

Trade agreement with Sweden (XVIII), 13584-85.

Use of Hindi on A.I.R. (XVIII), 12549.

Debates

B.R. (1963-64), general discussion (XIV), 1982-87.

Constitution (Fifteenth Amendment) Bill:

Motion to consider (XVIII), 12963
989.

REDDY, SHRI NARASIMHA—contd.

Constitution (Sixteenth Amendment)
Bill, as reported by J. C.

Motion to consider (XVIII), 13449-54.

D.G. (1963-64):

Min. Ex. Affairs (XV), 4809-13.

Official Language Bill:

Motion to consider (XVIII), 11916-24.

REDDI, SHRI YALLAMANDA:

Cement factories (XVII), 9391.

Construction of wharf at Vishakhapatnam (XV), 5866.

Cotton yarn prices (XVI), 7920-21.

Gold production (XV), 6604.

Import of steel from U.S.S.R. (XVII), 10158.

Liquid gold for industries (XVI), 9152.

Mettur Tunnel Hydro Electric Project (XIII), 1408.

Nagarjunasagar Project (XIII), 1408.

Production in Military Workshops (XIII), 944.

Production of aircraft in H.A.L. (XIV), 1929.

Research scheme in Pediatrics (XIII), 1179.

Singareni Collieries (XVI), 8162-63.

Singareni Collieries Company (XVI), 8934.

Synthetic drug factory at Hyderabad (XIII), 1647.

Visakhapatnam port (XIII), 1720.

Yarn prices (XVII), 9387.

Debates

Leave of Absence (XVIII), 14186.

Release of, (XVII), 11617.

REDDY, SHRIMATI YASHODA:

Drinking water in States (XV), 5151.

National water supply and Sanitation Committee (XV), 5157-58.

Graduates in agriculture (XIV), 3184-35.

Scarcity of coal (XIV), 3376.

World Food Programme (XV), 6077.

**REDDY, SHRIMATI YASHODA:
contd.***Debates*

Child Marriage Restraint (Amendment) Bill:

Motion to circulate (XIII), 3083-85.

D.G. (1963-64):

Min. Food and Agri. (XV), 5065-71.

Min. of Health (XV), 5990-96.

D.G.(R) 1963-64 (XIV), 2771-75.

Official Languages Bill:

Motion to consider (XVII), 11745-50.

Motion to pass (XVIII), 12492-93.

P. A. M. (XIII), 753-61.

RAY, DR. SARADISH:

Collapse of C.P.W.D. godown in New Delhi (XVIII), 14168-70.

Report on Dalmia-Jain concerns (XIII), 1625.

Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.

Debates

D.G. (1963-64):

Min. Irr. and Power (XV), 6143-49.

ROY, SHRI BISHWANATH:

Agricultural programmes (XVI), 8649.

Archaeological excavations near Chandigarh (XVII), 11602.

Ban on manufacture of Gur and Khandsari (XV), 6058-60.

Colombo proposals (XIII), 883-92.

Confectionary exports (XVI), 7900-02.

Delimitation of Constituencies (XIV), 2946.

Drinking water in States (XV), 5147-51.

Eleven year school education (XIII), 325.

Export of sugar (XVI), 8149.

Foreign Air Mission's visit to India (XIII), 597-900.

ROY, SHRI BISHWANATH—contd.

- Fourth Oil Refinery in South India (XIII), 304-05.
- Gandak Project (XIII), 486-88.
- Haj Pilgrims (XIV), 3192-93.
- Historical finds in Sagar district (XV), 4892-93.
- Labour Recruiting Depot, Gorakhpur (XVII), 11040-41.
- Level crossings (XIV), 2113.
- Major irrigation and power projects (XIII), 1366-69.
- Oil exploration (XIV), 2400-2401.
- Payment of sugarcane price (XIII), 64-66.
- Petroleum products (XIV), 3428.
- Planning Boards in States (XV), 4401.
- Prehistoric remains near Rajkot (XVII), 10135.
- Price of sugar (XVIII), 14143-53.
- Production of sugar (XIV), 2064-65.
- Rail bridge over Jamuna (XIV), 2070.
- Report on Dalmia-Jain concerns (XIII), 1625.
- Russian aid for Defence needs (XIII), 925.
- Sale of damaged foodgrains (XVI), 8141.
- Siliguri-Jogighopa Railway line (XVI), 8150-51.
- Sugar factories (XIII), 1612.
- Sugar factory in U.P. (XIV), 2121.
- Sugar trade in Delhi (XV), 6073-74.

Debates

- B.R. (1963-64), general discussion (XIV), 2057-60, 2182-90.
- D.G. (1963-64):
- Min. M. & F. (XVI), 9276-82.
- Min. Trpt. & Communi. (XVI), 8798-8806.
- Finance Bill, 1963:
- Motion to consider (XVII), 10533-40.

S

SAHA, DR. S. K.:

- Farakka barrage (XIII), 1400-1403.
- Persons registered in West Bengal (XVII), 9647-48.
- Reservation for promotion (XVII), 10396-97.

SAIGAL, SHRI A. S.:

- Advisory Committee for the Chief Commissioner of Andamans (XIII), 1169-70.
- Affiliation of Higher Secondary Schools (XIV), 3406.
- Compensatory allowance (XIV), 3426.
- Extraction of timber (XIV), 2152.
- Forest Department, Port Blair (XVI), 8170-71.
- Leprosy pilot Projects in Orissa (XIV), 2694.
- Messrs. R. Akooje Jadwet & Co. (XIV), 3187.
- Migrants from West Pakistan (XV), 6618.
- Royalty on timber (XIV), 2161.
- Sale of Nicobari copra and betelnuts (XV), 4921-22.
- Shell-fishing licence in Andaman Nicobar (XV), 6386-87.
- State Education Ministers' Conference (XV), 6338-41.
- Steel Scrap No. 1 (XVI) 6910.
- T.B. clinics (XIII), 485.
- Unauthorised construction of jetty at Port Blair (XV), 6386.

SAMANTA, SHRI S. C.:

- A.C. Electric locomotives (XV), 4662.
- Agricultural Administration (XIV), 1903.
- Agricultural Colleges (XVIII), 12832.
- Agricultural implements (XVII), 9375.

SAMANTA, SHRI S. C.: *contd.*

- Agricultural price policies (XIV), 3163-64.
- Agricultural production (XIII), 1590-91.
- Aid to cultural organisations (XIV), 2417.
- All India Agricultural Services (XIV), 2149.
- Antibiotic factories (XIV), 3880.
- Anti-corruption Advisory Committee (XIII), 288-95.
- Archaeological projects during Emergency (XV), 4913.
- Bailadila Iron Ore Project (XVII), 11531-534.
- Barter deal with Japan (XVIII), 13541-44.
- Basic Education (XV), 4913-14, (XVII), 11581-83.
- Bengali film "Dada Thakur" (XVII), 13985.
- Block-making in Government Press, Faridabad (XV), 6563.
- Bomb Explosion on Railway track (XVI), 8653.
- Bridges over Jamuna (XIV), 2124.
- Broadcast in Tribal languages (XVI), 7172-73.
- Business and Export Houses (XV), 3496-99.
- Bye-elections (XIII), 679-80.
- Cable manufacturing plant at Rупnarayanpur (XVI), 6900-91.
- Camera Factory (XVIII), 12059-61.
- Cargo service between India and U.S.A (XV), 4610-12.
- Cattle feed manufacturing unit (XVII), 9896.
- Cement production (XVII), 9401.
- Chairman of Community Development Block (XV), 4605-99.
- Chemical fertilizers (XV), 4671-72, (XVII), 9870.
- Chinese aggression (XIII), 936.
- Circular Railway for Calcutta (XV), 4637

SAMANTA, SHRI S. C.: *contd.*

- Civil Administration in NEFA (XIII), 907-12.
- Civil Defence on Railways (XIV), 3174-75.
- Civil Defence Plan (XIII), 1158-63.
- Closure of Bank of China (XIV), 3657-58.
- Colombo proposals (XIII), 883-92.
- Community Development (XVIII), 12784-89.
- Compulsory military training (XIV), 1904.
- Compulsory primary education (XIII), 283-86.
- Concrete sleepers for Railways (XVII), 11272.
- Consolidated List of Scheduled Tribes (XIII), 1154-57.
- Co-operative farming (XVII) 6845.
- Coordination of Scientific Research (XIII), 280-82.
- Cost of integral coaches manufactured at Perambur (XVII), 11305.
- Credit facilities to foreign countries by S.T.C. (XVI), 7896-97.
- Credit guarantee scheme (XIV), 3850-53.
- Cut in imports (XVI), 6899-900.
- Czech Trade Team's visit to India (XIII), 1627.
- D.V.C. (XIII), 515-17.
- D.V.C. Canal (XVI), 7623-24.
- D.V.C. Navigational Canal (XVI), 7621-22.
- Defects in watches produced by H.M.T. (XIV), 2943.
- Defence Publicity (XVI), 8430-31.
- Democratic decentralisation (XIV), 5117-21.
- Development of Media of mass communication in India (XIII), 926.
- Development of Scheduled Tribes (XV), 4661-64.

SAMANTA, SHRI S. C.: contd.

- Disinfection of imported plants (XIV), 2125.
- Doctor kidnapped by Pakistanis (XIV), 1869.
- Dredger for Calcutta Port (IV), 4603-05.
- Easing of work load of rural housewives (XV), 4616-20.
- Economy in Railway Administration (XIV), 2116.
- Education during Emergency (XIII), 269-71.
- Election petitions (XIII), 721.
- Electric detonators (XIII), 723, (XVI), 6901.
- Electrification of Railway line from Howrah to Kharagpur (XIV), 2077.
- Electrification of trains (XIV), 3123-30.
- Electrification of Western Railway (XIV), 2061.
- Engines for supersonic jet fighter aircraft (XIV), 1901.
- Enquiry into N.E.F.A. reverses (XIV), 4072-81.
- Equipment for Calcutta suburban trains (XVII), 9937.
- Expansion of D.V.C. power project (XVIII), 11842.
- Export of bicycles (XVI), 7826.
- Export of lathe machines (XVII), 9343.
- Export of manganese ore (XIII), 700-02.
- Export of penicillin (XVI), 7867-68.
- Export of steam locomotives (XVI), 8111-13.
- Export of textiles to East Asian countries (XVI), 8855-58.
- Farakka barrage (XIII), 1400-403.
- Fertilizer Plant, Katni (XVII), 10568-591.
- Financial assistance to farmers (XV), 4670-71.

SAMANTA, SHRI S. C.: contd.

- Foreign Air Mission's visit to India (XIII), 897-900.
- Foreign exchange requirements (XVII), 16393-94.
- Foreign ships for transportation of coal (XVIII), 12781-84.
- Free trade ports (XIV), 2901.
- Free water and electricity to Central Ministers (XIV), 3615-24.
- Freight rates of ships (XVII), 11271.
- Fuel efficiency in Indian industry (XVIII), 12084-87.
- Gold prices and gold smuggling (XIV), 2683-87.
- 'Goshala Development' schemes (XIII), 1686.
- Haldia Port (XIII), 86.
- Head Post office for Hamirpur (U.P.) (XVII), 9884.
- Heavy engineering plant, Durgapur (XIII), 1653.
- Hindi in Central Government offices (XIV), 3413.
- Hindi in U.P.S.C. examinations (XV), 6344-47.
- Hindustan Aircraft Ltd. (XIII), 892-93.
- Hindusthan Cable Factory Rupnarainpur (XIII), 722, (XV), 5423-24.
- Hindustan Housing Factory (XV), 6611, (XVI), 7649-50.
- Housing Schemes in Andaman islands (XVI), 9157-58.
- Import of steam turbines from U.S.A. (XVIII), 11852.
- Import of trucks (XV), 5386-90.
- Indian drugs and Pharmaceuticals, Ltd. (XVII), 9398.
- International Programme on Scientific Hydrology (XVII), 10124.
- Iron and Steel output (XVI), 7925.
- Janata Express from Howrah to Bombay (XV), 6106.

SAMANTA, SHRI S. C.: *contd.*

- Kalaikunda Air base (XVIII), 13984-85.
- Kiriburu iron ore project (XVI), 8861.
- Kolaghat bridge (XVIII), 14153-57.
- Launching of sounding rockets (XV), 5852.
- Loans to Class IV employees for fans (XVIII), 11857-58.
- Loss of money in Tezpur (XVI), 7169-70.
- Lubricating oil plant (XIV), 2411.
- Manpower training programme (XIII), 1144-48.
- Manufacture of alloy steel (XIII), 1651.
- Manufacture of cement (XVI), 6884-86.
- Manufacture of detonators (XIII), 1652.
- Manufacturing Unit for insulating paper (XVI), 7921.
- Matatija Project (XV), 5121-23.
- Mechanised Brick Plant (XIII), 477-79.
- Medium-sized steel plants (XIII), 676-78.
- Model villages (XVI), 8138.
- Mountain Divisions in Indian Army (XVI), 8412-17.
- Mouth cancer centre at Agra (XVIII), 13336.
- Naroj Bridge accident (XIII), 1614-15.
- National Animal and Bird (XIII), 1643-44.
- National Building Construction Corporation (XIV), 3649.
- National Building Construction Corporation Ltd. (XVII), 10392.
- National Defence Fund (XIII), 1380-88.
- National Income (XIV), 1900.
- National Instruments Factory Calcutta (XVIII), 13604-05.

SAMANTA, SHRI S. C.: *contd.*

- Naval base in Eastern Zone (XVIII), 13951.
- Neyveli Thermal Power Station (XV), 4925.
- Oil exploration (XIV), 2400-2406.
- Ophthalmic Glass factory at Durgapur (XV), 5377-78.
- Ordnance factories (XVII), 9650-51.
- Palace of Maharani Laxmi Bai at Jhansi (XVI), 8915.
- Panna Diamond Mines (XV), 4886-92.
- Partial payment of workers' wages in food (XV), 6183.
- Payment of wages in shape of food (XIV), 4144-45.
- Per capita income in villages (XVI), 7123-27.
- Petro-chemical development at Barauni (XVIII), 13029-32.
- Phyto-Chemical Project at Neriamangalam (XVII), 10579-81.
- Pilot projects for rural water supply (XV), 5124-26.
- Plan for coal gasification (XIII), 319.
- Planning Boards in States (XV), 4401.
- Postal guide (XIV), 3121-23.
- Power plant at Faridabad (XV), 5176.
- Power shortage in the country (XIV), 2699-2700.
- Prices of foodgrains (XIV), 3124-28.
- Price of raw jute (XIV), 2930.
- Price of rice in West Bengal (XIV), 2103.
- Production of fruits and vegetables (XIV), 3182-83.
- Production of motor trucks (XIII), 713-16.
- Production of pig iron (XVII), 10640-41.
- Prohibition (XV), 4864-71.

SAMANTA, SHRI S. C.: *contd.*

- Publications of various industries (XVII), 9651-52.
- Quality control and pre-shipment inspections (XIV), 2922.
- Radio industry (XIII), 1660.
- Railway line to Haldia Port (XV), 4644.
- Railway Protection Force (XVIII), 12839.
- Recommendations of Second Pay Commission (XVII), 10161-62.
- Regaul station (XVI), 8679.
- Rehabilitation Industries Corporation (XIII), 730-31.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804-10.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Repatriation of Indians from Mozambique (XIV), 4088-93.
- Report on coal gradation (XVI), 7398.
- Research in private institutions (XV), 6335-37.
- Restaurant car in Delhi-Kalka Mail (XV), 4655-56.
- Rice prices (XV), 6112-13.
- Road to Barahoti (XIV), 1922.
- Russian aid for Defence needs (XIII), 925.
- Sainik schools (XIII), 912-16.
- Sales Tax evasion (XVI), 7684-85.
- Salt factories in West Bengal (XIV), 2949.
- Science education in India (XIV), 2409.
- Setting up of a Bengali regiment (XVII), 9599-9603.
- Setting up of universities (XIII), 265-67.
- Settlement of Santhal refugees from East Pakistan (XVI), 7668-69.

SAMANTA, SHRI S. C.: *contd.*

- Shortage of Army Officers (XVII), 11005-12.
- Short-fall in irrigation of Rabi and Kharif crops (XV), 6615.
- Siltation of Calcutta Port (XVI), 8644.
- Small and Minor Irrigation Schemes (XIII), 46-49.
- Smallpox in the country (XIII), 490-95.
- Special services to Delhi telephones (XVII), 11317.
- Stamp to commemorate Netaji's Memory (XV), 4648.
- Standing labour committee (XVI), 8432.
- Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
- Subsidiary Health Centres in rural areas (XIII), 1369-71.
- Sugar mills (XIII), 88-89.
- Suicide by goldsmiths (XVI), 9127-31.
- Super tanker (XIII), 1592-94.
- Sweet ground water near Calcutta (XV), 6385-86.
- Tassar silk industry (XV), 5435.
- Technological colleges at Pilani (XIV), 3424.
- Teleprinter Services for Jhansi (XV), 4644-45.
- Trade delegation for Pakistan (XV), 5436.
- Trade with East European countries (XVII), 9397.
- Train service around Delhi (XV), 6047-50.
- Training Centres for goldsmiths (XIII), 479-81.
- Training of Air Force Pilots (XVII), 9619-20.
- Training period for Gram Sevaks (XIII), 43-46.
- Training school for N.C.C. women Officers (XIV), 1911.
- Transfer of D.V.C. Headquarters (XIV), 2702.

SAMANTA, SHRI S. C.: contd.

- Transfer of D.V.C. office to Bokaro (XVII), 10345-47.
- Transport and communication in border districts of U.P. (XIV), 2111.
- Unemployment (XV), 5814.
- University courses in Medicine (XIII), 523.
- Use of Hindi dictionaries in A.I.R. (XVII), 11055-56.
- Village volunteer force (XIII), 1604-1609.
- Vividh Bharati (XVI), 7134-37.
- Wagon workshop, Matunga (XIII), 89-90.
- Warehouse for jute at Calcutta (XIII), 99.
- Wild life sanctuary in Andamans (XVII), 11316.
- Withdrawal by Chinese from Ladakh (XIII), 877-82.
- Withdrawal of ex-Defence personnel from civil departments (XVIII), 13969-971.
- World Bank loan for Railways (XVI), 8127-29.
- World Food Programme (XV), 6077-81.

Debates

- D.G. (1963-64):
- Min. Trapt. & Communi. (XVI), 8794-98.
- Finance Bill, 1963.
- Consid. Cl. (XVII), 10963-64.
- Marine Insurance Bill, as passed by R.S.
- Consid. (XV), 5600-02.
- Motion to pass (XVI), 8071-72.
- Mines (Amendment) Bill (Amendment of sections 12, 64, 66, 67, 70, 72C and 73) by Shri S. C. Samanta.
- Motion to consider (XVII), 10761-67.
- Reported kidnapping of some Santhals by East Pakistan Police (C.A.) (XVIII), 13779.

SAMANTA, SHRI S. C.: contd.

Reported shortfall in food production targets during Third Plan period (C.A.) (XVIII), 12871.

SAMNANI, SHRI:

- Dog squad in Delhi (XVI), 8903.
- Excise duty on tractors (XVII), 10363-65.
- Manufacture of tractors (XVII), 10620-631.

*Debate***D.G. (1963-64):**

- Min. Com. Dev. and Coop. (XVI), 7814-27.
- Min. I. and B. (XV), 5293-5301.

SARAF, SHRI SHAM LAL:

- Administration of justice (XIV), 3367.
- Age concessions for I.A.S. examination (XVIII), 13062.
- Agricultural programmes (XVI), 8647.
- All-India Printers' Conference (XVIII), 13548-49.
- Allowances to families of Chinese internees (XIV), 3390.
- Anti-Indian propaganda by Pakistan (XIII), 920-21.
- Balladila Iron Ore Project (XVII), 11533.
- Barter deal with Japan (XVIII), 13544.
- Bharat electronics (XIII), 940.
- Business and Export Houses (XV), 5409.
- Cane (XIV), 3877-78.
- Cardamom prices (XIV), 3875-77.
- Cargo service between India and U.S.A. (XV), 4612.
- Central Excise Reorganisation Committee (XVII), 10373.
- Central Workers Education Board (XVII), 11004.
- Chinese national (XIII), 1143.
- Co-education (XVIII), 13066-67.

SARAF, SHRI SHAM LAL: *contd.*

- Coal for Steel plants (XVI), 6863.
 Coal transport problems (XVIII), 12089.
 Commonwealth scientific committee (XIII), 267-68.
 Concentrated composite foods (XVIII), 13041, 13042.
 Concrete sleepers for Railways (XVII), 11274.
 Conference of Atomic Scientists held in Tokyo (XVIII), 12550.
 Cost of production of steel (XIV), 2939.
 Cost of steel production (XIII), 673-76.
 Cottage industries (XVI), 6888.
 Credit guarantee scheme (XIV), 3853.
 Crimes in Delhi (XIII), 1175.
 D.V.C. (XIII), 517.
 Deposit Insurance Scheme (XVI), 7644-45.
 Design and Engineering Unit (XVII), 10126.
 Dhebar Commission (XVII), 11548.
 Dhuvaran Thermal Power Station (XVII), 10397.
 Directorate Board of Hindustan Steel Ltd. (XVII), 9370.
 Display of retail prices (XVII), 9355.
 Drinking Water Supply for Banaras (XVI), 9121-22.
 Electrification of Railway line from Howrah to Kharagpur (XIV), 2077.
 Emergency risk insurance (XV), 5132-75.
 Export Advisory Committee for Pearls and Precious Stones (XVII), 10597.
 Export of engineering and machinery products (XV), 3392.
 Export of jewellery (XVIII), 12077.

SARAF, SHRI SHAM LAL: *contd.*

- Export of textiles to Burma (XVII), 10600.
 Export of textiles to East Asian countries (XVI), 6857.
 Exports to Latin American countries (XVII), 10602.
 Extension of C.H.S. Scheme (XVII), 10380.
 Facilities to individual house builders in Delhi (XIV), 2381.
 Fall in export of ilmenite (XIV), 1887.
 Floods in Brahmaputra (XIV), 3609-10.
 Foreign investment in India (XIV), 2690-93.
 Foreign ships for transportation of coal (XVIII), 12783.
 Foreigners employed in A.I.R. (XVIII), 13964.
 Forest Research Institute (XVI), 8651.
 French Count system for textile industry (XVIII), 12092-94.
 Frigates for Navy (XVII), 9666.
 Fruit and cattle farms (XVII), 11287.
 Gandak-Narainin Flood Control Scheme (XVII), 10356.
 Gandhian literature (XVIII), 12556.
 Gujarat Oil Refineries (XVII), 11568.
 High altitude scientific problems (XVI), 8899.
 Housing Boards (XIV), 3612-15.
 Import of wooden sleepers from Burma (XVI), 3135.
 Incidence of crimes in Delhi (XVI), 8871.
 India's relation with Foreign countries (XIV), 4065-69.
 Indian currency for Indians from Burma (XVI), 9169-70.
 Indian currency for Persian Gulf countries (XV), 6594.

SARAF, SHRI SHAM LAL: *contd.*

- Industrial units (XVI), 7907.
 Insecticides (XIV), 3606.
 Iron ore export to Japan (XIV), 3847-48.
 Jayanti Shipping Company (XV), 4635.
 Joint Board for water resources of Nepal and India (XVII), 10362.
 Joint farming (XVI), 8145-47.
 Kiruburu iron ore project (XVI), 8861.
 Leprosy (XIII), 534.
 Low Temperature Carbonisation Plant at Kothagudium (XVI), 7400.
 Manufacture of Defence stores by private sector (XV), 5809.
 "Maps of India" postage stamps (XVI), 8115-16.
 Master Plan for Development of tourism (XIII), 1597.
 Mouth cancer centre at Agr^a (XVIII), 13332.
 National Institute of Industrial Engineers (XV), 4872-73.
 "National science talent search" (XIV), 2371.
 Naval base in Eastern Zone (XVIII), 13951.
 Nutrition education (XVII), 9858.
 Ordnance factory workers (XV), 8383.
 Pace of production (XIII), 939.
 Paper factory at Mansurpur, U.P. (XVI), 7918.
 Pathankot-Jammu Railway line (XIV), 2100.
 Pig Iron Plant in Punjab (XIII), 713.
 Pilot projects for rural water supply (XV), 5124-28.
 Pollution of rivers by Sewage waters (XVI), 7684.
 Powerloom industry (XIII), 693.
 Preparatory classes in Delhi colleges (XVI), 7441.

SARAF, SHRI SHAM LAL: *contd.*

- Press for Parliamentary work (XVIII), 11809.
 Production in Ordnance Factories (XVI), 7131-32.
 Production of fertilizers (XVI), 6872.
 Production of steel castings (XVIII), 13560-61.
 Prototype Production and Training Centre at Rajkot (XVII), 10592.
 Psychological tests for railmen (XVIII), 12816.
 Purchase by D.G.S. & D. (XV), 6884.
 Purchase of Wheat by Government (XVI), 8132.
 Report on coal gradation (XVI), 7398.
 Research in private institutions (XV), 6337.
 Research Pilot Projects (XVII), 13084-85.
 Retention price of steel (XVI), 7917-18.
 Return of mortgaged gold (XVII), 10373-77.
 River Boards (XV), 6573.
 Rural universities and rural institutes (XIII), 312.
 Sainik School in Uttar Pradesh (XVII), 11024.
 Setting up of a Bengali regiment (XVII), 9600-9603.
 Shifting of Railway mineral siding from New Delhi yard (XVII), 9873.
 Small and Minor Irrigation Schemes (XIII), 49.
 Small pox vaccination (XV), 6601.
 Smuggling on Rajasthan-Pakistan border (XVIII), 13328.
 Specialised training for armament factories (XVII), 11017.
 Sugar trade in Delhi (XV), 6074.
 Supply of petroleum products to Ceylon (XVII), 10184-85.

SARAF, SHRI SHAM LAL—contd.

Synthetic rubber factory, Bareilly (XIV), 3862-63.

T. B. clinics (XIII), 485.

Three-year degree course (XIV), 2394.

Toning up of administration (XVII), 11062.

Trade Advisory Board for Delhi (XVI), 7892-93.

Training Centres for emergency commissioned officers (XIV), 1891.

Training of armed forces (XVI), 8411.

Transformers for Dhuvaran Electricity Project (XVII), 10647-48.

Travel agencies (XVIII), 13381.

U.N. expert for river basin survey in India (XVI), 9135.

Urban Community Development Programme (XVI), 9169.

Utilisation of irrigation potential (XIII), 498.

Water supply to Delhi from Punjab and U.P. (XVI), 9178-79.

Withdrawal of ex-Defence personnel from civil departments (XVIII), 13971.

Wooden sleepers washed away towards Pakistan (XVIII), 11823.

Wool shortage (XVII), 10621-22.

Zonal Transport Corporation (XVI), 8122.

Debates

Agricultural Refinance Corporation Bill:

Motion to consid. (XIII), 221-23.

Central Silk Board (Amendment) Bill:

(Amendment of sections 4 and 6) by Shri Sham Lal Saraf.

Motion to refer to S.C. (XIII), 808-19., 842-43.

D.G. (1963-64):

Min. Def. (XVI), 8024-30.

SARAF, SHRI SHAM LAL—contd.

D.G. (1963-64): contd.

Min. Com. and Def. Coord. (XVII), 9807-14.

Min. Ex. Affairs (XV), 4541-47.

Min. S.R. & C.A. (XV), 5701-05.

Export (Quality Control and inspection) Bill:

Consid. cl. (XVIII), 13637-38.

Motion to pass (XVIII), 13648.

Finance Bill, 1963:

Motion to consid. (XVII), 10607-76.

Government of Union Territories Bill:

Motion to pass (XVIII), 13901-03.

Official Languages Bill:

Motion to pass, (XVIII), 12482-83.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14259-65.

SARMA, SHRI A. T.:

Advertisement of drugs (XV), 5147.

Ayurvedic cum allopathic system of medicines (XV), 5140-41.

Debates

D.G. (1963-64):

Min. Ed. (XV), 5654-58.

Min. of Health (XV) 5937-43.

SATYABHAMA DEVI, SHRIMATI:

Availability of raw materials (XVI), 6908-09.

Bye-elections in Uttar Pradesh (XV), 5422-23.

Illiteracy (XIV), 2442.

SEN, SHRI A. K.:*Debates*

Compulsory Deposit Scheme Bill:

Motion to consid. (XVII), 11233-237.

SEN, SHRI A. K.—contd.

Constitution (Fifteenth Amendment) Bill:

Motion to consid. as reported by J.C. (XVIII), 12738—43.

Consid. (XVIII), 1300—08.
13140—47, 1351—54.

Consid. cl. (XVIII), 13183—86, 13215—17, 13236—38, 13242—43, 13257—65,

Motion to pass (XVIII), 13298—302.

Constitution (Sixteenth Amendment) Bill, as reported by J.C.:

Consid. (XVIII), 13409—12, 13468—76.

Consid. cl. (XVIII), 13483—84.

Motion to pass (XVIII), 13501.

D.G. (1963-64):

Min. Law (XVI), 7565—75.

Re: Report of the Attorney-General and Shri A. V. Vishwanath Sastri (St.) (XVIII), 12642—49.

Re: Suspension of Member (XVIII), 12634—35.

SEN, SHRI P. G.:

"B" Twills and Hessian (XV), 5431.

Bullock-Plough (XV) 4674.

Coordination of Scientific Research (XIII) 282.

Oil exploration (XIV), 2400—06.

Price of raw jute (XIV), 2930.

Students studying abroad (XVIII), 13340.

Transport of coal by pipes (XVII), 10113—15.

Debates

Agricultural Refinance Corporation Bill:

Motion to Consid. (XIII), 212—16.

D.G. (1963-64):

Min. Fin. (XVII), 10283—87.

D.G.(R) 1963-64 (XIV), 2533—36.

SEN, SHRI P. G.—contd.

Finance Bill, 1963.

Motion to consider (XVII), 10881—84.

SEN, DR. RANEN:

Acquisition of land for colonies (XV), 6567.

Civil aerodromes (XV), 4386.

Coal mines (XIV), 3396.

Cost of living of salaried persons (XVI), 7655.

D.V.C. (XIII), 517; (XVIII), 13346.

D.V.C. Canal (XVI), 7623-24.

Electrification of trains (XIV), 3130.

Electrification on Indian Railways (XVII), 9867.

Expert Committee for Dandakaranya Project (XIII), 1394.

Export of bicycles (XVI), 6877.

Export of manganese ore (XIII), 702.

Export of steam locomotives (XVI), 8112, 8113.

Export of sugar to U.S.A. (XIII), 1621.

Farakka barrage (XIII), 1400—1403.

Import of wooden sleepers from Burma (XVI), 8137.

Industrial closures (XIV), 4097-98.

Iron-ore export to Japan (XIV), 3847-48.

Petro-chemical development at Barauni (XVIII), 13031.

Power requirements of the country (XIV), 3630.

Production of lac in Bihar (XVII), 9862.

Railway employees' Cooperatives (XV), 4683-84.

Release of Communists during bye-elections (XV), 5158—63.

Report of Mahalanobis Committee (XIV), 1882.

SEN, DR. RANEN—Contd.

- Report on Dalmia-Jain concerns (XIII), 1625.
- Rourkela Steel works (XVII), 9381.
- Scarcity of Coal (XIV), 3379.
- Sindri Fertilizer Factory (XIII), 695-96.
- Situation in Laos (XVIII), 2565.
- Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.
- T.B. clinics (XIII), 484.
- Transfer of D.V.C. Office to Bokaro (XVII), 10347.
- Use of Hindi on A.I.R. (XVIII), 12547.
- Water supply for greater Calcutta (XVII), 10371.

Debates

- B.R. (General Discussion) (XIII), 1744-53.
- Central Sales Tax (Amendment) Bill:
- Consid. (XIV), 4284-87.
- D.G. (1963-64):
- Min. M. & F. (XVI), 9195-9203.
- Min. W.H. & R. (XVI), 7289-97, 7302-03.
- D.S.G. (R) 1963-64: (XVIII), 12710-11.

SETH, SHRI BISHANCHANDER:

- £ 30 Million loan from U.K. (XVI), 9145-46.
- A.I.R. broadcasts from B.B.C. Singapore (XIII), 941.
- Acquisition of land for colonies (XV), 6566.
- Advances to Class IV employees for fans (XIV), 3650.
- Advisory Committee for the Chief Commissioner of Andamans (XIII), 1169-70.
- Afghan Trade Mission's visit to Delhi (XIV), 2939
- Afro-Asian Solidarity Conference (XIII), 916-17.
- Aid for institute of tropical meteorology (XIV) 3157-58.

SETH SHRI BISHANCHANDER—Contd.

- Alitalia crash report (XIV), 3163.
- All-India Printers' Conference (XVIII), 13547-49.
- Alloy Steel Plant (XVIII), 12120-21.
- Appointment of Inspectors in companies (XVIII), 13620-21.
- Assistance to farmers (XIII) 101-102.
- Attorney-General's advice on affairs of a firm (XVIII), 13050-56.
- Blankets from Ceylon Red Cross (XVII) 10399-400.
- Border Roads Organisation (XIV), 4069-72.
- Britain's entry into E.C.M. (XIV), 2895.
- C.H.S. Scheme for Central Government Employees at Shahdara (Delhi) (XV), 5119-21.
- Civil Administration in NEFA (XIII), 907-12.
- Coal transport in India (XIII), 1359-61.
- Code of Discipline in Railways and Defence (XVI), 8923-24.
- Committee on sugar industry (XIII), 1681.
- Compulsory military training (XIV), 1904.
- Conference of State Ministers of Co-operation (XIV), 2091.
- Coordination of Scientific Research (XIII), 280-82.
- Creation of cadre of under officers (XIV), 4141-42.
- Credit facilities for exporters (XIII), 1627.
- Cut in Housing Schemes of States (XVII), 10350-54.
- Czech Trade Team's visit to India (XIII), 1627.
- Dairy farm (XIII), 1683.
- Dairy farm with Danish collaboration (XIII), 1694.
- Delhi Education code (XIV), 2406.
- Delhi Engineering College (XV), 4894-96.

SETH SHRI BISHANCHANDER—
Contd.

- Delhi Water Supply (XIV), 2661—67.
- Derailment of 8 Down Express (XIV), 2129.
- Drinking Water Supply for Banaras (XVI), 9119—24.
- Education of tribal children (XV), 4914—15.
- Educational facilities to students joining army (XV), 6341—44.
- Emergency Commission (XIV), 1914.
- Establishment of Ordnance Factories (XIII), 941.
- Fertilizer Plant, Katni (XVII), 10588—591.
- Firing by Pakistanis in J. & K. (XIV), 4113.
- Food adulteration in Delhi (XVII), 10380—84.
- Foreign Air Mission's visit to India (XIII), 897—900.
- Foreign Military aid (XIII), 916.
- "Friendship March" to Peking (XV), 5847.
- Godavari and Krishna rivers (XIII), 526.
- Gold Bonds (XIII), 509—13.
- Government advertisement in newspapers (XIII), 920.
- Gulhati Commission Report (XIV), 2658—61.
- Heavy Earth-Hauling and mining equipment (XIII), 1634.
- I.A.F. Canberra air crash (XV), 4420.
- India's contribution to W.H.O. (XVI), 9161—62.
- India-Indonesia trade agreement (XIII), 698—90.
- Indian Fisheries Corporation (XIV), 2068.
- Indian Industrialists Delegation for Canada (XVI), 9173—74.
- Indian military personnel in Congo (XV), 5619.
- Indian P.O.Ws. (XIII), 924—26.

SETH SHRI BISHANCHANDER—
Contd.

- Indian P.O.Ws. in China (XV), 5854.
- Indian police personnel kidnapped by Pakistanis (XIV), 4131.
- Indian settlers in Ceylon (XIV), 4107—08.
- Insecticides (XIV), 3604—606.
- Inter-University Board (XVI), 7375—80.
- Iron-ore export to Japan (XIV), 3844—48.
- Joint Board for Water resources of Nepal and India (XVII), 10359—63.
- Launching of sounding rockets (XV), 5852.
- Loans to meritorious students (XIII), 308—09.
- Losses suffered by civilians in NEFA (XIV), 4105—06.
- Machine Tool Factory (XV), 5380—82.
- Manufacture of engines for Alouette Helicopters (XIV), 1905.
- Marketing Boards (XIII), 1644.
- Mechanised Brick Plant (XIII), 477—79.
- MIGs, and MIG Factory (XIII), 929.
- MIG factories (XVII), 9613—16.
- National Animal and Bird (XIII), 1643—44.
- National anthem (XVI), 8947.
- National Seminar on Science (XIV), 3405.
- National volunteer force (XV), 5814.
- National Water Supply and Sanitation Committee (XV), 5154—58.
- Oil circuit breaker (XVI), 7922.
- Oil exploration (XIV), 2400—2406.
- Overhaul of P.W.D. at Centre and States (XIII), 1411.
- Peaceful uses of atomic energy (XIV), 1917.
- Permit for purchase of gold (XIV), 2678—81.

SETH SHRI BISHANCHANDER—
Contd.

- Pilot projects for rural water supply (XV), 5123—26.
- Post Office accounts of displaced persons (XIII), 1681.
- Power allocation in Southern States (XV), 5167.
- Power failures in Delhi (XIII), 524.
- Power shortage in the country (XIV), 2699-2700.
- Power supply at Durgapur (XIII), 520.
- Prices of agricultural products (XV), 6053—56.
- Printing work of Ministries (XVI), 7672.
- Prizes for medical text-books (XIV), 3650.
- Productivity team on steel industries (XVII), 10604-605.
- Profits of Air India (XIII), 83.
- Quality control (XIII), 87.
- Rail concessions to sports teams (XIII) 84-85.
- Rajasthan canal (XIII), 502-03.
- Reclamation of lands (XIII), 1694, (XIV), 2129.
- Relationship with Iraq (IV), 4416.
- Reclamation of age limit (XIV), 1926.
- Repatriation of Indians from Mozambique (XIV), 4089-93.
- Retirement age of Government employees (XVII), 11534—537.
- Rihand Dam (XIII), 1135—40.
- Russian Experts at Sibsagar Project (XIII), 1184.
- Sainik schools (XIII), 912—16.
- Second Shipyard (XV), 6060—63.
- Setting up of a Bengali regiment (XVII), 9599—60.
- Settlement of Tibetan children in U.K. (XVII), 9655.
- Singareni collieries (XIII), 1177.
- Singareni collieries company (XIV), 4116-17.

SETH SHRI BISHANCHANDER—
Contd.

- Sino-Pak Border Agreement in Security Council (XVI), 8439.
- Situation in Laos (XVIII), 12562.
- Smallpox in Delhi (XVIII), 13351.
- Smallpox in the country (XIII), 490—95.
- Specialised training for armament factories (XVII), 11015—18.
- Sugar shortage (XIII), 83-84.
- Super tanker (XIII), 1592—94.
- Superior grade coal (XV), 5379-80.
- Survey of Himalayan region (XVII) 11542—545.
- T.B. Clinics (XIII), 481—86.
- Tragedy at National Cycling Championship (XVI), 8899.
- Unlicensed radios (XVII), 9949.
- Upper Sileru Hydro Electric Project (XIII), 1388-89.
- Violation of Gold Control Rules (XIII), 507—09.
- Wage Board for coal mining (XV), 4383.
- Wage Board for Iron and Steel (XIV), 1917.
- Wool industry in Rajasthan (XVII), 9400.
- Wool production (XIII), 90.
- World Health Organisation (XIII), 1405.
- Debates*
- B.G., (General Discussion) (XIV), 4168—74.
- B.R. (1963-64), General Discussion (XIV), 2012—20.
- D.G. (1963-64):
- Min. Econ. and Def. Coord. (XVII), 10002—10007.
- Min. Ex. Affairs (XV), 4553—60.
- Finance Bill, 1963:
- Motion to consid. (XVII), 10823—31.
- Gold Control Scheme (Dis), (XIV), 2323—28.

SETH, SHRI BISHANCHANDER—
contd.

Official Languages Bill :

Motion to consider (XVIII),
11945—52.

Report of the Commission of Inquiry
into Dalmia Jain Companies
(M) (XVIII), 14287—96.

SETHI, SHRI P. C.:

D.G. (1963-64):

Min. S. & H. I. (XVI), 9508—14.

SEZHIAN, SHRI:

India International Centre, New
Delhi (XV), 4924.

Trade agreement with Sweden
(XVIII), 13584—85.

Travelling Ticket Examiners
(XVIII), 12839—40.

Debates

B.G. General Discussion (XIV),
5158—64.

B.R. (1963-64), General Discussion
(XIV), 2241—49.

Constitution (Sixteenth Amend-
ment) Bill, as reported by J. C.:
Motion to consid. (XVIII),
13428—40.

D.G. (1963-64):

Min. H. A. (XV), 7097—7103.

Gold Control Scheme (Dis.) (XIV),
2618—21.

SHAH, SHRIMATI JAYABEN:

Dhebar Commission (XVII), 11550.

Indiscipline among students
(XVII), 11538.

Debates

D.G. (1963-64):

Min. H. A. (XV), 6999—7004.

D.G. (1963-64):

Min. Health (XV), 5947—52.

SHAH, SHRI MANABENDRA:

Expenditure on tours of officers of
Central Government (XVI),
9154.

SHAH, SHRI MANABENDRA—contd.
Officers in Armed Forces Head-
quarters (XVII), 9646—47.

Debates

D.G. (1963-64):

Min. Def. (XVI), 8006—11.

SHAH, SHRI MANUBHAI:

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8593—
8624.

Export (Quality Control and Ins-
pection) Bill:

Motion to consider (XVIII),
13505—10, 13535, 13625—31;

Consid. cl. 13633-34, 13638—45.

Motion to pass 13646, 13648—50.

SHAKUNTALA DEVI, SHRIMATI:

D.G. (1963-64):

Min. Irr. and Power (XV), 6206—
11.

SHAM NATH, SHRI:

Length of Cinematograph Films
(Ceiling) Bill by Shri Rameshwar
Tantia:

Motion to consider (XIII), 863—
87.

Parliamentary Proceedings on A.I.R.
(E.A.H. Discussion) (XVIII),
13762—68.

SHANKARAIYA, SHRI:

Powerloom industry (XIII), 694.

Debates

Central Silk Board (Amendment)
Bill (Amendment of sections 4
and 6) by Shri Sham Lal Saraf:

Motion to refer to S.C. (XIII),
829—33.

D.G. (1963-64):

Min. Irr. and Power (XV), 6313—
18.

SHARMA SHRI A. P.:

- Bomb Explosion on Railway track (XVI), 8654.
- Concrete sleepers for railways (XVII), 11275.
- Declaration of permanent Government posts (XVIII), 11803-04.
- Hindi in South India (XIII), 1151.
- Hindi in U.P.S.C. examinations (XV) 6347.
- Industrial training institutes in Delhi (XVI), 8389.
- Industrial truce (XV), 4399.
- Railway Accidents Enquiry Committee (XIII), 56.

Debates

- B.R. (General Discussion) (XIII), 1790-99.
- Compulsory Deposit Scheme Bill:
Motion to consider (XVII), 11503-507.
- D.G. (1963-64):
Min. Lab. and Emp. (XV), 6440-46.
- D.S.G. (R), 1962-63. (XIII), 1445-47
- P.A.M. (XIII), 409-15.
- Re: alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13936.

SHARMA, SHRI D. C. :

- A.I.R. broadcasts to West Asia (XVII), 11033-34.
- A.I.R. station at Port Blair (XVI), 8391-92.
- Accident near Patalpani (XV), 4658.
- Accident to Hyderabad Flying Club Aircraft (XV), 4612-13.
- Accommodation for Middle class tourists (XV), 4646-47.
- Administration of justice (XIV), 3370.
- Afro-Asian Journalists' Conference (XVIII), 14162-64.
- Afro-Asian Solidarity Conference (XIII), 916-17.

SHARMA, SHRI D. C.—contd.

- Agreement with Russia for drilling machineries (XVIII), 11570-71.
- Agricultural implements (XVIII), 12803.
- Agricultural production (XIII), 67-74, (XIV), 2079.
- Agricultural production (XIV), 2079.
- Aid by U.S.A. for agricultural research (XV), 4661.
- All India Agriculture Service (XVIII), 12858-59.
- All-India Printers' Conference (XVIII), 13547-49.
- All-India Services (XVII), 11569-570.
- Allotment of newsprint to 'LINK' (XVI), 7148.
- Allowances to families of Chinese internees (XIV), 3393.
- Alloy Steel Plant (XVIII), 12120-21.
- Aluminium factory in Madhya Pradesh (XVII), 9384.
- Ambushing of a civilian convey by Naga hostiles (XVI), 8431-32.
- Anti-Indian Chinese literature (XVI), 7367-72.
- Asian Economic Development Institute (XVIII), 12091.
- Asian Highways (XVII), 9853.
- Assam Rifles for NEFA (XVIII), 13958.
- Atomic power plant at Tarapore (XIV), 4117.
- AVRO-748 (XV), 4415.
- Baby Food Plant (XIII), 114.
- Ban on forward trading in gur (XIV), 3843.
- Barahoti (XVI), 8365.
- Bilaspur road (XVII), 11309.
- Bird population of Delhi zoo (XVI), 8184.
- Boeing service to Tokyo (XVI), 8684.
- Bomb Explosion on Railway track (XVI), 8653.
- Car-parking in Connaught Place, New Delhi (XV), 4923.

SHARMA, SHRI D. C.: *contd.*

- Cement trade in Delhi (XVI), 6866-69.
- Central Bureau of Investigation (XIV), 3415.
- Central Government Officers in Assam (XIV), 2375.
- Chamba-Bhadarwah road (XIV), 2154.
- Change in Delhi Administration (XV), 4877-81.
- Chest diseases in India (XIV), 2701.
- Chinese nationals (XIII), 1140-43.
- Civic amenities in Ramakrishnapuram, New Delhi (XVI), 7683.
- Civil Administration in NEFA (XIII), 907-12.
- Civil Aerodromes (XV), 4385.
- Civil Defence Plan (XIII), 1158-63.
- Closure of Bank of China (XIV), 3657-58.
- Coal transport in India (XIII), 1359-61.
- Col. Bhattacharjee (XIV), 1887.
- Commercial advertisement on A.I.R. (XVII), 11057.
- Compulsory military training (XIV), 1904.
- Concentrated composite foods (XVIII), 13040-43.
- Confectionery exports (XVI), 7900-02.
- Conference of Atomic Scientists held in Tokyo (XVIII), 12550.
- Cooperative movement (XIV), 3140-41.
- Co-operative Sugar Factory in Ganganagar (XVI), 8685.
- Co-ordination of civil and defence production (XVI), 7874.
- Coordination of Scientific Research (XIII), 280-82.
- Cotton imports (XIV), 3885.
- Crushing season of sugarcane in U.P. (XV), 6092.
- Cultural agreement with Soviet Union (XIV), 2422.

SHARMA, SHRI D. C.: *contd.*

- Cut in staff of Central Ministries (XVIII), 17070.
- Cut in U.K. Bank rate (XIV), 3631.
- Czech Trade Team's visit to India (XIII), 1627.
- Death of a New Delhi Journalist (XVI), 7407.
- Decline in export to South East Asian Regions (XIII), 1655.
- Delhi Milk Supply Scheme (XV), 6135-36; (XVI), 8183-84; (XVII), 8864.
- Derailment near Rourkela (XIII), 107-108.
- Derailment of goods train (XVIII), 12854-55, 12857.
- Development of Media of mass communication in India (XIII), 926.
- Diplomatic immunity enjoyed by Indian diplomats abroad (XVIII), 13953-954.
- Display of retail prices (XVII), 9355, 9356.
- Distribution of Krishna and Godavari waters (XVIII), 13386.
- Doctor kidnapped by Pakistanis (XIV), 1870.
- Drug prices in Delhi (XIV), 2711-12.
- Dyname sheets (XVI), 7939.
- Emergency Commission (XIV), 1914.
- Employees of Tripura Administration kidnapped by Pakistanis (XV), 4423.
- Employees' State Insurance Scheme (XVIII), 12581.
- Employment and guidance Bureaux in Universities (XVI), 8418.
- Encroachments on Government land in Delhi (XVI), 9115-19.
- Enquiries against Government employees (XVII), 11615.
- Enquiry into Railway accident (XIII), 1646.
- Equipment for Indian Oil Company (XVI), 7441-42.
- Expansion of Rourkela Steel Plant (XIII), 1629.

SHARMA, SHRI D. C.: *contd.*

- Expert committee for cost reduction of exportable commodities (XIV), 3881-82.
- Expert Committee for Dandakaranya Project (XIII), 1394.
- Exploration of oil in Cauvery basin (XIII), 1174.
- Explosion of atom bomb by France (XVI), 7186-87.
- Export credit to Asian and African countries (XV), 5418-19.
- Export of petroleum products (XVII), 9413.
- Family Planning (XVIII), 13357.
- Fellowships for African University personnel in India (XV), 4920.
- Fertilizer Distribution Corporation (XIII), 84
- Fertilizer Plant, Katni (XVII), 10588-591.
- Film Consultative Committee (XIII), 942.
- Film on Sino-Indian border dispute (XVII), 9635-39.
- Fire in timber shops in Delhi (XV), 6394-95.
- Fishing Station, Mangalore (XIV), 2130.
- Fokker Friendship' aircraft (XIV), 2130.
- Foreign Air Mission's visit to India (XIII), 897-90.
- Foreign participation in Indian shipping companies (XIII), 1597-1600.
- Foreigners employed in A.I.R. (XVIII), 13964.
- Forest Research Institute (XVI), 8651.
- Forward trading in shares (XIII), 536.
- Forward trading in silver (XIII), 716-17.
- Fourth Oil Refinery in South India (XIII), 304-305.

SHARMA, SHRI D. C.: *contd.*

- French Count system for Textile industry (XVIII), 12093.
- Gamma garden in Trombay (XIV), 1918.
- Gandhi Memorial at Rajghat (XIII), 1410.
- Gauhati Commission Report (XIV), 2658-61.
- Glider accident in Delhi (XIII), 115.
- Gold prices and gold smuggling (XIV), 2683-87.
- Government advertisement in newspapers (XIII), 920.
- Government dues to N.D.M.C. (XIV), 2675-78.
- Government's stationery Bill (XV), 6603.
- Handicapped Army personnel (XIII), 942.
- Heavy electrical equipment plants (XIV), 3639-42.
- Helicopters from Russia (XIV), 4085-87.
- Hindu Religious Endowments Commission (XVIII), 12064.
- Hindustan Steel Limited (XVII), 10654.
- Home Guards (XIII), 308.
- Homoeopathic institutions (XIX), 3651-53.
- Hotel industry (XVII), 11337.
- House-building loans (XVI), 9136-38.
- Housing Boards (XIV), 3614-15.
- I.A.C. fares (XVII), 11295.
- Inaccessible Areas Committees (XVII), 9856.
- Indian currency in Nepal (XVI), 7645-48.
- Indian military personnel in Congo (XV), 5819.
- Indian military personnel in Congo (XV), 5822.
- Indian P.O.Ws. (XIII), 924-25.
- Indian P.O.Ws in China (XV), 5854.

SHARMA, SHRI D. C.: *contd.*

- Indian settlers in Ceylon (XIV), 4107-08.
- Indians employed in Ceylon (XVI), 8399.
- Indians in Burma (XVI), 7132-34.
- India's relations with foreign countries (XIV), 4068-69.
- India's trade with European Economic Community (XVII), 10622-629.
- Indo-Soviet Trade Agreement (XIII), 725.
- Institute of Journalism (XVII), 9631-34.
- Institutes for border children (XVIII), 13068.
- Import of electric locomotives (XVII), 11299.
- Import of trucks (XV), 5387-88.
- Iron-ore export to Japan (XIV), 3844-48.
- Janpath Hotel, New Delhi (XVIII), 11838-841.
- Japanese Team's visit to India (XVIII), 12071-75.
- Jawans (XIII), 942.
- Joint power pool of Punjab, Delhi and U.P. (XVI), 7633.
- Khadi institutions (XVII), 9350.
- Kolaghat bridge (XVIII), 14154-57.
- Kopili Hydel Project (XVI), 9112-13.
- Land prices in Delhi (XV), 6349-50.
- Lignite production (XVI), 8905.
- Loans to private sector coal industry (XVIII), 11810-814.
- Lubricating oil plant (XIV), 2411.
- Machine Tool Factory (XV), 5330-82.
- Magnet manufacturing plant (XIII), 1676.
- Manpower training programme (XIII), 1144-46.
- Manufacture of armour plate (XVII), 10658.

SHARMA, SHRI D. C.: *contd.*

- Manufacture of automatic weapons (XVIII), 13977.
- Manufacture of film with Russian collaboration (XVI), 7296.
- Manufacture of fighter planes (XVI), 7156-57.
- Marketing Societies (XVIII), 12945.
- Marking of drug prices on cartons (XVI), 7630.
- Merchant Rating Navy School (XIV), 2152.
- MIG factories (XVII), 9613-16.
- Milk supplied by D.M.S. (XVI), 8661.
- Military aid from Australia (XVI), 7179.
- Minor irrigation schemes (XVII), 11281.
- Mishap at Bangalore Railway station (XVII), 9669.
- Mormugao Harbour (XVIII), 12809.
- Mr. Ali Sabry's visit to India (XVIII) 12589.
- Multi-purpose food (XIV), 2155.
- Nagarjunasagar Project (XVIII), 11878-879.
- National Discipline Scheme (XIII), 276-80.
- "National science talent search" (XIV), 2371.
- Natural gas at Avadi (XIII), 329.
- New Army Command (XVI), 8421.
- New Gas Field near Ahmedabad (XIV), 2383.
- New telephone system (XVIII), 12812.
- Newsprint (XVII), 680-85.
- Neyveli Thermal Power Station (XV), 4925.
- "Nine Hours to Rama" (XIII), 919.
- Noonmati Oil Refinery (XIV), 2431.

SHARMA, SHRI D. C.: *contd.*

- Observatory at Naini Tal (XV), 6394.
- Ocean freights between India and Pakistan (XV), 6109.
- Office space in Capital (XV), 6603.
- Oil at Sanand (Gujarat) (XVIII), 13072.
- Oil drilling in Rajasthan (XVII), 11614.
- Oil exploration (XIV), 2400—2406.
- Oil reserves in Kalol and Ankleshwar (XIII), 1185.
- Over-growth of Delhi (XVI), 7652—54.
- Panna Diamond Mines (XV), 4886—92.
- Paper factory in Jammu and Kashmir (XVI), 6895—96.
- Participation of labour in management (XVII), 9603—07.
- Pathankot-Jammu Railway line (XIV), 2099.
- Peaceful uses of atomic energy (XIV), 1917.
- Peaceful uses of atomic energy (XVIII), 12603.
- Permit for purchase of gold (XIV), 2678—81.
- Petroleum Institute, Dehradun (XVI), 7404.
- Plane explosion near Ambala (XVII), 9652.
- Planning Boards in States (XV), 4401.
- Plant for iodisation of salt (XVIII), 13349.
- Political sufferers (XVIII), 13049.
- Powerloom industry (XIII), 690—94.
- Power Supply for industrial purposes in Delhi (XV), 6577.
- Premium Prize Bonds (XIII), 488—90.
- Price of coal (XVII), 16153-54.
- Price of newsprint (XIV), 2925.
- Price of sugar (XVIII), 14143—53.

SHARMA, SHRI D. C.: *contd.*

- Prices of agricultural products (XV), 6053—56.
- Prices of automobiles (XIII), 702—06.
- Prices of sanitary goods (XIV), 3882—83.
- Private Oil Companies (XIII), 1163—65.
- Production of cement (XIII), 1655.
- Production of drugs (XV), 8572.
- Production of jet aircrafts (XV), 5852.
- Production of tractors and trucks (XVII), 11018—22.
- Prohibition (XV), 4864—71, (XVIII) 12579.
- Protection of railway line in Assam and Nagaland (XVII), 11304.
- Psychological tests for railmen (XVIII), 12514—17.
- Public sector projects (XV), 5831.
- Public undertakings (XIV), 2907.
- Publication of American and U. K. text-books in India (XV), 6372.
- Purchase of mules from Cyprus (XVI), 8401—04.
- Purchase of sheep from Somalia (XVIII), 12845.
- Purchase of steel from Japan (XIII), 723.
- Purchase of wheat by Government (XVI), 8129—32.
- Quality control and pre-shipment inspections (XIV), 2920.
- Quarters for married policemen in Delhi (XIV), 2441.
- Quota of cement for Delhi (XIII), 1656.
- Raids on kerosene dealers' shops in Delhi (XV), 6392.
- Railway Accidents Enquiry Committee (XIII), 55—58.
- Reduction in staff in Government offices (XIV), 3600—604.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804—810.

SHARMA, SHRI D. C.—Contd.

- Rehabilitation of tribal people in NEFA (XIII), 919.
- Relationship with Iraq (XV), 4416.
- Release of Indian P.O.Ws. by Chinese (XVIII), 14164—67.
- Repatriation of Chinese detenus (XVII), 11573—574.
- Repatriation of Indians from Mozambique (XIV), 4089—93.
- Research in NEFA operations (XIV), 1883.
- Retirement age of Government employees (XVII), 11535.
- Retirement benefits to Delhi School teachers (XVII), 11612-813.
- Road accidents (XIII), 1695.
- Road Board (XIV), 3142-43.
- Rourkela Steel Plant (XV), 5394-96.
- Rourkela Steel works (XVII), 9379.
- Russian aid for Defence needs (XIII), 925.
- Russian aid for oil production (XV), 6369—71.
- S. Cs. and S. Ts. registered in Employment Exchanges (XIII), 931.
- Salal Hydro Electric Project in Jammu and Kashmir (XIV), 2725-26.
- Salary of Government employees who served in World War II (XIV), 2421.
- Sale of Defence Certificates in overseas stock markets (XII), 522.
- Sales Tax evasion (XVI), 7684-85.
- Sales-tax in Delhi (XVI), 7648-49.
- Scarcity of coal (XIV), 3374.
- School Health Committee (XVIII), 13367.
- Second Shipyard (XV), 6060—63.
- Seizure of diamonds at Santa Cruz Airport (XV), 6625.
- Seizure of watches at Santa Cruz Airport (XV), 6591.
- Semi-conducting rock in Rajasthan (XVI), 7391—93.

SHARMA, SHRI D. C.—Contd.

- Services of teachers after superannuation (XIV), 8366.
- Shortage of battery cells for transistors (XVIII), 13596—97.
- Shorter National Anthem on A.I.R. (XVIII), 12579.
- Singrauli Coal Mines in Madhya Pradesh (XV), 4922.
- Sino-Pak. border agreement (XVII), 11058-59.
- Situation in Laos (XVIII), 12562.
- Slums in Delhi (XIII), 1403.
- Smallpox in the country (XIII), 490—95.
- 'Smuggling of gold' (XIII), 1412.
- 'Smuggling of watches' (XIII), 536.
- Smuggling on Rajasthan-Pakistan border (XVIII), 13327.
- Spurs on river Feni in Tripura (XVII), 11067.
- Stamp to commemorate Netaji's birthday (XVIII), 14139-40.
- State Health Ministers' Conference (XVIII), 11644.
- Statutory price page schedule (XVIII), 12609.
- Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
- Strike in Barauni Oil Refinery (XVII), 11605-606.
- Sub-soil water in Nimri (XVIII), 13348.
- Sugar production (XV), 6094.
- Sugar quota for Punjab (XVI), 8686.
- Sugar trade in Delhi (XV), 6072—74.
- Sulphuric Acid Units (XVI), 6916.
- Supply of opium to Russia (XVIII), 13572—74.
- Survey of Chenab basin (XIV), 2725.
- Survey of Himalayan region (XVII), 11544.
- Survey of mines (XIII), 306.
- Survey of power projects in Himalayas (XIV), 2711.

SHARMA, SHRI D. C.—Contd.

- Tariff Commission's Report on cloth and yarn (XIII), 1654.
- Telephone connections in Delhi (XVI), 8679.
- Tibetan refugees (XV), 5838.
- Tibetan refugees in NEFA (XIV), 4122-23.
- Tool Alloy Steel Plant, Rourkela (XIII), 718-19.
- Tourist industry (XIII), 91.
- Trade agreement with Soviet Union (XVI), 7886-87.
- Trade delegation from U. A. R. (XV), 5411-13.
- Trade with Pakistan (XVIII), 13619.
- Tragedy at National Cycling Championship (XVI), 8899.
- Train collision near Bara Banki (XIV), 3174.
- Training of craftsmen (XV), 5868.
- Tramp vessels and bulk carriers (XIV), 3159.
- Transmitter from Australia (XIV), 4118.
- Trisuli Project in Nepal (XV), 6580.
- Trust for developing Paradip Port (XIII), 1641.
- U.N. Assistance for transport problem (XVII), 11309.
- U.N. Technical assistance (XIV), 2703.
- U.S. Military aid (XIII), 901-02.
- Unemployment in Goa (XIV), 1892.
- Uniform Labour Laws (XVII), 9656.
- Use of Hindi on A.I.R. (XVIII), 12548.
- Utilisation of border people in Defence services (XIII), 945.
- Village volunteer force (XIII), 1604-09.
- Violation of Foreign Exchange Regulation Act (XVI), 7876.
- Violation of Indian air space (XVII), 9607-11.
- White tigers (XVII), 6340.

SHARMA, SHRI D. C.—Contd.

- Whitley Councils (XIV), 2369.
- Withdrawal of U.S. Transport Planes (XIV), 4109-10.
- Wooden sleepers washed away towards Pakistan (XVIII), 11819-823.
- World Bank loan for Railways (XVI), 8127-29.
- Debates*
- B.G. (General Discussion) (XIV), 3777-84.
- B.R. (1963-64):
- General Discussion (XIV), 2469-76.
- Business Advisory Committee:
- 14th Report (XIV), 2447, 2448.
- Central Silk Board (Amendment) Bill (Amendment of sections 4 and 6) by Shri Sham Lal Saraf:
- Motion to refer to S.C. (XIII), 821-25.
- Child Marriage Restraint (Amendment) Bill:
- Motion to circulate (XIII), 869-70, 3069-72, 3103-06.
- Constitution (Sixteenth Amendment) Bill, as reported by J.C.:
- Motion to consider (XVIII), 13441-46.
- D.G. (1963-64):
- Dep'tt. Parly. Affairs (XVII), 10040-45.
- Min. Def. (XVI), 8039-46.
- Min. Ex. Affairs (XV), 4479-86.
- Min. M. & F. (XVI), 9252-58.
- D.S.G. (R) 1962-63 (XIII), 1447-51.
- D.S.G. (R) (1963-64): (XVIII), 12708-10.
- Gold Control Scheme (Dis.) (XIV), 2614-18.
- Govt. of Union Territories Bill:
- Motion to refer to Joint Committee (XIV), 4365-68.
- Hindu Marriage (Amendment) Bill (Amendment of Sec. 13):
- Int. (XIII), 807.

SHARMA, SHRI D. C.—Contd.

Marine Insurance Bill, as passed by R.S.:

Motion to consid. (XV), 5592—99, (XVI), 8066—70.

Nationalisation of Banks (Res.), (XVIII), 12534-35.

Official Languages Bill:

Motion to consider (XVII), 11737—43.

Re: alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13923-24.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14125—36, 14216—20.

SHARMA, SHRI K. C.:

Concentration of Economic Power (Res.) (XIV), 4017—19.

Constitution (Amendment) Bill, 1962. (Insertion of new Article 115A and amendment of article 167)

Motion to consid. (XVI), 8102-03.

Constitution (Fifteenth Amendment) Bill:

Consid. cl. (XVIII), 13189—194.

D. G. (1963-64):

Min. Def. (XVI), 8337—41.

Min. Law (XVI), 7525—30.

Finance Bill, 1963:

Motion to consider (XVII), 10866—69.

Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia:

Motion to consid. (XIII), 862.

SHASHANK MANJARI, SHRIMATI:

Central Housing Board (XVI), 9149.

Diversion of students to vocational courses (XVIII), 13065.

Import of tobacco (XVII), 10613.

Debates

D.G. (1963-64):

Min. of Health (XV), 6002—05).

SHADHI RANJAN, SHRI:

Agreement \$240 million U. S. Loan (XV), 6187-88.

Bank of China (XV), 632v.

Collapse of C. P. W. D. godown in New Delhi (XVIII), 14168—70.

Debates

P. A. M. (XIII), 1256—63.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14102—08.

SHASTRI, SHRI LAL BAHADUR:

D. G. (1963-64):

Min. H. A. (XVI), 7218—82.

Government of Union Territories Bill:

Int. (XII), 548.

Motion to consider (XVIII), 13651—62, 13671—74.

Official Languages Bill:

Int. (XVII), 9461, 6462-63.

Motion to consider 11385—97, 11976—12017.

Consid. Cl. (XVIII), 12396.

Motion to Pass 12505—20.

Statement Made by a Member and Minister in connection with the charges against P. S. P. (St.) (XVI), 7449-50.

Talks of Home Minister with the King of Nepal (C.A) (XIV), 2751—55.

Treatment of Chinese internees in India (C.A.) (XVIII), 12867—86.

SHASTRI, SHRI PRAKASH VIR:

Age concessions for I.A.S. examination (XVIII), 13061—63.

Agreement with Government of France (XVI), 8420-21.

Agricultural Administration (XIV), 1903.

Agricultural production (XIII), 67—74.

Aid to Gurukulas (XIII), 1196-97.

SHASTRI, SHRI PRAKASH VIR:
Contd.

- Air dropping operations in NEFA and Ladakh (XIV), 1928.
- Allowances to Ministers (XVI), 8866.
- Appointment of additional Judges in Allahabad High Court (XV), 4915.
- Ayurvedic-cum-allopathic system of medicines (XV), 5137-41.
- Ayurvedic graduates (XVI), 7636-41.
- Ayurvedic system of medicine (XIV), 2698.
- B. A., B. T. teachers in Delhi (XVIII), 13114-15.
- Ban on manufacture of Gur and Khandsari (XV), 6059-60.
- Barahoti (XVI), 8384-85.
- Bombay customs (XIV), 3862-63.
- Bonus to sugar mills (XIV), 3145-46.
- Bye-elections (XIII), 679-80.
- Bye-elections in Uttar Pradesh (XV), 5422-23.
- Cantonment Act (XVIII), 12575.
- Cantonment Board Fund quarters in Delhi Cantt. (XVIII), 12613.
- Censorship of films (XVI), 8422-23.
- Census (XVI), 7417.
- Central Government Officers in Assam (XIV), 2372.
- Change in the administrative set up of Delhi (XV), 4877-81.
- Civil Administration in NEFA (XIII), 907-12.
- Civil area in Delhi Cantt. (XVIII), 12614.
- Colombo proposals (XIII), 883-92.
- Commercial advertisement on A.I.R. (XVII), 11057.
- Committee on distribution of steel (XIV), 2943.
- Complaints against Delhi Milk scheme (XVII), 9896.
- Compulsory military training (XIV), 1904.

SHASTRI, SHRI PRAKASH VIR:
Contd.

- Conference of State Ministers of Cooperation (XIV), 2091.
- Consumers' Cooperative Stores (XVIII), 12862-63.
- Customs duty on goods of repatriates from Mozambique (XIII), 1406.
- Customs House agents (XVI), 9167-68.
- Dacoities by Pakistani nationals (XVIII), 12588.
- Delhi Cantonment Board Schools (XVIII), 12609.
- Drinking (XIV), 2388.
- Election petitions (XVII), 9418.
- Enquiry into Railway accident (XIII), 1646.
- Facilities to individual house builders in Delhi (XIV), 2376.
- Family Planning (XIII), 540, (XVIII), 13361.
- Foreign exchange reserve (XVI), 9147-48.
- Free water and electricity to Central Ministers (XIV), 3618-24.
- "Friendship March" to Peking (XV), 5847.
- Gold Bonds (XIII), 509-13.
- Gold declared under Gold Control Rules (XVI), 7643.
- Hindi in South India (XIII), 1148-52.
- Hindi in U.P.S.C. examinations (XV), 6344-47.
- Hospitals in Delhi (XIV), 2667-72.
- Housing Ministers' Conference (XIII), 1398-1400.
- Import of dry fruits from Iran (XV), 5405-06.
- Indians employed in Ceylon (XVI), 8399.
- Indian P. O. Ws. (XIII), 924-26.
- Indian Settlers in Ceylon (XIV), 4107-08.

SHASTRI, SHRI PRAKASH VIR:
Contd.

- Indo-Pak Border in Rajasthan (XIII), 311.
- Inter-University Board (XVI) 7375-80.
- Isapur Rifle Factory (XIII), 956.
- Issue of import licences for Bearings (XVIII), 13609.
- Khadi institutions (XVII), 9349.
- Lady Hardinge Medical College, Delhi (XVIII), 11814-819.
- Launching of sounding rockets (XV), 5852.
- Lime stone quarries near Dehra Dun (XVII), 11586.
- M.E.S. Delhi Cantt. (XVIII), 12611.
- Manpower training programme (XIII), 1144-48.
- Manufacture of fighter planes (XVI), 7156-57.
- MIGs, and MIG Factory (XIII), 929.
- Milk cards (XV), 6093-94.
- National Anthem on A.I.R. (XIV), 4125-26.
- National Defence Fund (XIII), 1360-88.
- National Discipline Scheme (XIII), 276-80.
- National Volunteer Force (XV), 5824.
- Non-project loan from U.S.A. for Third Plan (XIII), 537.
- Oil mills in Uttar Pradesh (XIII), 1632.
- Orissa C.M.'s assignment at New Delhi (XV), 5867.
- Pakistani infiltration in Assam (XIII), 272-76.
- Parliamentary proceedings on A.I.R. (XVII), 9629-30.
- Patriotic songs on A.I.R. (XVI), 7162-63.
- Pending cases in High Courts and Supreme Court (XVI), 8919.
- Poisoning cases in Delhi (XIV), 3420.

SHASTRI, SHRI PRAKASH VIR:
Contd.

- Price checking by S.T.C. (XVIII), 13591-92.
- Price of cartridges (XVIII), 12111-12.
- Production of sugar (XIV), 2064-65.
- Professor Blackett's visit to India (XIII), 304.
- Prohibition (XV), 4864-71.
- Published speeches of Sardar Patel (XIV), 4126-27.
- Quality control and pre-shipment inspections (XIV), 2919.
- Recovery of arms in Ganganagar (XVIII), 13082-83.
- Recovery of goods meant for the poor in Delhi (XVI), 7419.
- Release of property of ex-ruler of Bastar (XV), 6355.
- Repatriation of Indians from Mozambique (XIV), 4088-93.
- Report of the Aligarh Muslim University Enquiry Committee (XV), 4904-05.
- Road bridges in Delhi (XV), 6128-30.
- Sainik schools (XIII), 912-16.
- Sale of iron and steel (XIII), 1635.
- Scales of pay of technical assistants and translators (XVIII), 11868-869.
- Scarcity of coal (XIV), 3374.
- Scarcity of electricity in Delhi Cantt. (XVIII), 12610.
- Scarcity of water in Delhi (XVIII), 13368.
- Section Officer Grade Examination (XVIII), 13115-16.
- Shrines left in Pakistan (XIV), 4125.
- Silver prices (XVII), 10359.
- Slaughter houses (XV), 6185-86.
- Sleepers washed away towards Pakistan (XV), 5166-67.
- State Education Ministers' Conference (XV), 6341.

SHASTRI, SHRI PRAKASH VIR:
Contd.

- Sub-soil water in Nimri (XVIII), 13348.
- Supply of bearings by S. T. C. (XVIII), 13610.
- Teaching of foreign languages in India (XVII), 11554.
- Telegraph office at Rahre (XVI), 8171-72.
- Traffic on Railway bridge, Delhi (XV), 6050-53.
- Trisuli Project in Nepal (XV), 6582.
- Translation of Cantonment Laws (XVIII), 12613.
- U.P.-Bihar boundary dispute (XV), 4903-04.
- Underground drainage in Delhi Cantt. (XVIII), 12614.
- University courses in Medicine (XIII), 523.
- Utilisation of irrigation potential (XIII), 497.
- Violation of Indian airspace (XVII), 9607-11.
- Weeklies for Defence Establishments (XVII), 11056.
- Wooden sleepers washed away towards Pakistan (XVIII), 11822-23.
- Works Committee for Delhi Cantonment Board (XVIII), 12612.

Debates

- B.O.H. (XIV), 4152.
- D.G. (1963-64):
- Min. Ex. Affairs (XV), 4582-91.
- Min. H. A. (XV), 7033-41.
- Min. I. and B. (XV), 5351-58.
- D.G. (R) 1963-64 (XIV), 2834-39.
- Firing by Naga hostiles on a military special train on 11-4-63 near Noajan station (C.A.) (XVII), 9427.
- Gold Control Scheme (Dis.) (XIV), 2270-85.
- Obituary Reference:
- Demise of Dr. Rajendra Prasad (XIII), 1579.

SHASTRI, SHRI PRAKASH VIR:
*Contd.**Official Languages Bill:*

- Int (XVII), 9948-51.
- Motion to consider (XVII), 11728-37.
- Consid. Cl. (XVIII), 12175, 12425-26.
- Motion to Pass (XVIII), 12502-05.
- P.A.M. (XVII), 1263-74.
- Re: interruptions and walk-out during President's Address (XIII), 7-8.
- Report of Committee on the Conduct of certain Members during the President's Address (M) (XV), 4782-85.

SHASTRI, SHRI RAMANAND:

D.G. (1963-64):

Min. Trpt. and Communi. (XVI), 4049-53.

SHEO NARAIN, SHRI:

- Abu Simbel Temples in Egypt (XVII), 11558.
- Agents for Small Savings Scheme (XVIII), 14142-43.
- Agricultural programmes (XVI), 8648.
- Aluminium Factory in Madhya Pradesh (XVII), 9385.
- Austerity diet in Delhi zoo (XVII), 11284.
- Bokaro Steel Plant (XVIII), 12081.
- Bomb Explosion on Railway track (XVI), 8654.
- Civil aerodromes (XV), 4386.
- Coal transport problems (XVIII), 12089.
- Co-operative farming (XVII), 9849.
- Emergency risk insurance (XV), 5132-35.
- Encroachments on Government land in Delhi (XVI), 9118.
- Excise duty on tractors (XVII), 10364.
- Food adulteration in Delhi (XVII), 10383.

SHEO NARAIN, SHRI: *Contd.*

- "Freedom from hunger" campaign (XVI), 8120.
- Hindustan Steel Limited (XVIII), 13569-70.
- Import of components for Automobiles (XVIII), 12096-98.
- Institute of Journalism (XVII), 9633-34.
- Japanese Team's visit to India (XVIII), 12073.
- Joint Farming (XVI), 8147.
- Occupational Health hazards in coal mines (XV), 4390.
- Panna Diamond Mines (XV), 4890-92.
- Parliamentary proceedings on A.I.R. (XVII), 9626-30.
- Pension (XVII), 10120.
- Petro-chemical development at Barauni (XVIII), 13032.
- Price of sugar (XVIII), 14150-53.
- Production of small tractors (XVIII), 13544-46.
- Provision for Corporation (XVIII), 12800.
- Retirement age of Government employees (XVII), 11535.
- Sainik School in Assam (XVIII), 12560.
- Sale of land in Delhi (XV), 4900.
- Slums in big cities (XV), 5128-30.
- Smuggling on Rajasthan-Pakistan border (XVIII), 13327.
- Survey of Himalayan region (XVII), 11544.
- Tragedy at National Cycling Championship (XVI), 8901.
- U.N. Expert for river basin surveys in India (XVI), 9135.
- Use of Hindi on A.I.R. (XVIII), 12549.

SHEO NARAIN, SHRI: *Contd.*
Debates

D.G. (1963-64):

- Min. Def. (XVI), 8345-50.
- Min. Food and Agri. (XV), 5223-27.
- Min. H.A. (XV), 6707-14.
- Official Languages Bill:
Motion to consider (XVIII), 11939-45.
- Official Languages Bill:
Motion to pass, (XVIII), 12487-89.
- P.A.M. (XIII), 1037-47.

SHIVANANJAPPA, SHRI:

- Chromite deposits in Mysore (XVI), 8881.
- Cut in Housing Schemes of States (XVII), 10353.
- Economic criteria for backwardness (XVII), 10149.
- Education cess (XV), 4875-77.
- Planning Boards in States (XV), 4405.
- Power projects (XIII), 1377.

Debates

D.G. (1963-64):

- Min. Food and Agri. (XV), 5092-95.

SHREE NARAYAN DAS, SHRI:

- Accident between Shoagpur-Piparia (XV), 4673-74.
- Administration of justice (XIV), 3367.
- Archaeological excavation near Rajnagar Station in Darbhanga (XIII), 1181.
- Colombo proposals (XIII), 883-92.
- Commonwealth scientific committee (XIII), 267-68.
- Consumers Co-operative Societies (XVI), 8632.
- Cost of steel production (XIII), 673-76.

SHREE NARAYAN DAS, SHRI: contd.

- Democratic decentralisation (XIV), 3117-21.
- Development of Media of mass communication in India (XIII), 926.
- Easing of workload of rural housewives (XV), 4616-20.
- Food production (XIII), 79-82.
- Foreign Military aid (XIII), 916.
- Fourth Oil Refinery in South India (XIII), 304-05.
- "Friendship March" to Peking (XV), 5847.
- Gandak Project (XIII), 486-88.
- Gold prices and gold smuggling (XIV), 2683-87.
- Iron pyrites in Bihar (XVII), 11585-89.
- Life Insurance for Armed Force personnel (XIV), 2673-75.
- Movement of coal (XV), 6369.
- National Defence Fund (XIII), 11585-89.
- National School Health Council (XIV), 2704-05.
- Price of cotton (XV), 5409-11.
- Procurement of foodgrains (XV), 4657.
- Production of sugar (XIV), 2064-65.
- Prohibition (XV), 4864-71.
- Restrictions on movement of foodgrains (XIV), 3160-61.
- Rihand Dam (XIII), 1135-40.
- Rise in price of sugar (XIII), 49-53.
- Sale of damaged foodgrains (XVI), 8141.
- Sanskrit examinations (XIV), 2407.
- Seminar on space physics (XVII), 11048-49.
- Soviet collaboration in Plan projects (XIV), 2706.
- Transfer of D.V.C. Headquarters (XIV), 2702.
- Western Kosi canal (XIII), 527.

SHREE NARAYAN DAS, SHRI: contd.*Debates*

- Agricultural Refinance Corporation Bill:
- Motion to consid. (XIII), 204-10.
- SHRIMALI, DR. K. L.:**
- D.G. (1963-64):
- Min. Ed. (XV), 5663-80.
- SHUKLA, SHRI VIDYA CHARAN:**
- Afro-Asian Solidarity Conference (XIII), 916-17.
- Agricultural production (XIII), 67-74.
- Aluminium Factory in Madhya Pradesh (XVII), 9385.
- Bailadila iron ore project (XIV), 2408.
- Barahoti (XVI), 8383-85.
- Check post at Daulat Beg Ouldi (XVII), 9653-54.
- Chief Ministers' visit to forward areas (XV), 5851.
- Collection of surcharge on steel sales (XIII), 1649.
- Colombo proposals (XIII), 883-92.
- Conference of State Ministers of Cooperation (XIV), 2095.
- Dandakaranya project (XVI), 7666-67.
- Defence of India Rules (XIII), 308.
- Directorate Board of Hindustan Steel Ltd. (XVII), 9372.
- Educational concessions to pensioners' children (XVII), 10157.
- Electricity from Rihand Dam Project (XV), 6568.
- Enquiry into N.E.F.A. reverses (XIV), 4072-81.
- Express delivery system (XIV), 2096.
- Floor price of Rabi crop (XIII), 1640.
- Foreign Air Mission's visit to India (XIII), 837-800.

SHUKLA, SHRI VIDYA CHARAN—
contd.

- Foreign exchange reserve (XVI),
9147-48.
- Foreign Military aid (XIII), 916.
- Freight concession for export of
mineral ores (XIII), 85-86.
- Gold prices and gold smuggling
(XIV), 2683-87.
- Gulhati Commission Report (XIV),
2658-61.
- High Power Commissions for Water
and Power (XIV), 2690.
- India's trade with European Economic
Community (XVII), 10622-
629.
- Indian P.O.Ws. (XIII), 924-26.
- Indians working in Afro-Asian Soli-
darity Conference Secretariat
(XV), 4408.
- Intrusion by Chinese on Indian ter-
ritory (XIII), 922.
- Large-sized Machine Tools Factory
at Ranchi (XVII), 10633.
- Launching of sounding rockets (XV),
5852.
- Losses suffered by civilians in NEFA
(XIV), 4105-06.
- Low shaft furnace (XVII), 9367.
- Medium of instructions (XIV), 3405.
- MIGs and MIG Factory (XIII), 929.
- Narmada Valley Authority (XVI),
9141-42.
- Naroj Bridge Accident (XIII), 1614-
15.
- National Defence Fund (XIII),
1380-88.
- Oil exploration (XIV), 2400-01.
- Oil supply to Nepal (XV), 6348-50.
- Pension cases (XVIII), 11848.
- Pension Commutation Rules (XVI),
9151.
- Panna Diamond Mines (XV), 4886-
92.
- Popularisation of Hindi through
A.I.R. (XVII), 11012-15.

SHUKLA, SHRI VIDYA CHARAN:
contd.

- Price of newsprint (XIV), 2922.
- Production in Ordnance Factories
(XVI), 7128-32.
- Production of Pig iron (XVI), 7808-
09.
- Production of tractors and trucks
(XVII), 11021.
- Prohibition (XV), 4864-71.
- Release of property of Ex-ruler of
Bastar (XV), 6355.
- Report on Dalmia-Jain concerns
(XIII), 1625.
- Rihand Dam (XIII), 1135-40.
- Rihand Hydel Power House (XVI),
7657-58.
- Second State Trading Corporation
(XVII), 9346.
- Security paper mill at Hoshangabad
(XIII), 501.
- Shifting of Government offices
(XIII), 521.
- Ships for movement of coal (XVI),
8637.
- Sports Enquiry Committee (XV),
9365.
- Superannuation age (XVI), 8912.
- Tusker project (XIV), 1859.
- Violation of cease-fire line by Pakis-
tanis in Jammu and Kashmir
(XV), 4423.
- Violation of Indian airspace (XVII),
9607-11.
- Waste Mica (XIII), 297.
- Water and electricity from Mata
Tila Project to M.P. (XIV), 2410.
- Debates*
- B.O.H. (XIII), 2984.
- D.G. (1963-64):
- Deptt. of Atomic Energy (XV),
5784-87.
- Min. M. & F. (XVI), 9271-76.
- Official Languages Bill:
Int. (XVII), 9445, 9454.

SHYAMSHAH, SHRI:

Leave of Absence (XVI), 8447;
(XVIII), 14186.

SIDDHANTI, SHRI JAGDEV SINGH:

Agricultural Administration (XIV),
1903.

Agricultural production (XIII), 67—
74.

Aid to Gurukulas (XIII), 1196-97.

Air dropping operations in NEFA
and Ladakh (XIV), 1928.

Allowances to Ministers (XVI), 8866.

Ayurvedic-cum-allopathic system of
medicines (XV), 5139-41.

Ayurvedic system of medicines
(XIV), 2698.

Bonus to sugar mills (XIV), 3145-46.

Bye-elections (XIII), 679.

Censorship of films (XVI), 8422-23.

Census (XVI), 7417.

Central Government Officers in
Assam (XIV), 2372.

Change in the administrative set up
of Delhi (XV), 4877-81.

Civil Administration in NEFA
(XIII), 907-12.

Colombo proposals (XIII), 883-92.

Compulsory military training (XIV),
1904.

Customs duty on goods of repatriates
from Mozambique (XIII), 1406.

Dacoities by Pakistani nationals
(XVIII), 12588.

Drinking water in States (XV),
5149-51.

Easing of work load of rural house-
wives (XV), 4619.

Educational facilities to students
joining Army (XV), 6341-44.

Emergency Commission (XVII),
9670-71.

Facilities to individual house build-
ers in Delhi (XIV), 2376.

Family Planning (XIII), 540.

SIDDHANTI, SHRI JAGDEV SINGH
—contd.

Foreign exchange reserve (XVI),
9147-48.

Hindi in South India (XIII), 1148—
52.

Hindi in U.P.S.C. examinations
(XV), 6344-47.

Homeless persons in Delhi (XIV),
3388.

Hospitals in Delhi (XIV), 2667-72.

Housing Ministers' Conference
(XIII), 1398-1400.

Indian P.O.Ws. (XIII), 924-25.

Indo-Pak. Border in Rajasthan
(XIII), 311.

Isapur Rifle Factory (XIII), 936.

Launching of sounding rockets (XV),
5852.

Major irrigation and power projects
(XIII), 1368.

Manpower training programme
(XIII), 1144-48.

Manufacture of jet fighters (XV),
4380.

MIGs and MIG Factory (XIII), 929.

Monthly Season Tickets (XIV), 2121.

National Anthem on A.I.R. (XIV),
4125-26.

National Defence Fund (XIII),
1380-88.

National Discipline Scheme (XIII),
276-80.

National volunteer force (XV), 5824.

Non-project loan from U.S.A. for
Third Plan (XIII), 537.

Orissa C.M.'s assignment at New
Delhi (XV), 5867.

Payment of sugarcane price (XIII),
66.

Poisoning cases in Delhi (XIV),
3420.

Price of cotton (XV), 5410.

Production of drugs (XV), 5398.

Production of sugar (XIV), 2064-65.

Professor Blackett's visit to India
(XIII), 304.

SIDDHANTI, SHRI JAGDEV SINGH

—contd.

- Published speeches of Sardar Patel (XIV), 4126-27.
- Recovery of arms in Gangangar (XVIII), 13082-83.
- Recovery of goods meant for the poor in Delhi (XVI), 7419.
- Repatriation of Indians from Mozambique (XIV), 4089-93.
- Report of the Aligarh Muslim University Enquiry Committee (XV), 4904-05.
- Road Bridges in Delhi (XV), 6122-30.
- Sainik schools (XIII), 912-16.
- Scarcity of coal (XIV), 3374.
- Shrines left in Pakistan (XIV), 4125.
- Traffic on Railway bridge, Delhi (XV), 6050-53.
- U.P.—Bihar boundary dispute (XV), 4903-04.
- University courses in Medicine (XIII), 523.
- Violation of Indian airspace (XVII), 9607-11.
- Weeklies for Defence Establishments (XVII), 11056.

Debates

- B.R. (1963-64), general discussion (XIV), 2212-22.
- D.G. (1963-64):
- Min. Food and Agri. (XV), 5081-89.
- Min. S.R. & C.A. (XV), 5734-40.

SIDDIAH, SHRI:

- Central Advisory Board for Harijan Welfare (XIV), 3411.
- Gulhati Commission Report (XIV), 2659-61.
- Seismological Observatory (XVI), 8674.

Debates

- D.G. (1963-64):
- Min. H.A. (XV), 6765-66.

SIDHESHWAR PRASAD, SHRI:

- £30 Million loan from U.K. (XVI), 9145-46.
- A.I.R. broadcasts to West Asia (XVII), 11031-34.
- Abu Simbel Temples in Egypt (XVII), 11557-561.
- Accident in Ballihari Colliery (XVII), 11042-43.
- Accident near Lasina (XV), 4693-94.
- Accident near Patna (Railway) Station (XV), 6122-23.
- Agricultural production (XIII), 67-74; (XIV), 2079.
- Aid to voluntary Educational Organisations (XV), 4907-08.
- Allocation for women's education (XVII), 10157-58.
- Allotment of newsprint to 'Link' (XVI), 7145-48.
- Allotment of residential quarters (XV), 6601.
- American Friends' Service Society (XVIII), 12836-37.
- Archaeological excavations near Chandigarh (XVII), 11602.
- Archaeological survey of India help to Nepal (XVI), 8942.
- Asian Common Market (XVII), 10633-634.
- Assistance to Tribhuwan University, Nepal (XVII), 11053-54.
- Austerity diet in Delhi zoo (XVII), 11282.
- Availability of raw materials (XVI), 6908-09.
- Ayurvedic system of medicine (XIV), 2698.
- Barauni oil refinery (XV), 6377.
- Bokaro Steel Plant (XVIII), 12078-81.
- Bombay customs (XIV), 3662-63.
- Bridge at Bakhtiarour Station (XIV), 2122.
- Bukhtiarpur-Rajgir branch line (XVII), 11332.
- Bureaux of education and vocational guidance (XVI), 8933.

SIDHESHWAR PRASAD, SHRI—
contd.

Bye elections in Uttar Pradesh
(XV), 5422-23.

Cane research centres in Bihar
(XVII), 9879.

Car plates in Hindi (XIV), 2427.

Catering establishments (XVI),
8693.

Central Housing Board (XVI), 9149.

Central Institute, Simla (XVII),
11545-547.

Centres for training of Bal Sevikas
(XVI), 8909.

Children's Book Trust (XVII),
11556.

Coal mine in Kangra Distt. (Punjab)
(XIV), 2413.

Coal transport problems (XVIII),
12087-90.

Collection of National Defence Fund
in Ceylon (XVII), 9679.

Colouring of vanaspati (XIII), 1645.

Committee on distribution of steel
(XIV), 2943.

Committee to assess position of cul-
tivation (XVI), 8186.

Company Law Administration
(XVI), 6897.

Complaints of Income-tax evasion
(XVI), 7633-35.

Compulsory insurance for Home
Guards (XVII), 10174.

Compulsory military training (XIV),
1904.

Compulsory registration of doctors
(XVIII), 11843-844.

Conference of Chairmen of State
Electricity Boards (XVIII), 13369.

Cooperative agricultural farming
societies (XV), 4677-78.

Cooperative movement (XIV),
3136-41.

Coordination Committee on Scientific
research (XVIII), 12616.

Customs duty on goods of repatriates
from Mozambique (XIII), 1406.

SIDHESHWAR PRASAD, SHRI:
contd.

D.V.C. (XVIII), 13342.

Defence factory at Nangal (XIV),
1906.

Defence factories at Wardha
(XVIII), 12582.

Delhi Electric Supply Undertaking
(XVI), 9779.

Delhi Engineering College (XV),
4894-96.

Delhi water supply (XIV), 2661-67,
(XV), 6598.

Delhi Water Supply and Sewage
Disposal Undertaking (XVII),
10391.

Demands for vegetables (XVII),
9910.

Design and Engineering Unit
(XVII), 10125-28.

Development of hill area (XVIII),
12865-66.

Development of Khadi and Village
industries (XVII), 10653-654.

Development of Small-Scale
Industries in Bihar (XV), 5421-22.

Device to prevent railway collisions
(XV), 4667.

Directorate Board of Hindustan
Steel Ltd. (XVII), 9370.

Display of retail prices (XVII),
9355.

Diversion of students to vocational
courses (XVIII), 13063-65.

Drinking Water Supply for Banaras
(XVI), 9119-24.

Economic criteria for backwardness
(XVII), 10146-50.

Economy measures in D.V.C. (XIII),
1409.

Education during emergency (XIII),
269-71.

Education Ministers' Conference
(XVII), 11566.

Education in Goa (XVII), 9643-44.

Education in Pondicherry (XVII),
9644-45.

Educational delegation to U.A.R.
(XVI), 8908.

SIDHESHWAR PRASAD, SHRI—
contd.

- Engineering College, Delhi (XV), 4928.
- Eradication of famine (XVI), 7625—27.
- Expansion of steel plants (XVIII), 12081—84.
- Export trade targets (XV), 5400—03.
- Extension of C.H.S. Scheme (XVII), 10377—80.
- Fertilizer Plant, Katni (XVII), 10588—591.
- Fishing in deep waters (XIII), 1680.
- Flood Control Schemes (XVII), 10394.
- Food adulteration (XIII), 1395—98.
- Food adulteration in Delhi (XVII), 10380—84.
- Foreign Exchange (XV), 5151—53.
- Foreign exchange requirements (XVII), 10593-94.
- Foreign participation in Indian shipping companies (XIII), 1597—1600.
- Foreigners employed in Central Universities (XV), 4910.
- Genetics and Biometry Unit in Calcutta (XVI), 7409.
- Goods lost in transit (XVI), 8201.
- Green manure and compost (XV), 6098-99.
- Health Research Division (XIV), 3644-45.
- Heart attack (XVII), 19407-08.
- Heavy electrical equipment plants (XIV), 3839—42.
- Heavy Electricals Limited, Bhopal (XIV), 2935.
- High altitude scientific problems (XVI), 8896.
- Hindi as medium of university education (XV), 6400.
- Hindi Law Commission (XVI), 6881.
- Home science colleges in Agricultural universities (XVII), 11289.
- Hostile Nagas (XIV), 4124-25.
- Hotel industry (XVII), 11337.

SIDHESHWAR PRASAD, SHRI—
contd.

- House-building loans (XVI), 9136—38.
- Housing Ministers' Conference (XIII), 1398—1400.
- I.A.S. and I.P.S. Officers (XVII), 10166.
- I.A.S. and I.P.S. officers in Bihar (XV), 6378-79.
- Incentive prizes to cane growers (XVII), 9880.
- Increment for treatment of chest diseases (XV), 5169.
- India's trade with European Economic Community (XVII), 10622—629.
- Indian Agricultural service and Indian Forest Service (XVI), 8669.
- Indian cancer research centre, Bombay (XVI), 8424-25.
- Indian delegation of scientists to Geneva (XVIII), 13094-95.
- Indian immigrants to Philippines (XV), 5858.
- Indians in South Africa (XVI), 8407—09.
- Indian Ocean expedition (XV), 4909.
- India Office Library (XVI), 8876.
- Indian P.O.Ws. (XIII), 924-25.
- Industrial training institutes in Delhi (XVI), 8385—90.
- Industrialisation of under-developed countries (XIV), 3419.
- Indian currency in Nepal (XVI), 7645—48.
- International Programme on Scientific Hydrology (XVII), 10124.
- Inter-State Organisation for Dacoity Menace (XVII), 11589-590.
- Inter-University Board (XVI), 7375-80.
- Khadi and Village Industries Commission (XVII), 9377.
- Kosi project (XIII), 1406.
- Launching of sounding rockets (XV), 5853.
- Lecturers of Delhi University (XVII), 11592.

SIDHESHWAR PRASAD, SHRI—
contd.

Loans to meritorious students
(XIII), 308-09.

Manufacture and export of gold
ornaments (XVI), 9149-50.

Manufacture of Defence stores by
private sector (XV), 5809.

Mechanised farm, Jestar (XVI), 8191.

Medical colleges (XV), 5165-66.

Merger of Oil Companies (XVII),
11605.

Mica mines in Bihar (XVI), 8902.

MIG Factories (XVII), 9613-16.

Milk supplied by D.M.S. (XVI),
8661, 8662.

Model constitution in Universities
(XV), 6375.

Modification of educational system
(XV), 4901-03.

Mountain Divisions in Indian Army
(XVI), 8412-17.

Multi-purpose schools (XVI), 7409-
10.

National Book Trust (XVI),
7372-74.

National Discipline Scheme (XV),
6356.

New civil airport at Delhi (XVIII),
12790-91.

New ordnance factories (XVIII),
12580.

Noonmati Oil Refinery (XVII),
11605.

North-Eastern Railway (XV),
6090.

Oil exploration (XIV), 2400-2401.

Oil exploration in Bihar (XIII),
1178-79.

Ordnance factories (XVI), 7128.

Overseas Purchase Organisation
(XVII), 9399.

Paper factory at Amlai (XV), 5434.

Passengers travelling on roof of
train (XVIII), 12831.

Passport Racket Case in Punjab
(XVIII), 12602.

SIDHESHWAR PRASAD, SHRI—
contd.

Pay scales of University teachers
(XVI), 8690.

Planning Boards in States (XV),
4401.

Popularising 14-Carat Gold (XVI),
9152-53.

Potato research centre (XVI), 8669.

Power shortage in the country
(XIV), 2699-2700.

Powerful transmitter on A.I.R.
(XIV), 1896.

Press Council (XV), 5828.

Press for Parliamentary work
(XVIII), 11809.

Prices of agricultural products (XV),
6053-56.

Price of coal (XVII), 10153.

Production of lac in Bihar (XVII),
9861.

Production of machinery (XVIII),
12107-08.

Promotion of export trade (XVIII),
12099-12104.

Purchase by Department of Supply
(XVII), 10638.

Purchase of electricity from Nepal
(XV), 6624.

Railway restaurants (XIV), 2088.

Railway Service Commission offices
(XIV), 3185.

Recruitment of Gurkhas (XVII),
9660-61.

Reorganisation of Planning Commis-
sion (XVIII), 12566.

Repatriation of Chinese detenus
(XVII), 11573-574.

Repatriation of Indians from Moz-
ambique (XIV), 4089-93.

Report of Mahalanobis Committee
(XIV), 1881.

Report on Dalmia-Jain concerns
(XIII), 1625.

Research at Toklai (XV), 6395.

**SIDHESHWAR PRASAD, SHRI—
contd.**

- Research on Himalayan herbs (XVII), 9909.
- Retrenchment in Departments (XVII), 10155-56.
- River Boards (XV), 6572.
- Roads in Ladakh and NEFA (XV), 4427.
- Russian oil for oil production (XV), 6370-71.
- Sainik schools (XIII), 912-16.
- Seizure of watches at Santa Cruz airport (XV), 6591.
- Senior civil servants in commercial concerns (XVI), 8904.
- Shifting of Hindi Directorate (XIII), 1174.
- Shifting of Railway Mineral siding from New Delhi Yard (XVII), 9873.
- Shortage of Army Officers (XVII), 11005-12.
- Shortage of pig iron in Gujarat (XIV), 2915.
- Small Scale Industries in Punjab (XVIII), 12135-36.
- Starch factories (XVI), 8675.
- Steel and heavy industries (XIII), 1667.
- Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
- Strike by students of Institute of Rural Higher Education, Sriniketan (XV), 4906.
- Strike in Barauni Oil Refinery (XVII), 11605-606.
- Study group on primary education (XV), 6390-91.
- Study of the media of mass Communication (XVI), 7167.
- Sub-soil water in Delhi (XIV), 3641-42.
- Sugar mills (XIII), 88-89.
- Suicide by Liaison officer (XIII), 1650.
- Sun Temple at Moghera (Gujarat) (XIV), 3409.

**SIDHESHWAR PRASAD, SHRI—
Contd.**

- Supply of kerosene oil to Nepal (XIV), 1912.
- Supply of oil to Ceylon (XV), 4927.
- Surplus staff (XVI), 7428.
- Symposium on educational statistics (XVI), 8909.
- Teaching of foreign languages in India (XVII), 11554.
- Technical assistance to Libya (XVII), 11057-58.
- Telephones in D.C. Block Headquarters (XVI), 8691.
- Television documentary on the Indian caste system in U.S.A. (XV), 5878.
- Thefts of telegraph wires (XIV), 3168-69.
- Thermal Power Stations (XVII), 10393.
- Third Plan targets for Bihar (XVII), 11052.
- Three-year degree course (XIV), 2390.
- Tibetan refugees in Switzerland (XVII), 9648.
- Trade delegation from Mexico (XVIII), 12137.
- Tragedy at National Cycling Championship (XVI), 8899.
- Transfer of D.V.C. Headquarters (XV), 6823.
- Transfer of D.V.C. Office to Bokaro (XVII), 10346.
- Transit facilities for Nepal (XVII), 10641.
- Transport of coal by pipes (XVII), 10114.
- Treatment of measles in Russia (XIV), 2723.
- Trisuli Project in Nepal (XV), 6580.
- U.N. expert for river basin surveys in India (XVI), 7132-35.
- Uniform Legislation for Municipal Corporations (XVIII), 11823-528.

SIDDHESHWAR PRASAD, SHRI—
contd.

University courses in Medicine
(XIII), 523.

Use of Hindi on A.I.R. (XVIII),
12546.

Vacancies in laboratories (XVII),
11573.

Violation of foreign exchange rules
(XVI), 9108—11.

Wooden sleepers washed away
towards Pakistan (XVIII), 11819—
823.

World Bank loan for railways
(XVI), 8127—29.

Zonal Transport Corporation (XVI),
8123.

Debates

B.G. (1963-64), general discussion
(XIII), 3563—72.

D.G. (1963-64) Min. I. and B. (XV).
5301—06.

SINGH, SHRI A. P.

Demolition of quarters at Bela
Road, Delhi (XVII), 10145-46.

SINGH, Dr. B. N.

P. A. M. (XIII), 791—97.

SINGH, SHRI D. N.

D. G. (1963-64): Min. Def. (XVI),
8255—60.

SINGH, SHRI J. B.

Applications for Industrial licences
from Uttar Pradesh (XVI), 7912.

Assistance to U. P. for irrigation
(XVI), 8155.

Cottage and Small Scale Industries
in U. P. (XVII), 10643.

Development of agriculture in U. P.
(XVI), 8156.

* Heavy Engineering Projects in U.P.
(XVII), 10635-636.

Industries in Uttar Pradesh (XVII),
9389.

Minor irrigation in U.P. (XVI),
8668.

SINGH, SHRI J. B.—contd.

Paper Mill in Ghazipur (XVII),
9389.

Postal services in U. P. (XVI),
8154-55.

Scarcity of water at Banaras Railway
station (XVI), 8667.

Sericulture Industry in Uttar Pradesh
(XVII), 9388.

Telephones in U. P. (XVI), 8155.

Third Plan targets for U. P.
(XVI), 7168.

Debates

B. G. (General Discussion) (XIV),
3916—26.

D. G. (1963-64):
Min. Food and Agri. (XV), 4950—
60.

SINGH, SHRI S. T.

D. G. (1963-64):
Min. W.H. & R. (XVI), 7201—04.

Government of Union Territories
Bill.

Motion to refer to Joint Committee
(XIV), 4346-47.

Government of Union Territories
Bill.

Motion to consider (XVIII),
13828—30.

SINGH, SHRI Y. D.

Clerical staff in Delhi schools:
(XVI), 7439-40.

Special pay for handling cash in
Delhi Schools (XVII), 11590.

Debates

D. G. (1963-64):
Min. I. and B. (XV), 5290—93.

SINGHA, SHRI G. K.:

Farakka barrage (XIII), 1400—1403.

SINGHA, SHRI Y. N.:

Emergency Commission (XVII),
11077-78.

Hirakud Dam Project (XVIII),
13355.

Recruitment from Orissa (XVIII),
12600.

SINGHA, SHRI Y. N.— contd.

Resignation by Emergency Commission trainees (XVIII), 12602.

Debates

D.G. (1963-64):

Min. I. & B. (XV), 5363—63.

Leave of Absence (XVI), 8447.

P.A.M. (XIII), 1035—37.

SINGHVI, DR. L. M.:

A.I.R. station at Port Blair (XVI), 8392.

Advance courses in Defence Sciences in Universities (XIV), 4083—85.

Agricultural implements centre at Aligarh (XVI), 8128, 8127.

Agricultural production (XIII), 1590-91.

Air raid precautions (XIII), 317.

Allotment of newsprint to 'Link' (XVI), 7146—48.

Anti-corruption Advisory Committee (XIII), 288—95.

Asian Economic Development Institute (XVIII), 12091.

Atomic power plant at Tarapore (XIV), 4118.

Attorney-General's advice on affairs of a firm (XVIII), 6350—56.

Austerity diet in Delhi Zoo (XVII), 11283.

Bhang, Charas and Ganja (XIV), 2718-19.

Bokaro Steel Plant (XVIII), 12078—81.

Bonus to sugar mills (XIV), 3145-46.

Boundary pillar removed by Pakistanis (XIV), 4136.

Box type wagons (XIV), 2126.

Britain's entry into E.C.M. (XIV), 2895.

Bronchitis (XIV), 2726.

Ceiling on consumption of water and electricity by Ministers (XVIII), 13371.

SINGHVI, DR. L. M. —contd.

Cement factories (XIV), 2940.

Central Silk Board (XIV), 3894.

Chest diseases in India (XIV), 2701.

Civil Administration in NEFA (XIII), 907—12.

Civil Defence Plan (XIII), 1158—63.

Coastal shipping (XIII), 97-98.

Colombo proposals (XIII), 883—92.

Committee for negotiation with foreign collaborators (XV), 6577.

Committee on Panchayat resources (XIV), 2108.

Compulsory military training (XIV), 1904.

Conference of State Ministers of Cooperation (XIV), 2095.

Contribution to N.D.F. (XV), 6615.

Credit facilities to vehicle operators (XIII), 1684.

Crimes in Delhi (XIII), 1175.

Cultural delegations sent abroad (XIV), 2429.

Cut in Housing Schemes of States (XVII), 10352.

D.V.C. (XIII), 515—17, 529.

Death of an Indian student in U.K. (XVI), 7167-68.

Defence of India Rules (XIII), 303.

Delhi Water Supply (XIV), 2665.

Detenus arrested near D.I.R. (XVII), 11591-592.

Diplomatic relations with 'KMT' Government (XVIII), 12562.

Directions to States by Centre (XIV), 2415.

Display of retail prices (XVII), 9355.

Documents of the Constituent Assembly (XVI), 7922-23.

Drinking Water Supply Board (XVIII), 13362.

Durgapur Power Station (XIII), 1405.

Dust in passenger compartments (XCII), 11321.

Economy measures in D.V.C. (XIII), 1409.

SINGHVI, Dr. L. M. —*contd.*

- Emergency Commissions (XVIII), 12570.
- Export Advisory Committee for Pearls and Precious Stones (XVII), 10595—598.
- Export of engineering and machinery products (XV), 5390—94.
- Export of jewellery (XVIII), 12075-78.
- Export of peacock feathers (XVIII), 13615.
- Extradition treaty with U.S.S.R. (XIV), 4137.
- Food adulteration (XIII), 1395—98.
- Foreign Air Mission's visit to India (XIII), 897—900.
- Foreign exchange for business travel (XVI), 9140.
- Foreign investment in India (XIV), 2690—93.
- Foreign participation in Indian shipping companies (XIII), 1597—1600.
- Freight rates (XVI), 8657.
- "Friendship March" to Peking (XV), 5847.
- Geological survey of Rajasthan (XIII), 320.
- Goan economy (XIV), 1875.
- Gulhati Commission Report (XIV), 2659—61.
- Haj pilgrims (XV), 4426.
- High Level Inquiry Committee on C.S. & I.R. (XVIII), 13070-71.
- High Power Commission for Water and Power (XIV), 2689-90.
- High protein food for Jawans (XVIII), 12557.
- History of Freedom movement (XVII), 11571.
- Hoarded gold (XIII), 525.
- Home Guards (XIII), 308.
- Houses for M.Ps. (XV), 6585.
- Idle installed capacity of industry (XIII), 1628.
- Idle manpower (XVII), 11036.

SINGHVI, Dr. L. M. —*contd.*

- Import of components for Automobiles (XVIII), 12094—99.
- Improved water supply plan (XVIII), 13370.
- Income-tax office at Pali (XV), 5184-85.
- India International Centre (XVIII), 13105.
- Indian currency for Persian Gulf countries (XV), 6595.
- Indians in Russian Universities (XIV), 3402.
- Indian military personnel in Congo (XV), 5819.
- Indian Mission for U.S.A. and U.K. (XV), 5856.
- Indian Oceanographic Expedition (XIII), 1183.
- Indian P.O.Ws. (XIII), 924-25.
- Indian P.O.Ws. in China (XV), 5854.
- Indian working in Afro-Asian Solidarity Conference Secretariat (XV), 4406.
- Industrial Finance Corporation (XVIII), 11858-859.
- Industrial Units (XVI), 7906.
- Inland water transport (XIII), 1683.
- Iron ore mines (XIII), 319-20.
- International Law on outer space (XIV) 4129-30.
- Jodhpur Railway workshop (XIII), 1689.
- Joint U.S.-Commonwealth Air Mission (XVII), 11043—47.
- Jute industry (XVI), 7899.
- K.M.T. Government (XIV), 1911.
- Khadi and Village industries Commission (XVIII), 13566.
- Kishan Dam Project (U.P.) (XIV), 2707-08.
- Land prices in Delhi (XV), 6350—54.
- Level crossings (XIV), 2113.
- Liberal licensing policy (XV), 5384.
- Life Insurance for Armed Forces Personnel (XIV), 2674.

SINGHVI, DR. L. M. (Contd.).

- Loading time (XIII), 1690.
 Looting of railway property by students (XIII), 1587-89.
 Machine tool industry (XIII), 1626.
 Manufacture of artificial cryolite (XIV), 2418.
 Manufacture of automatic weapons (XVIII), 13976.
 "Map of India" postage stamps (XVI), 8114.
 Mental diseases (XV), 6598.
 Micro-Hydel Schemes (XVIII), 11836.
 Minicoy island (XVIII), 13044-45.
 Model villages (XVI), 8137-40.
 Movement of coal by Railways (XIV), 2117.
 Multi-purpose food (XIV), 2155.
 Murder of Army courier at Jodhpur (XV), 6063.
 National Defence Fund (XIII), 1380-88.
 National Highways (XIII), 96-97.
 Navigation in Rajasthan canal (XIII), 1371-73.
 Night Air Mail services (XVI), 8144.
 Nomination of M.Ps. to the delegations to U.N.O. (XIV), 1912.
 Oceanographic research (XIII), 1182.
 Oil exploration (XIV), 2400-2406.
 Oil Exploration in Jaisalmer (XIII), 322.
 Plant for iodisation of salt (XVIII), 13349.
 Price of milk (XIV), 2144.
 Prohibition (XV), 4864-71.
 Public Sector Undertakings (XVIII), 12070.
 Public undertakings (XIV), 2902.
 Pulp imports for rayon industry (XIII), 1634.
 Rehabilitation of tribal people in NEFA (XIII), 918.

SINGHVI, Dr. L. M. —contd.

- Quarters for married policemen in Delhi (XIV), 2441.
 Purchases by Air India (XVIII), 11792-98.
 Release of P.O.Ws. by Chinese (XVIII), 12580.
 Report on Dalmia-Jain concerns (XIII), 1625.
 Republic Day celebrations (XIV), 1907.
 Return of mortgaged gold (XVII), 10375-77.
 Road crust of Indian Highways (XIII), 97.
 Setting up of New Steel Plants (XVIII), 13980-981.
 Shifting of Government offices (XIII), 521.
 Slum in big cities (XV), 5126-30.
 Smallpox in Delhi (XVIII), 13351.
 Smuggled gold (XV), 6616.
 "Smuggling along coastline" (XVII), 10367-68.
 Smuggling of gold from India (XVII), 11826-829.
 Soda Ash Factory in Rajasthan (XVII), 10634-635.
 Soyabeens for protein needs (XVIII), 13381.
 Spinning mills in Madras (XIII), 1653.
 Steel Equalisation Fund (XVII), 19631.
 Suicide by goldsmiths (XVI), 9130-31.
 Three-year degree course (XIV), 2392.
 Trade agreement with Indonesia (XVIII), 13598.
 Training in the manufacture of Synthetic drugs (XVI), 7891.
 Training school for N.C.C. women Officers (XIV), 1911.
 Transport needs (XIV), 4111.
 Tusker project (XIV), 1859.
 U.N. General Assembly (XVI), 7165-66.

SINGHVI, DR. L. M.: *contd.*

- U.S. aid to India (XIII), 526.
 U.S. Task Force in India (XVII),
 11047-48.
 Unemployment in Goa (XIV), 1893.
 Wagon-holding for Jodhpur division
 (XVII), 9888.
 Wagon shortage (XIII), 74-79.
 Wastage of railway capacity (XIII),
 1689.
 Waste Mica (XIII), 295-97.
 Waste of foreign exchange (XVIII),
 12139-40.
 Water and Road Transport in India
 (XIII), 98.
 Withdrawal of U.S. Transport planes
 (XIV), 4109-10.
 Wives of Chinese internees (XV),
 4093-94.
 Wooden sleepers washed away to-
 wards Pakistan (XVIII), 11822.
 Zonal Transport Corporation (XVI),
 8123.

Debates

- B.O.H. (XIII), 2979, (XVII), 9437.
 Blasting of railway line and firing on
 train by Naga hostiles (XVIII),
 (C.A. and Ad. motions) 9183,
 9184, 9186.
 Child Marriage Restraint (Amend-
 ment) Bill:
 Motion to circulate (XIII), 3077-
 79.
 Committee on Private Members'
 Bills and Resolutions:
 Fourteenth Report (XIII), 3064-
 65.
 Twenty-first Report (XVIII),
 13689-91.
 Complaints made by Detenus to
 Indian High Commission, Ceylon
 (C.A.) (XVIII), 14176-77.

SINGHVI, DR. L. M.: *contd.*

- Constitution (Amendment) Bill
 (Amendment of articles 190 and
 189) by Shri M. L. Dwivedi:
 Motion to consider (XVIII), 13729-
 32.
 Constitution (Fifteenth Amendment)
 Bill:
 Consid. cl. (XVIII), 13180, 13200-
 207, 13223-29, 13233, 13241-42,
 13251-53.
 Constitution (Sixteenth Amend-
 ment) Bill as reported by J. C.:
 Consid. Cl. (XVIII), 13482-83.
 D.G. (1963-64):
 Min. Com. & Ind. (XVI), 8598-
 93.
 Min. Econ. and Def. Coord. (XVII),
 9814-21.
 Min. Ex. Affairs (XV), 4795-4801.
 Min. Fin. (XVII), 10265-73.
 Min. Law (XVI), 7551-59.
 Min. S.R. & C.A. (XV), 5722-39.
 Min. Trpt and Communi (XVI),
 9026-34.
 Min. W.H. & R. (XVI), 7328-34.
 D.G. (R) (1963-64) (XIII), 3016-20.
 Export (Quality Control and Inspec-
 tion) Bill:
 Consid. Cl. (XVIII), 13643-44.
 Firing by Naga hostiles on military
 special train on 11-4-63 near
 Noajan Station (C.A.) (XVII),
 9420-21, 9422, 9423.
 Government of Union Territories
 Bill:
 Motion to consider (XVIII),
 13676-82, 13849-51, 13884.
 Marine Insurance Bill as passed by
 R.S.:
 Motion to consid. (XVI), 8061-64.
 Official Languages Bill:
 Int. (XVII), 5459, 9463.
 Motion to consider (XVIII),
 11963-70.

SINGHVI, DR. L. M.: Contd.

Official Languages Bill: Contd.

Consid. cl. (XVIII), 12342-44,
12435-36 12220-23, 12271-73,
12278, 12280.

Motion to pass (XVIII), 12496-99.

P.A.M. (XIII), 602-15.

Re: Alleged leakage of Report of At-
torney General on Bose Commis-
sion Inquiry (XVIII), 13918-19,
13933.

Re: Motion on Standing Committee
for Public Enterprise (XVI), 8203-
04.

Re: Statement by Member (XVI),
7950-51.

Report of the Commission of Inquiry
into Dalmia Jain Companies
(XVIII), 14230-39.

Sighting of unidentified ships off
the Andhra Coast (C.A.) (XVII),
10416, 19.

Sixteenth Report of Business Advi-
sory Committee (XVII), 11089-
090.

Water Supply in Delhi (C.A.)
(XVII), 12626-30, 39.

Working Journalists (Conditions of
Service) and Miscellaneous
Provisions (Amendment) Bill—

(Insertion of new section 7A) by
Shri C. K. Bhattacharyya Consid.
(XV), 5559-61.

SINHA, SHRI B. P. :

B.G. (General Discussion) (XIV),
3784-92.

SINHA, SHRIMATI RAMDULARI:

Assembly Constituency of Muzaffar-
pur (Bihar) (XVII), 10637.

Disbursement of co-operative funds
(XVII), 9878.

House Building Cooperative Socie-
ties in Delhi (XVII), 11572.

Payment of road tax in Delhi
(XVII), 11299.

Debates

B.R. (1963-64), General Discussion
(XIV), 1948-52.

**SINHA, SHRIMATI RAMDULARI:
Contd.**

P.A.M. (XIII), 657-61.

B.O.H. (XIII), 742-43, 1739, 1741,
2272-73, 2980-82. (XIV), 4143.
(XV), 5919, 6919-22 (XVI), 8208
(XVII), 9430, 9434, 9436-37, 9684,
10807-21, 11263-64 (XVIII),
13999-14000.

Business Advisory Committee. 14th
Report adopted (XIV), 2445-48.

D.G. (1963-64):

Depott. Parly. Affairs (XVII),
10071-10108.

Motion re. twelfth Report of the
Business Advisory Committee
(XIII), 338-39.

Re: Motion on Standing Committee
for Public Enterprise (XVI),
8204-05.

Re. termination of suspension of
Member (XVIII), 13139.

Sixteenth Report of Business Advi-
sory Committee (XVII), 11087-
098.

SINHA, SHRIMATI TARKESHWARI:

Bengal Finance (Sales Tax) (Delhi
Amendment) Bill.

Motion to Consid. (XVIII), 12649-
50.

Consid. Cl. (XVIII), 12667-
60.

Motion to pass (XVIII), 12660.

Compulsory Deposit Scheme Bill

Consid. Cl. (XVII), 11764-65,
(XVII), 12017-23, 12034-36,
12897-98, 12900, 12904.

Finance Bill, 1963.

Consid. Cl. (XVII), 10925-35,
10967-69.

Super Profits Tax Bill.

consid. cl. (XVII), 11142-188.

SINHASAN SINGH, SHRI:

Interchange of I.A.S. and I.F.S. Officers (XVI), 7390.

Labour Recruiting Depot, Gorakhpur (XVII), 11040-41.

Looting of Railway property by students (XIII), 1589.

Debates

Constitution (Amendment) Bill, 1962.

(Insertion of new Article 115A and amendment of article 167) Motion to consid. (XVI), 8099—8102.

Constitution (Fifteenth Amendment) Bill consid. cl. (XVIII), 13180—183, 13231-32.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8536—43.

Min. Food and Agri. (XV), 5018—25.

Export (Quality Control and Inspection) Bill:

Motion to pass, (XVIII), 13646—48.

Re: alleged leakage of Report of Attorney General on Bose Commission Inquiry (XVIII), 13925-26.

Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill—

(Insertion of new section 7A) by Shri C. K. Bhattacharyya Consid. (XV), 5575—79.

SIVASANKARAN, SHRI:

D.G. (1963-64):

Min. Irr. and Power (XV), 6248—51.

SOLANKI, SHRI:

D.G. (1963-64).

Min. Food and Agri. (XV), 5100—05.

SONAVANE, SHRI:

Consolidated List of Scheduled Tribes (XIII), 1157.

Delimitation of Constituencies (XIV), 2946.

Education during emergency (XIII), 271.

Emergency posts in Railways (XVII), 11327.

Food poisoning in Bombay (XIII), 539.

Gandhian literature (XVIII), 12556.

Losses suffered by civilians in NEFA (XIV), 4105-06.

National Discipline Scheme (XIII), 276—80.

“Nine Hours to Rama” (XIII), 918.

Population of S.C. in Maharashtra (XIII), 325.

Post-Graduate course in Journalism in Delhi University (XIII), 325-26.

Premium Prize Bonds (XIII), 499.

Price of Cotton (IV), 5411.

Price of sugar (XVIII), 14151—53.

Production of drugs (XV), 5399.

Prohibition (XV), 4864—71.

Sino-Pak border agreement (XIII), 903—07.

Slum in big cities (XV), 5129-30.

Smallpox in Delhi (XVIII), 13354.

Smallpox in the country (XIII), 490—95.

Students studying abroad (XVIII), 13338—40.

Trade Delegation for UAR (IV), 5412.

Debates

B.O.H. (XVII), 10820 (XVIII), 13998.

D.G. (1963-64):

Min. H.A. (XVI), 7217-18.

Government of Union Territories Bill.

Motion to consider (XVIII), 13857—59.

SONAVANE, SHRI: *contd.*

Re. Suspension of Member (XVIII),
12637.

Report of the Commission of Inquiry
into Jain Companies (M) (XVIII),
14296—301.

SOY, SHRI H. C. :

Chittaranjan Locomotive Works
(XVII), 9663-64.

Consolidated list of Scheduled Tri-
bes (XIII), 1156.

Dhebar Commission (XVII), 11547—
551.

Expansion of steel plants (XVIII),
12081—84.

Kynite Mines in Bihar (XVIII),
12119-20.

Production of lac in Bihar (XVII),
9861.

Quarters on Gua Iron Ore Mines
(XVII), 9663.

Trafficking in tribal females (XVII),
10170-71.

Debates

D.G. (1963-64) Min. Food and Agri.
(XV), 5056—59.

Min. H. A. (XV), 6809—17.

Min. of Health (XV), 5978—80.

Min. Lah. and Emp. (XV), 6497—
6501.

D.S.G.(R) 1962-63 (XIII), 1465-66.

Disturbance in law and order situa-
tion in Kiriburu Iron Ore Pro-
ject (CA) (XV), 4433—37.

Finance Bill, 1963.

Motion to consid. (XVII), 10567—
72, 10665—70.

P.A.M. (XVII), 1292—98.

Reported kidnapping of some San-
thals by East Pakistan Police
(C.A.) (XVIII), 13778.

SRINIVASAN, DR. P.

A.I.R. transmitters (XVI), 8427.

Bed-strength of Central Government
hospitals (XIV), 3645-46.

SRINIVASAN, Dr. P. : *contd.*

Cancer hospitals (XIV), 3645.

Gulhati Commission Report (XIV),
2659—61.

Hospital for General medical check-
up (XIV), 3647.

Medical colleges (XV), 5165-66.

Debates

D.G. (1963-64).

Min. of Health (XV), 5969—72.

SUBBARAMAN, SHRI:

Drinking Water Supply for Banaras
(XVI), 9119—24.

Debates

Central Sales tax (Amendment) Bill
Motion to Consider (XIV), 4305-
06.

Constitution (Sixteenth Amend-
ment) Bill, as reported by J. C.
Motion to consider (XVIII),
13446—49.

D.E.G. (R) 1960-61 (XVIII), 12893-
94.

D.G. (1963-64):

Min. Com. & Ind. (XVI), 8724—
27.

Min. Fin. (XVII), 10262—65.

Min. H. A. (XV), 6827—30.

Min. S. & N.I. (XVII), 9727—63.

D.G. (R) (1963-64) (XIII), 2986—
89 (XIV), 2563—67, 2884-85.

D.S.G.(R) 1962-63 (XIII), 1451-52.

Super Profits Tax Bill:

Motion to consider (XVII),
11129—131.

SUBRAMANIAM, SHRI C.:

Outcome of visit of the Minister of
steel and Heavy Industries to
Austria and West Germany (CA)
(XVIII), 13989.

Reported drastic cut in pig iron
quota supplied to foundries in
Punjab (C.A.) (XVIII), 13126—
130.

SURAMANYAM, SHRI T.:

D.G. (1963-64) Min. Ex. Affairs (XV), 4571-76.

Min. S. & H.I. (XVI), 9514-19 (XVII), 9688-90.

P.A.M. (XIII), 425-32.

SUMAT PRASAD, SHRI:

Constitution (Fifteenth Amendment) Bill.

consid. cl. (XVIII), 13161, 13164.

P.A.M. (XIII), 1298-1302.

Report of the Commission of Inquiry into Dalmia Jain Companies (M) (XVIII), 14050-56.

SURENDRA PAL SINGH, SHRI:

Acquisition of agricultural land (XV), 6122.

Aid from European countries (XVI) 8433.

Air lines (XVI), 8151.

Assistance from Australia for C.D. projects (XIV), 3195-96.

Atomic minerals found in Golbarga (XV), 4924-25.

Bisdari Malcha Mahal on Ridge (XIV), 2706-07.

Buddha Jayanti Park, New Delhi (XIV), 2706.

Cement factories (XIV), 2940.

Collection of National Defence Fund in Ceylon (XVII), 9679.

Compulsory Primary education (XLXX), 283-86.

Coordination of Scientific Research (XIII), 280-82.

Creation of cadre of under officers (XIV), 4141-42.

Cut in Housing Schemes of States (XVII), 10350-54.

Dacoit gangs on Indo-Pak border (XIV), 2440.

Decline in export to South-east Asian Regions (XIII), 1655.

Delhi Electric Supply Undertaking (XVI), 9179.

Delhi Water Supply and Sewage Disposal Undertaking (XVII), 10391.

SURENDRA PAL SINGH, SHRI:
contd:

Development of Hastinapur Township (XIV), 3651.

Development of Mine hills (XVIII), 12805-07.

Development of Multipurpose schools (XIII), 1176.

Easing of work load of rural housewives (XV), 4616-20.

Effect of melted snow water on milk yield (XIV), 3173-74.

Employment of Indian Armed Forces personnel, Nigeria (XIV), 1910.

Entertainment of jawans on borders (XVI), 7139.

Exploitation of trade mark (XVII), 9403.

Export of guær seeds to U.S.A. (XIV), 3879.

Faridabad Township (XIII), 525.

Film on Sino-Indian border dispute (XVII), 9635-39.

Floods in Brahmaputra (XIV), 3606-610.

Food adulteration (XIII), 1395-96.

Foreign Air mission's visit to India (XIII), 897-900.

Foreign exchange requirements (XVII), 10593-94.

Forest belt (XIV), 2114.

Fourth Oil Refinery in South India (XIII), 304-3305.

Free water and electricity to Central Ministers (XIV), 3615-24.

Graduates in agriculture (XIV), 3132-35.

Hand-operated device for lifting water (XIV), 2123.

Health institutes (XVI), 7673.

Horticulture Centre in Nepal (XV), 4381.

Hybrids of Bajra and Jawar (XIV), 2107.

Import of trucks (XV), 5886-90.

Incidence of crimes in Delhi (XVI), 8871.

Indians employed in Ceylon (XVI), 8307-8401

SURENDRA PAL SINGH, SHRI:
contd.
 Indian Hotel Industry (XIII), 100.
 Indian missions abroad (XIV), 1909.
 Industrial Design Training Centres (XIV), 2415.
 Integrated Power Grid (XIV), 3639-40.
 Inter-State Organisation for Dacoity Menace (XVII), 11589-590.
 Kalakot Coalmines (XIV), 3393.
 Loans to meritorious students (XIII), 308-09.
 Lubricating oil plant (XIV), 2411.
 Manpower training programme (XIII), 1144-48.
 Manufacture of fighter planes (XVI), 7156-57.
 Marmagao Harbour (XIII), 882-83; (XVIII), 12807-10.
 Master Plan for Development of Tourism (XIII), 1595-97.
 Medical colleges (XV), 5165-66.
 Medical graduates for rural areas (XVI), 9177-78.
 Model youth hostel in New Delhi (XIV), 2409.
 "National science talent search" (XIV), 2369.
 Nutrition education (XVII), 9658.
 Oil Refinery in private sector in South India (XIV), 2412.
 Package programme for sugarcane (XIV), 2124.
 Poisoning of Gir lions (XVIII), 12843.
 Polio vaccine (XIII), 541.
 Poultry development (XIV), 3167.
 Power shortage in the country (XIV), 2699-2700.
 Prevention of Beggary in Delhi (XIII), 316-17.
 Production of antibiotics (XIII), 685-88.
 Production of jet aircrafts (XV), 5852.

SURENDRA PAL SINGH, SHRI:
contd.
 Production of motor, trucks (XIII), 713-16.
 Production of sugarcane (XV), 4624-28.
 Quarters for married policemen in Delhi (XIV), 2441.
 Sale of Defence Certificates in overseas stock markets (XIII), 522.
 Sale of land in Delhi (XV), 4897-4900.
 Science education in India (XIV), 2409.
 Second Shipyard (XV), 6060-63.
 Setting up of manufacturing plants abroad (XIII), 729.
 Shifting of Railway Mineral siding from New Delhi Yard (XVII), 9873.
 Shikar tourist industry (XV), 4656-57.
 Ships for movement of coal (XVI), 8636.
 Smallpox in the country (XIII), 490-95.
 "Solvent Extraction" Plant (XVI), 7382-83.
 Special car parks for tourists (XIII), 1686.
 Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
 Super market in New Delhi (XIII), 1863-66.
 Teaching and examination system (XIII), 1181-82.
 Trade delegation from U.A.R. (XV), 5411-12.
 Transport facilities to Andaman Islands (XIV), 2389.
 Trust for developing Paradip port (XIII), 1641-42.
 Visit of Joint Committee to Eastern U.P. (XIII), 893-97.
 Water supply to Delhi from Punjab and U.P. (XVI), 9178-79.
 Welfare of Ex-Indian Army Gurkhas (XIV), 4112-13.
 White tigers (XVII), 6538.

SURENDRA PAL SINGH, SHRI:
contd.

D. G. (1963-64):

Min. Def. (XVI), 8322-26.

SURYA PRASAD, SHRI:

Delhi Land Reforms (Amendment)
Bill by Shri Naval Prabhakar:
Motion to consider (XVIII),
13745-48.

SWAMY, SHRI M. P.:

Adulteration of cement (XVIII),
13613-14.

Bedi export to Ceylon (XVI),
7910-11.

Contract Labour (XV), 5860.

Iron ore deposits in Madras State
(XV), 6380.

Kerala River waters (XV), 6605.

Railway concession for Courtallam
(XV), 6099-6100.

Debates

D. G. (1963-64):

Min. Com. & Ind. (XVI), 8527-
30.

P. A. M. (XIII), 797-804.

SWAMY, SHRI SIVAMURTHI:

Accident near Munirabad station
(XIV), 3159-60.

Accumulation of handloom cloth
(XV), 4517.

Broad gauge line to Hubli (XV),
6115-16.

Colombo proposals (XIII), 883-92.

Community Development blocks
(XIII), 1702.

Compulsory Primary Education
(XIII), 283-86.

Declaration of gold by dealers
(XIII), 540.

Distribution of fertilizers in Mysore
State (XVII), 9921.

Education during emergency (XIII),
269-71.

Establishment of Ordnance Facto-
ries (XIII), 941.

SWAMY, SHRI SIVAMURTHI: contd.

Gulhati Commission Report (XIV),
2658-61.

Hospet and salarjung sugar factories
(XIII), 1702.

Industries in Goa (XVII), 9355.

Institute of Journalism (XVII),
9632-34.

Issue of licences for sugar industry
(XIV), 3177.

Issue of licences for textile indus-
try (XIV), 2949.

Land in Delhi (XVI), 8921.

Political sufferers (XVIII), 13047-
48.

Rural Labour Enquiry (XVII), 1621
-25.

Scholarships for studies abroad
(XIII), 335.

Separation of judiciary from the
executive (XVII), 10132.

Sugar factories (XIII), 1609-12.

Suicide by goldsmiths (XVI), 9127-
31.

Tragedy at National Cycling
Championship (XVI), 8899.

Violation of Indian airspace (XVII),
9609-11.

Debates

Compulsory Deposit Scheme Bill:

Consid. cl. (XVII), 11780-85.

Constitution (Sixteenth Amend-
ment) Bill, as reported by J. C.:
Consid. Cl. (XVIII), 13495-96.

D. G. (1963-64):

Min. Com. & Ind. (XVI), 8578-
86.

Min. H. A. (XV), 6986-90.

Min. Irr. and Power (XV), 6222-
28.

Min. S. & H. I. (XVII), 9718-24.

Official Languages Bill:

Motion to consider (XVIII), 11970
-73.

Consid. Cl. (XVIII), 12157,-58,
12271, 12273-76.

P. A. M. (XIII), 1302-07.

SWARAN SINGH, SHRI:

Accident between Tiruchi-Revi Express and a Bus (CA), (XV), 5899-5900.

B. R. (1963-64):

Presented (XIII), 134-72.

General Discussion (XIV), 2493-2532.

D. G. (R) 1963-64 (XIV), 2839-67.

D. S. G. (R) 1963-64 presented (XVII), 11081.

Firing by Naga hostiles on a military special train on 11-4-1963 near Noajan Station (C.A.) (XVII), 9421, 9423, 9424.

SWELL, SHRI:

Assam Rifles for NEFA (XVIII), 13957.

Economic criteria for backwardness (XVII), 10148.

Inaccessible areas committees (XVII), 9855.

Indo-Pak Border Conference (XV-III), 13969.

Kiriburu iron ore project (XVI), 8861.

Kopili Hydel Project (XVI), 9113.

Mountain Divisions in Indian Army (XVI), 8416.

Debates

D. G. (1963-64):

Min. Econ. and Def. Cord. (XVII), 9996-10002.

Disturbance in law and order situation in Kiriburu Iron Ore Project (C.A.) (XV), 4436-37.

P. A. M. (XIII), 1052-59.

T**TAHIR, SHRI MOHAMMAD:**

D.G. (1963-64).

Min. H. A. (XV), 6750-63.

TAN SINGH, SHRI:

Archaeological monuments in Badmer (XIV), 3409.

Ayurvedic research on snake poison (XV), 5182.

Central Arid Zone Research Institute (XVI), 8672.

Central Wool and Sheep Research Institute (XIV), 3183-85.

Detection of ecotypes (XVI), 8672.

Development of agroclimatology (XVI), 8673.

Guar seed (XVI), 7911.

Guinea worm disease (XV), 5181-82.

International Congress on Irrigation and Drainage (XVI), 9153-54.

International Programme on Scientific Hydrology (XVII), 10122-25.

Notified area of Rajasthan State (XVIII), 13112.

Pharmaceutical Research Laboratories (XVI), 7935-36.

Third Plan targets for Rajasthan (XIV), 4134.

Training for underground water prospecting (XVII), 10159.

Debates

B.G. (1963-64), General Discussion (XIV), 3359-60, 3437-45.

DG. (1963-64):

Min. Com. & Ind. (XVI), 8722-23.

Min. Com. Dev. and Coop. (XVI), 7810-14.

Min. Irr. and Power (XV), 6318-23.

TANTIA, SHRI RAMESHWAR:

Afro-Asian Solidarity Conference (XIII), 916-17.

Agreement 240 million U.S. Loan (XV), 5187-88.

Agricultural Administration (XIV), 1903.

Agricultural implements (XVII), 9375.

TANTIA, SHRI RAMESHWAR: contd.

- Aid by U.S.A. for agricultural research (XV), 4661.
- Aid for Institute of Tropical Meteorology (XIV), 3157-58.
- Aid India Club (XV), 6611.
- All India Water grid (XVIII), 13371.
- Ankleshwar oil (XIX), 309-10.
- Anti-Indian Chinese literature (XVI), 7367-72.
- Anti-Indian propoganda by Pakistan (XIII), 920-21.
- Assets of limited companies in West Pakistan (XIII), 513-14.
- Austerity diet in Delhi zoo (XVII), 11282.
- Balance of payments with sterling area countries (XVI), 9162.
- Bank advances against pledge of warehouse receipts (XIV), 3610-12.
- Barter link arrangements by S.T.C. (XIV), 2948.
- Blood Plasma Freeze Drier Units (XIII), 538.
- Britain's entry into E.C.M. (XIV), 2895.
- Bye-elections (XIII), 679-80.
- Capacity of alloys and special steel (XIII), 1658.
- Cement quota to Andhra Pradesh (XVI), 7870.
- Central Board of Irrigation and Power (XIII), 1418.
- Chinese asked to leave India (XV), 6373.
- Chinese claim on Bara-Hoti (XIV), 4118-19.
- Chrysler Automobiles (XVI), 6861-62.
- Civil Administration in NEFA (XIII), 907-12.
- Civil Defence Plan (XIII), 1158-63.
- Colombo proposals (XIII), 883-92.
- Compulsory primary education (XIII), 283-86.

- TANTIA, SHRI RAMESHWAR: contd.**
- Conference of State Ministers of Cooperation (XIV), 2091.
- Coordination of Scientific Research (XIII), 280-82.
- Cooperative movement (XIV), 3136-41.
- Copper, Zinc and lead deposits in Madras State (XIV), 3406.
- Declaration of gold by dealers (XIII), 540.
- Display of retail prices (XVII), 9355, 9357.
- Engineering college at Jaipur (XIII), 1188.
- Expansion of Rourkela Steel Plant (XIII), 1629.
- Export of manganese ore (XIII), 700-02.
- Export trade targets (XV), 5402-03.
- Extension of C.H.S. Scheme (XVII), 10377-80.
- Extradition treaties (XVII), 9669.
- Family Planning (XIII), 540.
- Fertilizer Distribution Corporation (XIII), 84.
- Fire in Heavy Electricals Ltd., Bhopal (XIII), 724-25.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Foreign collaboration (XVI), 6902.
- Foreign exchange requirements (XVII), 10393-94.
- Foreign investment in India (XIV), 2690-93.
- Geological Survey of Aravali range in Rajasthan (XVII), 11599.
- Goan telegraph system (XVII), 9921.
- Government Press Managers' meeting (XIII), 1413.
- Heavy Boiler Plant, Tiruchirapalli (XVI), 6895.
- Heavy Electricals Corporation (XVII), 10658.
- Heavy Electricals Limited, Bhopal (XIV), 2935.

TANTIA, SHRI RAMESHWAR: contd.
 High pressure boiler plants (XIV), 3967—69.
 Hindustan Housing Factory (XIII), 537.
 Home science colleges in Agricultural universities (XVII), 11289.
 Home treatment of leprosy patients (XIII), 505.
 ISCO (XIV), 3853—55.
 Imports and Exports by S.T.C. (XIII), 726.
 Incidence of crimes in Delhi (XVI), 8871.
 Indian P.O.Ws. (XIII), 924—26.
 Industries in Goa (XVII), 9354.
 Iron-ore export to Japan (XIV), 3844—48.
 Japanese Team's visit to India (XVIII), 12071—75.
 Jute industry (XVI), 7898—99.
 Liberal licensing policy (XV), 5384.
 Loans for private sector coal industry (XVI), 7404—06.
 Manufacture of caffeine from tea waste (XVII), 9363.
 Margin of Profit of foodgrains dealers (XIII), 115.
 Medical colleges (XV), 5165—66.
 Medical college at Meerut (XIV), 2714—15.
 Milk powder (XIII), 1729.
 National Book Trust (XVI), 7372—74.
 Nationalisation of general insurance (XVII), 10349.
 Natural gas Avadi (XIII), 329.
 New telephone as system (XVIII), 12811—14.
 Oil Exploration in Assam and NEFA (XIII), 1178.
 Pilot projects for rural water supply (XV), 5124—26.
 Plan Projects (XVIII), 12587.
 Private Oil Companies (XIII), 1163—65.

TANTIA, SHRI RAMESHWAR: contd.
 Purchase of wheat by Government (XVI), 8729—32.
 Quality control (XIII), 87.
 Quality control and pre-shipment inspections (XIV), 2919.
 Railway accidents (XIII), 119.
 Rehabilitation of displaced in Dandakaranya (XVIII), 11804—810.
 Release of foreign exchange to export houses (XVII), 10609.
 River Boards (XV), 6572.
 Rupee loan for Collieries (XVIII), 13039.
 Russian car aid for Defence needs (XIII), 925.
 Schools with U.N. Ideals (XV), 4919—20.
 Second Shipyard (XV), 6060—63.
 Shifting of factories from Shahdara (XVII), 10653.
 Shipping Development Fund (XIII), 1696.
 Small industry (XIII), 725—26.
 Smallpox in the country (XIII), 490—95.
 Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
 Sugar factories (XIII), 1609—12.
 Sugar mills (XIII), 88—89.
 Sugar production (XV), 6094.
 Super tanker (XIII), 1592—94.
 Trade with Australia (XVI), 7661—82.
 Tusker project (XIV), 1859.
 U.N. technical assistance (XIV), 2703.
 U.S. Military aid (XIII), 901—02.
 Unemployed technical and non-technical personnel (XIV), 4119.
 Violation of gold control rules (XIII), 507—09.

Debates

B.G., general discussion (XIV), 4154—58.
 Concentration of Economic Power (Res.) (XIV), 4006—07.

TANTIA, SHRI RAMESHWAR—
—*contd.*

D. G. (1963-64):

Min. Com. & Ind. (XVI), 8711—15.

Min. M. & F. (XVI), 9220—24

Length of Cinematograph Films
(Ceiling) Bill by Shri Rameshwar
Tantia Motion to consid. (XII),
843—46 (XIII), 867-68.**THENGONDAR, SHRI, U.M.:**Repatriates from Singapore and
Ceylon (XVII), 10395.

Tubewells in Madras (XVII), 9877.

THEVAR SHRI U.M.:

Leave of Absence (XVI), 8447.

THEVER, SHRI V.Repatriates from Singapore and
Ceylon (XVII), 10395.

Tubewells in Madras (XVII), 9877.

THIMMALAH SHRI:Correction to Answer to S. Q. No.
694 dt. 3-4-1963 (XVII), 10335.

D.G. (1963-64):

Min. M. & F. (XVI), 9261—66.

THOMAS SHRI A. M.:

D.G. (1963-64):

Min. Food and Agri. (XV), 5034—
50.D.S.G. (General), 1962-63 (XIV),
3261—64.**TIWARY, SHRI D. N.:**Allotment of newsprint to 'Link'
(XVI), 7146—48.Appointment of stenographers
(XIII), 317-18.Ayurvedic graduates (XVI), 7639—
41.Barauni Thermal Power Station
(XIII), 527-28.Chinese detainees in India (XIII),
1139-40.

Chinese nationals (XIII), 1141.

TIWARI, SHRI D. N. —contd.

Coal for steel plants (XVI), 6865.

Committee on distribution of steel
(XIV), 2943.

Cotton growers (XIII), 58—64.

D.V.C. (XVIII), 13346.

Dealers of cement (XIV), 2937.

Delhi Water supply (XIV), 2661—67.

Development of Media of mass com-
munication in India (XIII), 926.Economy measures in D.V.C. (XIII),
1409.Education during emergency (XIII),
271.

Drug Control (XIV), 2703-04.

Export of mica (XVI), 6860.

Gandak Project (XIII), 486—88.

Indian businessmen in Kenya
(XIV), 4103.Iron and steel for agricultural pur-
poses (XVII), 11293.Limited I.A.S. examination (XIII),
1153.Manufacture of jet fighters (XV),
4380.Mechanisation of farming (XVI),
8639.Mining leases in Orissa (XVI),
7395.Mouth cancer centre at Agra (XV-
III), 13335.

Movement of coal (XV), 6369.

Production of steel castings (XV-
III), 13559—61.Quality control and pre-shipment
inspections (XIV), 2919.Rehabilitation of tribal people in
NEFA (XIII), 919.Smallpox in the country (XIII),
493.

Ticketless travelling (XIII), 1610.

Tusker project (XIV), 1859.

U.P.-Bihar boundary dispute (XV),
4903-04.Use of Hindi on A.I.R. (XVIII),
12548.

TIWARI, SHRI D. N.—contd.

Violation of gold control rules (XIII), 507—09.

Wagon Workshop, Matunga (XIII), 89-90.

Debates

Agricultural Refinance Corporation Bill:

Motion to pass as amended (XIII), 1519-20.

B.R. (1963-64), General discussion: (XIV), 2023—30.

Compulsory Deposit Scheme Bill: Motion to pass (XVIII), 12911-912.

D.G. (1963-64):

Min. H.A. (XV), 6845—52.

Min. M. & F. (XVI), 9266—71.

Min. W.H.& R. (XVI), 7317—33.

Official Languages Bill:

Motion to consid (XVII), 11463—470.

P.A.M. (XIII), 593—602.

Report of the Commission of Inquiry into Dalmia Jain Companies (XVIII), 14239—47.

TIWARY, SHRI K. N.:

Agricultural implements (XVII), 9376; (XVIII), 12803.

D.V.C. (XVIII), 13346.

Display of retail prices (XVII), 9360.

Gandak-Naraini Flood Scheme (XVII), 10356.

Oil supply to Nepal (XV), 6349.

Participation of labour in management (XVII), 9603—07.

Price of sugar (XVII), 14149—53.

Production of small tractors (XVIII), 13546.

Sugar factories (XIII), 1611.

Production of sugar (XIV), 2068.

Retirement age of Government employees (XVII), 11536.

TIWARI, SHRI K. N.—contd.

Rural Labour Enquiry (XVII), 9623—25.

State Education Ministers' Conference (XV), 6340.

Textile machinery manufacturing industry (XVII), 9365.

Debates

D.G. (1963-64):

Min Food and Agri. (XV), 5109—14.

Finance Bill, 1963:

Motion to consid. (XVII), 10824—38.

Leave of Absence (XVI), 8447.

TIWARY, SHRI R. S.:

Aerodrome at. Khajuraho (XIV), 3189-90

Agricultural production (XIII), 67—74.

Aid by U.S.A. for agricultural research (XV), 4661.

Ayurvedic cum allopathic system of medicines (XV), 5140-41.

Bridge on Reva Chhatarpur Road (XIV), 2133.

Civil Administration in NEFA (XIII), 907—12.

Delimitation of Constituencies (XIV), 2946.

Evening Colleges (XIII), 305.

Handicapped children (XIII), 326.

Hospital at Bomdi-la (XIII), 931.

Indian military personnel in Congo (XV), 5623.

Indian P.O.Ws. (XIII), 924-25.

Losses suffered by civilians in NEFA (XIV), 4105-06.

Margin of profit of foodgrains dealers (XIII), 115.

MIGS and MIG Factory (XIII), 929.

Milk powder plant (XIII), 113.

National Defence Fund (XIII), 1380—88.

TIWARI, SHRI R. S.—*contd.*

- Natural gas at Avadi (XIII), 329.
 Ophthalmic glass factory at Durgapur (XV), 5378.
 Ordnance factories (XVI), 7128.
 Panna Diamond Mines (XV), 4889—92.
 Production in military workshops (XIII), 944.
 Production in Ordnance Factories (XVI), 7130—32.
 River Boards (XV), 6572.
 Withdrawal by Chinese from Ladakh (XIII), 877—82.

Debates

D.G. (1963-64):

Min. Com. Dev. and Coop. (XVI), 7769—74.

Min. Trpt. & Communi. (XVI), 8850—56, 9848—51.

Min. W.H. & R. (XVI), 7204—08.

D.G. (R.) (1963-64) (XIII), 3020—25.

TRIPATHI, SHRI KRISHNA DEO:

- Air accidents (XIII), 1680.
 Applications for industrial licences (XVI), 7919.
 Average life expectancy in India (XIV), 3410.
 Bicycles (XIII), 1648.
 Bye-elections (XIII), 1648.
 Change in Delhi Administration (XV), 4877—81.
 Chinese nationals (XIII), 1140—43.
 Community listening sets in India (XIV), 1907.
 Conference of State Ministers of Cooperation (XIV), 2091.
 Contribution to National Defence Fund from former rulers of princely states (XIV), 2410.

TRIPATHI, SHRI KRISHNA DEO—*contd.*

- Education Ministers' Conference (XVII), 11563—567.
 Elections of Panchayats (XV), 4630—33.
 Failures in examination in English (XVIII), 13065-66.
 Foreign students in India (XIV), 2434.
 Ganja, bhang, charas and opium (XV), 6604.
 General Education (XVIII), 13072.
 Government officers' visits abroad (XV), 6609.
 Grants to U.P. colleges (XV), 4910-11.
 Heavy industries (XIV), 2945.
 Indian military personnel in Congo (XV), 5820.
 Indian troops in Gaza strip (XVII), 9655-56.
 Industrial Cooperatives (XVI), 7918-19.
 Labour force in Third Plan (XVI), 8427.
 Level crossings (XIV), 2113.
 Loans to States from Education Ministry (XVIII), 13116.
 Looting of railway property by students (XIII), 1587—89.
 Losses suffered by civilians in NEFA (XIV), 4106.
 Lucknow-Kanpur electric train service (XIV), 2119.
 Manufacture of watches (XVIII), 12108.
 Medical colleges (XV), 5165-66.
 Methitukur Railway station (XIV), 3166.
 Mineral Oil (XIV), 2414.
 Misuse of newsprint (XVII), 9648.
 Motor cars (XIV), 3165.
 Motor-cycles (XIV), 3166-67.
 Pending cases in High Courts and Supreme Court (XVI), 8919.

**TRIPATHI, SHRI KRISHNA DEO—
contd.**

- Platforms at Safpur and Bangarman stations (XIV), 3165-66.
 Rehabilitation work (XIV), 3644.
 Scholarships (XVI), 8911.
 Sewing machines (XVI), 6897.
 Smuggling (XVI), 7660.
 State Health Ministers' Conference (XVIII), 11844.
 Table fans (XVI), 6897-98.
 Target of steel production (XIII), 1637.
 Ticketless travelling (XIII), 1616-20.
 Transfer of Railway employees (XVII), 9876.

TRIVEDI, SHRI U. M.:

- Afro-Asian Solidarity Conference (XIII), 916-17.
 Colombo proposals (XIII), 891.
 Company Law Administration (XVI), 7924-25.
 Electricity from Rihand Dam Project (XV), 6570.
 Foreigners employed in A.I.R. (XVIII), 13964-865.
 Houses for M.P.s. (XV), 6588.
 Housing Boards (XIV), 3615.
 Indians in Burma (XVII), 11026.
 Pending cases in Madhya Pradesh High Court (XV), 6384.
 Production and export of opium (XV), 5173.
 Production of tractors and trucks (XVII), 11021.
 Purchases by Air India (XVIII), 12795.
 Railway lines in North Eastern region (XIII), 55.
 Railway saloons (XV), 6114-15.
 Sino-Pak. border agreement (XIII), 905.
 Third Division in examinations (XIII), 288.

TRIVEDI, SHRI U. M.—contd.*Debates***Agricultural Refinance Corporation Bill:**

Motion to pass as amended (XIII), 1522-23.

B.G. (General Discussion) (XIV), 3989-94., 5152-54.

B.O.H. (XIII), 1741-42., (XVIII), 13998.

B.R. (General Discussion) (XIII), 1780-90.

Constitution (Fifteenth Amendment) Bill:

Motion to consid. (XVIII), 12946-953.

D.S.G.(R.) 1963-64:

Min. Def. (XVI), 8313-17.

Min. Ex. Affairs (XV), 4301-89.

Min. H.A. (XV), 6714-24.

Min. Law (XVI), 7511-15.

Min. Trpt. & Communi. (XVI), 8806-18.

D.S.G.(R.) 1963-64:

(XVIII), 12718-24.

Finance Bill, 1963:

Motion to consid. (XVII), 10467-67.

Leave of Absence (XVIII), 14189.

Official Languages Bill:

Motion to consid. (XVII), 11486-444.

P.A.M. (XIII), 415-25.

Re: Interruptions and walk-out during President's Address (XIII), 5-6.

Re: Suspension of Member (XVIII), 12634, 12881-883.

Report of the Commission of Inquiry into Dalmia Jain Companies (M.) (XVIII), 14067-78.

TRIVEDI, SHRI U. M.—contd.

Report of Committee on the conduct of certain members during the President's Address (M) (XV), 4773—75.

Sixteenth Report of Business Advisory Committee (XVII), 11089.

Suspension of Proviso to Rule 66 (XVII), 11185-186.

Suspension of Rule 214 (XIV), 4249, 4250.

TYAGI, SHRI:

Abu Simbel Temples in Egypt (XVII), 11560.

Administration of justice (XIV), 3369.

Afro-Asian Journalists' Conference (XVIII), 14161—64.

Agricultural implements (XVIII), 12803.

Agricultural programmes (XVI), 8647, 8648.

Air Defence requirements (XVI), 7142—44.

Allotment of newsprint to 'Link' (XVI), 7146—48.

Allowances to Ministers (XVI), 8869.

Andamans and Nicobar Islands (XIII), 1173.

Assam Rifles for NEFA (XVIII), 13956—958.

Assets in foreign banks (XIV), 2658.

Austerity diet in Delhi zoo (XVII), 11284.

Ayurvedic cum allopathic system of medicines (XV), 5141.

Ayurvedic graduates (XVI), 7641.

Ban on manufacture of Gur and Khandsari (XV), 6060.

Bomb Explosion on Railway track (XVI), 8655.

Civil Administration in NEFA (XIII), 910.

TYAGI, SHRI: contd.

Concentrated composite foods (XVIII), 13041, 13042.

Conference of State Ministers of Cooperation (XIV), 2095.

Consumers Co-operative societies (XVI), 8634.

Cooperative movement (XIV), 3138—41.

Co-ordination of civil and defence production (XVI), 7873, 7874, 7876.

Declaration of permanent Government posts (XVIII), 11802.

Diplomatic relations with 'KMT', Government (XVIII), 12561.

Doctor kidnapped by Pakistanis (XIV), 1871.

Drinking Water Supply Board (XVIII), 13365.

Economy in civil aviation (XIII), 1602.

Education Programme for NEFA (XVIII), 12573.

Emergency Insurance Scheme (XIV), 2682-83.

Employees on deputation in Delhi (XIII), 1413.

Enquiry into N.E.F.A. reverses (XIV), 4078—81.

Expansion of steel plants (XVIII), 12083-84.

Family planning conference at Singapore (XV), 5136-37.

Fertilizer Plant, Katni (XVII), 10590.

Foreigners employed in A.I.R. (XVIII), 13960-961.

Free water and electricity to Central Ministers (XIV), 3615—24.

"Friendship March" to Peking (XV), 5850.

Gandhian literature (XVIII), 12568.

Handing over of equipment by Chinese (XIV), 4094—96.

High altitude scientific problems (XVI), 8898.

Hindi in South India (XIII), 1151.

TYAGI, SHRI—contd.

- Homeless persons in Delhi (XIV), 3390.
- Import of tobacco (XVII), 10613.
- Import of truck tyres from Hungary (XIII), 731-32.
- Idle manpower (XVII), 11038-39.
- India's relations with foreign countries (XIV), 4068-69.
- Indiscipline among students (XVII), 11540.
- Institute of Journalism (XVII), 9632-34.
- Interchange of I.A.S. and I.F.S. Officers (XVI), 7390.
- Joint U.S.-Commonwealth Air Mission (XVII), 11046.
- Liberal licensing policy (XV), 5383.
- Lok Sahayak Sena (XVI), 8395.
- Looting of Railway property by students (XIII), 1589.
- Manufacture of automatic weapons (XVIII), 13977.
- Mechanisation of farming (XVI), 8641.
- MIG factories (XVII), 9615-16.
- Milk supplied by D. M. S. (XVI), 8661.
- Minicoy island (XVIII), 13045.
- Modernisation of armed forces (XIV), 1881.
- Mountain Divisions in Indian Army (XVI), 8414.
- Mouth cancer centre at Agra (XVIII), 13335.
- National academy of administration, Mussoorie (XVI), 8885.
- National volunteer force (XV), 8825.
- Naval base in Eastern Zone (XVIII), 13950.
- Naval Exercises (XVI), 7153.
- New telephone system (XVIII), 12813.
- Official Language (Legislative) Commission (XIV), 2950.
- Over-growth of Delhi (XVI), 7653-54.

TYAGI, SHRI—contd.

- Parliamentary proceedings on A.I.R. (XVII), 9627-30.
- Pensions (XVII), 10121.
- Per capita income in villages (XVI), 7127.
- Permission to Lt-Gen. B. M. Kaul for appointment in a commercial concern (XVIII), 13980.
- Planning Boards in States (XV), 4405.
- Prices of automobiles (XIII), 708.
- Prices of foodgrains (XIV), 3127-28.
- Prices of sugar (XVIII), 14145-53.
- Production of drugs (XV), 5398-99.
- Prohibition (XV), 4864-71.
- Provision for Corporation (XVIII), 12799.
- Public Sector Undertakings (XVIII), 12069.
- Public Undertakings (XIV), 2909.
- Purchases by Air India (XVIII), 12796.
- Purchase of mules from Cyprus (XVI), 8403.
- Rail bridge over Jamuna (XIV), 2072.
- Release of Indian P.O.Ws. by Chinese (XVIII), 14167.
- Reorganisation of Planning Commission (XVIII), 12567.
- Rihand Dam (XIII), 1139.
- Rise in price of Paper (XIV), 2929.
- Rise in price of sugar (XIII), 52.
- Road Board (XIV), 3142-43.
- Rourkela Steel Plant (XIV), 2950.
- Rural labour enquiry (XVII), 9623-25.
- Separation of judiciary from the executive (XVII), 10133.
- Shortage of Army Officers (XVII), 11007-11.
- Shortage of pig iron in Gujarat (XIV), 2918.
- Squatters in the capital (XIV), 3633-34.

TYAGI, SHRI—contd.

- Strengthening of Indian Navy (XVIII), 12577.
- Students studying abroad (XVIII), 13340.
- Super market in New Delhi (XIII), 1366.
- Telephones in Delhi (XIII), 113.
- Ticketless travelling (XIII), 1617.
- Transmission of leprosy (XVI), 765.
- Tusker Project (XIV), 1861.
- Unlicensed radios (XVII), 9851.
- Village production plan (XVII), 6845.

Debates

- B. O. H. (XVII), 9683-84.
- Committee on Public Accounts:
Eleventh Report—presented:
(XVIII), 12643.
- Compulsory Deposit Scheme Bill:
Consid. Cl. (XVIII), 12019, 12030,
13032, 12046.
Motion to pass (XVIII), 12912-
13.
- Constitution (Fifteenth Amendment)
Bill:
Time for presentation of Report
of J. C. extended (XIII), 35.
Motion to consider (XVIII),
12953—59.
Consid. cl. (XVIII), 13265-266.
- D. G. (1963-64):
Min. Law (XVI), 7545-46.
- Official Languages Bill:
Consid. cl. (XVIII), 12215—220,
12391.
Motion re: Association of Rajya
Sabha with Committee on Public
Accounts (XVII), 10338.
Motion re: Election to Committee
on Public Accounts (XVII),
10336—38.
Public Accounts Committee Sixth
Report presented (XIII), 548.

TYAGI, SHRI—contd.

- Seventh Report presented (XIII),
2297.
- Re: alleged leakage of Report of
Attorney General on Bose Com-
mission Inquiry (XVIII), 13922-
23, 13932-33.
- Re: Interruptions and walk-out dur-
ing President's Address (XIII),
3-4.
- Re: remarks made by Shri Bagri
against the Minister and Offices
of the Ministry of Scientific
Research and Cultural Affairs
(XV), 5902, 5909-10.
- Re: Shri Ansar Harvani's letter to
Finance Minister (XVII), 11619,
11620.
- Re: Statement by Member (XVI),
7948—51.
- Re: Suspension of Member (XVIII),
12632, 39.
- Re: Termination of suspension of
Member (XVIII), 13138, 13409.
- Report of Committee on the Con-
duct of certain Members during
the President's Address (M)
(XV), 4762—67.
- Suspension of Proviso to Rule 66
(XVII), 11184.

U

UIKEY, SHRI:

- B.G. (General Discussion) (XIV),
3725—34.
D.G. (1963-64).
Min. H. A. (XV), 6959—65.

ULAKA, SHRI:

- A.I.R. employees at Cuttack
(XV), 5861.
Accidents at Talchar coal mines
(XV), 6381-82.
Aerodromes in Orissa (XVIII),
14172.
Agricultural cess (XVII), 11310.
Agricultural university at Bhubha-
neswar (XVII), 11315.

ULAKA, SHRI—contd.

- Aid to publishers in Orissa (XVI), 7413.
- Air accidents in NEFA (XVIII), 12583.
- Ambar Charkhas in Orissa (XVI), 7919-20.
- Ambar Charkha Training Course in Orissa (XVII), 10638.
- Applications for industrial licences from Orissa (XV), 5424.
- Assistance for welfare of scheduled castes and scheduled Tribes in Orissa (XVI), 8913.
- Auditoriums in Sobools and Colleges of Orissa (XV), 4912.
- Balimala Dam Project (XV), 5171.
- Best Village (XVII), 11312.
- Blood donation in Orissa (XV), 8610.
- C.I. sheets for Orissa (XVII), 9394.
- Cement supply to Orissa (XVII), 10639.
- Central assistance to Orissa (XVI), 8678.
- Central Excise Department Quarters at Cuttack and Rayanada (XVIII), 13373.
- Central Health Cadre (XVIII), 11851.
- Central Projects in Orissa (XVII), 11078-79.
- Central Road Fund (XVII), 9881.
- Centrally Sponsored Schemes in Orissa (XVI), 9156.
- Cholera and plague in Orissa (XVI), 9155-56.
- Coal wagons for Orissa (XVIII), 13073.
- Colonies for Scheduled Castes and Scheduled Tribes in Orissa (XVII), 11577.
- Common salt industries in Orissa (VIII), 13589.
- Consumption of petroleum products in Orissa (XV), 6381.

ULAKA, SHRI—contd.

- Cost of living index in Delhi (XVIII), 13375.
- Cottage industries in Orissa (XVIII), 12109-10.
- Crossing stations (XV), 6102-03.
- Cultural centres in Orissa (XVI), 8915.
- Cultural festivals in Utkal University (XVII), 10161.
- D.B.K. Railways (XV), 4655.
- Dam at Tikkerapara on Mahanadi (XVI), 7187-88.
- Dams on Indravathi River (Orissa), (XV), 5170.
- Dandakaranya officials (XV), 6605.
- Development of ayurveda in Orissa (XV), 5170-71.
- Development of fisheries in Orissa (XVI), 8161-62.
- Development of jute in Orissa (XV), 6101.
- Development of Oriya language (XVII), 10161.
- Development of sericulture in Orissa (XVI), 6899.
- Development of Sisal Plantation in Orissa (XVIII), 12829.
- Development Schemes in Orissa (XVII), 11052.
- Development works in Orissa (XVII), 11054.
- Drilling of tube-wells in Orissa (XVII), 9881.
- Drinking water supply to municipalities in Orissa (XV), 5169-70.
- Educated unemployed in Orissa (XVI), 8428-29.
- Education Ministers' Conference (XVII), 11563-67.
- Electrification in Orissa (XVII), 10398-99.
- Engineering colleges in Orissa (XVIII), 13074-76.
- Ex-servicemen (XVII), 9645-46.

ULAKA, SHRI—*contd.*

- Farm output in Orissa (XVII), 9883.
- Flood Control Schemes in Orissa (XVIII), 11849.
- Footwear industries (XVIII), 13614.
- Foreign exchange ceiling for import of steel (XVIII), 13598-99.
- Grant for school hostels in Orissa (XVII), 10160.
- Grants for construction of utility Stadia in Orissa (XVII), 11574.
- Grants for development of Sanskrit in Orissa (XVII), 11578.
- Grants for encouragement of sports in Orissa (XVII), 11578-579.
- Grants for Oriya drama (XVI), 7415-16.
- Grants to Organisations for the handicapped in Orissa (XVII), 11578.
- Grants to voluntary organisations in Orissa for Child Welfare (XVII), 11579.
- Gunupur-Naupada light Railway (XVIII), 12829-30.
- Handicrafts emporia in Orissa (XVIII), 12110.
- Handicrafts industry in Orissa (XVII), 9396.
- Handloom industries (XVIII), 13600.
- Handloom industries in Orissa (XVII), 9396.
- Hard and soft coke in Orissa (XVI), 7413-14.
- Heavy industries for Orissa (XVIII), 13599.
- Hirakud Dam Project (Stage II) (XVIII), 11849-850.
- Hospitals at Chondwar (XVII), 9649.
- Houses for handloom weavers in Orissa (XVIII), 12109.
- Housing in Orissa (XVI), 9155.

ULAKA, SHRI—*contd.*

- Housing schemes for scheduled castes and scheduled tribes in Orissa (XVI), 8914.
- Import and production of newsprint (XVIII), 13600.
- Import of silk (XVIII), 12138.
- Improvement of ways and means position in Orissa (XVII), 10396.
- Income-tax arrears in Orissa (XVI), 7663.
- Indravathi Hydro-Electric Project (XVII), 10397-98.
- Industrial Estates in Orissa (XVI), 9395.
- Industries in Orissa with foreign aid (XVII), 10639-10640.
- Irrigation and power projects in Orissa (XV), 6608, (XVI), 7662-63.
- Janpath Hotel, New Delhi (XVIII), 11833-841.
- Japanese type of cultivation (XVII), 11348.
- Joint Farming Pilot Schemes in Orissa (XVIII), 12851.
- Khadi and Village Industries Board in Orissa (XVI), 7919-20, (XVII), 10636.
- Kiriburu iron ore project (XVI), 8861.
- Leprosy treatment Centres in Orissa (XVIII), 11846-848.
- Licences for textile mills in Orissa (XVI), 7920.
- Loans from National Credit Funds (XVIII), 13372.
- Machine Tool Factory in Orissa (XVIII), 12138-39.
- Machkund and Hirakud projects (XV), 6609.
- Malaria and Filaria in Orissa (XVI), 7663-65.
- Medium Irrigation Projects in Orissa (XVI), 9154-55.
- MIG factories (XVII), 9613-16.
- Minor irrigation projects in Orissa (XVII), 11314.

ULAKA, SHRI—contd.

- National Scholarships Scheme (XV), 4912.
- Nature Cure Centres (XVIII), 11850-851.
- Non-ferrous metals quote for Orissa (XV), 5423.
- Notification of vacancies in Orissa (XVI), 8425-26.
- Nursing Home charges (XVIII), 13374.
- Oil survey in Orissa (XVIII), 13076.
- P & T offices in Orissa (XVII), 9883.
- P. & T. quarters at Bhubaneswar (XV), 6103-04.
- Pak nationals' visit to India and vice versa (XVII), 11055.
- Panchayat industries in Orissa (XVI), 7187, (XVII), 9648-49.
- Passports for U.K. (XVIII), 12583.
- Polytechnics in Orissa (XVI), 7414.
- Post-Matric Scholarships (XV), 4913.
- Post Office and Public Call offices in Orissa (XVI), 8678.
- Postal services in Orissa (XV), 4654.
- Primary education in Orissa (XVI), 8911.
- Production of rice in Orissa (XVII), 9882.
- Quarters for P. & T. employees, Orissa (XVIII), 12828.
- Quarters for staff of Accountant General's Office, Orissa (XVII), 10395-96.
- Radio sets in Orissa (XV), 5861.
- Railway accidents enquiry committee (XVII), 11313.
- Rly. colony at Rayagada (XV), 6102.
- Rayagada Jeypore Telephone link (XVIII), 12827-28.

ULAKA, SHRI—contd.

- Regional Poultry Farm, Bhubaneswar (XVI), 8677.
- Repairs to Jama Masjid and Red Fort in Delhi (XVIII), 13077-78.
- Roads and bridges in Orissa (XVI), 8676.
- S.C. and S.T. employees in Dandakaranya Project (XV), 6607.
- Scholars sent abroad (XV), 6379.
- Scholarships to poor students (XVIII), 13109-10.
- School Health Committee (XVIII), 13367.
- Settlement of Tibetan refugees in Orissa (XVI), 8427-28.
- Skilled and Unskilled persons registered in Orissa (XV), 5861.
- Slum clearance in Orissa (XVI), 7661-62.
- Small Scale Industries in Orissa (XVII), 10638-639.
- Small Scale Inventions Development Board (XVIII), 12111.
- Smallpox in Orissa (XVIII), 11848.
- Special steel plant in Durgapur (XVIII), 12106-07.
- Spindles and looms in Orissa textile mills (XVII), 10640.
- Stainless steel for Orissa (XVII), 9395.
- State Bank branches in Orissa (XVIII), 13373.
- Students studying abroad (XVIII), 13337.
- Subsidised Industrial Housing in Orissa (XVI), 9157.
- Sugarcane cultivation in Orissa (XVI), 8676.
- Supply of articles to Government employees at Fair price (XVIII), 13076-77.
- T.B. hospitals in Orissa (XVII), 10399.
- Talcher Collieries (XVII), 9650.
- Teachers of affiliated colleges in Orissa (XVI), 7414-15.

ULAKA, SHRI—contd.

Technical persons registered in Orissa (XVIII), 12584.

Telephones for Panchayat Samithis Offices (XV), 6101-02.

Telephones in Orissa (XVI), 8162-63.

Transmitter at Jeypore in Orissa (XVIII), 12584.

Transmitter at Jeypore, Orissa (XVI), 8428.

Tribal blocks in Orissa (XVII), 11574-575.

V.D. Clinics in Orissa (XVI), 7661.

Vigilance Department of Orissa (XVIII), 13074.

Vijnan Mandirs in Orissa (XVI), 8913.

Visakhapatnam-Bhilai Railway line (XV), 4653.

Welfare of Scheduled Castes and Scheduled Tribes in Orissa (XVII), 10160.

Women registered in Orissa Employment Exchanges (XVI), 7170-71.

Workers Education Centres (XVII), 9649-50.

Yaws, T.B. and Leprosy in Orissa (XV), 5171-72.

TAMANATH, SHRI:

Electric tram service between Tambaram and Madras Beach (XIV), 3197.

Industries in Madras State (XV), 5433.

Public Health in Major cities in India (XV), 5178.

Rural Housing programme (XIV), 2728.

Sharing of Krishna waters by Madras and Andhra Pradesh (XIV), 2727-28.

Tamil telegraphy (XIV), 3196-97.

Tuticorin Port (XV), 4679-80.

Debates

Leave of Absence (XVIII), 14186.

UTIYA, SHRI:

A.I.R. news broadcast (XVI), 7176.

Iron ore found in Madhya Pradesh (XV), 6388.

Repatriation of Indians from Mozambique (XIV), 4089-93.

Sugar bags lost in transit (XV), 4686-87.

Umariya station (XV), 4684-85.

Debates

D.G. (1963-64):

Min. Food and Agri. (XV), 5219-23.

D.G.(R.) 1963-64 (XIV), 2802-04.

Petition presented:

Re: Report of the Enquiry Commission on the working of certain Dalmia-Jain concerns (XVIII), 13624.

Report of Committee on the conduct of certain Members during the President's Address (M) (XV), 4744.

V**VAISHYA, SHRI M. B.:**

Leave of Absence (XVI), 8447.

VARMA, SHRI RAVINDRA:

Air Force Reservists (XVII), 9669-70.

Border Roads Organisation (XIV), 4069-72.

Crashes of Kalinga Aircrafts (XIII), 118.

Enquiry into NEFA reverses (XIV), 4076-81.

Import of copra (XIV), 2956.

Malaria eradication in West Bengal (XIV), 2726.

Milk powder from UNICEF (XVIII), 13380.

Uniform allowances to Air Force Reservists (XVII), 9670.

Debates

D.G. (1963-64):

Min. Def. (XVI), 8284-90.

Min. Ex. Affairs (XV), 4522-30.

VENKATAIAH, SHRI KOLLA:

- Agricultural University at Hyderabad (XIV), 2127.
- Allotment of fertilisers to tobacco growers (XVII), 9908.
- Asbestos in Andhra Pradesh (XVII), 10180-81.
- Consumer stores (XVII), 9906.
- Copper ore in Guntur District (XVI), 8939.
- Distribution of pesticides (XVI), 8691.
- Drinking Water Supply Scheme in Andhra Pradesh (XVI), 9172.
- Establishment of Ordnance Factories (XIII), 941.
- Gift of food materials from U.S.A. (XVIII), 11853.
- Indian police personnel kidnapped by Pakistanis (XIV), 4131.
- Industrial development corporation of Andhra Pradesh (XVII), 9415.
- Licences issued under Gold Control Scheme (XIV), 2710.
- Mazagon dock, Ltd. (XVII), 11068-69.
- New Railway lines in Andhra Pradesh (XV), 6108-09.
- Pochampad project (XIV), 2721.
- Prices of Virginia Tobacco (XVI), 7945-46.
- Procurement of foodgrains (XV), 4657.
- Sale of superior kerosene oil (XVII), 10181-82.
- Small scale units in Andhra Pradesh (XVII), 9419.
- Srisailem Hydro-electric project (XIII), 1420.
- Synthetic drug factory at Hyderabad (XIII), 1647.

Debates

- Leave of absence (XVIII), 14186.
- Release on Parole (XVI), 8336.

VENKATASUBBAIAH, SHRI P.:

- £ 30 Million loan from U.K. (XVI), 9145.
- Agricultural Administration (XIV), 1903.
- Agricultural farm, Andhra Pradesh (XIII), 1689.
- Agricultural production (XIII), 67-74, (XIV), 2079.
- Agricultural programmes (XVI), 8644, 8645.
- Agricultural University at Hyderabad (XIV), 2127.
- Aid to Sanskrit Pandits (XV), 6395-96.
- All India Services (XVII), 11570.
- All India Water grid (XVIII), 13371.
- Allocation on Primary Education (XVIII), 13068.
- Ancient relics in an Allahabad village (XVIII), 13123-24.
- Awards to Grape growers (XVIII), 12838.
- Balladila Iron Ore Project (XVII), 11533.
- Bank advances on gold and shares (XIII), 529-31.
- Barter deal with Japan (XVIII), 13541-44.
- Britain's entry into E.C.M. (XIV), 2895.
- Cattle feed manufacturing unit (XVII), 9696.
- Caving methods in coal fields (XVII), 11609.
- Cement quota to Andhra Pradesh (XVI), 7869-71.
- Central Secretariat service (XIII), 1187-88, (XVI), 7437-38.
- Civil Aerodromes (XV), 4985.
- Coal Mines (XIV), 3397.
- Coal transport in India (XIII), 1359-61.

VENKATASUBBAIAH, SHRI P.:
contd.

- Coconut plantation (XV), 6113.
Compulsory military training (XIV), 1904.
Consolidation of holdings (XVII), 9895.
Construction of wharf at Vishakhapatnam (XV), 5866.
Conversion of iron scrap into pig iron (XVI), 7905.
Cottage industries (XVI), 6887.
Cotton consumption by Mills (XVI), 7878.
Cut in Housing Schemes of States (XVII), 10350-54.
Dams on Jamuna river (XV), 5185-86.
Demands for vegetables (XVII), 9910.
Democratic decentralisation (XIV), 3119-21.
Design and Engineering Unit (XVII).
Development of Media of mass communication in India (XIII), 926.
Drilling of tube-wells in Andhra Pradesh (XVII), 11333.
Drinking water in States (XV), 5149-50.
Drinking Water Supply Board (XVIII), 13364.
Drinking Water Supply for Banaras (XVI), 9122.
Drinking Water Supply in Kurnool district (XVIII), 11861.
Education cess (XV), 4873-77.
Election of panchayats (XV), 4633.
Eradication of famine (XVI), 7624-27.
Excise duty on tractors (XVII), 10365.
Export Advisory Committee for Pearls and Precious Stones (XVII), 10598.
Export of mangoes (XVI), 6894.
Export of mica (XVI), 6858-60.

VENKATASUBBAIAH, SHRI P.:
contd.

- Extension services programme in secondary schools (XVI), 8864.
Famine areas (XVII), 11326.
Food production (XIII), 79-82.
Foreign Air Mission's visit to India (XIII), 897-900.
"Freedom from Hunger" campaign (XVI), 8119.
Gandhian literature (XVIII), 12556.
Glass factory at Hyderabad (XVI), 7903.
Gold Bonds (XIII), 512.
Gold declared under Gold Control Rules (XVI), 7643.
Gold smuggling (XVI), 9124-27.
Grants from U.G.C. (XVI), 7436-37.
Gulhati Commission Report (XIV), 2658-61.
Head Post Office at Kurnool (XIII), 103.
Heavy Electrical Equipment plants (XIV), 3638-42.
Hindustan Shipyard (XIV), 2157.
Hindustan Steel Ltd. (XVII), 10584.
Import licences (XV), 5425.
Import of pig iron (XVIII), 13557-58.
Import of tobacco (XVII), 10612.
Indian Board for Wild Life (XIV), 2109.
Indian Education Service (XIII), 1168.
Indiscipline among students (XVII), 11538.
Industrial closures (XIV), 4097-98.
Industrialization of rural areas (XVII), 11073.
Inland water transport (XV), 4665-66.
Integrated Power Grid (XIV), 3639-40.
Inter-State Organisation for Dacoity Menace (XVII), 11589-590.
Iron and steel for agricultural purposes (XVII), 11291.

VENKATASUBBAIAH, SHRI P.:

contd.

- Iron-ore export to Japan (XIV), 3844-48.
- Jersey bulls (XVII), 11333.
- Joint Farming (XVI), 8146.
- Joint power pool of Punjab, Delhi and U.P. (XVI), 7632-33.
- Khadi institutions (XVII), 9351.
- Land Acquisition Act (XIII), 1699.
- Lak Sahayak Sena (XVI), 8396.
- Lubricating Oil Plant (XVII), 11563.
- Machine tool industry (XIII), 1623.
- Madras Port (XIII), 120.
- Major irrigation and power projects (XIII), 1367.
- Manpower training programme (XIII), 1144-48.
- "Maos of India" postage stamps (XVI), 8113-16.
- MIG factories (XVII), 9613-16.
- Milk drying plants (XVII), 9868.
- Minor irrigation schemes (XVII), 11276.
- Modification of irrigation projects (XIII), 530.
- National Defence Fund (XIII), 1385.
- National Highway No. 7 (XIV), 3197-98.
- National Volunteer Force (XV), 5828.
- National Water Supply and Sanitation Committee (XV), 5156-58.
- New railway lines in Andhra Pradesh (XV), 6106-09.
- Oil royalty rate for Assam (XVII), 11541-542.
- Package programme for ground-nuts (XIV), 2128.
- Panchayat Samitis (XV), 4661.
- Pilot projects for rural water supply (XV), 5124-26.
- Planning Commission Adviser's visit to Andhra Pradesh (XVII), 11028-31.

VENKATASUBBAIAH, SHRI P.:

contd.

- Popularisation of Hindi through A.I.R. (XVII), 11014.
- Power projects (XIII), 1375-79.
- Power requirements of the country (XIV), 3627-30.
- Price of sugar (XVIII), 14151-53.
- Procurement of rice in Andhra Pradesh (XVII), 9885.
- Production of eggs (XVII), 9913.
- Production of jet aircrafts (XV), 5852.
- Production of small tractors (XVIII), 13544-46.
- Provisions for Corporation (XVIII), 12799.
- Purchase of Belgian Mining Machinery (XVII), 11599-11600.
- Quality Control on agricultural goods (XVIII), 13593-94.
- Rare images found in Ballia (XVIII), 13123-24.
- Refreshment allowance to N.C.C. cadets (XVI), 8431.
- Rehabilitation of displaced persons in Dandakaranya (XVIII), 11804-810.
- Release of property of Ex-ruler of Bastar (XV), 6355.
- Re-naming of West Bengal as Bengal (XVI), 8918.
- Research Schemes in progress in Andhra Pradesh (XVIII), 12842.
- Retention price of steel (XVI), 7917-18.
- Rihand Dam (XIII), 1135-40.
- River Boards (XV), 6572.
- Road bridge across Krishna (XIII), 103.
- School Defence Corps programme (XIV), 3417.
- Second State Trading Corporation (XVII), 9347.
- Short term food crops and vegetables (XV), 6108.
- Slum in big cities (XV), 5126-30.
- Smallpox in Delhi (XVIII), 13353.

VENKATASUBBAIAH, SHRI P.:
contd.

- Smallpox in the country (XIII), 490—95.
Steel plant in South (XIV), 3856.
Sten Borer disease (XIII), 1699.
Stoppage of work in iron ore mines (XVII), 9373.
Study of Arabic (XVII), 11600.
Study team on modernisation of farming (XV), 5172.
Sugar mills (XIII), 88-89.
Target of steel production (XVII), 9383.
Terminal for Palam Airport (XVIII), 12842.
Trade with Japan (XVI), 7884.
Training in the manufacture of Synthetic drugs (XVI), 7892.
Transport of coal by pipes (XVII), 10114.
Tungabhadra High Level Canal (XVIII), 11841-842.
Tungabhadra High Level Project (XV), 6612.
Tungabhadra reservoir (XVI), 9158.
U.N. Expert for river basin surveys in India (XVI), 9135.
U. S. Military aid (XIII), 901-02.
Uniform Legislation for Municipal Corporations (XVIII), 11826.
University courses in Agriculture (XIII), 91.
University courses in Medicine (XIII), 523.
Utilisation of irrigation potential (XIII), 495—99.
Violation of companies Act (XIV), 3865-66.
Visit of Joint Committee to Eastern U. P. (XIII), 894.
Wage Board for Iron Ore Mines (XV), 4392.
'War on Want' movement (XIV), 2127.
Warehousing corporations (XVII), 11334.

VENKATASUBBAIAH, SHRI P.:
contd.

- White tigers (XVII), 6838.
World Food Programme (XV), 6079—81.
Zonal Transport Corporation (XVI), 8124.

Debates

- Agricultural Refinance Corporation Bill:
Motion to consid., (XIII), 188—92.
B. G. (General Discussion) (XIV), 3939—44.
Compulsory Deposit Scheme Bill: Consid. Cl. (XVIII), 12019.
Concentration of Economic Power (Res.) (XIV), 4032—35.
D. G. (1963-64):
Min. Com. Dev. and Coop. (XVI), 7739—45.
Min. M. & F. (XVI), 9248—52.
D. G. (R) (1963-64) (XIII), 3041—44.
Official Languages Bill:
Motion to consider (XVII), 11712. 15.
Regional Disparity (Res.) (XVII), 9528—30.

VERMA, SHRI BALGOVIND:

- A. I. R. Programme for prisoners (XVIII), 12598.
Books for Jawans (XVIII), 12596.
Discharge of filthy water by sugar mills (XVIII), 13369.
Illegal mint at Hapur (XVIII), 11863.
Improved method of cultivation (XVIII), 12840-41.
Institute of Physiology (XVIII), 12597.
Railway line in U. P. (XVII), 11329.
Recruitment of Gurkhas (XVII), 9660-61.
Shortage of clothing materials (XVIII), 12121-22.

VERMA, SHRI BALGOVIND: contd.*Debates*

D. G. (1963-64):

Min. Fin. (XVII), 10242-46.

Min. Lab. and Emp. (XV), 6533-37.

VERMA, SHRI K. K.:Constitution (Amendment) Bill
(Amendment of articles 100 and
189) by Shri M. L. Dwivedi.

Motion to consider (XVIII), 13721-22.

P.A.M. (XIII), 1123-29.

VERMA, SHRI S. L.:

Lucknow aerodrome (XIV), 4142.

VIDYALANKAR, SHRI A. N.:Abu Simbel temples in Egypt
(XVII), 11557-561.Agricultural Administration (XIV),
1903.

Air-guns and rifles (XVI), 6907-08.

Amendments to Industrial Disputes
Act, (XV), 5855.Bank advances on gold and shares
(XIII), 520-21.

Civil Defence Plan (XIII), 1158-63.

Delhi Master Plan (XIV), 2700-01.

Drug manufacture survey (XIV),
3634-35.Emergency Production Committees
(XV), 5833.Export of Indian textiles to U. S. A.
(XIV), 3835-38.Fire in Ambala Cantt. (XVIII),
12617.Fourth Oil Refinery in South India
(XIII), 304-05.Home treatment of leprosy patients
(XIII), 503-07.Increase in smoking (XIV), 3597-
3600.Indian currency for Persian Gulf
countries (XV), 6593.

Industrial closures (XIV), 4098.

VIDYALANKAR, SHRI A. N.—contd.Industrial survey of Himachal Pra-
desh and Kangra-Kulu (XVII),
9413.Manufacture of automatic weapons
(XIV), 1865.Occupational Health hazards in coal
mines (XV), 4390.

Oil exploration (XIV), 2400-2406.

Orientation of Primary Schools
(XV), 4883-86.Pig Iron Plant in Punjab (XIII),
712-13.Prevention of railway accidents
(XV), 6136-37.

Prohibition (XV), 4864-71.

Railway restaurants (XIV), 2090.

Rehabilitation of tribal people in
NEFA (XIII), 919.

Rifle shortage (XV), 4932-33.

Rifle training to N.C.C. cadets (XV),
5836.

Sainik schools, (XIII), 912-16.

Setting up of universities (XIII),
266.Shortage of pig iron in Punjab
(XIII), 1631.Smallpox in the country (XIII),
490-95.Spurs on river Feni in Tripura
(XVII), 11063.State Education Ministers' Confer-
ence (XV), 6338-41.Study team on modernisation of
farming (XV), 5172.

T. B. clinics (XIII), 481-86.

Tea Processing Plant at Kangra
(XIV), 2961.

Technical personnel (XVI), 8936.

Three-year degree course (XIV),
2393.Training Centres for goldsmiths
(XIII), 479-81.Tripartite Conference (XIII), 921-
22.

Village level worker (XIII), 1703.

VIDYALANKAR, SHRI A. N.—contd.

Village "production plan" (XVII), 6845.

Debates

B. G. (General Discussion) (XIV), 3819—24.

Constitution (Fifteenth Amendment) Bill:

Motion to consider (XVIII), 12941-946.

Consid. Cl. (XVIII), 13257-58.

D. G. (1963-64):

Min. Lab. and Emp. (XV), 6489—93.

Min. S. & H. I. (XVII), 9690—96.

D. G. (R) 1963-64 (XIV), 2872—77.

Government of Union Territories Bill:

Motion to refer to Joint Committee (XIV), 4347-48.

Official Languages Bill:

Motion to pass, (XVIII), 12477—79.

Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill: (Insertion of new section 7A) by Shri C. K. Bhattacharyya.

Consid. (XV), 5561-62.

VLJAYA RAJE, SHRIMATI:

Leave of Absence (XVI), 8447. (XVIII), 14186.

VIMLA DEVI, SHRIMATI:

Baby-food manufacturing factory (XIII), 1675.

Britain's entry into E.C.M. (XIV), 2895.

Commonwealth trade Ministers' Conference in London (XVII), 9417.

Cooperative movement (XIV), 3136—41.

VIMLA DEVI, SHRIMATI: contd.

Cut in Housing Schemes of States (XVII), 10350—54.

Deep mining in Kothagudium (XIII), 1186.

Drilling operations (XIII), 1185-86.

Fourth Oil Refinery in South India (XIII), 304-05.

Inclusion of 'Passi' community in the list of S. C. (XIII), 327.

Indian Fisheries Corporation (XIV), 2068.

Industrial demand for coal (XV), 4931.

Licences issued under Gold Control Scheme (XIV), 2710.

Oil exploration (XIV), 2400—2406.

Price of raw jute (XIV), 2930.

Wagons (XIII), 1726.

Debates

B. R. (1963-64) (General Discussion) (XIV), 1961—68.

Compulsory Deposit Scheme Bill: Consid. Cl. (XVIII), 12341.

D. G. (1963-64):

Min. of Health (XV), 5936—37.

Min. Irr. and Power (XV), 6211—15.

VIRBHADRA SINGH, SHRI:

D. G. (1963-64):

Min. Def. (XVI), 8318—22.

Government of Union Territories Bill:

Motion to refer to Joint Committee (XIV), 4339—43.

VISHRAM PRASAD, SHRI:

Acquisition of land for colonies (XV), 6567.

Administration of justice (XIV), 3368.

Agricultural production (XIV), 2085.

Allowances to Ministers (XVI), 8866.

VISHRAM PRASAD, SHRI: contd.

- Bombs lost in Suratgarh area (XV), 5844.
- Border Roads Organisation (XIV), 4071-72.
- Britain's entry into E.C.M. (XIV), 2895.
- Cargo service between India and U.S.A. (XV), 4611.
- Cement quota to Andhra Pradesh (XVI), 7871.
- Civil Defence Plan (XIII), 1158-63.
- Cooperative Farming Societies (XIII), 104-105.
- Cooperative movement (XIV), 3136-41.
- Cost of steel production (XIII), 673-76.
- Cottage industries (XVI), 6889.
- Development of Eastern distts. of U. P. (XV), 6089-90.
- Development of Media of mass communication in India (XIII), 926.
- Development of Scheduled Tribes (XV), 4863-64.
- Drinking (XIV), 2388.
- Education cess (XV), 4873-77.
- Export of bicycles (XVI), 6878.
- Express delivery system (XIV), 2097.
- Fertilizer factory at Hanuman Garh (XIV), 3859-60.
- Foreign Air Mission's visit to India (XIII), 897-900.
- Foreign scho'arships to Indian students (XV), 6389.
- Government and Public Schools in Delhi (XVI), 7428.
- Heavy Electricals Limited, Bhopal (XIV), 2935.
- I. A. S. and I. P. S. Officers (XVII), 10166.
- Import of dry fruits from Iran (XV), 5405-06.

VISHRAM PRASAD, SHRI: contd.

- Indian Education Service (XIII), 1169.
- Iron-ore export to Japan (XIV), 3847-48.
- L. G. S. Grade posts in Eastern Railway (XVII), 9901.
- Lucknow-Barabanki Railway track (XVI), 8199.
- Machine tool industry (XIII), 1628.
- Matatilla Project (XV), 5121-22.
- Medium-sized steel plants (XIII), 676-78.
- Mental diseases (XV), 6598.
- Modification of educational system (XV), 4901-03.
- Movement of coal (XV), 6368.
- "National science talent search" (XIV), 2370.
- National Volunteer Force (XV), 5826.
- Number of employees in Finance Ministry (XV), 6622.
- Occupational Health hazards in coal mines (XV), 4389.
- Over-bridge at Aunrihar Jn. (XV), 6123.
- Payment of sugarcane price (XIII), 66.
- Pig iron (XIV), 3867.
- Posts of Office Superintendents in E. Railway (XVII), 9902.
- Potassium chloride plant at Kandla (XVI), 6863.
- Price of cotton (XV), 5910.
- Production of sugarcane (XV), 4627.
- Promotion of A.P.O. (XVII), 9902.
- Quarters in Ramakrishnapuram (XVII), 10406-07.
- Reduction in staff in Government offices (XIV), 3604.
- Research on Forage crops (XV), 4694.
- Research on zote-bacter and phospho-bacterin (XV), 6064-70.

VISHRAM PRASAD, SHRI : contd.

Reservation in promotions for S.C. & S.T. (XVI), 7429.

Rihand Dam (XIII), 1135—40.

Russian system of higher secondary education (XIII), 316.

Scheduled Castes and Scheduled Tribes employees (XV), 6126.

Seizure of watches at Santa Cruz airport (XV), 6592.

Services of teachers after super-annuation (XIV), 3386.

Sino-Pak border agreement (XIII), 903—07.

Small scale industries in Uttar Pradesh (XVI), 6907.

Soil survey (XV), 4643.

Steel plant in South (XIV), 3856.

Sugar trade in Delhi (XV), 6074.

Suicide by Liaison officer (XIII), 1650.

Supply of inferior quality coal (XIV), 2397.

Survey of Himalayan region (XVII), 11543.

Synthetic rubber factory, Bareilly (XIV), 3863.

Training stipend (XV), 6123.

Transport aeroplanes (XV), 5846.

Tribal blocks (XIII), 299.

Unemployment (XV), 5817.

Visit of Joint Committee to Eastern U. P. (XIII), 893—97.

Wage Board for Coal Mining (XV), 4384.

'Zaid' crops (XV), 6124—25.

Debate

Agricultural Refinance Corporation Bill:

Motion to Consider, (XIII), 216—21.

Concentration of Economic Power (Res.) (XIV), 4021—24.

VISHRAM PRASAD, SHRI: contd.

D. G. (1963-64):

Min. Com. Dev. and Coop. (XVI), 7745—52.

Min. Ed. (XV), 5537—42, (XV), 5620—25.

Min. H. A. (XV), 6968—76.

Min. Irr. and Power (XV), 6179—87.

Re: remarks made by Shri Bagri against the Minister and Offices of the Ministry of Scientific Research and Cultural Affairs (XV), 5914.

Regional Disparity (Res.) (XVII), 9540—42.

VYAS, SHRI RADHEYLAL:

Hindi Law Commission (XVI), 6881.

Limited I. A. S. examination (XIII), 1154.

Payment of sugarcane price (XIII), 66.

Debate

Compulsory Deposit Scheme Bill:

Consid. Cl. (XVIII), 12306—07, 12317.

D. G. (1963-64):

Min. Fin. (XVIII), 10189—97.

Official Languages Bill:

Consid. Cl. (XVIII), 12180—83, 12433—35, 12441,

P.A.M. (XIII), 446—55.

W**WADIWA, SHRI:**

Charging of unauthorised fees from students by schools of Delhi (XVII), 13078-79.

Delhi School buses (XIV), 2158.

Integrated Power Grid (XIV), 3639-40.

Road accidents in Delhi (XIV), 2158.

WARIOR, SHRI:

- A.I.R. station at Port Blair (XVI), 8392.
- Anti-Sea Erosion Projects in Kerala (XVIII) 13396.
- Consumers Co-operative Societies (XVI), 8636.
- Export Advisory Committee for Pearls and Precious Stones (XVII), 10596.
- Export of textiles to Burma (XVII), 10600.
- Indian employed in Ceylon (XVI), 8401.
- Lubricating Oil Plant (XVII), 11563.
- Separation of judiciary from the executive (XVII), 10131.

Debates

Constitution (Amendment) Bill
(Amendment of articles 100 and 189) by Shri M. L. Dwivedi.

Motion to consider (XVIII), 13711—13.

D. E. G. (General) 1960-61:
(XVIII), 12663—65.

D.E.G. (R) 1960-61 (XVIII), 12689-91.

Export (Quality Control and Inspection) Bill:

Motion to consider (XVIII), 13510—19.

Consid. Cl. (XVIII), 13632—37, 13640—43.

Finance Bill 1963:

Motion to consider (XVII), 10692—10702.

Consid. Cl. (XVII), 10940—42, 10968.

Insurance (Amendment) Bill
(Amendment of section 31A and 40C) by Shri Indrajit Gupta:

Motion to consider (XVII), 10796—99.

Leave of Absence (XVI), 8447.

WARIOR, SHRI: contd.

Regional Disparity (Res.) (XVII), 9530—33.

Release of (XV), 6405.

WASNIK, SHRI BALKRISHNA:

Hindi news from A.I.R., Nagpur (XV), 5876.

Licence issued under Gold Control Scheme (XIV), 2710.

Oil Refinery in private sector in South India (XIV), 2412.

Report on Dalmia-Jain concerns (XIII), 1625.

Russian aid for Defence needs (XIII), 925.

Vividh Bharati Programme from AIR, Nagpur (XV), 5877.

Debates

D.G. (1963-64):

Min. of Lab. and Emp. (XV), 6520—22.

Min. W.H. & R. (XV), 7208—13.

P.A.M. (XIII), 639—43.

Y**YADAB, SHRI N. P.:**

D.G. (R) 1963-64 (XIV), 2796—2802.

YADAV, SHRI RAM HARKH:

Agricultural production (XIV) 2079.

Allotment of residential quarters (Q), (XV), 6601.

Asian Economic Development Institute (XVIII), 12090—92.

Bomb Explosion on Railway track (XVI), 8653.

Canning and food preservation centre (XVI), 8158.

Collision of goods train (XV) 8158.

Compulsory registration of doctors (XVIII), 11643—44.

YADAV, SHRI RAM HARKH: contd.

Cut in staff of Central Ministries (XVIII), 13070.

Delhi water supply (XV), 6598.

Denotified tribes (XVIII), 11573-576.

Development of hill areas (XVIII), 12865.

Directorate Board of Hindustan Steel Ltd. (XVII), 9370.

Drinking Water Supply for Banaras (XVI), 9119-24.

Effect of smoking on lungs (XVIII), 11874-875.

Enhancement of pilgrims tax (XVII), 9915.

Enquiry Committee on Muslim Laws (XVIII), 12122.

Eye-sight standard for engineering students (XVIII), 13096.

Flood Control Schemes (XVII), 10394.

Food adulteration in Delhi (XVII), 10380-84.

Home science colleges in Agricultural universities (XVII), 11289.

Import of steel for industrial purpose (XVIII), 12131.

Incidence of crimes in Delhi (XVI), 8871.

India's trade with European Economic Community (XVII), 10622-629.

Inter-University Board (XVI), 7375-80.

Janpath Hotel, New Delhi, (XVIII), 11838-841.

Kosi projects (XIII), 1406.

Manufacture of aircrafts (XVII), 9841-42.

Military aid from Australia (XVI), 7179.

Military aid from Canada (XVII), 11051-52.

Mineral oils (XVI), 8910.

National co-operative Development Corporation (XVII), 9904.

YADAV, SHRI RAM HARKH: contd.

New Medical colleges (XVIII), 13387.

Nutrition education (XVII), 9857.

Oil exploration (XIV), 2400-2406.

Organisation of a Conference of English Teaching Experts (XVIII), 13110.

Plant for iodisation of salt (XVII), 13349.

Prices of agricultural products (XV), 6053-56.

Price of coal (XVII), 10153-57.

Production of bidis and Cigarettes (XVIII), 13611.

Production of machinery (XVIII), 12107-08.

Production of tractors and trucks (XVII), 11018-22.

Prohibition (XVIII), 12579.

Psychological tests for railmen (XVIII), 12814-17.

Purchase of mules from Cyprus (XVI), 8401-04.

Production of wheat by Government (XVI), 8129-32.

Rail accident (XVII), 9907.

Railway accident near Dhanbad (XVII), 11315.

Railway accident on the Bhimavaram-Gudivada line (XVIII), 12842.

Recruitment of ex-servicemen (XIV), 1899.

Release of P.O.Ws. by Chinese (XVIII), 12580.

Repatriation of Chinese detenus (XVII), 11573-574.

Rourkela Steel Works (XVII), 9379.

Sale of damaged foodgrains (XVI), 8140-42.

Scarcity of water in Delhi (XVIII), 13368.

Semi-conducting rock in Rajasthan (XVI), 7391-93.

YADAV, SHRI RAM HARKH—contd.

- Specialised training for armament factories (XVII), 11015-18.
- Supply of opium to Russia (XVIII), 13570-73.
- Surplus staff (XVI), 7428.
- Teaching of foreign languages in India (XVII), 11551-555.
- Third Division students in Delhi University (XVIII), 13072-73.
- Timber shortage (XVI), 7913.
- Trade agreement with Soviet Union (XVI), 7886-87.
- Training of employees of small industries (XVII), 9410.
- Trespassing by Pakistanis in Cooch-Bihar (XV), 5859.
- Trust for developing Paradip port (XIII), 1641-42.

YADAV, SHRI RAM SEWAK:

- A.I.R. news broadcast (XVI), 7176.
- Afro-Asian Solidarity Conference (XIII), 916-17.
- Agricultural production (XIV), 2084.
- Allowances to Ministers (XVI), 8806.
- Appointment of Inspectors in companies (XVIII), 13620-21.
- Assets in foreign banks (XIV), 2655-58.
- Britain's entry into E.C.M. (XIV), 2895.
- Bye-elections in Uttar Pradesh (XV), 5422-23.
- Central Excise Inspectors (XVII), 13398.
- Central Government Officers in Assam (XIV), 2372.
- Committee on sugar industry (XIII), 1681.
- Compulsory military training (XIV), 1904.
- Free water and electricity to Central Ministers (XIV), 6615-24.

YADAV, SHRI RAM SEWAK—contd.

- Glass bangles factories at Ferozabad (XV), 5438.
- Government Employees' contribution to National Defence Fund (XIII), 1411.
- Hindi Typewriting and Shorthand Scheme (XVI), 7440-41.
- Incidence of crimes in Delhi (XVI), 8871.
- Local purchase of Defence stores (XV), 5871.
- Military barracks at Katni (XIV), 4146-47.
- Modernisation of armed forces (XIV), 1879.
- Orientation of Primary Schools (XV), 4884-86.
- Overcrowding in universities (XIV), 2400.
- Postal facilities to Indian P.O.s (XV), 4431.
- Prices of agricultural products (XV), 6053-56.
- Production and distribution of steel tubes (XVIII), 12112-13.
- Railway High school clerks (XVII), 11328.
- Rehabilitation of tribal people in NEFA (XIII), 919.
- Repatriation of Indians from Mozambique (XIV), 4089-93.
- Rise in price of kerosene oil (XV), 4903.
- Rise in price of sugar (XIII), 53.
- Russian aid for Defence needs (XIII), 925.
- S.C. and S.T. employees in the I. & B. Ministry (XIV), 4138.
- Sugar bags lost in transit (XV), 4686-87.
- Sugar recovery in U.P. (XIII), 118.
- Debates
- Accident between Turichi-Rani Express and a Bus. (CA) (XV), 5896-98.

YADAV, SHRI RAM SEWAK—contd.

B.G. (General Discussion) (XIV),
3742—53.

Business Advisory Committee:
14th Report (XIV), 2446.

Compulsory Deposit Scheme Bill:
Motion to consider (XVII), 11512—
513.

Consid. Cl. (XVIII), 12034.

Concentration of Economic Power
(Res.) (XIV), 4011—17.

D.G. (1963-64):

Min. H.A. (XV), 7085—83.

Obituary Reference:

Demise of Dr. Rajendra Prasad
(XIII), 1579—80.

Official Languages Bill:

Motion to consider (XVII),
11688—11705.

P.A.M. (XIII), 1095—1106.

Re: Discussion on Kerosene (XIV),
2444.

Re: remarks made by Shri Bagri
against the Minister and Offices of
the Ministry of Scientific Research
and Cultural Affairs (XV), 5909,
5910.

Report of Committee on the conduct
of certain members during the
President's Address (M) (XV),
4718—29.

YADAVA, SHRI B. P.:

D.G. (1963-64):

Min. Com. Dev. and Coop. (XVI),
7735—39.

Finance Bill, 1963:

Motion to consid. (XVII), 10497—
10503.

YAJNIK, SHRI:

Allotment of cement to States
(XVII), 10657.

Allotment of corrugated iron sheets
(XVII), 10657.

YAJNIK, SHRI—contd.

Cement factory in West Bengal
(XVII), 10605—608.

Distribution of pig iron (XVII),
10655-56.

Expenditure on publicity against
Chinese aggression (XVIII), 12600.

Foreign exchange for students
(XVIII), 13389.

Forward Trading in edible oils
(XVI), 7943.

Gandhigram railway station
(XIII), 1641.

Gold declared under Gold Control
Rules (XVI), 7641—43.

Import of auto rickshaw vehicles
(XIV), 2060.

Import of kerosene from Russia
(XVII), 10184.

Indian Army personnel in Congo
(XVII), 11049.

Indian students studying abroad
(XVI), 7440.

Industrial Estates (XVIII), 12139.

Investments on irrigation and power
projects (XVIII), 11869.

Koyali oilfield (XIV), 2436.

Koyali oil refinery (XIV), 2437.

Manufacture of missiles in India
(XVII), 9878.

Purchase of constellation planes from
Air India (XVII), 9674.

Rail trolley service by Bharat
Tramways (XIV), 2156.

Recruitment to Army (XVII),
11075-76.

Report on Dalmia-Jain concerns
(XIII), 1625.

Sanforising process (XIV), 3890—
92.

Students, studying abroad (XVIII),
13337.

Trolleybuses (XVII), 9914.

Zund-Kandla Railway track
(XVII), 9918.

AJNIK, SHRI—contd.*Debates*

B.R. (General Discussion) (XIII),
1839—48.

D.G. (1963-64):

Min. Fin. (XVII), 10246—52.

Obituary Reference:

Demise of Dr. Rajendra Prasad
(XIII), 1578.

YASHPAL SINGH:

£30 million loan from U.K. (XVI),
9145-46.

A.I.R. broadcasts from B. B. C.
Singapore (XIII), 941.

Acquisition of land for colonies
(XV), 6566.

Accounts of Children's Film Society
(XVIII), 12618.

Action against certain newspapers
(XIII), 307.

Admission in Delhi schools (XVI),
8931.

Administration of justice (XIV),
3370.

Advance courses in Defence sciences
in Universities (XIV), 4083—85.

Advertisement of drugs (XV),
5145—47.

Advisory Committee for the Chief
Commissioner of Andamans
(XIII), 1169-70.

Afghan Trade Mission's visit
to Delhi (XIV), 2939.

Afro-Asian Solidarity Conference
(XIII), 916-17.

Agreement with Government of
France (XVI), 8420-21.

Agricultural implements (XVII),
9378, (XVIII), 12806.

Agricultural implements centre at
Aligarh (XVI), 8124—27.

Agricultural production (XIII), 67—
74.

Aid by U.S.A. for agricultural re-
search (XV), 4661.

Alitalia crash report (XIV), 3163.

All-India Printers' Conference
(XVIII), 13547—49.

YASHPAL SINGH, SHRI—contd.

Allowances to Ministers (XVI),
8866—68.

Alloy Steel Plant (XVIII), 12120-21.

Andaman and Nicobar Islands
(XIII), 1171-72.

Anti-Indian Chinese literature
(XVI), 7367—72.

Anti-Indian propaganda by Pakis-
tan (XIII), 920-21.

Appointment of Inspectors in com-
panies (XVIII), 1360-21.

Attorney-General's advice on affairs
of a firm (XVIII), 13050—56.

Ayurvedic graduates (XVI), 7839—
41.

Ban on manufacture of Gur and
Khandsari (XV), 6060.

Blankets from Ceylon Red Cross
(XVII), 10399-400.

Bokaro Steel Plant (XVIII), 12078—
81, 12385—90.

Borrowing programmes (XV), 5130—
32.

Budget of I.C.A.R. (XIII), 1700.

Bye-elections in Uttar Pradesh
(XV), 5422-23.

Cardiac and respiratory diseases
(XV), 6623.

Cement quota to Andhra Pradesh
(XVI), 7871.

Central Bureau of Investigation
(XIV), 3415.

Central Excise Reorganisation Com-
mittee (XVII), 10371—73.

Central Social Welfare Board (XV),
4916.

Chairman of Community Develop-
ment Block (XV), 4606.

Children's Film Society (XVIII),
12618.

Civil Administration in NEFA
(XIII), 907—12.

Civil Defence Plan (XIII), 1158—63.

Coal Mines in Madhya Pradesh
(XVIII), 13119-20.

Code of Discipline in Railways and
Defence (XVI), 8423-24.

YASHPAL SINGH, SHRI—*contd.*

- Collapse of C.P.W.D. godown in New Delhi (XVIII), 14168—70.
- Collection of National Defence Fund in Ceylon (XV), 9679.
- Colombo proposals (XIII), 885.
- Committee for negotiation with foreign collaborators (XV), 6575.
- Community Development (XVIII), 12768.
- Compulsory military training (XIV), 1904.
- Concrete sleepers for Railways (XVII), 11274.
- Conference of State Ministers of Cooperation (XIV), 2091.
- Confirmation of Upper Division Clerks (XVII), 10176.
- Cooperative movement (XIV), 3141.
- Cotton farms (XV), 6115.
- Creation of cadres of under officers (XIV), 4141-42.
- Crimes in Delhi (XIII), 1175.
- Crimes in Union Territories (XIII), 1190.
- Crude oil from Iraq (XVI), 8917.
- Customs duty on goods of repatriates from Mozambique (XIII), 1406.
- Cut in Housing Schemes of States (XVII), 10350—54.
- Cut in staff of Central Ministries (XVIII), 13070.
- Cycle rickshaw pulling (XVII), 9654-55.
- Czech Trade Team's visit to India (XIII), 1627.
- Dairy farm with Danish collaboration (XIII), 1694.
- Declaration of permanent Government posts (XVIII), 11802.
- Defence of India Rules (XIII), 303.
- Delhi Engineering College (XV), 4894—96.
- Delhi Milk Scheme (XVII), 9664.
- Delhi Water Supply (XIV), 2666.

YASHPAL SINGH, SHRI—*contd.*

- Democratic decentralisation (XIV), 3120-21.
- Derailment of 8 Down Express (XIV), 2129.
- Design and Engineering Unit (XVII), 10125—28.
- Diplomatic immunity enjoyed by Indian diplomats abroad (XVIII), 13953.
- Display of retail prices (XVII), 9360.
- Division of funds for housing (XVIII), 13397.
- Drinking Water Supply for Banaras (XVI), 9119—24.
- Dry farming (XV), 4621.
- Education Ministry's Publications (XIV), 3418.
- Education of tribal children (XV), 4914-15.
- Educational facilities to students joining army (XV), 6341—44.
- Emergency Commission (XIV), 1914, 11076—78, 12568.
- Enquiry Committee on Muslim Laws (XVIII), 12122.
- Eradication of famine (XVI), 7626-27.
- Establishment of Ordnance Factories (XIII), 941.
- Excise duty on small-scale battery manufacturers, 6618.
- Export of lathe machines (XVII), 9344.
- Export of manganese and iron ores (XVIII), 12125-26.
- Export of mica (XVI), 6860.
- Export of peacock feathers (XVIII), 13615.
- Export of sugar (XVI), 8148—50.
- Export of sugar to U.S.A. (XIII), 1622.
- Express delivery system (XIV), 2096.
- Extension of C.H.S. Scheme (XVII), 10380.

YASHPAL SINGH, SHRI—contd.

- Family Planning (XVIII), 13359.
 Famine in Sikkim (XVIII), 12619.
 Fertilizer Plant, Katni (XVII), 10588—591.
 Financial powers for Nagaland Administration (XVIII), 12606.
 Fire in Heavy Electricals Ltd., Bhopal (XII), 724-25.
 Food adulteration in Delhi (XVII), 10380—84.
 Foreign Air Mission's visit to India (XIII), 897—900.
 Foreign Military aid (XIII), 916.
 Foreigners employed in A.I.R. (XVIII), 13902.
 Forest Research Institute (XVI), 8652.
 Fourth Oil Refinery in South India (XIII), 304-305.
 "Freedom from hunger" campaign (XVI), 8119.
 Fuel efficiency in Indian industry (XVIII), 12064—67.
 Godavari and Krishna rivers (XIII), 526.
 Gold Bonds (XIII), 509—13.
 Gold Control Board (XIII), 1417.
 Government advertisement in newspapers (XIII), 920.
 Government colonies of Delhi (XIV), 2711.
 Grant for Developing Hindi (XIV), 2426.
 Gulhati Commission Report (XIV), 2658—61.
 Health Insurance Scheme (XVI), 9108.
 Heavy electrical equipment plants (XIV), 3841-42.
 High altitude scientific problems (XVI), 8896.
 High Level Inquiry Committee on C.S. & I.R. (XVIII), 13070-71.
 Hindi Law Commission (XVI), 6882.

YASHPAL SINGH, SHRI—contd.

- Hindustan Steel Ltd. (XVII), 10583-584.
 Hirakud Dam Project (XVIII), 13355.
 Home science colleges in Agricultural universities (XVII), 11289.
 House-buildings in hire-purchase system (XVIII), 13082.
 Import of components for automobiles (XVIII), 12098.
 Import of copper from Southern Rhodesia (XIII), 1662.
 Import of dry, fruits from Iran (XV), 5406.
 Import of pig iron (XVIII), 13555—58.
 Import of tobacco (XVII), 10614.
 Inaccessible areas committees (XVII), 9855.
 Incidence of crimes in Delhi (XVI), 8871.
 Increase in smoking (XIV), 3597—600.
 India's contribution to W.H.O. (XVI), 9161.
 India's map shown in 'The Rotarian' (XVIII), 13120.
 India-Indonesia trade agreement (XIII), 698-99.
 Indian Economists for Ghana (XVII), 9675.
 Indian Education Service (XIII), 1166—69.
 Indian Fisheries Corporation (XIV), 2068.
 Indian Industrialists Delegation for Canada (XVI), 9173-74.
 Indian Institute of Astronomical and Sanskrit Research (XVIII), 13117-18.
 Indian military personnel in Congo (XV), 5819.
 Indian P.O.Ws. (XIII), 924—26.
 Indian P.O.Ws. in China (XV), 5854.
 Indian police personnel kidnapped by Pakistanis (XIV), 4131.

YASHPAL SINGH, SHRI—contd.

- Indians in Russian Universities (XIV), 3404.
- Indo-Soviet Trade Agreement (XIII), 725.
- Industrial training institutes in Delhi (XVI), 8389.
- Industrial Units in Assam (XIII), 940.
- Inter-State Organisation for dacoity menace (XVII), 11589-590.
- Inter-University Board (XVI), 7375-80.
- Investment by a non-Resident Indian citizen in Indian Shipping Company (XV), 6116-17.
- Iron-ore exports to Japan (XIV), 3844-48.
- Iron Plant (XIII), 717-18.
- Japanese Team's visit to India (XVIII), 12071-75.
- Joint board for water resources of Nepal and India (XVII), 10359-63.
- Joint power pool of Punjab Delhi and U.P. (XVI), 7632-33.
- Joint U.S.-Commonwealth Air Mission (XVII), 11043-47.
- Journey to Badri Nath (XVII), 10322.
- Khadi and village industries Commission, (XVII), 9379.
- Koyali oil refinery, Gujarat (XIV), 2382.
- Large-sized Machine Tools Factory at Ranchi (XVII), 10633.
- Leipzig Spring Fair (XV), 5428-30.
- Liberal licensing policy (XV), 5382-86.
- Lighthouse in Mangalore (XVII), 11319.
- Loans to meritorious students (XIII), 308-09.
- Losses suffered by civilians in NEFA (XIV), 4105-06.
- Machine Tool Factory (XV), 5380-

YASHPAL SINGH, SHRI—contd.

- Manufacture of engines for Alouettee Helicopters (XIV), 1905.
- "Maps of India" postage stamps (XVI), 8116.
- Master Plan for Development of tourism (XIII), 1596.
- Matatila Project (XV), 5121-23.
- Mechanisation of farming (XVI), 8640.
- Medium-sized steel plants (XIII), 678.
- Mental diseases (XV), 6598.
- MIGs and MIG factory (XIII), 929.
- MIG factories (XVII), 9613-16.
- Milk supplied by D.M.S. (XVI), 8661.
- Minor irrigation schemes (XVII), 11281.
- Minor irrigation works in Mysore (XVIII), 12866.
- Model villages (XVI), 8139.
- Modernisation of armed forces (XIV), 1881.
- Monuments in Goa, Daman and Diu (XVII), 11079.
- Mountain Divisions in Indian Army (XVI), 8412-17.
- Mouth cancer centre at Agra (XVIII), 13334.
- National Animal and Bird (XIII), 1643-44.
- National anthem (XVI), 8947.
- National Anthem in Delhi cinemas (XIII), 950.
- National Book Trust (XVI), 7374.
- National Defence Fund (XIII), 1380-81.
- National Discipline Scheme (XV), 6358.
- National volunteer force (XV), 5824.
- NEFA Reverses (XVI), 7150-52.
- New transmitters at Jabalpur and Gwalior (XIV), 1930.
- Occupational Health hazards in

YASHPAL SINGH, SHRI—contd.

- Oil circuit breaker (XVI), 7921.
 Oil exploration (XIV), 2400—2406.
 Oil refinery in Madras (XVIII), 13039.
 Orientation of Primary Schools (XV), 11883—86.
 Overhaul of P. W. D. at Centre and States (XLII), 1411.
 P. & T. circle for Madhya Pradesh (XV), 6131.
 Pakistani infiltration in Assam (XIII), 275.
 Partial payment of workers' wages in food (XV), 6181—83.
 Pay scales of University teachers (XVI), 8895.
 Peaceful uses of atomic energy (XIV), 1917.
 Pending cases in High Courts and Supreme Court (XVI), 8919.
 Permit for purchase of gold (XIV), 2678—81.
 Pig iron (XIV), 3866—67.
 Pig iron ore Plant in Punjab (XV-III), 13608—09.
 Pilot projects for rural water supply (XV), 5124—26.
 Police force for Nagaland (XVII), 11066—67.
 Police strength of Delhi (XVIII), 13087.
 Political sufferers (XVIII), 13049.
 Port charges at Calcutta (XVI), 8200.
 Post retirement passes (XV), 6186—87.
 Power allocation in Southern States (XV), 5167.
 Power failures in Delhi (XIII), 524.
 Power requirements of the country (XIV), 3628—30.
 Power shortage in the country (XIV), 2699—2700.
 Prices of agricultural products (XV), 6053—56.
 Prices of automobiles (XIII), 705.

YASHPAL SINGH, SHRI—contd.

- Price of sugar (IV), 5411.
 Printing work of Ministries (XVI), 7672.
 Private Oil Companies (XIII), 1165—65.
 Production in Ordnance Factories (XVI), 7131—32.
 Production of drugs (XV), 5398.
 Production of sugarcane (XV), 4627.
 Productivity team on steel industries (XVII), 10604—605.
 Prohibition (XV), 4864—71.
 Prohibition in Delhi (XVII), 10118.
 Publication of American and U.K. text-books in India (XV), 6372—73.
 Purchase of Wheat by Government (XVI), 8131.
 Quality control (XIII), 87.
 Quality control and pre-shipment inspections (XIV), 2919.
 Rajasthan canal (XIII), 502—03.
 Reclamation of land (XIII), 1694; (XIV), 2129.
 Rail concessions to sports teams (XIII), 84—85.
 Railway Accidents Enquiry Committee (XIII), 58.
 Railway bridge at Sawai Madhopur (XVI), 8190.
 Recruitment from Orissa (XVIII), 12600.
 Relationship with Iraq (XV), 4416.
 Relaxation of age limit (XIV), 1926.
 Release of P.O.Ws. by Chinese (XVIII), 12580.
 Repatriation of Indians from Mozambique (XIV), 4090—93.
 Replacing English by regional languages in States (XVI), 6942.
 Research in NEFA operations (XIV), 1883.
 Resignation by Emergency Commission trainees (XVII), 12602.
 Retirement age of Government employees (XVII), 11534—357.

YASHPAL SINGH, SHRI—contd.

- River Boards (XV), 6572.
 Rural Labour Enquiry (XVII), 9621—25.
 Russian experts at sibsagar project (XIII), 1184.
 Sainik schools (XIII), 9102—16.
 Sales Tax evasion (XVI), 7684-85.
 Seed farm for sugarcane (XIII), 107.
 Separation of judiciary from the executive (XVII), 10133.
 Setting up of a Bengali regiment (XVII), 9599—9603.
 Settlement of Tibetan children in U.K. (XVII), 9655.
 Sewage water for cultivation in Delhi villages (XVIII), 11865-866.
 Ship carrying Indian Cargo (XVIII), 12062.
 Shorter National Anthem on A.I.R. (XVIII), 12579.
 Siliguri-Jogighopa Railway line (XVI), 8150-51.
 Singareni collieries (XIII), 1177.
 Singareni collieries company (XIV), 4116-17.
 Sino-Pak Border Agreement in Security Council (XVI), 8439.
 Situation in Laos (XVIII), 12562.
 Smallpox in Delhi (XVIII), 13351.
 Smallpox in the country (XVIII), 490—95.
 Smuggling of gold from India (XVIII), 11829.
 "Smuggling of goods near Amritsar" (XVI), 9175.
 SOS villages for orphans (XVII), 10121-22.
 Specialised training for armament factories (XVII), 11015—18.
 Steel Plant at Vishakhapatnam and Goa (XIV), 2942.
 Steel production (XIII), 1630.
 Steel Scrap No. 1 (XVI), 6910.
 Suicide by goldsmiths (XVI), 9127—31.

YASHPAL SINGH, SHRI—contd.

- Superior grade coal (XV), 5379-80.
 Supply of opium to Russia (XVIII), 13573.
 Survey of Himalayan region (XVII), 11542—545.
 Survey of mines (XIII), 306.
 Target of steel production (XVII), 9383.
 Telephone exchange in Tonk District (XVI), 8189.
 Textile machinery manufacturing industry (XVII), 9364.
 Three-year degree course (XIV), 2394.
 Tibetan refugees (XV), 5838.
 Ticketless travelling (XIII), 1616—20.
 Tool alloy steel plant (XIV), 3848-49.
 Tool Alloy Steel Plant, Durgapur (XIV), 2912.
 Trade agreement with Indonesia (XVIII), 13598.
 Trade with Japan (XVI), 7885.
 Traffic on Railway bridge, Delhi (XV), 6050—53.
 Tragedy at National Cycling Championship (XVI), 8899.
 Training Centres for emergency commissioned officers (XIV), 1891.
 Training Centres for goldsmiths (XIII), 481.
 Training of handicapped persons (XVII), 11572-573.
 Training of Indian Oil Technicians in Iraq (XVII), 10162.
 Training of Primary teachers (XIV), 3722.
 Training period for Gram Sevaks (XIII), 46.
 U.S. fighter planes (XIII), 951.
 U.S. Task Force in India (XVII), 11047-48.
 Unemployment (XV), 5817.
 Unlicensed radios (XVII), 9849.

YASHPAL SINGH, SHRI—contd.

- Upper-Sileru Hydro Electric Project (XIII), 1388-89.
- Use of Hindi on A.I.R. (XVIII), 12547.
- Utilisation of irrigation potential (XIII), 497.
- Village volunteer force (XIII), 1604-1609.
- Violation of Gold Control Rules (XIII), 507-09.
- Wage Board for coal mining (XV), 4323.
- Wage Board for Iron and Steel (XIV), 1917.
- White tigers (XVII), 6841.
- Wool industry in Rajasthan (XVII), 9400.
- World Food Programme (XV), 6077-81.

Debate

- Accidents at Mithani and Sripur Collieries (C.A.) (XVII), 10661-62.
- Accident between Tiruchi-Reni Express and a Bus (C.A.) (XV), 5899.
- B. O. H. (XIV), 4151.
- B. R. (1963-64):
General Discussion (XIV), 2458-69.
- Child Marriage Restraint (Amendment) Bill:
Motion to circulate (XIII), 3100-02.
- Concentration of Chinese Troops in Tibet (C.A.) (XV), 5612-14.
- Constitution (Amendment) Bill (Amendment of articles 100 and 169) by Shri M. L. Dwivedi:
Motion to consider (XVIII), 13715-18.
- Constitution (Amendment) Bill, 1962:
(Insertion of new Article 115A and amendment of article 167) by Shri Paliwal.
Motion to consider (XVI), 8094-97.

YASHPAL SINGH, SHRI—contd.

- Delhi Land Reforms (Amendment) Bill by Shri Naval Prabhakar:
Motion to consider (XVII), 13748-50.
- D.E.G. (General) 1960-61 (XVIII), 12669-72.
- D. G. (1963-64):
Deptt. Parly. Affairs (XVII), 10660-70.
Min. Econ. and Def. Coord. (XVII), 9790-9803.
Min. Fin. (XVII), 10208-18.
Min. Food and Agri. (XV), 4939-50.
Min. H. A. (XV), 6830-40.
Min. I. & B. (XV), 5444-45.
Min. Irr. and Power (XV), 6284-90.
Min. Law (XVI), 7535-45.
Min. Trpt. and Communi. (XVI), 9065-72.
Min. W. H. & R. (XVI), 7310-17.
- Export (Quality and Control and Inspection) Bill:
Consid. cl. (XVII), 13632-33.
- Finance Bill, 1963:
Motion to consider (XVII), 10859-66.
Consid. Cl. (XVII), 10967.
- Firing by Naga hostiles on a military special train on 11.4.63 near Noajan Station (C.A.) (XVII), 9423.
- Government of Union Territories Bill:
Motion to consider (XVIII), 13797-13800.
Consid. cl. (XVIII), 13889.
- Length of Cinematograph Films (Ceiling) Bill by Shri Rameshwar Tantia:
Motion to consid. (XIII), 857-59.
- Official Languages Bill:
Int. (XVII), 9459, 9461, 9767.
Motion to consid. (XVII), 11488-92, 11624-31.
Consid. cl. (XVII), 12281, 12371-72, 12445-46.
Motion to pass (XVIII), 12493-95.
- P. A. M. (XIII), 1112-23.
- Re: Motion on Standing Committee for Public Enterprise (XVI), 8205-06.

YASHPAL SINGH, SHRI: contd.

Report of Committee on the Conduct of certain Members during the President's Address (M) (XV), 4775—78.

Reported drastic cut in pig iron quota supplied to foundries in Punjab (C.A.) (XVIII), 13126—30.

Reported kidnapping of some Santhals by East Pakistan Police (C.A.) (XVIII), 13778.

YASHPAL SINGH, SHRI: conclud.

Sighting of Unidentified Ships off the Andhra Coast (C.A.) (XVII), 10420.

Visit of Joint United States-Commonwealth Air Mission to India (C.A.) (XIII), 547.

Water supply in Delhi (C.A.) (XVIII), 12629-30.

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अय्याकम्बु, श्री (नागपट्टिनम—रक्षित—अनुसूचित जातियां)
अरुमगम, श्री रा० सी० (श्री बिल्लीपुतूर—रक्षित—अनुसूचित जातियां)
अरुमगम, श्री स० र० (नामक्कल—रक्षित—अनुसूचित जातियां)
अरोडा, श्री अर्जुन (उत्तर प्रदेश)
अबस्वी, श्री जगदीश (बिल्लौर)
अशष्णा, श्री (आदिलाबाद)
अष्ठाना, श्री लीलाधर (उन्नाव)
अहमद, श्री अनसारुदीन (पश्चिमी बंगाल)
अहमद, डा० जैड० ए० (उत्तर प्रदेश)
अहमद अली, मिर्जा (दिल्ली)
अहमद हुसैन, काजी (बिहार)

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- भाचार, श्री क० र० (मंगलौर)
भानन्द चंद, श्री (हिमाचल प्रदेश)
भाबिद अली, श्री (श्रम उपमंत्री)
भाभा मैती, श्रीमती (पश्चिमी बंगाल)
भाल्वा, श्री जोकीम (कनारा)
भासर, श्री प्रेम जी र० (रत्नागिरी)

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- इकबास सिंह, सरदार (फीरोजपुर)
इसयायेकमास, श्री ल० (चिदाम्बरम्—रक्षित—अनुसूचित जातियां)
इलियास, श्री मुहम्मद (हावड़ा)

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- ईशाचरण, श्री ब० (पालघाट)

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- उइके, श्री मं० गा० (मंडला—रक्षित—अनुसूचित जातियां)
उषाप्याय, पंडित मुनीश्वर दत्त (प्रतापगढ़)

(उ—कमलः)

उपाध्याय, श्री शिवदत्त (रीवा)
उमराव सिंह, श्री (घोसी)
उम्रेर, शाह मुहम्मद (बिहार)

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एन्चनी, श्री फ्रैंक (नाम निर्देशित—आंग्ल भारतीय)

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ओंकार लाल, श्री (कोटा—रक्षित—अनुसूचित जातियां)
ओझा, श्री घनश्याम लाल (झालावाड़)

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कटकी, श्री लीलाधर, (नौगांव)
कट्टी, श्री द० अ० (चिकोडी)
कनकसबै, श्री (चिदाम्बरम)
कपूर, श्री जस्पत राय (उत्तर प्रदेश)
कबिर, श्री हुमायून (वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री)
कमल सिंह, श्री (बक्सर)
कपाल, श्री परेश नाथ (बसिरहाट—रक्षित—अनुसूचित जातियां)
करभरकर, श्री द० प० (स्वास्थ्य मंत्री)
करयालर, श्री एस० सी० (मद्रास)
कर्णो सिंह जी, श्री (बीकानेर)
कानूनगो, श्री नित्यानन्द (वाणिज्य मंत्री)
कामले, डा० देवराज नामदेवराव (नांदेड—रक्षित—अनुसूचित जातियां)
कामले श्री बा० चं० (कोपरगांव)
कार, श्री प्रमात (हृगली)
कालिका सिंह, श्री (आजमगढ़)
कालेलकर, काका साहेदब, (नाम-निर्देशित)
काशीराम, श्री व० (नलगोंडा)—रक्षित—अनुसूचित जातियां)
कासलीबाल, श्री नेमीन्द्र (कोटा)
किलेदार, श्री रघुनाथ सिंह (होशंगाबाद)
किस्तैया, श्री सुरती (बस्तर—रक्षित—अनुसूचित आदिम जातियां)
किशोरी राम, श्री (बिहार).
कुंभर, डा० एन० एन० (उत्तर प्रदेश)

(क—क्रमशः)

- कुन्हन, श्री (पालघाट—रक्षित—अनुसूचित जातियां)
 कुमारन्, श्री मेलकुलन्जरा कक्षन (चिरयिन्कील)
 कुम्भार, श्री बनमाली (सम्बलपुर—रक्षित—अनुसूचित जातियां)
 कुम्भाराम, श्री (राजस्थान)
 कुरील 'तालिब', श्री प्यारे लाल (उत्तर प्रदेश)
 कुरील, श्री बैजनाथ (रायबरेली—रक्षित—अनुसूचित जातियां)
 कुरें, श्री दयाल दास (मध्य प्रदेश)
 कुलकर्णी, श्री जी० आर० (महाराष्ट्र)
 कृपास्नानी, आचार्य (सीतामढ़ी)
 कृष्ण, श्री मं० रं० (करीमनगर—रक्षित—अनुसूचित जातियां)
 कृष्ण चन्द्र, श्री (जनेसर)
 कृष्णप्पा, श्री मो० वें० (कृषि उपमंत्री)
 कृष्णभाषारी, श्री ति० त० (मद्रास दक्षिण)
 कृष्णराव, श्री मं० वें० (मसुलीपट्टनम)
 कृष्णस्वामी, डा० (चिगलपट)
 कृष्णप्पा, श्री दू० बलराम (गुडिवाडा)
 कृष्णा कुमारी, श्रीमती (मध्य प्रदेश)
 केदरिया, श्री छगनलाल म० (मांडवी—रक्षित—अनुसूचित आदिम जातियां)
 केशव, श्री न० (बंगलौर नगर)
 केसकर, डा० बा० बि० (सूचना और प्रसारण मंत्री)
 केसर कुमारी देवी, श्रीमती (रायपुर—रक्षित—अनुसूचित जातियां)
 केशवानंद, स्वामी (राजस्थान)
 कोडियान, श्री (क्विलोन—रक्षित—अनुसूचित जातियां)
 कोरटकर, श्री विनायकराव (हैदराबाद)
 कोट्टुकम्पस्ली, श्री जाजं थामस (मवान्तु पुजा)
 कौशल, श्री जे० एन० (पंजाब)

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- खन्ना, श्री मेहर चन्द (पुनर्वास तथा अल्पसंख्यक कार्य मंत्री)
 खां, श्री उस्मान अली (कुरनूल)
 खां, श्री शाहनवाज (रेलवे उपमंत्री)
 खां, श्री सादत अली (वैदेशिक कार्य मंत्री के सभा-सचिव)

(ख—कमरा)

- लाडिलकर, श्री २० के० (अहमदनगर)
 लादीवाला, श्री कन्हैयालाल (इन्दौर)
 खान, श्री अकबर अली (आंध्र प्रदेश)
 खान, श्री पीर मुहम्मद (जम्मू और काश्मीर)
 खोमजी, श्री मेवनजी अ० (कच्छ)
 खुवाबखश, श्री मुहम्मद (मुशिदाबाद)
 ख्वाजा, श्री जमाल (अलीगढ़)
 खोबरागढ़े, श्री बी० डी० (महाराष्ट्र)

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- गंगा बेबी, श्रीमती (उन्नाव—रक्षित—अनुसूचित जातियां)
 गणपति, श्री (तिरुचिन्द्रूर)
 गणपति राम, श्री (जौनपुर—रक्षित—अनुसूचित जातियां)
 गांधी, श्री माणिकलाल मगनलाल (पंच महल)
 गायकबाड़, श्री भाऊराव कृष्णराव (नासिक)
 गायकबाड़, श्री फतेहसिंह राव प्रताप सिंह राव (प्रतिरक्षा मंत्री के सभा-सचिव)
 गिल्बर्ट, श्री ए० सी (उत्तर प्रदेश)
 गुप्त, श्री इन्द्रजीत (कलकत्ता—दक्षिण पश्चिम)
 गुप्त, श्री छेदालाल (हरदोई)
 गुप्त, श्री भूपेश (पश्चिमी बंगाल)
 गुप्त, श्री मैथिलीशरण (नाम निर्देशित)
 गुप्त, श्री राम कृष्ण (महेन्द्रगढ़)
 गुप्त, श्री साधन (कलकत्ता—पूर्व)
 गुप्ता, श्री रामगोपाल (उत्तर प्रदेश)
 गुक्लेव, श्री (मध्य प्रदेश)
 गुहपाव स्वामी, श्री एम० एस० (मैसूर)
 गुह, श्री धरूण चन्द्र (बारसाट)
 गोबसोरा, श्री शम्भु चरण (सिंहभूम—रक्षित—अनुसूचित जातियां)
 गोपालकृष्णन्, श्री धार० (मद्रास)
 गोपालन, श्री अ० क० (कासरगोड)
 गोरे, श्री नारायण गणेश (पूना)
 गोविन्द दास, सेठ (जबलपुर)
 गोहोकर, डा० देबराव यशवन्तराव (यवतमाल)
 गौडर, श्री धनमुष (तिडीवनम)

(ग—क्रमशः)

गौडर, श्री दुरायस्वामी (तिरुपत्तर)
गौडर, श्री क० पेरियास्वामी (करूर)
गौड, डा० राज बहादुर (झांझ प्रदेश)
गीतम, श्री (दवालाघाट)

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घोडासर, श्री फतेहसिंह जी (कैरा)
घोष, श्री अनुल्य (भासनसोल)
घोष, श्री विमल कुमार (बैरकपुर)
घोष, श्री नलिनी रंजन (कूच बिहार)
घोष, श्री महेन्द्रकुमार (जमशेदपुर)
घोष, श्री सुधीर (पश्चिमी बंगाल)
घोष, श्री सुबिमन, (बर्दवान)
घोष, श्री सुरेन्द्र मोहन (पश्चिमी बंगाल)
घोषाल, श्री अरविन्द (उलुबेरिया)

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चक्रधर, श्री ए० (झांझ प्रदेश)
चक्रवर्ती, श्रीमती रेणु (बसिरहाट)
चटर्जी, श्री योगेश चन्द्र (उत्तर प्रदेश)
चतुर्बेदी, श्री बनारसी दास (मध्य प्रदेश)
चतुर्बेदी, श्री रोहनलाल (एटा)
चन्दा श्री, अनिल कु० (निर्माण, आवास और संभरण उपमंत्री)
चन्द्रसांकर, श्री (भड़ोच)
चन्द्रामणि कालो, श्री (मुन्दरगढ़—अरक्षित—अनुसूचित आदिम जातियां)
चन्द्रावती लक्ष्मणपाल, श्रीमती (उत्तर प्रदेश)
चमन लाल, दिवान (पंजाब)
चाकन, श्री दा० रा० (कराह)
चाहक, श्री बी० ल० (चिन्दवाड़ा)
चावडा, श्री के० एस० (गुजरात)
चावडा, श्री अकबर भाई (बनर्कठा)
चिनार्ई, श्री बाबूभाई (महाराष्ट्र)
चुनीलाल, श्री (अन्नाला—रक्षित—अनुसूचित जातियां)

(ब—क्रमशः)

- चेट्टियार, श्री टि० एम० अविनाशिलगम (मद्रास)
चेट्टियार, श्री रामनाथन् (पुदुकोट्टे)
चौबरी, श्री चन्द्रामणि बाल (हाजीपुर—रक्षित—अनुसूचित जातिया)
चौबरी, श्री त्रिदिब कुमार (बरहामपुर)
चौबरी, श्री मु० चं० (दुमका)
चौहान, श्री नवाब सिंह (उत्तर प्रदेश)

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- जगजीवन राम, श्री (रेलवे मंत्री)
जयपाल सिंह, श्री (रांची पश्चिम—रक्षित—अनुसूचित आदिम जातियां)
जसबन्त सिंह, श्री (राजस्थान)
जहानारा जयपाल सिंह, श्रीमती (बिहार)
जांगड़े, श्री रेशम लाल (बिलासपुर)
जाधव, श्री यादव नारायण (मालेगांव)
जान, श्री माइकल (बिहार)
जीनचन्द्रन, श्री (टेल्लीचेरी)
जी० पार्थसारथी, श्रीमती (मद्रास)
जुगल किशोर, श्री (पंजाब)
जैधे, श्री गुनाब राव केशव राव (बारामती)
जेना, श्री कान्हूवरण (गानामोर—रक्षित—अनुसूचित जातियां)
जैन, श्री अजित प्रसाद (महारत्नपुर)
जैन, श्री मूल चन्द (कैथल)
जैरामदास बोलतराम, श्री (नाम-निर्देशित)
जोगेन्द्रसिंह, सरदार (बहराइच)
जोगेन्द्र सेन, श्री (मंडी)
जोशी, श्री आनन्द चन्द्र (सूचना और प्रसारण मंत्री के सभा-सचिव)
जोशी, श्री जेठा लाल हरिकृष्ण (गुजरात)
जोशी, श्री लीलाधर (शाजापुर)
जोशी, श्रीमती सुभद्रा (अम्बाला)
ज्योतिषी, पंडित ज्वाला प्रसाद (सांगर)

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- झुनाझुनवाला, श्री बनरारसी प्रसाद (भागलपुर)
झूमन सिंह, श्री (सीकन)

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टाटिया, श्री रामेश्वर (सीकर)

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ठाकुर, श्री मोतीसिंह बहादुर सिंह (पाटन)

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डांगे, श्रीपाद अमृत (बम्बई नगर—मध्य)

डामर, श्री अमर सिंह (झाबुआ—रक्षित—अनुसूचित आदिम जातियां)

डिम्बोड, श्री जाल्जीभाई कोयाभाई (दोहद—रक्षित—अनुसूचित आदिम जातियां)

डे, श्री सुरेन्द्र कुमार (सामुदायिक विकास तथा सहकार मंत्री)

त

तंगामचि, श्री (मदुरै)

तजम्मूल हुसैन, श्री (बिहार)

तन्बा, पंडित श्याम सुन्दर नारायण (उत्तर प्रदेश)

तारा चन्ब, डा० (नाम निर्देशित)

तारिक, श्री अनी मोहम्मद (जम्मू तथा काश्मीर)

ताहिर, श्री मुहम्मद (किशनगंज)

तिम्मव्या, श्री डोडा (कोलार—रक्षित—अनुसूचित जातियां)

तिवारी, पंडित द्वारिका नाथ (केसरिया)

तिवारी, पंडित बाबूलाल (निमाड—खंडवा)

तिवारी, श्री द्वारिका नाथ (कचार)

तिवारी, श्री राम सहाय (खजुराहो)

तुम्पतीवार, श्री मा० दा० (महाराष्ट्र)

तुलाराम, श्री (इटावा—रक्षित—अनुसूचित जातियां)

तेवर, श्री उ० मधुरमणि (श्री विल्डीपुत्तूर)

तंयबुल्ला, मौलाना एम० (आसाम)

त्यागी, श्री महावीर (देहरादून)

त्रिपाठी, श्री हीरा वल्लभ (उत्तर प्रदेश)

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थामस, श्री प्र० म० (साद्य तथा कृषि उपमंत्री)

थामस, डा० पी० जे० (केरल)

- दत्त, श्री कृष्ण (जम्मू और काश्मीर)
 दत्ते, श्री रोहित (गुजरात)
 दलजीत सिंह, श्री (कांगडा-रक्षित—अनुसूचित जातियां)
 दातार, श्री ब० र० (गृह-कार्य मंत्रालय में राज्य मंत्री)
 दासानी, श्री सू० र० (जालोर)
 दास, श्री एन० के० (उड़ीसा)
 दास, श्री कमल कृष्ण (बीरभूम-रक्षित—अनुसूचित जातियां)
 दास, श्री नयन तारा (मृगेर-रक्षित—अनुसूचित जातियां)
 दास, डा० मन मोहन (वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री)
 दास, श्री विश्वनाथ (उड़ीसा)
 दासगुप्त, श्री विभूति भूषण (पुरुलिया)
 दासप्या, श्री (बगलौर)
 दिने, श्री शंकरराव खंडेराव (कोल्हापुर-रक्षित—अनुसूचित जातियां)
 दिनेश सिंह श्री (बांदा)
 द्विवेदी, श्री बैरागी (उड़ीसा)
 दुग्ड, श्री राजपत सिंह (पश्चिमी बंगाल)
 दुबे, श्री मूलचन्द (फर्रुखाबाद)
 दुबालिवा, श्री विष्णुशरण (सरघना)
 देव, श्री एस० सी० (आसाम)
 देव, श्री दशरथ (त्रिपुरा)
 देव, श्री नरसिंह मल्ल (मिदनापुर)
 देव, श्री प्र० गं० देव (अंगुल)
 देव, श्री प्रताप केसरी (कालाहांडी)
 देवकीनन्दन नारायण, श्री (महाराष्ट्र)
 देवगिरीकर, श्री त्र्यं० र० (महाराष्ट्र)
 देशमुख, डा० पंजाबराव शा० (कृषि मंत्री)
 देशमुख, श्री रामाराव माधवराव (महाराष्ट्र)
 • देशमुख, श्री कृ० गु० (रामटेक)
 देसाई, श्री खंडूभाई कसनजी (गुजरात)
 देसाई, श्री जनार्दन राव (मैसूर)

(ब-कमलः)

- बेसाई, श्री दाजीबा बलवन्तराव (महाराष्ट्र)
बेसाई, श्री मोरारजी (वित्त मंत्री)
बेसाई, श्री सुरेश ग० (गुजरात)
बोरा, श्री दि० स० (पावंतीपुरम)
बोहड़, श्री शिवदीन (हरदोई-रमित-अनुसूचित जातियां)
बोलता, श्री प्रताप सिंह (झज्जर)
द्विवेदी, श्री म० ला० (हमीरपुर)
द्विवेदी, श्री सुरेन्द्र नाथ (केन्द्रपाड़ा)

व

- बनगर, श्री बन्वी दास (मैनपुरी)
बनब्रकाश, डा० (उत्तर प्रदेश)
बनब्रकाश, श्री (थिरुबनामलाई)

न

- नंजप्प, श्री (नीलगिरी)
नंजुंबय्या, श्री वी० सी० (मैसूर)
नक्कीसुल हसन, श्री (उत्तर प्रदेश)
नचबानी, श्री नरेन्द्रभाई (सोरठ)
नन्दा, श्री गुलजारी लाल (श्रम और रोजगार तथा योजना मंत्री)
नरसिंहन्, श्री च० र० (कुप्पगिरि)
नरसिंहम्, श्री के० एल० (भ्रांघ्र प्रदेश)
नरेन्द्र कुमार, श्री (नागौर)
नलदुर्गकर, श्री वैकटराव श्रीनिवास राव (उस्मानाबाद)
नत्साकोषा, श्री कोविलाट (नामनिर्देशित-लक्कादीव, मिनिकाय और अमीन दीबी द्वीप)
नत्साम्बुत्त रामामूर्त्ती, श्रीमती टी० (मद्रास)
नागपुरे, श्री वी० टी० (महाराष्ट्र)
नाथपाई, श्री (राजापुर)
नाथर, श्री शानुलिगम्, (नागरकोईल)
नाथक, श्री महेश्वर (उड़ीसा)
नाथक, श्री मोहन (गंजम-रमित-अनुसूचित जातियां)

- नाथरू, श्री गोविन्द राजू (तिरुवल्लूर)
 नाथरू, श्री मुत्तुकुमारसामी (कडलूर)
 नाथर, श्री कुट्टिकृष्णन् (कोजीकोडे)
 नाथर, श्री के० पी० माधवन (केरल)
 नाथर, श्री गोविन्दन (केरल)
 नाथर, श्री च० कृष्णन् (बाह्य दिल्ली)
 नाथर, श्री वें० प० (क्विलोन)
 नाथर, श्री बामुदेवन (तिरुवल्ला)
 नाथर, डा० सुशीला (झांसी)
 नारस, श्री वेंकटेश्वर राव (आंध्र प्रदेश)
 नारायणबोन, श्री (शाहजहांपुर—रक्षित—अनुसूचित जातियां)
 नारायणस्वामी, श्री (परियाकुलम्)
 नास्कर, श्री पूर्णन्दु शेखर (पुनर्वास उप मंत्री)
 नेकी राम, श्री (पज, ब)
 नेगी, श्री नेकराम (महासू—रक्षित—अनुसूचित जातियां)
 नेसबी, श्री ति० ह० (घारवाड़—रक्षित)
 नेहरू, श्री जवाहरलाल (प्रधान मंत्री तथा वैदेशिक कार्य मंत्री)
 नेहरू, श्रीमती उमा (सीतापुर)

प

- पंजहचारी, सरदार रघुबीर सिंह (पंजाब)
 पटनायक, श्री उमाचरण (गंजम)
 पटेल, श्री डाह्या भाई व० (गुजरात)
 पटेल, श्री नानूभाई निच्छाभाई (बलसार—रक्षित—अनुसूचित आदिम जातियां)
 पटेल, श्री पुरुषोत्तम दास र० (मेहसाना)
 पटेल, श्री मगन भाई एस० (गुजरात)
 पटेल, श्री राजेश्वर (हाजीपुर)
 पटेल, सुश्री मणिबेन बल्लभभाई (मानन्द)
 पटेल, श्री हरिहर (उड़ीसा)
 पट्टनायक, श्री दिवाकर (उड़ीसा) *
 पट्टाभिरामन्, श्री वें० रा० (कुम्बकोणम्)
 पट्टाभिरामन्, श्री टी० एस० (मद्रास)
 पञ्चकर, श्री के० एम० (नाम निर्दिष्ट)

(प—क्रमशः)

- वधहेष, श्री (चम्बा)
 पन्नालाल, श्री (फँजाबाद—रक्षित—अनुसूचित जातियां)
 परमार, श्री करसन दास उ० (अहमदाबाद—रक्षित—अनुसूचित जातियां)
 परमार, श्री दीनबन्धु, (उदयपुर—रक्षित—अनुसूचित आदिम जातियां)
 परमेश्वरन्, श्री बी० (मद्रास)
 पद्मकर, श्री शामराव विष्णु (धाना)
 पलनिघाण्टी, श्री (पैराम्बूर)
 पवार, श्री घमंशील राव (महाराष्ट्र)
 पहाड़िया,, श्री जगन्नाथ प्रसाद (सवाई माधोपुर—रक्षित—अनुसूचित जातियां)
 पांगरकर, श्री नागराव क० (परभणी)
 पांडे, श्री काशीनाथ (हात)
 पांडे, श्री ब० द० (नैनीताल)
 पांडे, श्री तारकेश्वर (उत्तर प्रदेश)
 पाटिल, श्री उत्तम राव ल० (धूलिया)
 पाटिल, श्री तु० शं० (आकोला)
 पाटिल, श्री नान (सतारा)
 पाटिल, श्री बाला साहेब (मिराज)
 पाटिल, श्री र० ढो० (भीर)
 पाटिल, श्री विनायक राव पांडुरंग (महाराष्ट्र)
 पाटिल, श्री स० का० (स्नाद्य तथा कृषि मंत्री)
 पाटिल, श्री सोनूसिंह, धनसिंह (महाराष्ट्र)
 पाठक, श्री जी० एस० (उत्तर प्रदेश)
 पाणिग्रही, श्री चिन्तामणि (पुरी)
 पाण्डेय, श्री सरजू (रसरा)
 पावंती कुण्डन्, श्रीमती (कोयम्बटूर)
 पालचौधरी, श्रीमती इला (नवद्वीप)
 पालीवाल, श्री टीकाराम (राजस्थान)
 पिल्ले, श्री एन्थनी (मद्रास उत्तर)
 पिल्ले, श्री पे० ति० थानु (तिरुनेलवेली)
 पुन्नस, श्री (अम्बल पुजा)
 पुन्नया, श्री कोटा (आंध्र प्रदेश)
 पुष्पलता दास, श्रीमती (आसाम)
 पेंडसे, श्री लाल जी (महाराष्ट्र)

(प—क्रमशः)

शोकर साहेब, श्री (मंजेरी)

प्रधान, श्री विजय चन्द्रसिंह (कालाहांडी—रक्षित—अनुसूचित आदिम जातियां)

प्रभाकर, श्री नवल (बाह्य दिल्ली—रक्षित—अनुसूचित जातियां)

फ

फेरुमन सरदार दर्शन सिंह (पंजाब)

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बंशीलाल, श्री (पंजाब)

बन्नाज, श्री कमलनयन (वर्धा)

बदन सिंह, चौ० (बिसौली)

बनर्जी, डा० रामगोति (बांकुरा)

बनर्जी, श्री ताराशंकर (नाम-निर्देशित)

बनर्जी, श्री पुनिल बिहारी (लखनऊ)

बनर्जी, श्री प्रमथ नाथ (कृष्णाई)

बनर्जी, श्री सत्येन्द्र मोहन (कानपुर)

बलभ्रा, श्री प्रफुल चन्द्र (शिवसागर)

बलभ्रा, श्री लीलाधर (आसाम)

बलभ्रा, श्री हेम (गोहाटी)

बर्मान श्री उपेन्द्र नाथ (कूच बिहार—रक्षित—अनुसूचित जातियां)

बलदेव सिंह, सरदार (होशियारपुर)

बसन्तपुनैया, श्री एम० (आंध्र प्रदेश)

बसु, श्री सन्तोष कुमार (पश्चिमी बंगाल)

बसुभतारी, श्री घरनीधर (ग्वालपाड़ा—रक्षित—अनुसूचित आदिम जातियां)

बहादुर सिंह, श्री (लुधियाना—रक्षित—अनुसूचित जातियां)

बांगशी ठाकुर, श्री (त्रिपुरा—रक्षित—अनुसूचित जातियां)

बाकलीवाल, श्री मोहनलाल (दुर्ग)

बाबूनाराय सिंह, श्री (सरगुजा—रक्षित—अनुसूचित जातियां)

बारूपाल, श्री पद्मा लाल (बीकानेर—रक्षित—अनुसूचित जातियां)

बालिगे, डा० डब्ल्यू० एस० (महाराष्ट्र)

बालकृष्णन्, श्री स० चि० (डिंडीगल—रक्षित—अनुसूचित जातियां)

बालमीकि, श्री कन्हैयालाल (बुलन्दशहर—रक्षित—अनुसूचित जातियां)

बासप्पा, श्री चि० र० (तिपनुर)

बिदरी, श्री रामप्पा बालप्पा (बीजापुर—दक्षिण)

(ब—कवशः)

- बिष्ट, श्री जंगबहादुर सिंह (भल्मोड़ा)
 बिष्ट, श्री जशीद सिंह (उत्तर प्रदेश)
 बीरबल सिंह, श्री (जौनपुर)
 बेक, श्री इग्नेस (लोहरदगा—रक्षित—अनुसूचित जातियां)
 बबवती बरबोहाई, श्रीमती (झासाम)
 बेरो, श्री (नामनिर्देशित—आंग्ल-भारतीय)
 बजराम सिंह, श्री (फिरोजाबाद)
 'बबेश', पंडित ब्रज नारायण (शिवपुरी)
 बबेश्वर प्रसाद, श्री (गया)
 बहा प्रकाश, श्री० (दिल्ली सदर)

भ

- भंजदेव, श्री लक्ष्मी नारायण (क्योंभर)
 भक्त बर्जन, श्री (गढ़वाल)
 भगत, श्री ब० रा० (वित्त उपमंत्री)
 भगवती, श्री बि० (दर्रांग)
 भटकर, श्री लक्ष्मण रावजी श्रवन जी (भकोला—रक्षित—अनुसूचित जातियां)
 भट्टाचार्य, श्री चपलकांत (पश्चिम दीनाजपुर)
 भदौरिया, श्री भर्जुन सिंह (इटावा)
 भदवा, श्री नौशीर (पूर्व खानदेश)
 भवानी प्रसाद, श्री (सीतापुर—रक्षित—अनुसूचित जातियां)
 भर्गव, पंडित ठाकुर दास (हिसार)
 भर्गव, पंडित मुकुट बिहारी लाल (अजमेर)
 भर्गव, श्री भगवत नारायण (उत्तर प्रदेश)
 भर्गव, श्री महावीर प्रसाद (उत्तर प्रदेश)
 भारती, श्रीमती के० (केरल)
 भोगबी भाई, श्री (बांसवाड़ा—रक्षित—अनुसूचित जातियां)

भ

- भंजला देवी, श्रीमती (ग्वालपाड़ा)
 भंडल, डा० पशुपति (बांकुरा—रक्षित—अनुसूचित जातियां)

- मंडल, श्री जियालाल (खगरिया)
- मन्नहर इमाम, सैयद (बिहार)
- मजीठिया, सरदार सुरजीत सिंह (प्रतिरक्षा उप मंत्री)
- मणि, श्री ए० डी० (मध्य प्रदेश)
- मजियंगगाहन, श्री मैत्यु (कोट्टयम)
- मतीन, काजी (गिरडीह)
- मतारा, श्री लक्ष्मण महादु (थाना—रक्षित—अनुसूचित आदिम जातियां)
- मनायन, श्री (दार्जिलिंग)
- मफीदा अहमद, श्रीमती (जोरहाट)
- मलिक, श्री धीरेन्द्र चन्द्र (घनबाद)
- मलिक, श्री वैष्णव चरण (केन्द्रपाड़ा—रक्षित—अनुसूचित जातियां)
- मल्कानी, श्री ना० २० (नाम निर्देशित)
- मल्लम्या, श्री उ० श्रीनिवास (उदीपी)
- मल्होत्रा, श्री इन्द्रजीत लाल (जम्मू तथा काश्मीर)
- मसानी, श्री मी० ६० (रांची—पूर्व)
- मसुरिया बीन, श्री (अफूलपुर—रक्षित—अनुसूचित जातियां)
- महन्ती, श्री मुरेन्द्र (ढेंकानाल)
- महागांधकर, श्री भाऊसाहेब रावसाहेब (कोल्हापुर)
- महादेव प्रसाद, श्री (गोरखपुर—रक्षित—अनुसूचित जातियां)
- महापात्र, श्री भागीरथी (उड़ीसा)
- महेन्द्र प्रताप, राजा (मथुरा)
- महेश शरण, श्री (बिहार)
- माईति, श्री नि० वि० (घाटल)
- माझी, श्री रामचन्द्र (मयूरभंज—रक्षित—अनुसूचित आदिम जातियां)
- माधुर, श्री हरिश्चन्द्र (पाली)
- माने, श्री गो० का० (बम्बई नगर मध्य—रक्षित—अनुसूचित जातियां)
- माथादेवी छेत्री, श्रीमती (पश्चिमी बंगाल)
- मालवीय, पंडित गोविन्द (मुल्तानपुर)
- मालवीय, श्री कन्हैयालाल भेरूलाल (शाजापुर—रक्षित—अनुसूचित जातियां)
- मालवीय, श्री केशव देव (खान गौर तेल मंत्री)
- मालवीय, श्री मोतीलाल (खजुराहो—रक्षित—अनुसूचित जातियां)
- मालवीय, श्री रतनलाल किशोरीलाल (मध्य प्रदेश)
- मित्र श्री प्रतुल चन्द्र (बिहार)

- विनिमता भगवन्दास गुरु, श्रीमती (बलोदा बाजार—रक्षित—अनुसूचित जातियां)
- विश्व, श्री एस० डी० (सामुदायिक विकास तथा सहकार मंत्री के समासचिव)
- विश्व, श्री भगवानदीन (केसरगंज)
- विश्व, श्री विबुधेन्द्र (उड़ीसा)
- विश्व, श्री मधुरा प्रसाद (बेगूसराय)
- विश्व, श्री रघुबर दयाल (बुलन्दशहर)
- विश्व, श्री राजा राम (फैजाबाद)
- विश्व, श्री ललित नारायण (श्रम और रोजगार तथा योजना उप-मंत्री)
- विश्व, श्री लोक नाथ (उड़ीसा)
- विश्व, श्री विभूति (बगहा)
- विश्व, श्री श्याम नन्दन (योजना उप-मंत्री)
- मुकर्जी, श्री हीरेन्द्र नाथ (कलकत्ता—मध्य)
- मुत्तुकृष्णन्, श्री म० (बल्लोर—रक्षित—अनुसूचित जातियां)
- मुबलियार, डा० ए० आर० (मद्रास)
- मुनिस्वामी, श्री न० रा० (बैल्लोर)
- मुबन्, श्री पाइका (राजमहल—रक्षित—अनुसूचित आदिम जातियां)
- मुरारका, श्री राधेश्याम रामकुमार (झुझनू)
- मुसाफिर, जानी गुरमुख सिंह (अमृतसर)
- मुहम्मद अकबर, गेख (जम्मू तथा काश्मीर)
- मुहम्मद इब्राहीम, हाफिज (सिचाई और विद्युत मंत्री)
- मुहम्मद इमाम, श्री (खितलदुर्ग)
- मुहीउद्दीन, श्री (असैनिक उद्घयन उप-मंत्री)
- मुत्ति, श्री व० सू० (सामुदायिक विकास तथा संस्कार उप-मंत्री)
- मूति, श्री प्रि० सू० (गोलुगोंडा)
- मेनन, डा० क० व० (बहागरा)
- मेनन, श्री के० माधव (केरल)
- मेनन, श्री नारायणन् कुट्टि (मुकुन्दपुरम)
- मेनन, श्री वें० कृ० कृष्ण (प्रतिरक्षा मंत्री)
- मेल्कोटे, डा० (रायचूर)
- मेहता, श्री अमोक (मुजफ्फरपुर)
- मेहता, श्री एम० एम० (गुजरात)
- मेहता, श्रीमती कृष्णा, (जम्मू तथा काश्मीर)
- मेहता, श्री जसवन्त राज (जोधपुर)

(ब—कमराः)

मेहता, श्री बलवन्त राय गोपालजी (गोहिलवाड)
मेहता, श्री सै० अहमद (रामपुर)
अंधेय, श्री जोजफ (केरल)
बोबी, श्री जे० के० (गुजरात)
बोरे, श्री ज० घ० (धोलापुर)
बोहनस्वरूप, श्री (पीलीभीत)
बोहन्यद धरणी, श्री (मध्य प्रदेश)
बोहीबीन, श्री गुलाम (डिंडीगल)

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बक्रोबा, रेड्डी, श्रीमती (आंध्र प्रदेश)
बाजी, श्री शीलभद्र (बिहार)
बाबिक, श्री इन्दुलाल कन्हैयालाल (अहमदाबाद)
बाबच, श्री राम सेवक (बाराबंकी)

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रंगा, श्री (तेनाली)
रंजाराव, श्री (करीम नगर)
रघुनाथ सिंह जी, श्री (बाड़मेर)
रघुनाथ सिंह, श्री (वाराणसी)
रघुबीर सहाय, श्री (बदायँ)
रघुदासबा, श्री कोता (प्रतिरक्षा उप-मंत्री)
रघुबीर, आचार्य (गुजरात)
रघुबीर सिंह, चौ० (रोहतक)
रघु, श्री अभिमन्यु (उड़ीसा)
रघुमान, श्री सु० द्विफजुर (अमरोहा)
राउत, श्री भोला (अम्पारन—रक्षित—अनुसूचित जातिवां)
राउत, श्री राजा राम बाल कृष्ण (कोलुवाबा)
राजगोपालन, श्री जी० (मद्रास)
राज बहादुर, श्री (परिवहन तथा संचार मंत्रालय के राज्य-मंत्री)
राजभोज, श्री पा० ना० (महाराष्ट्र)
राज, श्री द० स० (राजामुंद्री)
राजेश प्रताप सिंह, श्री (राय बरेली)

- राजेन्द्र सिंह, श्री (छपरा)
 राज्य लक्ष्मी, श्रीमती ललिता (हजारीबाग)
 राधा मोहन सिंह, श्री (बलिया)
 राधा रमण, श्री (चांदनी चौक)
 राने, श्री शिवराम रंगो (बुलडाना)
 रामकृष्णन्, श्री पी० रा० (पोल्लाची)
 राममरीच, श्री (बस्ती—रक्षित—अनुसूचित जातियां)
 रामधनोबास, श्री (नवादा—रक्षित—अनुसूचित जातियां)
 रामपुरे, श्री महादेवप्पा (गुलबर्गा)
 रामभ, श्री उदाराजू (नरसापुर)
 राम सहाय, श्री (मध्य प्रदेश)
 राम सुभग सिंह, डा० (सहसराम)
 रामस्वामी, श्री क० स० (गोबी चट्टिपलयम्)
 रामस्वामी, श्री पु० (महबूबनगर—रक्षित—अनुसूचित जातियां)
 रामस्वामी, श्री सैं० वें० (रेलवे उपमंत्री)
 रामशंकर लाल, श्री (डुलरियागंज)
 राम शरण, श्री (मुरादाबाद)
 रामानन्द तीर्थ, स्वामी (झीरंगाबाद)
 रामान्वर्ती, श्री पी० (मद्रास)
 रामौल, श्री शिवानन्द (महासू)
 राय, डा० नीहार रंजन (पश्चिमी बंगाल)
 राय, श्री सुशक्त (खेरी)
 राय, श्री बीरेन (पश्चिमी बंगाल)
 राय, श्रीमती रेणुका (मालदा)
 राय, श्री विश्वनाथ (सलेमपुर)
 राय, श्री सत्सेन्द्रो प्रसाद (पश्चिमी बंगाल)
 राय, श्रीमती सहोदरा बाई (सामर—रक्षित—अनुसूचित जातियां)
 राव, श्री इ० मधुसूदन (महबूबाबाद)
 राव, श्री एस० बी० कृष्णमूर्ति (मैसूर)
 राव, डा० के० एल० नरसिम्ह (प्रांश्र प्रदेश)
 राव, श्री डी० रामानुज (प्रांश्र प्रदेश)
 राव, श्री त० ब० विट्टल (सम्भम)

- राव, श्री तिरुमल (काकिनाडा)
 राव, श्री देवुलपल्ली वेंकटेश्वर (नलगोंडा)
 राव, श्री रा० जगन्नाथ (कोरापट)
 राव, श्री वी० राजगोपाल (श्रीकाकुलम्)
 राव, श्री रामेश्वर (महबूबनगर)
 राव, श्री वी० सी० केशव (आन्ध्र प्रदेश)
 राव, श्री हनुमन्त (मेदक)
 रंगसुंग सुइसा, श्री (बाह्य मनीपुर—रक्षित—अनुसूचित आदिम जातियां)
 रक्षमणीबाई, श्रीमती (मध्य प्रदेश)
 रक्षिणी अरंडेल, श्रीमती (नाम-निर्देशित)
 रूप नारायण, श्री (मिर्जापुर—रक्षित—अनुसूचित जातियां)
 रेड्डी, श्री ए० बलरामि (आंध्र प्रदेश)
 रेड्डी, श्री एन० श्रीराम (मैसूर)
 रेड्डी, श्री एस० चन्ना (आंध्र प्रदेश)
 रेड्डी, श्री क० च० (वाणिज्य तथा उद्योग मंत्री)
 रेड्डी, श्री जे० सी० नागी (आंध्र प्रदेश)
 रेड्डी, श्री नागी (अनन्तपुर)
 रेड्डी, श्री बाली (भरकापुर)
 रेड्डी, डा० वी० गोपाला (निर्माण, आवास और सभरण मंत्री)
 रेड्डी, श्री मुल्क गोविन्द (मैसूर)
 रेड्डी, श्री मुल्लिंग गोविन्द (मैसूर)
 रेड्डी, श्री राम कृष्ण (हिन्दूपुर)
 रेंड्डी, श्री रामी (कड़पा)
 रेड्डी, श्री रे० लक्ष्मी नरसा (नेल्लोर)
 रेड्डी, श्री रो० नरपा (आंगोल)
 रेड्डी, श्री विश्वनाथ (राजमपेट)

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- सक्षमण सिंह, श्री (नामनिर्देशित—अन्यमान तथा निकोबार द्वीप समूह)
 सक्ष्मी एन० मेनन, श्रीमती (वैदेशिक-कार्य उप-मंत्री)
 सक्ष्मीबाई, श्रीमती (विकाराबाद)
 सख्छीराम, श्री (हमीरपुर—रक्षित—अनुसूचित जातियां)
 साल, प्रो० मुकुट बिहारी (उत्तर प्रदेश)

क—(कर्मणः)

भास्कर, श्री निवारण चन्द्र (कृष्णार—रक्षित—अनुसूचित जातियां)
 भाहिरी, श्री जितेन्द्र नाथ (श्रीरामपुर)
 भिन्न, श्री एन० एम० (भद्रास)
 भिमबे, श्री श्रीपाद कृष्ण (महाराष्ट्र)
 भीला बेबी, श्रीमती (हिमाचल प्रदेश)
 सोनीकट, श्री रा० ना० यादव (बालना)
 सोहानी, श्री भाई० टी० (गुजरात)

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बरेरकर, श्री भानुवराम विठ्ठल (मामा) (नाम-निर्देशित)
 बर्मा, श्री बि० बि० (चम्पारन)
 बर्मा, श्री माणिक्यलाल (उदयपुर)
 बर्मा, श्री रामजी (देवरिया)
 बर्मा, श्री राम सिंह भाई (निमाड)
 बसु, डा० प्रतीन्द्रनाथ (पश्चिमी बंगाल)
 बाबुबेबी, श्री प्रदस बिहारी (बलरामपुर)
 बाडिया, प्रो० ए० धार० (नाम-निर्देशित)
 बाढीबा, श्री ना० (छिन्दवाड़ा—रक्षित—अनुसूचित जातियां)
 बायलेट अल्पा, श्रीमती (गृह-कार्य उपमंत्री)
 बारियर, श्री कृ० कि० (त्रिचूर)
 बाल्बी, श्री लक्ष्मण बेदू (पश्चिमी खानदेश—रक्षित—अनुसूचित प्रादिम जातियां)
 बालनिक, श्री बालकृष्ण (भंडारा—रक्षित—अनुसूचित जातियां)
 बिजय धानन्, डा० (विज्ञानापटनम्)
 बिजय राबे, कुवरानी (छतरा)
 बिजयबर्मा, श्री गोपीकृष्ण (मध्य प्रदेश)
 बिल्सन, श्री जान० न० (मिर्जापुर)
 बिजनाथ प्रसाद, श्री (भाजममड—रक्षित—अनुसूचित जातियां)
 बिजवास, श्री भोलानाथ (कटिहार)
 बीरेन्द्र बहादुर सिंह बी, श्री (रायपुर)
 बेंकटा सुब्बाया, श्री पेन्डेकान्ति (प्रडोनी)
 बेद कुमारी, कुमारी मो० (एलूरु)
 बेंकटरमण, श्री बी० (घांघ प्रदेश)
 बेंकटरामन्, श्री एस० (मद्रास)

बंराबन, श्री घ० (तंजीर)
 बोडयार, श्री क० गु० (सिमोगा)
 ब्यास, श्री जयनारायण (राजस्थान)
 ब्यास, श्री रमेश चन्द्र (मीलवाड़ा)
 ब्यास, श्री राबेजाल (उज्जैन)

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झंकर बेच, श्री (गुलबर्गा—रक्षित—अनुसूचित जातियां)
 झंकर पांडियन, श्री (टंकासी)
 झंकरभ्या, श्री (मैसूर)
 झकुन्तला देवी, श्रीमती (बंका)
 झर्वा, श्री एल० ललित माधव (मनीपुर)
 झर्वा, पंडित कृष्ण चन्द्र (हापुड)
 झर्वा, श्री दीवान चन्द्र (गुरदासपुर)
 झर्वा, श्री पूर्ण चन्द्र (आसाम)
 झर्वा, श्री माधोराम (पंजाब)
 झर्वा, श्री राधा चरण (ग्वालियर)
 झर्वा, श्री हरिचन्द्र (जयपुर)
 झाला बसिष्ठ, कुमारी (पंजाब)
 झारदा भार्गव, श्रीमती (राजस्थान)
 झास्त्री, श्री प्रकाशवीर (गुडगांव)
 झास्त्री, श्री लाल बहादुर (गृह-कार्य मंत्री)
 झास्त्री, पंडित ही० (सवाई माधोपुर)
 झास्त्री, स्वामी रामानन्द (बाराबांकी—रक्षित—अनुसूचित जातियां)
 झाह, श्री के० के० (महाराष्ट्र)
 झाह, श्री मनुभाई (उद्योग मंत्री)
 झाह, श्री मान्देन्द्र (टेहरी गढ़वाल)
 झाह, श्रीमती जयानेन बजुभाई (गिरनार)
 झिष, डा० गंगाधर (चिन्नूर—रक्षित—अनुसूचित जातियां)
 झिचनंझप्या, श्री (मंडया)
 झिचराज, श्री (चिगलपट—रक्षित—अनुसूचित जातियां)
 झुक्स, श्री विद्याचरण (बलोद बाजार)

- शेर्टी, श्री बासप्या (मैसूर)
 शेरर्णा, श्री (मैसूर)
 शेरबानी, श्री एम० आर० (उत्तर प्रदेश)
 शोभाराम, श्री (अलवर)
 श्रीनारायण बास, श्री (दरभंगा)
 श्रीनिवासन्, श्री टी० (मद्रास)
 श्रीमाली, डा० कालू लाल (शिक्षा मंत्री)

स

- संनञ्जा, श्री तो० (कोरापट—रक्षित—अनुसूचित आदिम जातियां)
 संतानम्, श्री के० (मद्रास)
 संबंदम्, श्री (नागपट्टिनम)
 सक्सेना, श्री मोहन लाल (नाम-निर्देशित)
 सक्सेना, श्री शिम्बन लाल (महाराजगंज—उत्तर प्रदेश)
 सक्सेना, श्री हर प्रसाद (उत्तर प्रदेश)
 सतीश चन्द्र, श्री (वाणिज्य तथा उद्योग उपमंत्री)
 सत्यनारायण, श्री एम० (नाम-निर्देशित)
 सत्य नारायण, श्री बिहिका (पार्वतीपुरम्—रक्षित—अनुसूचित आदिम जातियां)
 सत्यभामा बेबी, श्रीमती (नवादा)
 सत्याचरण, प्रो० (उत्तर प्रदेश)
 सद्गु, श्री प्रकाश नारायण (उत्तर प्रदेश)
 सम्पत्, श्री (नामककल)
 सरदार, श्री मोली (सहरसा—रक्षित—अनुसूचित जातियां)
 सरबटे, श्री विष्णु विनायक (मध्य प्रदेश)
 सरहबी, श्री अजित सिंह (मुधियाना)
 सह्याल, सरदार धमरसिंह (जंजीर)
 साबिक अली, श्री (राजस्थान)
 साबूराम, श्री (जालन्धर—रक्षित—अनुसूचित जातियां)
 सामन्त, श्री सतीश चन्द्र (तामलुक)
 सामन्त-सिंहार, डा० न० च० (भुवनेश्वर)
 साम्बुबेल, श्री मृदुमाला हेनरी (आंध्र प्रदेश)
 सामक, श्री बालासाहेब (खेड़)

- सावनेकर, श्री बाबा साहेब (महाराष्ट्र)
 सावित्री निगम, श्रीमती (उत्तर प्रदेश)
 साहू, श्री भगवत (बालासोर)
 साहू, श्री रामेश्वर (दरभंगा—रक्षित—अनुसूचित जातियां)
 सिंह, राजा अजित प्रताप (उत्तर प्रदेश)
 सिंह, श्री भवधेश्वर प्रसाद (बिहार)
 सिंह, श्री क० ना० (शहडोल—रक्षित—अनुसूचित आदिम जातियां)
 सिंह, श्री कामता (बिहार)
 सिंह, श्री कामेश्वर (बिहार)
 सिंह, श्री गंगाशरण (बिहार)
 सिंह, श्री चण्डिकेश्वर शरण (सरगूजा)
 सिंह, ज्ञानी जैल (पंजाब)
 सिंह, श्री दिग्विजय नारायण (पपरी)
 सिंह, श्री दिनेश प्रताप (गोंडा)
 सिंह, श्री देवेन्द्र प्रसाद (बिहार)
 सिंह, श्री निरंजन (मध्य प्रदेश)
 सिंह, श्री प्रभु नारायण (चन्दौली)
 सिंह, श्री बनारसी प्रसाद (भुंगेर)
 सिंह, सरदार बुध (जम्मू और काश्मीर)
 सिंह, श्री ब्रजकिशोर प्रसाद (बिहार)
 सिंह, ठाकुर भानु प्रताप (मध्य प्रदेश)
 सिंह, श्री महेन्द्रनाथ (महाराजगंज—बिहार)
 सिंह, श्री मोहन (पंजाब)
 सिंह, डा० रघुबीर (मध्य प्रदेश)
 सिंह, श्री राजेन्द्र प्रताप (बिहार)
 सिंह, श्री राजेश्वर प्रसाद नारायण (बिहार)
 सिंह, श्री राम बहादुर (बिहार)
 सिंह, श्री लैसराम अचौ (आन्तरिक बन्नीपुर)
 सिंह, श्री विजय (राजस्थान)
 सिंह, श्री सत्यनारायण (संसद्-कार्य मंत्री)
 सिंह, श्री सत्येन्द्र नारायण (झीरंगाबाद—बिहार)
 सिंह, श्री हर प्रसाद (गाजीपुर)

- सिंह दिनकर, प्रो० रामधारी (बिहार)
 सिंहासन सिंह, श्री (गोरखपुर)
 सिद्धग्या, श्री (मैसूर—रक्षित—अनुसूचित जातियां)
 सिद्धनंजय्या, श्री (हसन)
 सिन्धिया, श्रीमती विजय राजे (गुना)
 सिन्हा, श्री कैलाशपति (नासन्दा)
 सिन्हा, श्री गजेन्द्र प्रसाद (इस्पात, खान और ईंधन मंत्री के सभा-सचिव)
 सिन्हा, श्रीमती तारकेश्वरी (वित्त उपमंत्री)
 सिन्हा, श्री सारंगधर (पटना)
 सीता परमानन्द, डा० श्रीमती (मध्य प्रदेश)
 सीता मुद्गशीर, श्रीमती (झांझर प्रदेश)
 सुमन्धि, श्री सु० सु० (बीजापुर—उत्तर)
 सुन्दर लाल, श्री (सहारनपुर—रक्षित—अनुसूचित जातियां)
 सुम्बरायन, डा० प० (परिवहन तथा संचार मंत्री)
 सुम्बाराब, डा० ए० (केरल)
 सुब्रह्मण्यम्, श्री टेकुर (बेल्गारी)
 सुमत प्रसाद, श्री (मुजफ्फरनगर)
 सुस्तान, श्रीमती मैमूना (भोपाल)
 सुपकार, श्री अट्टाकर (सम्बलपुर)
 सुर, श्री एम० एम० (पश्चिमी बंगाल)
 सूर्य प्रसाद, श्री (ग्वालियर—रक्षित—अनुसूचित जातियां)
 सेठ, श्री इब्राहीम मुलेमान (केरल)
 सेठ, श्री विशन चन्द (शाहजहाँपुर)
 सेठी, श्री पी० सी० (मध्य प्रदेश)
 सेन, श्री अशोक कु० (विधि मंत्री)
 सेन, श्री फाबि गोपाल (पूर्निया)
 संकडू, श्री मारदी (पश्चिमी वीनाजपुर—रक्षित—अनुसूचित आदिम जातियां)
 संयक महमूब, उ० (गोपाल गंज)
 सोनाबने, श्री तबप्पा (शोलापुर—रक्षित—अनुसूचित जातियां)
 सोनुब, श्री हरिहर राव (नांदेड़)
 सोमानी, श्री ग० ब० (दौसा)

स—(कमलः)

कोरेन, श्री वेवी (दुमका—रक्षित—अनुसूचित जातियां)
सोममन, श्री पि० ए० (केरल)
स्नातक, श्री नरदेव (अलीगढ़—रक्षित—अनुसूचित जातियां)
स्वर्ण सिंह, सरदार (इस्मात, ज्ञान और ईश्वर मंत्री)
स्वामी, श्री (चांदा)

ह

हंसदा, श्री सुबोध (मिदनापुर—रक्षित—अनुसूचित जातियां)
हनबेर, श्री जे० बी० (आसाम)
हजरतबीस, श्री रा० म० (विधि उपमंत्री)
हजारिका, श्री जोगेन्द्र नाथ (वैदेशिक-कार्य मंत्री के सहा-सचिव)
हरबानी, श्री अन्सार (फतेहपुर)
हर्षोकर, डा० एन० एस० (मैसूर)
हाथी, श्री जयमुखलाल लालशंकर (सिचाई और विद्युत् उपमंत्री)
हास्वर, श्री कन्सारी (डायमण्ड हार्बर—रक्षित—अनुसूचित जातियां)
हिमिटा, श्री हूवर (स्वायत्त जिले—रक्षित—अनुसूचित जातियां)
हिम्मतसिंहका, श्री प्रभुदयाल (पश्चिमी बंगाल)
हुषम सिंह, सरदार (भटिडा)
हेडा, श्री ह० च० (निजामाबाद)
हेमराज, श्री (कांगड़ा)

संसद् के सदनों की संयुक्त बैठक

अध्यक्ष

श्री अनन्तशयनम् अय्यंगार

उपाध्यक्ष

सरदार हुक्म सिंह

उप-सभापति

श्री एस० वि० कृष्णमूर्ति राव

सचिव

श्री महेश्वर नाथ कौल, बैरिस्टर-एट-ला

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भारत सरकार

मंत्रि-मंडल के सदस्य

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री तथा अणुसक्ति विभाग के भारसाधक मंत्री—श्री जवाहरलाल नेहरू

विस्त मंत्री—श्री मोरारजी देसाई

रेलवे मंत्री—श्री जयजीवन राम

श्रम और रोजगार तथा योजना मंत्री—श्री गुलजारी जाल मन्दा

गृह-कार्य मंत्री—श्री लाल बहादुर शास्त्री

वाणिज्य तथा उद्योग मंत्री—श्री क० च० रेड्डी

इस्पात, ज्ञान और ईंधन मंत्री—सरदार स्वर्ण सिंह

प्रतिरक्षा मंत्री—श्री बे० कृ० कृष्ण मेनन

खाद्य तथा कृषि मंत्री—श्री स० का० पाटिल

सिंचाई और विद्युत् मंत्री—हाफिज मुहम्मद इब्नाहीम

विधि मंत्री—श्री झ० कु० सेन

परिवहन तथा संचार मंत्री—डा० प० सुब्बरायन

राज्य-मंत्री

संसद्-कार्य मंत्री—श्री सत्य नारायण सिंह

सूचना और प्रसारण मंत्री—डा० बा० वि० केशकर

स्वास्थ्य मंत्री—श्री द० प० करमरकर

कृषि मंत्री—डा० पंजाबराज शा० देवमुखा

ज्ञान और तेल मंत्री—श्री केशव देव मालवीय

पुनर्वास तथा अल्पसंख्यक-कार्य मंत्री—श्री मेहर चन्द खन्ना

वाणिज्य मंत्री—श्री नित्यानन्द कानूनगो

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री—श्री राज बहादुर

गृह-कार्य मंत्रालय में राज्य-मंत्री—श्री ब० ना० दातार

उद्योग मंत्री—श्री मनुभाई शाह

सामुदायिक विकास तथा सहकार मंत्री—श्री सुरेन्द्र कुमार डे

शिक्षा मंत्री—डा० का० ला० श्रीमाली

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री—श्री हुमायून् कबिर

निर्माण, आवास और संभरण मंत्री—डा० बे० गोपाल रेड्डी

उपमंत्री

- प्रतिरक्षा उपमंत्री—सरदार सुरजीत सिंह मजीठिया
 भ्रम उपमंत्री—श्री आबिद अली
 निर्माण, आवास और संभरण उपमंत्री—श्री अनिल कु० चन्दा
 कृषि उपमंत्री—श्री सी० वें० कृष्णप्या
 सिचाई और विद्युत् उपमंत्री—श्री अयसुखलाल लालसंकर हाथी
 वाणिज्य तथा उद्योग उपमंत्री—श्री सतीश चन्द्र
 योजना उपमंत्री—श्री श्याम नन्दन मिश्र
 वित्त उपमंत्री—श्री ब० रा० ममत
 वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य उपमंत्री—डा० मनमोहन दास
 रेलवे उपमंत्री—श्री शाहनवाज खां
 वैदेशिक-कार्य उपमंत्री—श्री लक्ष्मी मेनन
 गृह-कार्य उपमंत्री—श्रीमती बायलेट आल्वा
 प्रतिरक्षा उपमंत्री—श्री कोत्ता रघुरमैया
 खाद्य तथा कृषि उपमंत्री—श्री अ० म० बामस
 विधि उपमंत्री—श्री हजरतवीर
 रेलवे उपमंत्री—श्री सें० वें० रामस्वामी
 असेनिक उद्योग उपमंत्री—श्री मुहीउद्दीन
 वित्त उपमंत्री—श्रीमती तारकेश्वरी सिन्हा
 पुनर्वास उपमंत्री—श्री पू० शे० नास्कर
 सामुदायिक विकास तथा सहकार उपमंत्री—श्री ब० सू० मूर्ति
 भ्रम और रोजगार तथा योजना उपमंत्री—श्री ललित नारायण मिश्र

सभा-सचिव

- वैदेशिक-कार्य मंत्री के सभा-सचिव—श्री सादत अली खां
 वैदेशिक-कार्य मंत्री के सभा-सचिव—श्री जो० ना० हजारिका
 प्रतिरक्षा मंत्री के सभा-सचिव—श्री फतेहसिंहराव प्रतापसिंहराव गायकवाड़
 सूचना और प्रसारण मंत्री के सभा-सचिव—श्री आ० चं० जोशी
 इस्पात, खान और ईंधन मंत्री के सभा-सचिव—श्री गजेन्द्र प्रसाद सिन्हा
 सामुदायिक विकास तथा सहकार मंत्री के सभा-सचिव—श्री श्यामधर मिश्र

विषय-सूची

	पृष्ठ
स्वागत भाषण	१
पंडित मोतीलाल नेहरू को श्रद्धांजलि	१-२
बह्वेक निवेद्य विषयेक—	
दोनों सदनों द्वारा पारित एवं अनुमोदित संशोधनों सहित सभा पटल पर रखा गया	२
प्रक्रिया सम्बन्धी औचित्य प्रदन	२-३
स्वगन प्रस्ताव के बारे में	३-४
बह्वेक निवेद्य विषयेक—	
संशोधनों सहित दोनों सदनों द्वारा पारित रूप में विचार करने का प्रस्ताव	५—४४
श्री अ० कु० सेन	५—६
श्री मूपेश गुप्त	६
श्रीमती रेणु चक्रवर्ती	६-१०
श्रीमती रेणुका राय	१०-११
श्री जवाहरलाल नेहरू	११-१४
श्री प्रकाश नारायण समू	१४-१५
श्री मुल्क गोविन्द रेड्डी	१५
श्री जे० एन० कौशल	१५-१६
श्रीमती मंजुला देवी	१६
श्री त्यागी	१६-१७
श्रीमती उमा नेहरू	१७-१८
डा० श्रीमती सीता परमानन्द	१८-२०
श्रीमती इला पालचौधरी	२०-२१
श्रीमती यशोदा रेड्डी	२१-२२
श्री वाजपेयी	२२-२५
श्रीमती सीता मुद्दवीर	२५-२७
पंडित ठाकुर दास भार्गव	२७-३२
श्री जगन्नाथ राव	३३
श्री जुगल किशोर	३३-३५
डा० सुशीला नायर	३५-३६
श्री ए० डी० मणि	३६-४०
श्री राम सेवक यादव	४०-४२
श्रीमती चन्द्रावती लखनपाल	४३-४४
श्री जयपाल सिंह	४४

संसद के सदनों की संयुक्त बैठक

संख्या १

पृष्ठ १

संसद के सदनों की संयुक्त बैठक

शनिवार, ६ मई, १९६१/१६ बंगाल, १८८३ (शक)

संसद भवन के केन्द्रीय हाल में संसद के सदनों की संयुक्त बैठक ११ बजे सभ्यते हुई

[अध्यक्ष महोदय पीठासीन हुए]

स्वागत भाषण,

†श्री म० ला० द्विवेदी (हमीरपुर) : एक औचित्य प्रश्न है

†अध्यक्ष महोदय : शांति, शांति, सभा की कार्यवाही शुरू होने से पूर्व कोई औचित्य प्रश्न नहीं उठाया जा सकता ।

संसद सदस्यों, संसद की दोनों सभाओं की संयुक्त बैठक में आपकी उपस्थिति के लिये मैं आपका स्वागत करता हूँ । आज का अवसर हमारी संसद के आरम्भ से अब तक के इतिहास में एक अभूतपूर्व अवसर है । आशा है कि विचार-विमर्श के दौरान सभी लोग सद्भावना से काम लेंगे और किसी ऐसे हल पर पहुँचने के लिये प्रयत्न किया जायेगा, जिससे सभी लोग सहमत हों ।

पंडित मोतीलाल नेहरू को श्रद्धांजलि

†अध्यक्ष महोदय : आज का काम शुरू करने से पूर्व मैं देश के महान पुत्र पंडित मोतीलाल नेहरू को अपनी तथा आपकी ओर से श्रद्धांजलि अर्पित करता हूँ । आज सारे देश में उनकी जन्म-शताब्दी मनाई जा रही है । वह हमारे देश के एक-गौरवयुक्त सपूत थे जिनकी अर्पित छाप इस सभा में सदैव विद्यमान रहेगी । वह एक महान राजनीतिज्ञ तथा एक साहसी सैनिक थे । शुरू में वह एक सफल वकील थे लेकिन बाद में चल कर एक क्रान्तिकारी बन गये । जलियांवाला बाग की घटना ने उनके जीवन में एक मोड़ ला दिया । बाद में चलकर वह महात्मा गांधी के भक्त बन गये । कभी भी जेल जाने में उन्होंने हिचकिचाहट प्रकट नहीं की । उन्होंने हमारे सामने एक उच्चादर्श रखा । स्वराज्य दल के नेता के रूप में उन्होंने लोकतंत्रीय परम्परा एवं प्रथाओं का ऐसा रूप हमारे सामने रखा जिसका अनुकरण आज किया जा सकता है । आज वह हमारे सामने उपस्थित तो नहीं हैं लेकिन उन्होंने हमारे सामने ऐसा आदर्श रखा है जिसका अनुकरण अपने लक्ष्य तक पहुँचने के लिये

†मूल धरोहर में

[अध्यक्ष महोदय]

किया जा सकता है। यह एक महान राजनीतिज्ञ तथा एक साहसी सैनिक थे। उन्होंने कभी भी विरोध करते समय क्रोध प्रदर्शित नहीं किया और बिना किसी कटुता के अपनी पराजय को स्वीकार किया। हमें उनका अनुकरण करना चाहिये।

दहेज निषेध विधेयक

दोनों सदनों द्वारा पारित एवं अनुमोदित संशोधनों सहित विधेयक सभा पटल पर रखा गया

श्री म० ला० द्विवेदी (हमीरपुर) : मेरा एक औचित्य प्रश्न है

अध्यक्ष महोदय : शांति, शांति। वही बात मैं अब ले रहा हूँ।

संसद की दोनों सभाओं के सदस्यों के नाम जारी किये गये समनों के अनुसार में हम लोक सभा में एकत्रित हुए हैं और उन मतभेदों पर विचार करने के लिये एकत्रित हुए हैं जो दोनों सभाओं में उत्पन्न हुए हैं। सब से पहले मैं सचिव को आदेश दूँगा कि वह उस विधेयक को सभा पटल पर रखे जिस पर चर्चा करने के लिये हम यहाँ एकत्रित हुए हैं तथा उन संशोधनों को भी सभा पटल पर रखे जिनके बारे में कि मतभेद हैं। उस विधेयक को औपचारिक रूप से सभा पटल पर रखने दीजिये।

सचिव : मैं दहेज देने अथवा लेने पर प्रतिबन्ध लगाने वाले विधेयक को, लोक सभा तथा राज्य सभा द्वारा पारित रूप में तथा उन संशोधनों सहित जिनके बारे में दोनों सभा सहमत हैं, सभा पटल पर रखता हूँ।

प्रक्रिया सम्बन्धी औचित्य प्रश्न

श्री म० ला० द्विवेदी (हमीरपुर) : अध्यक्ष महोदय, आज जो यह दोनों सदनों का मिला जुला सत्र बुलाया गया है उस के लिये प्रक्रिया में, प्रोसीजर में, जो लिखा हुआ है वह इस प्रकार है : "कि सचिव संयुक्त बैठक के समय एवं स्थान के बारे में प्रत्येक सदस्य को सूचना देगा।" इस में यह नहीं बतलाया गया कि कितने समय की सूचना दी जानी चाहिये। लेकिन साथ ही साथ ७ बजे क्लक में लिखा हुआ है : "कि किसी भी संयुक्त बैठक उन संशोधित एवं परिवर्तित प्रक्रिया के अनुसार होगी जिन्हें अध्यक्ष महोदय आवश्यक अथवा ठीक समझें।" जहाँ तक मेरा खयाल है, इस सत्र का बुलाया जाना परम्पराओं के अनुसार नहीं है। इस कारण या तो इस कार्रवाई को स्थगित कर देना चाहिये या अध्यक्ष महोदय इस पर अपना मोडिफिकेशन जारी करें। इस सम्बन्ध में मैं यह प्रकाश डालना चाहता हूँ कि जो संसद् के सदनों की मिली जुली बैठक के लिये नियम बनाये गये हैं, उन में कोई समय निर्धारित नहीं किया गया कि कितने दिन पूर्व सूचना देनी चाहिये बैठक को बुलाने के लिये। लेकिन साथ ही साथ ७ बजे क्लक में लिखा हुआ है कि यदि अध्यक्ष महोदय उचित समझें तो वे इस में तरमीम कर के अपनी आज्ञा जारी कर सकते हैं। अभी तक अध्यक्ष महोदय ने कोई तरमीम जारी नहीं की। लेकिन साथ ही साथ लोक सभा के जितने नियम, चारारों और परम्परायें हैं वे इस बैठक के लिये लागू होती हैं। लोक सभा की जो सैक्टर २ में प्रक्रिया चारा ३

है, उस में लिखा हुआ है "बशर्ते कि बैठक अल्पकालीन सूचना अथवा आपातकाल में हो तो प्रत्येक सदस्य को अलग अलग से समन जारी नहीं किये जा सकते और बैठक के समय एवं स्थान की सूचना गजट तथा समाचार पत्रों में छापी जा सकती है तथा सदस्यों को तार द्वारा सूचना दी जा सकती है।" मेरा कहना यह है कि यह बैठक शार्ट नोटिस पर नहीं बुलाई गई, न किसी इमर्जेन्सी पर बुलाई गई है, क्योंकि बैठक बुलाये जाने के जो कारण हैं वे छः महीने पूर्व से मालूम हैं।

†अध्यक्ष महोदय : माननीय सदस्य कृपा करके अपना स्थान ग्रहण करें मैंने उनकी बात सुन ली है। औचित्य प्रश्न के बारे में केवल निवेदन किया जाता है न कि तर्क। औचित्य प्रश्न यह है कि माननीय सदस्यों को अलग-अलग से समन नहीं भेजे गये हैं। लेकिन मैं समझता हूँ कि समन भेज दिये गये हैं।

†श्री म० ला० द्विवेदी : समन समय पर जारी नहीं किये गये हैं। संसदीय प्रथा के अन्तर्गत एक महीने पहले नोटिस जारी किया जाना चाहिये था और अब तक जो भी संयुक्त बैठक हुई है उनके बारे में यही प्रथा अपनाई गई थी। अब की बार यह प्रथा नहीं अपनाई गई है।

†श्री भूपेश गुप्त (पश्चिमी बंगाल) : नोटिस की कोई आवश्यकता नहीं है। संविधान के अनुच्छेद के अनुसार आपको काफी अधिकार है कि आप सभा की कार्यवाही कर सकें। अतः मैं इस औचित्य प्रश्न का विरोध करता हूँ। संविधान के अनुच्छेद १०८ में इस बात का उल्लेख मिलता है कि किन परिस्थितियों में राष्ट्रपति संयुक्त बैठक बुला सकते हैं और अनुच्छेद १०८ की शर्तों की पूर्ति कर दी गई है। प्रक्रिया नियमों के अनुसार भी आपको यह अधिकार है। चूंकि आप यहाँ अभ्यक्ष हैं अतः अपने अपने कार्य से प्रक्रिया नियम में भी संशोधन कर दिया है। अतः यह औचित्य प्रश्न ठीक नहीं है, इसलिये इसे अस्वीकृत कर दिया जाये।

†श्री म० ला० द्विवेदी : विधि मंत्री को इसका उत्तर देना चाहिये।

†अध्यक्ष महोदय : माननीय सदस्य को उत्तर पाने का कोई अधिकार नहीं है।

यह बैठक हम राष्ट्रपति द्वारा जारी की गई अधिसूचना के अनुसार में कर रहे हैं। नियमानुसार सचिव को अधिकार दिया जाता है कि वह बैठक की तिथि और उसके समय के बारे में माननीय सदस्यों को सूचना दे दें और ऐसा किया जा चुका है। अगर आप लोग चाहें तो इस कार्य को आज ही समाप्त किया जा सकता है बशर्ते कि आप लोग अधिक देर तक बैठें। इस बारे में कोई नियम नहीं है।

जहां तक कि ३० दिन पहले सूचना देने की बात है। वह कोई सामान्य बैठक नहीं है। इसलिये ३० दिन पहले आमंत्रण देना आवश्यक नहीं है। जहां तक आज की बैठक का प्रश्न है केवल संशोधनों के लिये नोटिस की आवश्यकता है। इसके लिये दो दिन से भी अधिक समय दिया गया है जो काफी है। इसलिये इस बारे में भी कोई विवाद की आवश्यकता नहीं है।

स्थगन प्रस्ताव के बारे में

श्री बजरंग सिंह (फिरोजाबाद) : अध्यक्ष महोदय, मैंने एक कामरोको प्रस्ताव की सूचना दी थी। यह पार्लियामेंट का सम्मिलित अधिवेशन चल रहा है। जैसा कि आपने कहा, हिन्दुस्तान

†मूल प्रश्न में

[श्री बजर्राज सिंह]

आजाद होने के बाद अपने तरीके का यह पहला अधिवेशन है। इसलिए मैं उसूल का एक प्रश्न उठाना चाहता हूँ, और वह यह है कि जब सम्मिलित अधिवेशन संसद का चल रहा हो तो संसद के किसी सदस्य को यह अधिकार है या नहीं कि सरकार की किसी विफलता के लिए वह सदन के स्थगन का प्रस्ताव पेश कर सके। यह अपनी तरह का नया अधिवेशन ही रहा है और हमें भविष्य के लिए परम्पराएं बनानी हैं, इसलिए मैं इस समय आपका ध्यान आकर्षित करना चाहता हूँ कि मैंने जो कामरोको प्रस्ताव दिया है वह इसलिए कि दिल्ली में बिजली की सप्लाई बन्द होने की सम्भावना पैदा हो गयी है। यह कहा गया है कि आज भी कुछ समय के लिए बिजली की सप्लाई खत्म हो जाएगी।

†बिधि अंत्री (श्री अ० कु० सेन) : एक औचित्य प्रश्न है। संविधान के अनुसार मैं उन सभी बातों पर वाद विवाद करने का विरोध करता हूँ जो इस विषय के अन्तर्गत नहीं आते जिनके लिये कि यह बैठक बुलाई गई है।

†अध्यक्ष महोदय : श्री बजर्राज सिंह ने एक स्थगन प्रस्ताव के बारे में सूचना दी थी। मैंने उसकी अनुमति इस आधार पर नहीं दी कि हम एक विशेष कार्य के लिये यहाँ एकत्रित हुए हैं जिसका उल्लेख राष्ट्रपति ने किया है। इसके बावजूद भी वह यह प्रश्न उठाना चाहते हैं। उनका प्रश्न क्षेत्राधिकार के बाहर की बात है।

श्री बजर्राज सिंह : अध्यक्ष महोदय, अभी जो कानून मंत्री महोदय कह रहे थे, उससे मैं अपनी अमहमति प्रकट करता हूँ। लोक सभा और राज्य सभा का अधिवेशन अनिश्चित काल के लिए स्थगित हो गया है, लेकिन आपको और राज्य सभा के अध्यक्ष को यह अधिकार प्राप्त है कि अगर बीच में कोई महत्वपूर्ण प्रश्न पैदा हो जाए तो दोनों सदनों की बैठक बुला सकते हैं। किन्तु यह दोनों सदनों का सम्मिलित अधिवेशन हो रहा है। मैं जानना चाहता हूँ कि क्या इस सदन में किसी सदस्य को अधिकार है कि अगर मुल्क में कोई विषय स्थिति पैदा हो जाए या सरकार की कोई विफलता हो तो उसके सम्बन्ध में कामरोको प्रस्ताव पेश कर सकता है। आपकी इस प्रश्न पर कृपया से भविष्य के लिए परम्परा बनेगी। इसलिए मेरा निवेदन है कि आप सरकार के इस दृष्टिकोण को रिजेक्ट करते हुए व्यवस्था दें जिससे कि भविष्य में जब भी कोई ऐसा अधिवेशन हो तो पार्लियामेंट के किसी सदस्य को सरकार की किसी विफलता की ओर ध्यान आकर्षित करने के लिए सदन को स्थगित करने का प्रस्ताव पेश करने का अधिकार हो।

†श्री अ० कु० सेन : आज की बैठक का एक मात्र उद्देश्य उस विषय पर विचार करना तथा उस पर मतदान करना है जिसके लिये राष्ट्रपति ने यह बैठक बुलाई है। जो बात पूछी गई है उसमें कोई सार नहीं है।

†अध्यक्ष महोदय : मैं जिल्कुल सहमत हूँ। चूंकि यह बैठक एक विशेष कार्य के लिये है अतः किसी भी स्थगन प्रस्ताव या इस विषय से सम्बन्धित अन्य किसी भी प्रस्ताव या चर्चा करना संगत नहीं है। अगर माननीय सदस्य इसे अत्यावश्यक समझते हैं तो वह इसके लिये अलग से सूचना दें। सभा इस पर विचार कर सकती है। यह बैठक तो एक विशेष कार्य के लिये ही बुलाई गई है।

दहेज निषेध विधेयक

†विधि मंत्री (श्री: श्र० कु० सेन): मैं प्रस्ताव करता हूँ :

“कि दहेज देने अथवा लेने को निषिद्ध करने वाले विधेयक पर, लोक सभा तथा राज्य सभा द्वारा पारित रूप में तथा दोनों सभाओं द्वारा सहमत प्राप्त संशोधनों पर, और जिन मामलों में दोनों सभाएँ सहमत नहीं हैं, उन पर विचार विमर्श करने के प्रयोजन से विचार किया जाये।”

इस विधेयक के बारे में दोनों सभाओं में जो विचार प्रकट हुए हैं उनसे प्रकट है कि दोनों सभाएँ तथा सम्पूर्ण देश दहेज के विरुद्ध हैं। दोनों सभाओं की हुई चर्चाओं से यह प्रकट है कि दोनों सभाओं के दृष्टिकोणों में इस विधेयक को ऐसा स्वरूप देने के मामले में मतभेद है जो कि बहुत अधिक कठोरता अथवा प्रभाव हीनता की दृष्टि से मुक्त हो। यह बात निश्चित रूप से सही है कि जहाँ हम इस सामाजिक कुप्रथा को समाप्त करने के लिये आतुर हैं वहाँ हम इस बात के प्रति भी जागरूक हैं कि कोई भी ऐसा कानून पास नहीं किया जाना चाहिये जिसके द्वारा किसी को उत्पीड़ित किया जा सके। वास्तव में इन दोनों महत्वपूर्ण उद्देश्यों के बीच सामंजस्य स्थापित करने के प्रयत्नों के फलस्वरूप ही दोनों सभाओं में मतभेद पैदा हुआ।

दहेज एक सामाजिक बुराई है और यह बुराई उस समय और भी बीभत्स रूप धारण कर लेती है जब कि अच्छा वर अथवा वधू पाने के लिये सौदाबाजी होने लगती है। यह दहेज प्रथा प्राचीनकाल से चली आ रही है और हिन्दू तथा मुस्लिम दोनों ही विधियों में इसका उल्लेख मिलता है लेकिन इसका उद्देश्य वहाँ अच्छा ही बताया गया है। हिन्दू शास्त्रों के अनुसार पिता का यह कर्तव्य है कि वह अपनी पुत्री को कुछ उपहार दे। और वह वधू की सम्पत्ति मानी जाती है। पहले जब स्त्रियों को उत्तराधिकारी नहीं माना जाता था तो यही सम्पत्ति ऐसी थी जिन्हें स्त्रियाँ अपने पास रखा करती थी। इसलिये यह एक अच्छी प्रथा थी।

लेकिन धीरे धीरे इस प्रथा ने बुरा रूप धारण कर लिया और आज स्थिति यह आ गई है कि लोग यह चाहते हैं कि जितनी जल्दी समाप्त हो जाये उतना ही अच्छा है। इस दहेज के कारण बहुत सी मृत्यु भी हुई हैं।

अतः यह प्रश्न उठता है कि किस प्रकार के दहेज पर प्रतिबंध लगाया जाये। क्या उस दहेज पर प्रतिबंध लगाया जाये जो माता पिता प्रेम के वशीभूत होकर अपनी पुत्री को उपहार देते हैं? अतः सबसे पहले यह सवाल उठता है कि 'दहेज' शब्द की परिभाषा क्या है? और वह दहेज क्या है जिस पर हम वास्तव में प्रतिबंध लगाना चाहते हैं। इसके लिये हमें मूल विधेयक के खंड २ में बहेश की जो परिभाषा दी गई है उसे देखना होगा। हमें इस पर विचार करना होगा कि इस खंड में प्रयुक्त प्रत्यक्षरूप से या अप्रत्यक्षरूप से दिये गये या देने के लिये राजी हो जाने" शब्दों को रखने के लिये आग्रह करें या न करें। इन शब्दों का प्रस्ताव प्रवर समिति ने किया था और लोक सभा ने इसे अस्वीकार कर दिया पर राज्य सभा ने इसे स्वीकार कर लिया है। सामाजिक शिक्षा की दृष्टि से कि सम्पूर्ण देश के लोग हमारी विधियों के प्रभाव को माते इन शब्दों को रखा जाना आवश्यक है।

बाद विवाद के दौरान में मैं यह उल्लेख कर चुका हूँ कि माता पिता की ओर से प्रेम के वशीभूत होकर जो उपहार दिये जाते हैं उन पर प्रतिबंध लगाना बहुत बुरा होगा।

[श्री अ० कु० सेन]

लेकिन जो कुछ अप्रत्यक्ष रूप से दिया जाता है वह एक सामाजिक है बुराई है और उस पर प्रतिबंध लगाने की आवश्यकता है ।

प्रवर समिति ने जो सुझाव दिया है मैं उसके पक्ष में हूँ और उसका समर्थन भी करता हूँ । राज्य सभा ने भी प्रवर समिति की राय का समर्थन किया है । अतः मेरा निवेदन है कि खंड २ में "प्रत्यक्ष और अप्रत्यक्ष" दोनों ही शब्द रख दिये जायें । इस बात से सभी सहमत हैं कि स्वाभाविक प्रेम के कारण जो उपहार लड़की को दिया जाता है उस पर कोई प्रतिबंध नहीं होना चाहिये । साथ ही मैंने यह भी स्पष्ट कर दिया था कि जो उपहार या दहेज बुरी भावना से अथवा बर या वधू को क्रय करने की भावना से दिया जायेगा उस पर प्रतिबंध लगाने की आवश्यकता है । लोक सभा ने इस बात का समर्थन भी किया । राज्य सभा तथा लोक सभा के कुछ सदस्यों ने और विशेषरूप से महिला सदस्यों ने यह आपत्ति उठाई थी कि यह सिद्ध करना बड़ा कठिन हो जायेगा कि विवाह के अवसर पर जो उपहार दिये गये हैं वे स्वाभाविक प्रेम के कारण ही दिये गये हैं । अन्यथा रूप से दिये गये उपहारों को भी इसी श्रेणी में लिया जायेगा । और जना इसका लाभ उठायेगी तथा दंड से बचने का प्रयत्न करेगी । मैं जानता हूँ कि इस तर्क में कुछ सार भी है ।

व्याख्या संख्या १ को सम्मिलित करने या न करने या निर्णय कराने से पहले हमें इनके दो दोनों हलुओं पर विचार कर लेना चाहिये । आवश्यक है कि पहले दोनों दृष्टिकोण समझ लिए जाय और उसके बाद ही कोई निर्णय किया जाये सदाचारपूर्ण उपहारों और लोगों को परेशानी से बचाने की गुंजाइश रहनी चाहिए ।

जहां तक विधि के उल्लंघन की तरकीब निकालने का सवाल है, वह तो होगा । लोग अपवंचना करेंगे ही, विधि आप चाहे जैसी बना द । इसलिये हमें यह नहीं समझना चाहिये कि व्याख्या संख्या १ को न रखने से अपवंचना बन्द हो जायेगी । हमें ऐसी कोई गलतफ़हमी नहीं रहनी चाहिये कि अपवंचना बिल्कुल बन्द की जा सकती है या कानून बनाकर दहेज प्रथा मिटाई जा सकती है । फिर भी हम यह विधि पारित कर रहे हैं इसी दृष्टि से कि सामाजिक विचार-प्रक्रिया की धारा बदली जा सके और दहेज लेने वाले यह न समझें कि उन पर कोई सामाजिक कलंक नहीं आ सकता और विधि भी उनका कुछ नहीं बिगाड़ सकती । इस विधि का यही लाभ होगा ।

वह बुराई हमारे समाज के हर स्तर में समा चुकी है । इसलिये इसे केवल विधि द्वारा दूर नहीं किया जा सकता । इतनी बात हमारे तर्क साफ़ रहनी चाहिये । लोग दहेज लेने वालों के खिलाफ़ खुद ही शिकायत करने आभागे नहीं आयेंगे ।

इतनी बात हमारे दिमाग में स्पष्ट रहनी चाहिये । केवल कानून से यह बुराई दूर नहीं हो सकेगी । इसका मंशा केवल इतना है कि दहेज लेने वाले डरते रहें कि कानून की व्यवस्थाओं उनके खिलाफ़ मौजूद हैं और उनका प्रयोग किया जा सकता है । जो लोग इस विधि की अपवंचना करना चाहेंगे, वे उसकी नयी-नयी तरकीब निकालेंगे ही । मैंने निष्पक्षता से दोनों दृष्टिकोण आपके सामने रखने का प्रयास किया है ।

दूसरा मतमेद खण्ड ४ के सम्बन्ध में है । लोक-सभा ने इस व्यवस्था को रखना जरूरी समझा था । बहुमत का यही विचार था कि दहेज मांगने वाले को भी दण्डित करने की व्यवस्था होनी चाहिये । हालांकि लोक-सभा के कई माननीय सदस्य इस पक्ष में नहीं थे । उनका विचार था कि दहेज मांगने के लिये दण्ड की व्यवस्था करने से मामला बड़ा पेचीदा हो जायेगा और बड़ी मुकदमेबाजी

होगी। जो भी पक्ष असंतुष्ट होगा, वही मुकदमेवाजी शुरू करने लगेगा। यदि किसी वर पक्ष को कन्या पसन्द न आये, तो भी कन्या पक्ष के लोग शिकायत करने लगे कि दहेज की मांग की गई थी। सभी जानते हैं कि गांवों में दलब दी चलती है। उसके लिये भी इसका फायदा उठाया जायेगा। इसलिये कि शिकायत करने वालों को किसी ठोस चीज का सबूत तो देना नहीं पड़ेगा। यदि वास्तव में दहेज लेने की बात होती, तो उसे साबित करना जरा कठिन होता। शिकायत करने वाले को तो सिर्फ इतना कहना पड़ेगा कि मूझ से दहेज मांगा गया था। लिखित रूप से तो कोई मांग करेगा नहीं।

खण्ड ४ के विरुद्ध दूसरी दलील यह रखी गई थी कि यदि दहेज लेने और दहेज देने के लिये बण्ड की व्यवस्था की जाती है, तो फिर उसकी मांग करने के लिये दण्ड की व्यवस्था करना निरर्थक है। इसलिये कि जब दहेज लेना गैर-कानूनी है, तो फिर कोई दहेज मांगेगा क्यों ?

झूठमूठ की शिकायत बढ़ने की संभावना है। लेकिन साथ ही, यदि हम दहेज की मांग के लिये बण्ड की व्यवस्था नहीं करेंगे तो इस विधेयक का मुख्य उद्देश्य विफल हो जायेगा। हमारी आलोचना होगी कि हम दहेज प्रथा मिटाने के बारे में गम्भीर नहीं हैं। इसलिये मांग के लिये दण्ड की व्यवस्था भी रखनी चाहिये, लेकिन इस ढंग से कि झूठमूठ की शिकायत भी न बढ़ पाय।

इसी दृष्टि से सरकार ने एक संशोधन रखा है, जिसकी पूर्व-सूचना आज सुबह दी गई थी। मैं जानता हूँ कि पूर्व-सूचना निर्धारित प्रक्रिया के अनुसार नहीं है। वह और पहले दी जानी चाहिये थी। पर आशा है कि सभा उस पर आपत्ति नहीं करेगी। वह संशोधन विभिन्न दृष्टिकोणों के बीच का एक मार्ग पेश करता है। उसके अनुसार खण्ड ४ का वर्तमान रूप तो बनाये रखा जायेगा, लेकिन बाद में एक परन्तुक जोड़ दिया जायेगा कि दहेज की मांग के खिलाफ शिकायत करने के लिये राज्य सरकार के सम्बन्धित अधिकारी की अनुमति लेना आवश्यक होगा। इसका नतीजा यही होगा कि झूठमूठ की शिकायत नहीं हो पायेगी।

राज्य सरकारें सामान्य या विशेष आदेश निकाल कर इसके लिये अधिकारी नियुक्त करेंगी। सामान्य या विशेष आदेश की व्यवस्था इसलिये रखी गई है कि सामान्य आदेश के जरिये राज्य सरकारें प्रथम श्रेणी के न्यायाधीशों या एडवोकेट जनरल आदि की ही नियुक्ति कर सकेंगी और गांवों की सामान्य जनता को उनके पास जाना आसान नहीं रहेगा। और यदि राज्य सरकारें चाहें तो किसी क्षेत्र-विशेष के लिये विशेष आदेश द्वारा भी अधिकारी नियुक्त कर सकेंगी। यह राज्य सरकारें स्वयं ही निर्णय करेंगी, क्षेत्रों की स्थानीय प्रपेक्षाओं को देखते हुए।

मैं समझता हूँ कि इस संशोधन के बाद राज्य-सभा को वह आपत्ति नहीं रहेगी, जिसके कारण खण्ड ४ को हटाने की उसने सिफारिश की थी। खण्ड ४ में परन्तुक जोड़ देने से, राज्य-सभा की झूठ-मूठ शिकायत वाली आपत्ति भी खतम हो जायेगी। आशा है इसे दोनों सभायें स्वीकार कर लेंगी।

इन्हीं तीन मतभेदों के कारण, यह विधेयक संयुक्त बैठक के सामने रखा गया है। इसमें कुछ छोटे-मोटे संशोधन और भी किये गये हैं, इसे अद्यतन बनाने के लिये। पहले इसका नाम दहेज अधिनियम, १९६० था। अब उसे १९६१ करना पड़ेगा। पहले अधिनियमन सूत्र में "गणतंत्र के न्यायहर्षे वर्ष" रखा गया था, अब उसके स्थान पर बारहवां वर्ष रखना पड़ेगा। ये केवल औपचारिक संशोधन हैं।

अब मैं, फिर से तीनों मतभेद संक्षिप्त रूप में आपके सामने रखता हूँ। सब से पहला मतभेद तो इस पर था कि खण्ड २ में "प्रत्यक्ष या अप्रत्यक्ष रूप से दिये गये या देने के लिये राजी" — इन

[श्री अ० कु० मेन]

शब्दों को रखा जाये या नहीं। यह प्रवर समिति का सुझाव था कि इन शब्दों को रखा जाये। लोक-सभा ने इसे स्वीकार कर लिया था, पर राज्य-सभा ने अस्वीकार कर दिया है। मेरा विचार है कि सामाजिक शिक्षा की दृष्टि से इनको रखना जरूरी है।

दूसरा मतभेद व्याख्या १ के सम्बन्ध में था। मैंने उसके बारे में पूरी निष्पक्षता के साथ दोनों दृष्टिकोण आपके सामने रख दिये हैं। खण्ड ४ के सम्बन्ध में, मैं बता ही चुका हूँ कि सरकार का प्रस्ताव है कि उसे रखा जाये और उसमें एक परस्तुक जोड़ दिया जाये। अब संयुक्त बैठक की इन तीनों के बारे में अपनी राय प्रकट करनी है। यह विधेयक नारी-स्वतंत्रता और सामाजिक प्रगति के इतिहास में एक नया अध्याय आरम्भ करेगा।

नारी-स्वतंत्रता से इसका सीधा सम्बन्ध नहीं है। फिर भी उसके लिये इसका बड़ा महत्व है। इसलिये इसका पारण एक बड़ी महत्वपूर्ण घटना होगी।

लेकिन यह कहना गलत है कि केवल महिलायें ही इस संघर्ष में भाग ले रही हैं। दहेज प्रथा के विरुद्ध संघर्ष में वे अकेली नहीं हैं। सभा में और सभा से बाहर भी हमारी कुछ बहनें ऐसे ही उदगार प्रकट करती हैं। वे भूल जाती हैं कि दहेज पिताओं को ही देना पड़ता है, माताओं को नहीं।

इसलिये पुरुष भी इस प्रथा का क्रिया-कर्म करने के लिये उतने ही कृत-संकल्प हैं। इयमें पुरुषों और नारियों में विभेद नहीं किया जाना चाहिये। यह नहीं समझना चाहिये कि नारियाँ दहेज के विरुद्ध हैं और पुरुष उनके पक्ष में। यह गलत है। यह पूरे समाज और उसकी प्रगति से सम्बन्धित प्रश्न है।

इसके बारे में संसद को देश का नेतृत्व करना चाहिये। सवाल नेतृत्व देने का ही है, क्योंकि केवल कानून बना कर इस सामाजिक बुराई को दूर नहीं किया जा सकता। नेतृत्व देना सामाजिक शिक्षा की प्रक्रिया का ही एक अंग है।

सब से अधिक भरोसा हमें उस विधेयक की उस व्यवस्था पर है, जिसके अनुसार दहेज की सम्पत्ति केवल बधू की सम्पत्ति रहेगी। बधू को यह अधिकार पहली बार दिया जा रहा है। इसे लागू करने से फायदा होगा। मैं मानता हूँ कि उनमें से कुछ अपने सम्बन्धियों के खिलाफ मुकदमा करने आगे नहीं आयेगी, लेकिन उनका वैधानिक अधिकार तो रहेगा और उस अधिकार को वे लागू कराने के लिये प्रयत्नशील रहेंगी। और समय की प्रगति के साथ-साथ उनके इस वैधानिक अधिकार को अधिकाधिक मान्यता मिलती जायेगी।

इसलिये यह विधेयक दहेज लेने वालों को दण्डित करने के साथ ही, नारी अधिकारों को भी प्रतिष्ठित करेगा। यह लोकमत को एक ऐसी धिगा दे देगा कि दहेज लेने या देने वाले भय खाने लगेंगे।

आशा है कि हम अपने ही जीवन में दहेज-प्रथा की कपाल-क्रिया कर सकेंगे।

अध्यक्ष महोदय : प्रस्ताव प्रस्तुत हुआ।

वक्ताओं की संख्या काफी है, और समय कम। इसलिये माननीय सदस्यों को ध्यान रखना चाहिये कि अपनी केवल उन तीन मतभेदों के सम्बन्ध में चर्चा करनी है। विधेयक पर तो दोनों सभाओं में काफी विस्तृत चर्चा हो चुकी है।

शुभ संवेजी में

माननीय सदस्यों को समय का ध्यान रखना चाहिये। आज पूरे दिन और ६ मई को १२ बजे तक विधेयक पर सामान्य चर्चा होगी। उसके बाद संशोधन लिये जायेंगे। फिर तृतीय वाचन होगा। दोपहर के भोजन के लिये बैठक स्थगित नहीं की जायगी।

श्री भूपेश गुप्त (पश्चिमी बंगाल) : हमें अभी-अभी एक संशोधन की प्रति दी गई है, जिस पर श्री हजरतबीस का नाम है। मैं माने लेता हूँ कि वह इस सभा के सदस्य हैं। पर सरकार की ओर से रखे गये संशोधन में इसका पूरा उल्लेख होना चाहिये कि वह हैं कौन। क्या यह संशोधन उन्होंने व्यक्तिगत रूप से रखा है ?

श्री अध्यक्ष महोदय : गैर-सरकारी सदस्यों को भी संशोधन पेश करने का समान अधिकार है। इसलिये इस में कोई औचित्य प्रश्न नहीं है। लोक-सभा में यही प्रथा रही है कि संशोधन सरकार भी प्रस्तुत कर सकती है और व्यक्ति भी।

यदि श्री भूपेश गुप्त विधेयक के सम्बन्ध में कुछ कहना चाहें, तो मैं उनको बाद में उसका अवसर दूंगा।

श्री भूपेश गुप्त : हमारी राज्य-सभा में यह प्रथा रही है कि यदि माननीय मंत्री भाषण करे और कोई बिल्कुल ही नयी बात कहें, तो हम उसका स्पष्टीकरण मांग सकते हैं। मैं केवल स्पष्टीकरण ही चाहता हूँ।

श्री अध्यक्ष महोदय : इसके लिये स्पष्टीकरण की कोई आवश्यकता नहीं। माननीय मंत्री इसकी व्याख्या करेंगे ही।

श्री श्रीमती रेणु चक्रवर्ती (बलिरहाट) : यह संयुक्त बैठक इस बात का प्रमाण है कि हमारे देश में सामाजिक मुद्दों के प्रश्न पर बड़े गहरे मतभेद उठ खड़े होते हैं। माननीय मंत्री ने यह बिल्कुल ठीक कहा है कि यह विधेयक केवल महिलाओं के नहीं, समूचे देश के हित में है, और हर भारतीय दहेज-प्रथा को मिटाने के लिये कृत-संकल्प है।

श्री हजरतबीस ने संशोधन संख्या २३ द्वारा यह प्रस्ताव किया है कि खण्ड ४ में एक परन्तुक जाड़ दिया जाये। परन्तुक में व्यवस्था की जा रही है कि दहेज की मांग के खिलाफ तभी शिक्षाधत की जा सकेगी जब पहले राज्य-सरकार या उसके सम्बन्धित अधिकारी से उस के लिये अनुमति ले ली जाये। यदि यह व्यवस्था की गई, तो गांव के लोग कभी भी इसका लाभ नहीं उठा पायेंगे। उससे तो विधेयक का सारा उद्देश्य विफल हो जायेगा।

माननीय मंत्री ने कहा है कि वह विधेयक को एक ऐसा रूप देना चाहते हैं जिससे कि लोग अनुचित लाभ उठा कर दूसरों को तंग न कर पायें। उनका मतलब है कि यदि सदस्यों का संशोधन मान लिया जाये तो दूसरों को तंग करने की गृजाइश बनी रहेगी। क्या वह परेशानी आज की परेशानियों से ज्यादा होगी जो मध्य वर्ग और निम्न वर्ग की लड़कियों को दहेज प्रथा के कारण उठानी पड़ी है ?

आज पर्याप्त मात्रा में दहेज न दे पाने के कारण अनेकों स्त्रियों के जीवन में बिष भुजता रहना है। ऐसे सैकड़ों उदाहरण मेरे पास हैं।

श्रीमूव अश्वेजी में

[श्रीमती रेणु अक्वर्ती]

माननीय मंत्री ने कहा है कि दहेज की मांग करना भिन्न करना मुश्किल होगा। उसके लिये साक्ष्य चाहिये। कई तरह का साक्ष्य जुटाया जा सकता है। और सिद्ध हो जाने पर ही तो किसी को दण्डित किया जा सकता है।

हम अपने देश में कई सामाजिक विधान पारित कर चुके हैं। उनका अनुचित लाभ उठा कर तो किसी को भी परेशान नहीं किया गया। शारदा एक्ट के अधीन निर्दोष व्यक्तियों को परेशान नहीं किया गया। फिर इसके अनुचित लाभ की दलील कहां तक ठीक है ?

आज दहेज प्रथा के कारण मध्य वर्ग को जितनी परेशानी उठानी पड़ रही है वह कहीं ज्यादा है। इस विधान के कारण केवल कुछ सिद्धान्तहीन लोगों को परेशानी हो सकती है।

इसलिये इसका कोई कानूनी महत्व नहीं। यदि परेशान करने के लिये कुछ निर्दोष व्यक्तियों को मुकदमों में फंसाया भी जायेगा तो न्यायालय उनकी रूढ़ायता के लिये मौजूद हैं।

इसलिये प्रश्न परेशानी से बचने का नहीं, बल्कि विधि की अपबन्धना रोधने का है।

मुख्य प्रश्न यह है कि विधि के उल्लंघन को कैसे रोका जाये। यदि दहेज को एक दंडनीय अपराध बनाना है तो इस अपराध को करने के प्रयत्न को क्यों दण्डनीय नहीं बनाया जाना चाहिये।

इस अपराध के मामले में हस्तक्षेप करने का अधिकार राज्य सरकार या विशेष पदाधिकारियों को नहीं दिया जाना चाहिये। उचित होगा कि प्रथम श्रेणी के किसी मजिस्ट्रेट के न्यायालय को यह अधिकार दिया जाये। यदि सरकार चाहे तो ऐसी व्यवस्था कर सकता है कि मजिस्ट्रेट प्रारम्भिक छानबीन कर ले या राज्य सरकार द्वारा विशेष आदेश निकाले जाने सम्बन्धी उपबंध को रद्द कर सम्पूर्ण कार्यवाही को असंभव नहीं बनाया जाना चाहिये।

मेरा एक निवेदन है कि खंड २ के स्पष्टीकरण को निकाल देना चाहिये। हमारे देश में मध्यम वर्ग तथा निम्न मध्यम वर्ग को संरक्षण दिये जाने की आवश्यकता है। स्पष्टीकरण में "इसके होते हुए" शब्दों पर विशेष रूप से ध्यान देने की बात है।

अंत में मेरा एक सुझाव है कि पिता की सम्पत्ति में पुत्री को कुछ भाग मिलना चाहिये। लड़की को भी उनी प्रकार मिलना चाहिये जिस प्रकार कि लड़कों को मिलता है। इस दहेज के कारण बहुत सी हत्याएँ हुई हैं। यह विवेक इस समस्या का समाधान बहुत कुछ शर्शों में करता नहीं है। इस समस्या का एक समाधान यह भी है कि जो लोग दहेज लेते अथवा देते हैं उनके विवाहों में लोगों को सम्मिलित नहीं होना चाहिये तथा उनका सामाजिक बहिष्कार किया जाना चाहिये। इसी प्रकार हम इस बुराई को दूर कर सकते हैं।

श्रीमती रेणुका राय (मालवा) : मेरा निवेदन है कि जब तक लोगों की भावनाओं में परिवर्तन नहीं होगा तब तक यह कुप्रथा दूर नहीं हो सकती। खाली विधि इस मामले में कुछ नहीं कर सकती। यह बड़े दुख की बात है कि विवाह सम्बन्धी कानून में परिवर्तन हो जाने के बाद सम्पत्ति सम्बन्धी कानून में परिवर्तन हो जाने के बाद और अनेक प्रकार से महिलाओं के अपसर होने के बाद भी दहेज की कुप्रथा अब भी विद्यमान है।

पुरुष श्रेणी में

दोनों सभा इस बात से सहमत हो गई हैं दहेज प्रथा समाप्त होनी चाहिये लेकिन अब प्रश्न यह है कि इसे किस प्रकार प्रभावी बनाया जायें। हमें इस उपबन्ध को यथासंभव प्रभावी बनाना चाहिये। स्पष्टीकरण संख्या १ बिल्कुल अनावश्यक है इसे हटा देना चाहिये।

दहेज भारत में कई प्रकार से दिया जाता है लेकिन जो दहेज किसी दवाब में आकर दिया जाता है वह कुप्रथा है। उसे समाप्त करना चाहिये।

खंड ४ का बड़ा महत्व है। चूंकि दहेज की मांग के समय ही विवाह की बातचीत भंग होती है और इसी समय अन्य प्रकार की सामाजिक अडचनें पैदा होती हैं अतः आवश्यकता इस बात की है इसी समय (दहेज की मांग के समय) दहेज मांगने वालों के विरुद्ध कुछ रोक लगाई जानी चाहिये। इस खंड को रहने दिया जाना चाहिये।

अतः यह मांग पेग किये जाने की अवस्था में ही किया जा सकता है। मांग पूरी न हो सकने के कारण ही दुर्घटनायें होती हैं। इसलिए बातचीत की अवस्था में ही दहेज की मांग पर कोई प्रतिबन्ध होना चाहिए। इस प्रयोजन के लिए इस खण्ड का बना रहना आवश्यक है।

विधि मंत्री ने इस खण्ड में एक परन्तुक का सुझाव दिया है जिसमें यह कहा गया है कि इस धारा के अन्तर्गत किसी अपराध पर राज्य सरकार अथवा उसके द्वारा निर्दिष्ट अधिकारियों की पूर्व मंजूरी पर ही न्यायालय द्वारा विचार किया जायेगा। मेरा सुझाव है कि इसमें इतना और जोड़ दिया जाये कि वह अधिकारी प्रथम श्रेणी के मजिस्ट्रेट से ऊंचे वर्ग का नहीं होना चाहिए। यह इसलिए आवश्यक है कि लोग आसानी से उसके पास तब पहुंच सकें क्योंकि दूरस्थ और दुर्गम क्षेत्रों में तो प्रथम श्रेणी के मजिस्ट्रेट के पास पहुंचना भी कठिन होता है। मैं आशा करती हूँ कि इस प्रकार के परिवर्तन सहित विधि मंत्री का संशोधन सभा द्वारा स्वीकार कर लिया जायेगा।

यह बड़े आश्चर्य की बात है कि आजकल के प्रगतिशील युग में भी भारत में स्त्रियों को इस प्रकार बेचा जाता है। इसे रोकने के लिए इन विधेयक को अधिकाधिक प्रभावपूर्ण बनाना अत्यन्त आवश्यक है।

†प्रधान मंत्री तथा बंदिशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : आपने मुझे इस अवसर पर बोलने का जो मौका दिया उसके लिए मैं आपका आभारी हूँ। इस विधेयक के बारे में बहुत कुछ कहा गया है परन्तु जहां तक उसके मुख्य प्रयोजन का प्रश्न है उसके सम्बन्ध में तनिक भी मतभेद नहीं है। अतः मुझे इस विधेयक के पक्ष में कोई खास बात नहीं कहनी है। फिर भी मैं कुछ बोलने के लिए खड़ा हुआ हूँ क्योंकि मेरे अन्दर इस प्रकार के सामाजिक विधान में सहभागी बनने की भावना उत्पन्न हुई।

इस संसद् ने गत दस या बारह वर्षों में जितने विधान बनाये हैं उनमें मैं विवाह, तलाक आदि सम्बन्धी कानूनों को बहुत महत्व देता हूँ। ये बातें हमारे सामाजिक जीवन और रूढ़ियों से सम्बन्धित हैं और बसा करना बहुत कठिन था। फिर भी इस संसद् ने उनके लिए प्रयत्न किया। यह ठीक है कि उनका मूल्य प्रचार पालन न होता हो परन्तु इससे उनका महत्व कम नहीं होता है। मेरे विचार से इस संसद् का सब से अधिक महत्वपूर्ण कार्य समाज-सुधार के क्षेत्र में ही रहा है और विशेष रूप से स्त्रियों के सम्बन्ध में। हमारे आदर्श कुछ भी रहे हों और इतिहास में उन्हें कितना

[श्री जवाहरलाल नेहरू]

भी ऊंचा स्थान दिया गया हो तथ्य यही है कि हमारे सामाजिक जीवन में स्त्रियों इतनी दबाकर रखी गई हैं कि उनका विकास नहीं हो सका है। अब हम उनकी मज्जित के लिए प्रयत्न कर रहे हैं और इनमें शिक्षा का बहुत महत्वपूर्ण योग रहा है। इन सब प्रयत्नों को हमें विधान बना कर आगे बढ़ाना चाहिए।

यह ठीक है कि केवल कानून बना देने से गहरी जड़ों वाली सामाजिक समस्याएँ हल नहीं हो सकती उस के लिये अन्य प्रकार से भी प्रयत्न करने पड़ते हैं। परन्तु फिर भी विधान बनाना आवश्यक है क्योंकि उस से न केवल प्रचार होता है वरन् लोकमत के निर्माण के लिये कानूनी मान्यता भी मिल जाती है। इसलिये यह कानून, जिसे प्रायः सभी लोग स्वीकार कर रहे हैं, बहुत आवश्यक है। जहाँ तक दहेज का प्रश्न है, मैं उसे स्त्रियों की स्वतन्त्रता की दृष्टि से ही देखता हूँ। जब हिन्दू कोड विधेयक पर चर्चा के दौरान मुझे यह जान हुआ था कि सौराष्ट्र में प्रति दिन एक लड़की आत्म हत्या करती है तो मुझे बहुत धक्का पहुँचा। यह धक्का इसलिये और भी अधिक लगा कि सौराष्ट्र शिक्षा, सामाजिक और आर्थिक दृष्टि से एक प्रगतिशील राज्य है। मैंने सोचा कि जब वहाँ यह हाल है तो अन्य राज्यों का क्या हाल होगा। यही नहीं, बहुत से मामले ऐसे भी होते हैं कि वे आत्म हत्या तो नहीं करती परन्तु जीवन पर्यन्त यातनायें सहनी रहती हैं। ऐसा जीवन मृत्यु से भी बुरा है। यदि कोई व्यक्ति इन बातों को सही के आधार पर उचित बनाने का प्रयत्न करता है तो वह समाज के प्रति अन्याय करता है। यदि ऐसी चीज़ किसी आधार पर न्यायोचित बताई जाती है तो वह आधार सर्वथा गलत है तथा उसे उखाड़ फेंकना चाहिये।

वैसे तो यह समस्या बहुत बड़ी है और अन्ततः शिक्षा तथा आर्थिक प्रगति से ही हल होगी परन्तु इस विधेयक से भी उस में कुछ सहायता मिलेगी आज शिक्षा के प्रसार से हमारे देश की लड़कियों और स्त्रियों में जातिकारो परिवर्तन हो रहा है। मैं इस परिवर्तन का स्वागत करता हूँ। इस प्रकार के परिवर्तन से कुछ कठिनाइयाँ भी उत्पन्न होती हैं परन्तु उन का सामना किया जाना चाहिये। इस प्रकार की कठिनाइयों के डर से हम किसी बुराई को कायम नहीं रख सकते। अतः हमें तनिक व्यापक दृष्टिकोण से विचार करना चाहिये।

जहाँ तक इस दहेज निषेध विधेयक का संबंध है, मेरा निवेदन है कि यह सही दिशा में एक महत्वपूर्ण कदम है जिस से अनेक परिवारों का कुछ भार हल्का हो जायेगा। हम सब जानते हैं कि जब विवाह का प्रश्न आता है तो मध्यम वर्ग के लोगों से अनेक प्रकार की मांगें की जाती हैं। मैं यह नहीं कहता कि यह विधेयक इसे बिल्कुल खत्म कर देगा परन्तु इस से मदद काफी मिलेगी। लोग इस प्रकार की मांग करने में हिचक करेंगे गुप्त रूप से वे ऐसा भले ही करें अतः मैं इस विधेयक का स्वागत करता हूँ और जब यह संयुक्त बैठक द्वारा पारित हो जायेगा तो मुझे बहुत खुशी होगी।

जिन बातों के सम्बन्ध में मतभेद है वे बहुत थोड़ी सी हैं। सण्ड २ में "प्रत्यक्षत अथवा अप्रत्यक्षत रूप से" शब्द जोड़ने का प्रश्न है। मैं समझता हूँ कि इस संशोधन को स्वीकार कर लेना वांछनीय है और सण्ड २ में "प्रत्यक्षत अथवा अप्रत्यक्ष रूप से" शब्द जोड़ दिये जाने चाहियें। एक प्रकार से यह व्यर्थ भी है क्योंकि इस प्रकार की चीज़ें जैसे ही स्वीकार कर ली जाती हैं। परन्तु फिर भी उसे स्पष्ट कर देना ही अधिक अच्छा होगा। इसलिये मेरा निवेदन है कि हमें उस संशोधन को स्वीकार कर लेना चाहिये।

फिर व्याख्या आती है। यहाँ भी संदेह दूर करने के लिये इन शब्दों को रख देना ठीक होगा। बाहिर है कि लड़की अथवा दूसरे पक्ष को दिये गये व्यक्तिगत उपहार दहेज नहीं माने जा सकते हैं। इस में केवल इतना ही कहा गया है। यदि आप चाहें तो व्याख्या रखें अथवा न रखें क्योंकि उस का सार तो सण्ड में अन्तर्भूत है। हाँ, उस को रख देने में वह अधिक स्पष्ट हो जावेगा।

खंड ४ के बारे में मेरे माननीय सहयोगी श्री हजरतबीस ने एक परन्तुक प्रस्तुत किया है जिस की एक माननीय सदस्या ने आलोचना की है। मेरा ख्याल है कि उन्होंने ने धायद इसे समझने में गलती की है। उन का विचार है कि यह परन्तुक इस विधेयक को क्रियान्वित करने के मार्ग में एक बहुत बड़ी बाधा है। यदि हर बात की स्वीकृति राज्य सरकार से लेनी पड़े तो सचमुच ही यह एक बड़ी कठिन प्रक्रिया होगी और कोई भी इस का लाभ नहीं उठा सकेगा। एक निर्धन किसान अनुमति लेने के लिये राज्य सरकार अथवा महाधिवक्ता के पास किस प्रकार जा सकता है ? यदि ऐसी बात होती तो मैं इस का कड़ा विरोध करता। सारी बात यह है कि हमें लोगों की चीजों के बारे में सन्तुलन रखना है। हम नहीं चाहते कि इस विधेयक को किसी को तंग करने का साधन बना दिया जाये। इस के ऊपर किसी प्रकार की रोक होनी चाहिये किन्तु यह रोक ऐसी न हो कि इस की क्रियान्विति पर ही रोक लग जाये। यह एक सरल तरीका होना चाहिये, केवल एक मामूले में रोक। इस परन्तुक के अनुसार राज्य सरकार अथवा इस कार्य के लिये इस की ओर से नियुक्त पदाधिकारों सामान्य अथवा विशेष आदेश द्वारा यह कार्य कर सकता है। हम कह सकते हैं कि प्रथम श्रेणी का मजिस्ट्रेट यह कार्य कर सकता है। उद्देश्य यह है कि इसे सरल बनाया जाये किन्तु फिर भी इस पर कुछ रोक हो। मैं समझता हूँ खंड ४ के साथ यह परन्तुक भी वांछनीय है और हमें इसे स्वीकार कर लेना चाहिये। इस बात में जोर है कि यदि इस खंड को छोड़ दिया जाये तो इस विधेयक का मुख्य आधार अथवा इस की रीढ़ ही टूट जायेगी।

श्री गोरे (पूना) : क्या सरकार को इस बात पर कोई आपत्ति है कि विधेयक में इस बात को स्पष्ट कर दिया जाये कि प्रथम श्रेणी के मजिस्ट्रेट को इस सम्बन्ध में अधिकार होगा, बजाय इस के कि इस बात का उल्लेख अस्पष्ट रूप से किया जाये ?

श्री जवाहरलाल नेहरू : केवल प्रथम श्रेणी के मजिस्ट्रेट का उल्लेख कैसे किया जा सकता है ? हो सकता है कि इस के लिये दूसरी और तीसरी श्रेणी के मजिस्ट्रेट की नियुक्ति की जाये।

श्री गोरे : कई अधिनियमों में इस बात का उल्लेख होता है 'प्रथम श्रेणी' और 'दूसरी श्रेणी' के मजिस्ट्रेट। यह कोई नई बात नहीं है।

श्री जवाहरलाल नेहरू : मैं नहीं समझता कि हम ऐसा कर सकते हैं।

श्री अश्वर अली खान (आन्ध्र प्रदेश) : हम कह सकते हैं 'न्यायिक अधिकारों' :

श्री जवाहरलाल नेहरू : हम इसे केवल इन लोगों तक ही सीमित क्यों रखें ? इस का क्षेत्र विस्तृत क्यों न करें। उदाहरण के लिये हम यह कह दें पंचायत का प्रधान अथवा सरपंच यह कर सकता है। मैं समझता हूँ कि यदि गांव की पंचायत के मुखिया को इस का अधिकार दिया जाये तो यह एक अच्छी बात होगी।

श्री अमृत रेवू चक्रवर्ती : हम यह बात सरपंच के ऊपर नहीं छोड़ना चाहते हैं। किन्तु हम चाहते हैं कि यह बात प्रथम श्रेणी के मजिस्ट्रेट के ऊपर के किसी न्यायालय पर न छोड़ी जाये।

श्री जवाहरलाल नेहरू : मैं समझता हूँ कि इस बात को सीमित कर के हम इस विधेयक का सुधार नहीं कर सकते।

जहां तक परन्तुक का सम्बन्ध है कुछ लोगों का विचार है कि राज्य सरकारें इस मामले में देरी से काम करेगी या बाधाएँ उपस्थित करेगी। किन्तु मैं ऐसा नहीं समझता।

[श्री जवाहरलाल नेहरू]

इस विधेयक का प्रारूप इस प्रकार बनाने का अभिप्राय केवल इतना ही है कि जो लोग राहत चाहते हैं उन्हें अधिक से अधिक राहत पहुंचायी जाये और उनका काम आसान हो जाये।

यह अच्छा होगा कि इसके अन्दर कोई ऐसा उपबन्ध हो जिस से कुछ रोक लगे बरना हो सकता है कि शरारती लोग इस का दुरुपयोग करें। मुझे इस में सन्देह नहीं कि इस विधेयक के पारित होने के बाद भी कुछ लोग ऐसे होंगे जो इस का दुरुपयोग करेंगे और इस से बचने का यत्न करेंगे। किन्तु यह बात हर कानून के साथ होती है। फिर भी मैं समझता हूँ कि इस संशोधन के साथ इस विधेयक को पास करना एक ऐसा प्रगतिशील कदम होगा जिस पर यह सभा गर्व कर सकती है।

श्री प्रकाश नारायण सप्रू (उत्तर प्रदेश) : माननीय अध्यक्ष महोदय, प्रधान मंत्री की इस उद्घोषणा के पश्चात् कि यह एक अच्छा विधेयक है, इस विधेयक की आलोचना करना कुछ कठिन सा हो जाता है। मैं समझता हूँ कि यदि मैं इस विधेयक की कुछ बातों के बारे में प्रधान मंत्री के साथ असहमति प्रकट करने का साहस करूँ तो इसे हमारे महान प्रधान मंत्री के प्रति असम्मान नहीं समझा जायेगा।

सब से पहले मैं इस बात को स्पष्ट करना चाहता हूँ कि मैं स्त्रियों के हित वाली सभी बातों का पक्का समर्थक हूँ। मैं चाहता हूँ कि स्त्रियाँ जीवन के प्रति एक क्रान्तिकारी दृष्टिकोण अपनायें। किन्तु मैं समझता हूँ कि यह विधेयक हमारे सामने एक गलत आदर्श प्रस्तुत करता है।

इस में सन्देह नहीं कि दहेज की प्रथा एक बहुत बड़ी बुराई है किन्तु प्रश्न यह है कि क्या कानून के द्वारा इस समस्या को यथोचित रूप से हल किया जा सकता है।

हमारे देश में दहेज की प्रथा इस लिये है कि विवाह अभिभावकों द्वारा निर्धारित किये जाते हैं। यदि हमारे समाज में युवक और युवतियाँ बिना किसी रोक टोक के एक दूसरे से मिल सकें और उन्हें अपना जीवन साथी चुनने का अधिकार हो तो दहेज की समस्या इतनी भीषण नहीं रहेगी जितनी कि वह आजकल है।

दूसरी बात यह है कि हमें विवाह को एक अवश्यंभावी बात मान कर नहीं चलना चाहिये। हमारी मुख्य कठिनाई यह है कि हम समझते हैं कि हर स्त्री के लिये विवाह करना अनिवार्य है। इस बात को युवक और युवतियों पर छोड़ देना चाहिये कि वे विवाह करायें या न करायें और करना चाहें तो किस से और कब करना चाहिये।

अब मैं दोनों सभाओं में मतभेद की मुख्य बातों का उल्लेख करना चाहता हूँ। पहला मतभेद खंड २ के बारे में है। खंड २ में "प्रत्यक्ष अथवा अप्रत्यक्ष" जोड़ने की मांग की गयी है। मैं समझता हूँ कि इन शब्दों की कोई आवश्यकता नहीं है। खंड २ में इन का भावार्थ विद्यमान है।

इस के बाद स्पष्टीकरण की बात आती है। मेरा अपना विचार यह है कि इसे चाहे रखा जाये अथवा न रखा जाये, इस से कोई फर्क नहीं पड़ता। किन्तु कुछ सन्देह दूर करने के लिये उसे विधेयक में रखा जा सकता है।

जहां तक खंड ४ का सम्बन्ध है, यह समझ में नहीं आता कि दहेज की मांग को न्यायालय में किस प्रकार सिद्ध किया जा सकता है। इस से हमारे न्यायालयों में झूठी गवाहियों की बाढ़ भी आ जायेगी। दहेज की मांग को अपराध घोषित करना ठीक न होगा।

श्रीमूल अंग्रेजी में

खंड ४ में जो रूपभेद किया जा रहा है कि शिकायत करने से पहले राज्य सरकार अथवा उस के द्वारा प्राधिकृत किसी अधिकारी की पूर्वानुमति ली जानी चाहिये, अच्छा है। इस से इस खंड की सक्ती तो कम हो जायेगी।

में इस विधेयक के बारे में इतना उत्साहपूर्ण और आशावादी क्यों नहीं हूँ, इस का एक कारण यह है कि मेरे विचार में कानून ऐसे होने चाहिये जिन्हें सरलता से लागू किया जा सकता हो। मेरा विचार है कि इस विधेयक से यह मार्ग प्रशस्त नहीं होगा जिस पर चल कर हम अपने देश में बड़ी तेजी से सामाजिक सुधार करना चाहते हैं।

श्री मूलक गोविन्द रेड्डी (मैसूर) : श्रीमन्, मैं जानता हूँ कि दहेज निरोध विधेयक के पास हो जाने से भारत में दहेज की कुप्रथा का उन्मूलन नहीं हो जायेगा। हमारे समाज से इस बुराई का निवारण करने के लिये इस से कहीं अधिक क्रान्तिकारी उपाय की आवश्यकता है। समाज की वर्तमान व्यवस्था में आमूल चूल परिवर्तन करने के लिये शिक्षा, आर्थिक प्रगति और जन जागरण की आवश्यकता है।

दोनों सदनों के बीच इस विधेयक पर सब से पहला मतभेद दहेज की परिभाषा के बारे में है। मैं समझता हूँ कि परिभाषा में 'प्रत्यक्ष अथवा अप्रत्यक्ष रूप में' शब्द रखे जाने के संशोधन को स्वीकार किया जाना चाहिये। खंड ४ में इसी प्रकार के शब्दों का उल्लेख है और इस संशोधन को स्वीकार न किये जाने का कोई कारण नहीं है।

स्पष्टीकरण के बारे में भी मैं कुछ कहना चाहूँगा। अगर हम चाहते हैं कि समाज से इस बुराई का अन्त हो तो हमें इस स्पष्टीकरण को विधेयक में से निकाल देना चाहिये। स्पष्टीकरण को शामिल करने से तो इस विधेयक का उद्देश्य ही नष्ट हो जायेगा और यह विधेयक प्रभाव शून्य बन जायेगा।

खंड ४ में जो उपबन्ध है, वह बहुत कड़ा है। उस से निरपराध व्यक्तियों को परेशानी हो सकती है। यद्यपि यह ठीक है कि दहेज की मांग पर रोक लगायी जानी चाहिये। किन्तु यह भी जरूरी है कि विधेयक के उपबन्धों से निर्दोष व्यक्तियों को किसी प्रकार का कष्ट न पहुँचे।

माननीय विधि उपमंत्री, श्री हजरतबीस ने परन्तुक के रूप में जो संशोधन पेश किया है, उसे स्वीकार किया जा सकता है, बशर्ते कि इस परन्तुक में संशोधन कर के उसे स्पष्ट कर दिया जाये। अधिकारी का दर्जा सन्दिग्ध रखने की बजाय उस का उल्लेख परन्तुक में ही कर दिया जाना चाहिये।

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

श्री जे० एन० कौशल (पंजाब) : अध्यक्ष महोदय, मैं समझता हूँ कि दोनों सदस्यों के मतभेद, जिन को सुलझाने के लिये संयुक्त सभा बुलायी गयी है, विधि मंत्री और प्रधान मंत्री की प्रभावशाली धावाज के पश्चात् काफी कम हो गये हैं। मुख्य मतभेद, जिस की ओर उन दोनों वक्ताओं ने ध्यान नहीं दिया, दहेज की परिभाषा के बारे में है। यदि इस के साथ प्रस्तावित स्पष्टीकरण रहने दिया गया तो विधेयक का सारा उद्देश्य ही विफल हो जायेगा और लोग उपहार आदि के रूप में दहेज देने लगेंगे। यदि हम वास्तव में इस बुराई को दूर करना चाहते हैं तो हम में यह कहने का साहस होना चाहिये कि दहेज नगद हो अथवा गहनों के रूप में हो या किसी अन्य रूप में हो, हम इसे नहीं चलने देंगे।

विवाह के झुंझसर पर यदि कोई व्यक्ति उपहार दे तो यह कहना मुश्किल होगा कि उपहार विवाह करने के लिये दिये गये हैं अथवा आत्मीयता के कारण। अब लड़कों के साथ लड़कियों को भी पंतुक सम्पत्ति का उत्तराधिकार दिया गया है इस लिये इस तक में कोई सार नहीं कि ये उपहार स्त्री-धन है।

[श्री जे० एन० कौशल]

यदि ऐसा ख्याल है कि उपहार देने के लिये कुछ उपबन्ध होना चाहिये तो सरकार द्वारा प्रस्तुत इस विधेयक के मूल खंड में उपहारों के मूल्य के बारे में उपयुक्त संशोधन किया जाना बेहतर होगा।

भ्राज की परिस्थितियों को ध्यान में रखते हुए, विधेयक के खंड ४ में परन्तुक के रूप में जो संशोधन किया जा रहा है, उस की कोई आवश्यकता नहीं है।

दहेज की केवल मांग को ही दण्डनीय अपराध नहीं बनाया जाना चाहिये। किन्तु यदि इस बात को दण्डनीय अपराध घोषित करना ही है तो इस में श्रीर मीन मेख नही निकालनी चाहिये।

दहेज की परिभाषा में 'प्रत्यक्ष अथवा अप्रत्यक्ष रूप से' का होना अत्यावश्यक है। इस से बात स्पष्ट हो जाती है।

अन्त में मेरा यह निवेदन है कि राज्य सभा द्वारा दिये गये सुझावों को सामान्य रूप से स्वीकार कर लेना चाहिये। सरकार ने केवल एक संशोधन प्रस्तुत किया है उस के बारे में मेरी व्यक्तिगत राय यही है कि दहेज की मांग को दण्डनीय अपराध नहीं ठहराना चाहिये।

†श्रीमती मंजुला देवी (गवालपाड़ा) : अध्यक्ष महोदय, मैं अपने विचार बिल्कुल संक्षेप में सभा के समक्ष रखूंगी।

विधेयक में "प्रत्यक्ष अथवा अप्रत्यक्ष रूप से" शब्द रखने के लिये जो संशोधन प्रस्तुत किया गया है, उसे स्वीकार किया जाये।

खंड २ में जो स्पष्टीकरण है उस से उस खंड का अर्थ स्पष्ट होने के स्थान पर सन्दिग्ध हो जायेगा। उस से दहेज लेने अथवा देने के रास्ते निकल आयेंगे। स्पष्टीकरण को निकाल देने के बारे में कोई मतभेद प्रतीत नहीं होता।

विधेयक में खण्ड ४ का होना बहुत जरूरी है। यह आवश्यक है कि दहेज की मांग के लिये दंड दिया जाये। स्वेच्छा से सदैव उपहार दिये जा सकते हैं किन्तु लड़की के माता पिता लड़की के विवाह के अवसर पर ही उपहार देने की बात क्यों सोचें? इस सामाजिक बुराई को समाप्त किया जाना चाहिये।

खंड ४ में जो परन्तुक प्रस्तुत किया गया है उस का स्वागत किया जाना चाहिये। किसी को यह आशंका नहीं होनी चाहिये कि इस का दुरुपयोग होगा।

†श्री त्यागी (देहरादून) : श्रीमन्, मुझे खेद है कि मैं इस बिल से पूर्णतया सहमत नहीं हूँ। मेरा हृदय से यह विचार रहा है श्रीर मैं अब भी यह अनुभव करता हूँ कि जहाँ तक हो सके इस किस्म के कानून नहीं बनाये जान चाहियें। इन से हमारे समाज के घरेलू क्षेत्र में हस्तक्षेप होता है।

यदि हम इस बुराई को दूर करना चाहते हैं तो हमें इस के लिये जनमत तैयार करना होगा। कानून बनाने से पहले हमें यह मुनिश्चित करना चाहिये कि उस का उल्लंघन न हो और यदि उल्लंघन होता ही है तो उसे प्रभावशाली रूप से रोका जा सके।

खण्ड २ में जो स्पष्टीकरण है वह बहुत आवश्यक है। शादी-विवाह में उपहार देने की प्रथा है और हर कोई व्यक्ति उपहार देता है। इस पर कोई रोक नहीं होनी चाहिये और ऐसा कोई उपबन्ध नहीं किया जाना चाहिये जिस से निरपराध व्यक्तियों को परेशान किया जा सके। समाज के रीति-रिवाज में इस प्रकार परिवर्तन न किया जाये।

†मूल प्रश्नों में

इस मुझाव पर विचार किया जाये कि दहेज लेने देने में सहायता करने के लिये कुछ न दिया जाये । जहाँ तक मांग का सम्बन्ध है, उस पर प्रतिबन्ध होना चाहिये क्योंकि विवाह के बदले में किये जाने वाले किसी भी लेन देन को कानून के जरिये रोका जाना चाहिये ।

ऐसे कई अवसर आयेंगे जब कि शिकायत यह होगी कि चूँकि लड़के वाले इतना दहेज चाहते थे इसलिए विवाह का प्रस्ताव नामंजूर कर दिया और फिर मुकदमेबाजी चलेगी । ऐसी बात नहीं होनी चाहिये । फिर दंड भी काफी अधिक है । खंड २ में दहेज की परिभाषा में वे "प्रत्यक्ष या अप्रत्यक्ष रूप से" शब्द जोड़ना चाहते हैं । मुझे उसमें कोई आपत्ति नहीं है । इन शब्दों को रखने या निकाल देने से कोई खास फर्क नहीं पड़ेगा ।

लेकिन "विवाह में एक पक्ष द्वारा दूसरे पक्ष को" ये शब्द दोषपूर्ण हैं क्योंकि उससे पति द्वारा पत्नी को कोई भेंट या उपहार भी निषिद्ध हो जायगा । विवाह के बाद वे मित्र पक्ष नहीं रहते और कानून ने इसको मान लिया है । पति-पत्नी द्वारा एक दूसरे को उपहार दिया जाना आपसी बात है । इसलिए ये शब्द आपत्तिजनक हैं और मेरा मुझाव है कि उस पर और आगे विचार किया जाये । आगे मेरी यह भी अपील है कि इस विधि को यथासंभव सरल बनाया जाये ताकि समाज पर बोझ बहुत अधिक न पड़े ।

श्रीमती उमा नेहरू (सीतापुर) : श्रीमान् जी, आज तेरह बरस के बाद यह मुबारिक दिन आया है जबकि हम यहां जमा हुए हैं इस पर विचार करने के लिए कि डावरी की प्रथा को खत्म किया जाना चाहिये या नहीं किया जाना चाहिये । हम ने सब से ज्यादा मेहनत आजादी हासिल करने में की थी और आजादी हासिल करने के बाद हमारे सामने यह प्रश्न आता है कि हम आगे नहीं बढ़ सकते हैं जब तक कि चारों तरफ से हम सामाजिक उन्नति नहीं करते हैं ।

सामाजिक क्षेत्र में सब से पहले उन्नति यूँ हो सकती है कि समाज में जो त्रुटियाँ हैं, उनको दूर किया जाये, समाज में जितने कसिस हैं, या जितनी तंगखयालियाँ हैं, उनको दूर किया जाये । जब तक उनको दूर नहीं किया जाता है, कोई भी समाज आगे नहीं बढ़ सकता है । हमें यह भी याद रखना है कि संसार में बराबर परिवर्तन होते जाते हैं और परिवर्तन के विचार से डरना और पीछे हटना किसी भी कौम के लिए, किसी भी नेशन के लिए खतरनाक होता है और अगर वह ऐसा करती है तो वह खत्म भी हो सकती है ।

इन सब बातों को ध्यान में रख कर हमें इस डावरी बिल पर विचार करना होगा । जब मैं समाज के इस पहलू को देखती हूँ तो मुझे बहुत शर्म आती है । यह डावरी वाला पहलू है और मैं समझती हूँ कि यह स्त्री जाति के माथे पर एक कलंक का टीका है । डावरी का मतलब क्या ? इसका मतलब क्या यह है कि स्त्री को खरीदा जाय या इसका मतलब यह है कि जो लड़की ब्याहने योग्य है, उसका ब्याह तब तक नहीं हो सकता है जब तक कि हज़ारों या लाखों रुपया न हो डावरी में देने के लिए ? अगर यही डावरी का मतलब है तो इसका अर्थ यह हुआ कि धन का ज्यादा खयाल है, लड़की का खयाल नहीं है । जब यह प्रश्न हमारे सामने आता है तो हम जो स्त्रियाँ हैं, हमें बड़ी शर्म आती है । मैं समझती हूँ कि दहेज को, डावरी को त्रिक्कुल हट जाना चाहिये, डावरी का नाम तक नहीं लिया जाना चाहिये और लड़की को उसके मेरिट्स को देख कर शादी होनी चाहिये ।

अब मैं यहां देख रही हूँ कि हमारे बहुत सारे जो भाई हैं वे इस विषय पर बहस कर रहे हैं कि साहब, लड़की को हम क्या दें, क्या न दें । २००० रु० दें, ५०० रु० दें, ५० रु० दें, ५० रु० दें ।

[श्रीमती: उमा नेहरू]

यह चीजें यहां हो रही हैं। गले के लिये कंडी देवें या न देवें, यह सब चीजें हमारे सामने कही जा रही हैं, जिन को सुन कर तकलीफ होती है। मैं समझती हूं कि आप कुछ न दें। जब हृण ने यह ला पास किया है कि लड़की को मां, बाप की जायदाद के ऊपर पूरा अधिकार है, तो कोई वजह नहीं है कि लड़कियों के लिये यहां पर इस तरह से चर्चा हो कि गले की कंडी हो, ऊंगली के लिये झण्डी हो या यह कि कौन सी चीज डावरी और कौन सी चीज डावरी नहीं है। डावरी को डेफिनिशन यहां हो रही है और कहा जाता है कि डावरी यह चीज है और यह चीज नहीं है। दरमस्त डावरी के माने यह हैं कि हम और आप मिल कर एक कंट्रैक्ट करें और जो तय हो देने के लिये वह डावरी है। लोगों को यह भी डर है कि आज भी बहुत से लोग हैं जो गिफ्ट के नाम से देने की कोशिश करेंगे और डावरी पहुंचावेंगे। मेरी समझ में नहीं आता कि गिफ्ट्स जो हम अपने प्रेम के कारण, अपनी मोहब्बत के कारण देंगे उसको आप कैसे रोक सकते हैं, जब तक कि छोटे-छोटे गिफ्ट्स होते हैं, यह नहीं कि वह हजारों और लाखों के हों।

इन सब बातों के बाद मुझे यह कहना है कि सभी स्त्रियां स्त्रियां हैं चाहे वे कम्प्लिस्ट हों या सोशलिस्ट हों या काप्रेसी हों और वे सभी चाहती हैं कि यह डावरी की प्रथा बिल्कुल खत्म हो जाये। हम नहीं चाहते कि आज हम में कहा जाय कि अगर उस घर का लड़का लगे तो तुम को इतना रुपया देना होगा, अगर आई० ए० एस० या आई० एफ० एस० लड़का लगे तो उस की कीमत इतनी होगी। मैं यह सब सुनने के लिये तैयार नहीं हूं। मैं यह भी कहना चाहती हू कि अगर कोई आई० ए० एस० या आई० एफ० एस० लड़का लेता है तो वह लड़की को नहीं देखता है, वह हमारी लड़की को नहीं लेता है, हमारा धन लेता है, उस के दिल में लड़की के लिये जरा भी इज्जत नहीं है। इसलिये इस चीज को मैं बिल्कुल हटा देना चाहती हूं। आप कहेंगे कि आखिर इसको हटाने के लिये तरकीब क्या होनी चाहिये। यह बिल हमारे सामने आया है, इस बिल को मैंने देखा। हम इस को जल्दी पास करना चाहती हैं, हालांकि इस बिल में कुछ ऐसी बात नहीं रखी है, फिर भी हमारे लिये यह एक मुफीद चीज है।

इस बिल में तीन चीजों पर लोगों की राय एक नहीं है। मैं कहना चाहती हू कि इस में डाइरेक्ट और इनडाइरेक्ट को रखना बहुत जरूरी है। बिना उस के तो यह बिल बन ही नहीं सकेगा। दूसरी बड़ी चीज जो है वह एक्सप्लेनशन के बारे में है। इसके लिये राय यह हो रही है कि यह रहे या न रहे। मेरी राय में इस को रहना चाहिये। मैं आप को बतलाऊं कि इस को क्यों रहना चाहिये क्योंकि इसके अन्दर एक ही खयाल है कि शादी के समय हैरेसमेन्ट न होने पाये, लेकिन जो भी प्रेम से मोहब्बत से कोई छोटी मोटी चीज देना चाहता है, अगर उस को भी आप डावरी में शामिल कर लेते हैं जो कि डावरी के माने नहीं, जो कि डावरी के अन्दर नहीं आती, तो यह गलत बात होगी। इसलिये एक्सप्लेनशन का रखना यहां बहुत जरूरी है। हम शादी करने के लिये खड़े होते हैं, बरबादी करने के लिये नहीं खड़े होते हैं। हैरेसमेन्ट के लिये नहीं खड़े होते हैं। शादी के माने होते हैं खुशी के। अगर हम खुशी के लिये खड़े होते हैं और बीच बीच में हैरेसमेन्ट होता रहता है तो यह चीज तकलीफदेह हो जाती है। इसलिये हम ने शुरू में इस चीज को मान लिया है। हम अपनी पार्लियामेंट के जरिये अभी इतना ही बड़ रहे हैं, जब हम भगली दफा इस के बारे में कोई विधेयक लायेंगे तो हम इस से और भी आगे जायेंगे। मैं बिल्कुल चाहती हू कि यह एक्सप्लेनशन कायम रहे।

धन रहा क्लाइ ४। क्लाइ ४ जो है उस में सजा की जो बात है उस को लोग पसन्द नहीं करते। लेकिन जहां आप डिमान्ड रखेंगे वहां पर सजा तो होगी ही। डिमान्ड बगैर सजा के

नहीं हो सकती है। उस के बिना इस चीज की बिल्कुल जान सी निकल जाती है। इस लिये क्लाज ४ के बारे में सा मिनिस्टर साहब ने अभी जो प्राविजन बतलाया है वह, मैं समझती हूँ, ठीक है, और उस के रखने के बाद यह चीज बिल्कुल दुरुस्त हो जायेगी। मैं उन से इस बारे में बिल्कुल सहमत हूँ।

अभी श्री त्यागी ने बोलते हुए बहुत सी बातें कहीं। उन में से बहुत सी बातें ऐसी कही गई जो कि मेरी समझ में नहीं आतीं। अगर कुछ बातें मेरी समझ में नहीं आतीं तो इस में त्यागी जी का कुसूर नहीं है। यह हमारी समझ का फेर है कि उन की बहुत सी बातें हमारी समझ में नहीं आईं। उन्होंने कहा कि सोसायटी डिस्टर्ब नहीं होनी चाहिये। समाज को शांतिपूर्वक रहना चाहिये। लेकिन आजकल के जमाने में हम कोई भी पहलू कहीं नहीं देखते जहाँ पर कि लोग हर तरह से डिस्टर्ब न हो रहे हों। तो यह कैसे हो सकता है कि बिना समाज को डिस्टर्ब किये हुए हम समाज की शक्त बदल दें। त्यागी जी बिल्कुल बेफिक्र रहें, समाज की कोई खराबी इस कानून से होने वाली नहीं है।

दूसरी बात जो मैं कहना चाहती हूँ वह यह है कि असल में कानून से समाज की उन्नति नहीं हो सकती। समाज की उन्नति हमेशा तब होती है जब हम सब एक मिशनरी के रूप में जा कर अपने मुक्त में घूम फिर कर सामाजिक नियमों को लोगों के सामने रखें, सोशल नाज को लोगों को बतलायें और खुद भी उन पर चलें। इसलिये यह सवाल अब हमारे सामने है। मैं ज्यादा कुछ न कह कर आप से इतना ही कहना चाहती हूँ कि आज हमारे प्राइम मिनिस्टर साहब ने और सा मिनिस्टर साहब ने जो चीजें पेश की हैं, मैं उन से बिल्कुल सहमत हूँ और मुझे उम्मीद है कि आप सब लोग उन को पास करेंगे। बिल बहुत छोटा सा है। इस के लिये कोई बड़े बड़े कानूनदारों की जरूरत नहीं है। अगर आप इस को पास करेंगे तब वह देश आगे बढ़ेगा।

†डा० धीनती सीता परमानन्ध (मध्य प्रदेश) : इस विधेयक को औरतों का विधेयक कहा गया है और मेरी समझ से वह गलत है। मैं अपनी लड़की के कुशन के लिए अधिक चिन्तित रहती है और इसीलिये दहेज के बारे में भी उसकी परेशानी समझ में आती है। लेकिन जब कि यह सामाजिक प्रथा एक अभिशाप बन गयी है तब यह समस्या अवश्य मुलजायी जानी चाहिये।

अब मैं पहले कुछ संशोधनों का विवेचन करूंगी। कुछ लोगों ने कहा है कि खंड २ में "प्रत्यक्ष या अप्रत्यक्ष रूप से" ये शब्द अनावश्यक हैं लेकिन कानून में अधिक स्पष्टता हमेशा अच्छी होती है और इन शब्दों को रखने से कोई हानि नहीं होगी।

स्पष्टीकरण के सम्बन्ध में, मैं यह बताना चाहती हूँ कि यह कहना ठीक नहीं है कि इस स्पष्टीकरण के कारण लोग उपहार दे सकेंगे। श्री त्यागी ने अभी-अभी बताया कि यदि यह स्पष्टीकरण न हो तो एक भाई या भिन्न अपनी बहन को शादी में उपहार नहीं दे सकेगा। मैं समझती हूँ कि ऐसे उपहारों को शादी की कीमत कभी नहीं समझा जा सकता। यदि यह स्पष्टीकरण रखा जायेगा तो उन लोगों के लिए रास्ता निकल आयेगा जो उपहार के नाम पर दकद रूपये, बर्तन, कपड़े आदि देने हैं। यदि आप "नकद और इन चीजों" को निकाल देते हैं तो आपका उद्देश्य किस प्रकार पूरा होगा ?

आगे इस तर्क के सम्बन्ध में कि स्पष्टीकरण हटा देने पर गांव में रहे वाले लोगों को जो कानून नहीं जानते, कठिनाई होगी, मैं यह स्पष्ट कर देना चाहती हूँ कि वर्तमान दहेज प्रथा का नाजायज

[श्रीमती सीता परमानन्द]

फायदा गांवों में नहीं, बल्कि सिर्फ शहरों में रहने वाले शिक्षित लोग ही उठाते हैं। इसलिए यह कहना गलत है कि इससे गांव वालों को कठिनाई होगी। हम एक स्पष्टीकरण रख सकते हैं जिसमें ५० रुपये तक के उपहार देने का उपबन्ध हो।

दहेज की मांग सम्बन्धी खंड के बारे में राज्य सभा में यह कहा गया था कि इससे लोगों की परेशानी बढ़ जायगी। मेरी समझ में यह कहना गलत होगा कि दहेज की मांग को दंडनीय बनाने से लोगों की परेशानी बढ़ जायगी। लोग बिना किसी आघार के या झूठे मुकदमे चलाने से पहले काफी सोच विचार लेंगे। राज्य सभा में यह बात कही गयी थी और कुछ सदस्यों से जो यह स्पष्टीकरण रद्द करना चाहते थे, हमें सहमत होना पड़ा था कि आरम्भ में दहेज की मांग को दंडनीय बनाने वाला खंड निकाल दिया जा सकता है। लेकिन इसमें कोई सन्देह नहीं कि दहेज की मांग के कारण शादी टूट जाने से काफी परेशानी होती है। इसलिए मेरे विचार में माननीय विधि मंत्री द्वारा रखे गये संशोधन का प्रस्ताव एक अच्छा मध्य मार्ग है इस बात की संभावना कम है कि लोगों को सिर्फ सताने के ब्याल से उन पर मुकदमे चलाये जायेंगे।

श्रीमती रेणु चक्रवर्ती कह रही थीं कि गांव के लोगों को राज्य सरकार द्वारा नियुक्त अधिकारी के पास पहुंचना कठिन होगा। आशय यह नहीं है कि वह अधिकारी मजिस्ट्रेट की हैसियत का हो और लोगों को उसके पास जाना पड़े। यदि देश में विवाह सम्बन्धी न्यायालय या ऐसी संस्थाएं जैसी विवाह मार्गदर्शन परिषदों की स्थापना का प्रस्ताव सरकार मान ले तो कोई कठिनाई नहीं होगी। फिर स्थानीय क्षेत्रों में हैसियत और प्रलिप्ता वाले सामाजिक कार्यकर्ता भी होते हैं जिन के पास लोग अनुमति प्राप्त करने के लिए जा सकते हैं। जब कभी दहेज की मांग के बारे में वास्तव में किसी को सताये जाने की बात हो तो वे भी अनुमति दे सकते हैं। इसलिए मैं यह कहना चाहती हूँ कि वह खंड स्वीकार कर लेने में कोई आपत्ति नहीं होनी चाहिये।

श्रीमती उमा नेहरू यह कह रही थीं कि चूकि अब लड़कियों को सम्पत्ति में हिस्सा दिया जा रहा है तो अब दहेज का रिवाज जारी रखने का कोई कारण नहीं है। इस सम्बन्ध में अक्सर यह तर्क रखा जाता है कि मां बाप को लड़कियों की शादी पर काफी खर्च करना पड़ता है तब उसे सम्पत्ति में हिस्सा क्यों दिया जाये। इसलिए दहेज पर रोक लगा देने से यह तर्क समाप्त हो जायेगा।

श्री त्यागी ने यह कहा है कि यह विधान लागू नहीं किया जा सकता और इसलिए समाज सुधार होना चाहिये। इसी प्रकार श्री पी० एन० सप्रू ने भी राज्य सभा में इसी बात पर जोर दिया था कि विधान के जरिये समाज सुधार नहीं हो सकता। मेरा यह कहना है कि किसी हद तक यह कहना भी ठीक नहीं है कि केवल सामाजिक विधान से ही यह समस्या हल नहीं होगी। मेरी दृष्टि में विधान और समाज सुधार, ये दोनों ही एक गाड़ी के पहिये हैं और जब तक ये दोनों पहिये नहीं होंगे तब तक हम आगे नहीं बढ़ सकेंगे और न ही हम इस बुराई को दूर कर सकेंगे। सरकार की मदद के बगैर लोग विधान से भी लाभ उठाने के लिए आगे नहीं आते।

श्रीमती इला पालबोषरी (नवद्वीप) : केवल तीन बातों के सम्बन्ध में दोनों सभाओं के बीच कुछ मतभेद और विवाद हुआ है। मेरी राय में खंड २ में "प्रत्यक्ष या अप्रत्यक्ष रूप से" ये शब्द जोड़ दिये जाने चाहिये। इससे खण्ड का उपबन्ध और स्पष्ट हो जायगा और उसका अधिक अच्छा प्रभाव पड़ेगा।

दूसरी बात यह कि खंड २ में स्पष्टीकरण बहुत आवश्यक है। मुझे श्रीमती रेणु चक्रवर्ती की इस बात पर आश्चर्य हुआ कि सामाजिक विधान की गति बहुत धीमी है। इस पर मेरा यह कहना है कि संसद् में, अधिक अच्छे सामाजिक सम्बन्ध स्थापित करने के आशय से, स्त्रियां, बच्चे, विवाह, अस्पृश्यता आदि विषयों पर हम ने बहुत तैजी से कानून बनाये हैं। लेकिन जनमत को इतना सुनिश्चित नहीं किया गया है जो उस विधान के साथ कदम रख सके। इसलिए स्पष्टीकरण बहुत आवश्यक है ताकि लोगों को यह विवेक समझने में गलतफहमी न हो। साथ ही हम ऐसा विधान नहीं चाहते जिससे लोगों का उत्पीड़न हो। इसका एक दूसरा कारण भी है। यद्यपि कई माननीय सदस्यों ने कहा है कि अब लड़की को सम्पत्ति में हिस्सा देने वाला कानून बन गया है इसलिए दहेज नहीं दिया जाना चाहिये। वास्तव में शादी के समय जो कुछ दिया जाता है उस पर तो लड़की का ही अधिकार होता है। वह उसे स्त्रीघन के रूप में मिलता है। उस पर पूर्णतः अधिकार उसी का होता है। इसलिए प्यार और आत्मीयता से जो कुछ दिया जाता है उसमें किसी कानून को दखल नहीं देना चाहिये।

खंड ४ जिसमें दहेज मांगने पर दंड देने की व्यवस्था है, रद्द नहीं किया जाना चाहिये। यदि दहेज की मांग को दंडनीय नहीं बनाना है तो विधेयक के अन्तर्गत और किस बात को दंडनीय बनाया जा रहा है। यह खंड परन्तुक के साथ स्वीकार किया जाना चाहिये। ग्रामीण क्षेत्रों में राज्य सरकार कुछ पदाधिकारियों को नियुक्त कर सकती है या वहां जिलाधीश भी उपलब्ध होता है जो दहेज की मांग के मामलों के बारे में कार्यवाही कर सकता है। मेरी समझ से यह परन्तुक बहुत अच्छा है। यदि हम इस परन्तुक के सहित इस खंड को कायम रखें तब वास्तव में हमारा कुछ उद्देश्य पूरा होगा और हम दहेज की कुप्रथा को मिटा सकेंगे। आशा है कि सभा मुझ से सहमत होगी कि यह स्पष्टीकरण और दंड वाला खंड, दोनों ही कायम रखे जाने चाहियें।

श्रीमती यशोदा रेड्डी (आन्ध्र प्रदेश) : मुझे बड़े खेद के साथ कहना पड़ता है कि इस महत्वपूर्ण विधेयक को बड़े छिछले ढंग से लिया गया है। मुझे इस बात पर गहरी आपत्ति है कि माननीय सदस्य खुले तौर पर यह नहीं कहते कि हम इस विधेयक के अन्तर्गत सिद्धान्त से सहमत नहीं हैं लेकिन जब उसे कार्यान्वित करने का समय आता है तो वे यह कहते हैं कि यह गलत है, वह गलत है, उसे कार्यान्वित नहीं किया जा सकता और उससे परेशानी होगी इत्यादि।

दोनों सभाओं में मतभेद की तीन बातें हैं। पहली बात खंड ४ के सम्बन्ध में है। मेरा कहना यह है कि खंड ४ अवश्य रखा जाना चाहिये। इस सम्बन्ध में तीन तर्क दिये गये हैं कि इस से लोगों को परेशान किया जायगा, घमकी दी जायगी और यह खंड अव्यावहारिक है। इन तर्कों के विरुद्ध मैं यह कहना चाहती हूँ कि प्रत्येक विधान से, चाहे वह राजनैतिक, सामाजिक या और किसी ढंगका हो, कुछ न कुछ परेशानी होती ही है। यदि किसी की स्वतंत्रता छीन ली जाती है या किसी को आयकर देने के लिये कहा जाता है तो उससे कुछ न कुछ परेशानी अवश्य होती है। इसलिए इस खंड के विरुद्ध यह तर्क देना गलत है। दूसरा तर्क घमकियां देने का है। यदि हमारे न्यायालय और न्यायाधीश घनावश्यक घमकियां न रोक सकें तो उन पर इतना खर्च करने से क्या लाभ! आखिर वे किस लिए हैं? इसलिए यह तर्क देना भी निरर्थक है। तीसरा तर्क अव्यावहारिकता के बारे में है। उनका कहना है कि इस अधिनियम के अधीन दंड नहीं दिया जा सकेगा। जब कोई अपराध होगा तो उसकी सहाय भी होगी और दंड भी दिया जा सकेगा। मैं इस बात से सहमत नहीं हूँ कि इस सामाजिक विधान को कार्यान्वित करना कठिन होगा।

[श्रीमती यशोदा रेड्डी]

मेरी राय में यही एक खंड ऐसा है जो इस विधेयक का सार है। मेरी यह अपील है कि खंड ४ को निकाला न जाये और न ही सरकार द्वारा प्रस्तावित परन्तुक स्वीकार किया जाये क्योंकि उससे भ्रष्टाचार को प्रोत्साहन मिलेगा और बहुत अधिक परेशानी होगी। इसलिए बगैर परन्तुक के यह खंड कायम रखा जाये।

दूसरी बात यह है कि इस स्पष्टीकरण के कारण भी बड़ी दिक्कत हुई है। मेरी अपनी निजी राय यह है कि इस स्पष्टीकरण को निकाल देने की कोई आवश्यकता नहीं है। यदि स्पष्टीकरण निकाल भी दिया जाय तब भी उपहार या और किसी रूप में कुछ न कुछ दहेज दिया ही जायगा। खंड २ की तरह इस स्पष्टीकरण का मूल सिद्धान्त उसका ऐच्छिक पहलू है। वहां वह अपनी स्वेच्छा पर आधारित है, उससे किसी पर कोई प्रभाव नहीं पड़ेगा। इसके अलावा, स्पष्टीकरण में यह साफ लिखा हुआ है "संदेह मिटाने के लिए"। वह केवल एक व्याख्यात्मक खंड है। यदि यह स्पष्टीकरण आपत्तिजनक हो तो सारा खंड ही आपत्तिजनक होना चाहिये क्योंकि स्पष्टीकरण में खंड से भिन्न कोई बात नहीं होगी। मुझे इस बात की खुशी है कि उसमें से चल या अचल सम्पत्ति निकाल दी गयी है और अब उस में केवल नकदी, गहने, कपड़े और दूसरी चीजों का उल्लेख है।

श्री ए०डी० मणि ने "दो हजार रुपये से अधिक मूल्य का उचित ढंग का कोई पहार" के संशोधन की सूचना दी है। मैं "उचित ढंग" से तो सहमत हूँ लेकिन "दो हजार रुपये से अधिक मूल्य" के बारे में नहीं क्योंकि जो एक के लिए उचित हो सकता है वह दूसरे के लिए दुखदायी हो सकता है।

"प्रत्यक्ष या अप्रत्यक्ष रूप से" ये शब्द रखने के बारे में जो संशोधन है, उसका, मेरी समझ से, अधिक विरोध नहीं होगा और सभी सदस्य उसे स्वीकार करेंगे।

कई लोगों ने यह कहा है कि सामाजिक विधान द्वारा आप सभी बुराइयां दूर नहीं कर सकते। यह बिलकुल ठीक है। लेकिन हमें कहीं तो शुरुआत करनी ही होगी। मैं समझती हूँ कि सामाजिक सुधार करने का सर्वोत्कृष्ट तरीका विधान ही है। अब वह समय आ गया है जब कि हम उन गरीब लड़कियों की, जो दहेज नहीं दे सकतीं, कठिनाइयां महसूस करें। दहेज की बुराई को समाप्त करने के लिए यह विधेयक बहुत आवश्यक है। मैं इस विधेयक का पूर्णतया समर्थन करती हूँ।

श्री ब.जयेश्वरी (बलरामपुर) : दहेज के प्रश्न पर संसद् के दोनों सदनों में मतभेद होना और उस मतभेद के निराकरण के लिये उन का संयुक्त सत्र बुलाया जाना इस बात का संकेत है कि दहेज के प्रश्न पर लोक मत का जितना जागरण और प्रशिक्षण होना चाहिये था, उतना नहीं हुआ है। दोनों सदनों में मतभेद बड़ा प्रामाणिक है और एक सदन अधिक प्रगतिशील है और दूसरा उस की तुलना में अधिक प्रतिक्रियावादी है, इस प्रकार के विशेषण दे कर हम इस समस्या का समाधान नहीं कर सकते। समाज में जो बुराइयां और कुरीतियां आ गई हैं, उन का निर्मूलन होना चाहिये। किन्तु क्या कानून के द्वारा ही समाज का सुधार किया जा सकता है? सभी इस बात को स्वीकार करेंगे कि कानून लोकमत के ऊपर मुहर के रूप में आना चाहिये, उसे लोकमत का स्थान लेने का प्रयत्न नहीं करना चाहिये।

एक बड़ी बुराई सामाजिक कुरीतियों को कानून द्वारा दूर करने के सम्बन्ध में यह पैदा होती है कि जो समाज सुधारक हैं, जिन्होंने इन कुरीतियों को दूर करने का संकल्प किया है, एक बार जब कानून बन जाता है तो उनके प्रयत्न शिथिल हो जाते हैं। वे समझते हैं कि उन का उद्देश्य पूरा हो गया और इस का परिणाम यह होता है कि जन जागरण का काम पीछे पड़ जाता है।

समाज के सुधार के लिये हम ने अनेक कानून बनाये हैं, लेकिन लोकमत के अभाव में उन का जितना लाभ होना चाहिये अभी तक नहीं हो रहा है। नाबालिग शादियां हम ने अवैध घोषित कर दी हैं। लेकिन देखने में आता है कि लाखों बच्चे प्रतिवर्ष विवाह के बंधन में बांधे जाते हैं।

एक माननीय सदस्य : लाखों ?

श्री बाबूदेयी : हां लाखों। मैं अपने निर्वाचन क्षेत्र की बात आप को बताना चाहता हूँ। अभी विवाह का मौका था, शादियों का मुझ्गं था। दूध पीने वाले बच्चे और बच्चियां विवाह के बंधन में बांधे गये हैं और जो कानून है वह अलमारियों की शोभा बढ़ा रहा है। यही बात अस्पृश्यता निवारक कानून के सम्बन्ध में है। जब से कानून बना है गैर-सरकारी प्रयत्न रुक गये हैं। यहां तक कि कांग्रेस के रचनात्मक कार्यक्रम में भी उस का स्थान नहीं रहा। समाज के सुधार के लिये एक स्तर पर एक स्थिति में, कानून का निर्माण तो हम करें, लेकिन यह मान कर न चलें कि कानून सब लोगों का एक रामबाण उपचार है। हम यह न समझें कि हम ने कानून पास कर दिया तो बुराई दूर हो जाएगी और समाज सुधार करने का एक गर्व और उस गर्व के बदले जनता की प्रशंसा प्राप्त करने का अधिकार हमें मिल जायगा। आवश्यकता इस बात की है कि दहेज प्रथा के निराकरण के लिये लोकमत के जागरण के साथ साथ कानून को चलायें। आज जो इस कानून को अधिक कड़ा बनाने के पक्ष में हैं, उन के भाषणों को सुन कर मुझे लगता है कि शायद वे समझते हैं कि आगे चल कर इस कानून में संशोधन करने का मौका नहीं मिलेगा। आज हम पहला पग उठा रहे हैं, अगर आवश्यक होगा तो इस कानून में और भी संशोधन हो सकते हैं, आखिर इस को कड़ा बनाने का दरवाजा बन्द तो नहीं किया जा रहा है। लेकिन पहला कदम अन्तिम कदम तो नहीं होना चाहिये, इसलिये जहां इस कानून की आवश्यकता का प्रतिपादन किया जा सकता है वहां इस को और अधिक बनाने के प्रयत्नों से मैं सहमत नहीं हूँ।

प्रश्न केवल महिलाओं का नहीं है, पुरुषों का भी है। मैं ऐसे पुरुषों को जानता हूँ जो इसलिये अविवाहित हैं कि उन के पास देने के लिये दहेज नहीं है। समाज के तमाम वर्गों में ब्राह्मणों का एक वर्ग ऐसा है जिस में लड़कियां कम हैं। वहां पर अगर किसी पुरुष को विवाह करना होगा तो उस को कन्या के यहां जा कर दहेज देना होगा। आप कहेंगे कि यह भी बुरा है। बुरा तो है, मगर शादी न करने से दहेज दे कर शादी न करने की बुराई अच्छी है। जो शादी करना चाहते हैं वे इस का अवलम्बन करने के लिये मजबूर होते हैं। आवश्यकता इस बात की है कि देश की आर्थिक प्रगति की जाय, शिक्षा का प्रसार किया जाय, जाति पाति के बन्धन तोड़े जायें, लड़के और लड़कियां उन्मुक्त भाव से विवाह करें और शादियां परमात्मा के यहां नहीं, आपस में तय हों, तभी यह दहेज खत्म हो सकता है। लेकिन आज स्थिति ऐसी नहीं है। स्पष्ट है कि शादियों की समस्या में जो बुराइयां घुस गई हैं उन्हें कानून तथा कलम की नोक से दूर नहीं किया जा सकता।

मैं ने कुछ संशोधन उपस्थित किये हैं। विधेयक की धारा २ में "डाइरेक्टली और इन्डाइरेक्टली" शब्द रक्खे जायें या न रक्खे जायें, यह चर्चा का विषय बना हुआ है। अभी अनेक वक्ताओं ने कहा कि यह रक्खा जाय या न रक्खा जाय, इस से कोई बड़ा अन्तर पड़ने वाला नहीं है। मैं कहना चाहता हूँ कि जहां दहेज देने की बात है वहां प्रत्यक्ष या अप्रत्यक्ष का समावेश हो ही जाता है। लेकिन अप्रत्यक्ष देने की बात को अगर हम कानून के शब्दों में रख दें तो उस की व्याख्या इस प्रकार की जा सकती है कि "ऐसी कठिनाई खड़ी हो जाय जोकि हम खड़ी नहीं करना चाहते।"

जहां तक "एक्स्प्लेनेशन" (स्पष्टीकरण) का सवाल है, मैं ने उस के बारे में एक संशोधन दिया है। यह तो सभी स्वीकार करेंगे कि जो उपहार अथवा भेंट विवाहों के अवसर पर दिये जायेंगे,

[श्री वाजपेयी]

यदि वे विवाह के "कंसिडरेशन" के रूप में नहीं हैं, विवाह के कारण के रूप में नहीं हैं, तो इस विधेयक की परिधि के अन्तर्गत उन का समावेश नहीं होगा। लेकिन मेरा निवेदन है कि इस प्रकार के उपहारों पर भी कुछ मर्यादा लगनी चाहिये। जब वैभव का प्रदर्शन किया जाता है चाहे वह कन्याओं के विवाह के अवसर पर हो या पुत्रों के अवसरों पर, विवाहों के हर आदमी अपनी कन्या को कुछ न कुछ देना चाहता है भले ही वह ठहरौनी के रूप में न हो, और उस का प्रदर्शन करता है तो समाज का वातावरण बिगड़ता है। जो नहीं दे सकते हैं उन पर भी उस का असर होता है। इसलिये २,००० रुपये की मर्यादा अधिक से अधिक देने वालों के ऊपर होनी चाहिये। इस प्रकार की सीमा रखना आवश्यक है।

जहां तक धारा ४ का प्रश्न है, उस में यह व्यवस्था है कि दहेज का मांगना और वह भी "डाइरेक्टली आर इन्डाइरेक्टली", केवल दहेज का मांगना ही नहीं, अप्रत्यक्ष रूप से मांगना भी, दंडनीय होना चाहिये। जो भी इस तरह से मांगेंगे उन को सजा देनी चाहिये। दहेज को मांगने पर सजा होनी चाहिये किन्तु उस में से "प्रत्यक्ष या अप्रत्यक्ष रूप से" इस पदावली को निकाल देने के संबंध में मैं ने एक संशोधन रक्खा है। मांगने को न्यायालय में कैसे प्रमाणित किया जायेगा? और प्रत्यक्ष मांगने को एक बार प्रमाणित भी कर दिया जाय, अप्रत्यक्ष रूप से मांगने को प्रमाणित नहीं किया जा सकता। कोई पिता कहे कि मेरा लड़का तो मेडिकल कालेज में पढ़ रहा है, मैं उस का बहुत खर्चा देता हूँ, इसलिये मैं अभी उस की शादी नहीं करूंगा, पढ़ लिख जायेगा, कमाने लगेगा, तब मैं उस की शादी करूंगा। क्या इस के यह अर्थ नहीं निकाले जा सकते कि मेडिकल कालेज की पढ़ाई के लिये दहेज मांगा जा रहा है? अगर यह अर्थ नहीं लगाये जायेंगे तो उस का निर्णय अदालतों के ऊपर छोड़ेंगे और इस तरह से लोगों के लिये अदालतों का दरवाजा खोल देंगे जिस से मुकदमेबाजी बढ़ेगी, लोगों में कटुता पैदा होगी। कौन शिकायत करने जायेगा और कौन गवाह लायेगा। श्रीमती रेणु चक्रवर्ती भी स्वीकार करती हैं कि जिसे अपनी बेटी का विवाह करना है उसे अदालतों में जाना मुश्किल होगा। एक जगह हो सकता है कि वह मुकदमा जीत जाये, लेकिन बेटी को घर में बिठला कर तो नहीं रख सकता। जब वह किसी दूसरे पिता का दरवाजा खटखटायेगा तो यह मुकदमेबाजी उस के लिये कलंक के रूप में बन जायेगी। मेरा निवेदन है कि धारा ४ रहनी चाहिये। किन्तु उस में से "डाइरेक्टली आर इन्डाइरेक्टली" शब्द निकाल देने चाहिये।

सरकार की ओर से जो संशोधन प्राया है, उस से मैं सहमत नहीं हूँ। प्रधान मंत्री जी ने उस की जो व्याख्या की है वह तो बड़ी विचित्र है। वे कहते हैं कि हम ग्राम प्रधानों को, ग्राम पंचायतों को यह अधिकार दे देंगे। क्या इसीलिये यह संशोधन रक्खा गया है?

एक माननीय सदस्य : ऐसा नहीं कहा है।

श्री वाजपेयी : उन का भाव यही था। आज की स्थिति में ग्राम प्रधानों को इस प्रकार के अधिकार देना हास्यास्पद है। मैं पूछता हूँ उन का मंशा क्या है। इस धारा का दुरुपयोग न हो इसलिये यह संशोधन लाया गया है, या संशोधन के अन्तर्गत व्यापक अधिकार नीचे तक दे दिये जायें इस के लिये लाया गया है? मेरा निवेदन है कि इस संशोधन के पीछे जो मन्तव्य है वह इस की परिधि को संकीर्ण करने के लिये है। हो सकता है कि वह दुरुपयोग से बचाने के लिये हो, मगर उसे व्यापक बनाने के लिये नहीं। यह ठीक है कि कानून में सभी अफसरों के नाम नहीं लिखे जाते हैं। लेकिन यदि आप दहेज का मांगना गलत समझते हैं और उसे दंडनीय बनाना चाहते हैं तो इस प्रकार के प्रोवाइजो की आवश्यकता नहीं है। जिन्हें अधिकार दिया जाना है, जिन को अधिकारों से युक्त किया जाना है, अन्य विधेयकों की तरह से स्पष्ट रूप से उन का इस के सम्बन्ध में उल्लेख

किया जा सकता है। अगर हम समझते हैं कि यह धारा ठीक नहीं, दहेज को मांगना और वह भी अप्रत्यक्ष रूप से अदालत में साबित करना सम्भव नहीं होगा तो मेरा निवेदन है कि आप धारा ४ को इस विधेयक में से निकालने की बात कहें। किसी वीच के मार्ग का अवलम्बन नहीं हो सकता। यह कोई "कम्प्रोमाइज" की बात नहीं है। यह तो हम ऐसी चीज करना चाहते हैं जिस का करना शायद जरूरी नहीं है। कम से कम मैं इस से सहमत नहीं हूँ। मेरा निवेदन है कि इस प्रकार जो इस विधेयक का उद्देश्य है वह पूरा नहीं होगा।

अन्त में मैं इस बात को फिर दोहराना चाहता हूँ कि यह सामाजिक कुरीतियाँ केवल कानून से दूर नहीं होंगी। जिन दलों के इस सदन में प्रतिनिधि हैं, जो भी संसद् के सदस्य हैं अलग अलग दलों के, उन दलों का काम कि वे अपने सदस्यों पर इस प्रकार का बन्धन लगायें कि वे इन कुरीतियों में भाग नहीं लेंगे। आज चर्चा हो रही है कि जो साम्प्रदायिकता का परिचय देगा उसे सन् १९६२ के चुनावों में खड़ा नहीं किया जायगा। क्या सामाजिक कुरीतियाँ इतना भी महत्व नहीं रखतीं। क्यों नहीं हर एक दल अपने अपने सदस्यों के लिये इस प्रकार की आचार संहिता बनाता, उन्हें बाधित करता कि वह समाज सुधार के आदर्श बन कर समाज के सामने आयें। लेकिन अगर हम समझते हैं कि केवल कानून पास करने से महिलाओं की वाहवाही मिल जायेगी, समाज सुधारक का बिल्ला लग जायगा, चुनाव में लाभ हो जायगा तो समाज का सुधार नहीं होगा। इन पेचीदा तथा अव्यावहारिक कानूनों से झगड़े बढ़ेंगे, वकीलों की बन आयेंगी, अदालतों के दरवाजे खुल जायेंगे और जो समाज सुधार करने वाले लोग हैं वह यह समझेंगे कि काम पूरा हो गया, कानून बन गया। और इस कानून के कारण समाज सुधार के लिये जो गैर सरकारी प्रयत्न चलने चाहियें वे भी शिथिल पड़ जायेंगे। यह स्थिति किसी के लिये ठीक नहीं है। मेरा निवेदन है कि दहेज समस्या के सभी पहलुओं पर विचार कर के कोई समुचित निर्णय लिया जाय।

श्रीमती सीता शूद्रवीर (आन्ध्र प्रदेश): उपाध्यक्ष महोदय, आज जो बिल यहां पर पेश हो रहा है यह बिल दो वर्ष से भी कुछ अधिक समय हो गया जब कि लोक सभा में पास हुआ था, और यह अफसोस की बात है कि लोक-सभा और राज्य-सभा में एक मत न होने से यह बिल पास न हो सका।

हिन्दुस्तान की पार्लियामेंट की हिस्ट्री में यह पहला अवसर है कि जो इस बिल के लिए यह ज्वाइंट सेशन बुलाया गया है। इस ज्वाइंट सेशन के कारण आज इस बिल की अहमियत बढ़ गयी है ऐसा मैं समझती हूँ।

यह डाउरी प्राहिबिशन बिल जो यहां पर पास होगा उससे मैं समझती हूँ कि हमारे देश में जितनी सामाजिक बुराइयाँ हैं वे खत्म हो जायेंगी। यह कानून हमको प्रगति की ओर ले जाएगा और आज तक जो समाज सुधार के लिए कानून बने हैं जैसे शारदा ऐक्ट आदि उनकी गिनती में यह भी रखा जाएगा।

आज की हमारी आर्थिक प्रगति में जो कमियाँ और खामियाँ रह गयी हैं वे केवल सामाजिक बुराइयों के कारण ही रह गयी हैं क्योंकि हमारी पोलिटिकल स्टेबिलिटी और इकानमिक प्रोग्रेस दोनों ही हमारे सामाजिक विचारों पर निर्भर करती हैं।

हमारे समाज में विवाह की गणना यानिकि फेमिली इंस्टीट्यूशंस बड़े सम्मान के साथ की जाती रही है। लेकिन दुर्भाग्य से आज विवाह के लिए हम जिस रास्ते पर चल रहे हैं वह केवल पैसों का लेन देन है। और समय आने पर खरीद फरोख्त को भी अपनाया जाता है। इस देश में हम पहले बेटी को लक्ष्मी के रूप में देखते थे। बेटी के घर में आति ही मां बाप शान्ति का अनुभव करते थे। लेकिन बड़े अफसोस की बात है कि आज बेटी पैदा होते ही हम समझते हैं कि

[श्रीमती सीता युद्धबीर]

हमारे लिए यह एक प्राबल्य के रूप में खड़ी हो गयी और इस कारण जो पहले बेटी के कारण घर में शान्ति आती थी वह खत्म हो गयी है। मैं हैरान हूँ कि ऐसा क्यों है। जनसंख्या के फिगर देखने से मालूम होता है कि आज से दस साल पहले एक हजार मर्दों के पीछे देश में १४४ स्त्रियाँ थीं और आज एक हजार मर्दों के पीछे औरतों की संख्या १४० ही है। यानी औरतों की कमी हो रही है। हम देखते हैं कि जिस चीज की कमी होती है उसका भाव बढ़ा है लेकिन फिर औरतों के मामले में यह उलटा क्यों हो रहा है। औरतों का भाव क्यों गिर गया है। मेरी समझ में नहीं आता कि आज हमारी मनोवृत्तियाँ किस प्रकार काम करती हैं। अगर हम इस कुरीति को नहीं रोकेंगे तो यह हमारे पतन का कारण बनेगी। यह तो अफसोस की बात है कि इस दोष को हम पब्लिक प्रोपीनियन के जरिये दूर नहीं कर सकते और इस बिल को यहाँ पेश हुए भी इतना समय हो गया पर यह अभी तक पास नहीं हो पाया।

मझसे पूर्व के वक्ता ने कहा कि अगर हम इस ढंग को अपनाएँगे और इस प्रथा को रोकने के लिए विधान बनाएँगे तो काम चलने वाला नहीं है। मैं उनसे कहना चाहती हूँ कि जब हमने पब्लिक प्रोपीनियन के द्वारा शराब पीने की बुराई को रोकना चाहा तो उसमें हमको कामयाबी नहीं मिली और कानून बनाने पर भी पूरी कामयाबी नहीं मिली, तो इसके लिए सरकार को तो दोष नहीं दिया जा सकता। इसमें तो जनता की मनोवृत्ति का दोष है। तो जब हमने शराब पीने के विरुद्ध कानून बनाया तो डाउरी को रोकने के लिए भी क्यों कानून न बनाएँ। मैं समझती हूँ कि अगर हम इस बिल को इस तरह पास करें कि इसमें ऐसी कोई गुंजाइश न रहने दें कि उसका कोई फायदा उठा सके, तो हमारे देश से ब्लैक मारकेट की बुराई ५० प्रतिशत तो दूर हो जाएगी जो कि किसी प्रकार से कम नहीं हो रही है। बच्चा माँ बाप की एक कमजोरी होता है। आदमी अपनी लड़की को अच्छे घर में देना चाँता है ताकि वह सुखी रहे सके। अगर ऐसा करने के लिए रुपए की आवश्यकता होगी तो बाप कहीं न कहीं से रुपया लाने की कोशिश करेगा। आज जिस तरह से एक बाप देखता है कि अपने लड़के का ऐसी जगह विवाह करूँ जहाँ ज्यादा रुपया मिले उसी तरह लड़की का बाप भी समझता है कि मैं रुपए के जोर से अपनी लड़की को बुराइयों के ढक दूँगा और उसको अच्छे घर में दे दूँगा ताकि वह सुखी रहे सके। लेकिन मैंने ऐसे कई केसेज देखे हैं कि जो विवाह इस प्रकार रुपए के बल से किए जाते हैं वे सफल नहीं होते। लड़की के विवाह के लिए जब रुपए की आवश्यकता होती है तो बाप को कहीं न कहीं से रुपया कमाना पड़ता है और वह गलत तरीके से भी रुपया पैदा करने की कोशिश करता है क्योंकि उसकी लड़की उसकी कमजोरी जो है। तो इस तरह रुपए के लिए माँ बाप की गलत रास्ते पर चलना पड़ता है। अगर यह डाउरी की प्रथा बन्द हो जाए तो इस रास्ते पर लोगों को चलने के लिये विवश न होना पड़े।

इस बिल के जरिए हम समाज के दोष को दूर करने की कोशिश कर रहे हैं। बिल में कोई नुकस न रहे जाए इसके लिए हमें तेजी से आगे बढ़ना चाहिए। अगर कोई कहे कि तेजी से आगे बढ़ने से समाज में कुछ लोगों को नुकसान होगा, तो मेरा उनसे कहना है कि जब भी समाज में बड़े परिवर्तन किए जायेंगे तो कुछ लोगों को तो नुकसान अवश्य होगा। लेकिन हमको लाखों करोड़ों लोगों के उस लाभ को भी तो देखना है जो कि उनको हजारों वर्ष तक इस बिल के कारण होगा। इस बिल की वजह से हमारी भावी पीढ़ियों को कितना फायदा पहुँचेगा। इस बिल के उद्देश्यों को आगे बढ़ाने के लिए हमें रिबॉल्यूशनरी तरीके से आगे बढ़ना चाहिए।

इस समय जो मतभेद है वह एक प्रकारका अक्षरोष सा है। दोनों सभाओं में जो तरफोंमें इस बिल में पास हुई उनसे मालूम होता है कि राज्य सभा तेजी से आगे बढ़ना चाहती है और लोक सभा धीरे धीरे आगे बढ़ना चाहती है। ज्यादातर तो यह देखा गया है कि लोक सभा तेजी से आगे बढ़ना चाहती है, मगर मुझे अफसोस है कि इस बिल के मामले में न जाने क्यों लोक सभा धीरे धीरे कदम उठाना चाहती है।

इस बिल के क्लॉज २ के मुताल्लिक चर्चा हुई है। उस क्लॉज में डाउरी की परिभाषा दी गयी है। जब यह बिल सिलेक्ट कमेटी के सामने गया तो उसने डाउरी शब्द की परिभाषा को ब्राड कर दिया। उन्होंने क्लॉज में कुछ शब्दों को जोड़ दिया, जिनको लोक सभा ने निकाल दिया और राज्य सभा ने उन शब्दों के वहां रखने का निर्णय किया है। वह शब्द हैं either directly or indirectly। अगर इन शब्दों को न जोड़ा जाए तो हम पिछले दरवाजे से डाउरी लेने का मौका देंगे। तो यह दरवाजा तो हमें बन्द करना ही पड़ेगा। मैं कहना चाहती हूं कि इन शब्दों को रख कर सिलेक्ट कमेटी ने सारे दरवाजों को बन्द कर दिया है इसलिए इन शब्दों को वहां पर रखा जाए।

दूसरा मतभेद है उस एक्सप्लेनेशन के बारे में जो कि इस बिल में सन्देशों को दूर करने के लिए जोड़ा गया है। ओरिजिनल बिल में यह दिया गया है कि डाउरी गहने, कपड़े आदि उपहारों के रूप में दो हजार से ज्यादा न दी जाए। ओरिजिनल बिल में दो हजार तक की डाउरी की गुंजाइश रखी गई है। ज्वाइंट सेलेक्ट कमेटी ने इस चीज को निकाल कर इस बिल को एक अच्छा रूप दिया है मगर मुझे अफसोस है कि लोक सभा ने एक एक्सप्लेनेशन जोड़ कर बिल को कमजोर कर दिया है। २००० रुपये की लिमिट को भी निकाल दिया है। इससे प्रेजेंट्स के नाम से डाउरी देने और लेने की काफी गुंजाइश रहती है। इसलिए मैं चाहती हूं कि इस एक्सप्लेनेशन को निकाल दिया जाय और ज्वाइंट सेलेक्ट कमेटी ने जो तय किया है उसे रक्खा जाय।

अन्त में मुझे यही कहना है और मेरा तो यह विश्वास है कि आज जो हम यहां पर एक महत्वपूर्ण बिल को पास करने के लिए एकत्रित हुए हैं, जो एक तमाम हिन्दुस्तान की त्रीम के रूप में सदस्यगण यहां पर इकट्ठा हुए हैं, अगर हम सब लोग अपने सीने पर हाथ रख कर यहां से निकलते वकन यह प्रण लेकर निकलें कि हम न तो दहेज देंगे न लेंगे तो हिन्दुस्तान में से यह दहेज की कुप्रथा समाप्त हो जायगी।

पंडित ठाकुर दास भार्गव (हिसार) : उपाध्यक्ष महोदय, मैं आपका बहुत शुक्रिया अदा करना चाहता हूं कि आपने मुझे इस बिल पर अपने ख्यालात के इजहार करने का मौका दिया है। अब वैसे देखने में तो यह डाउरी का सवाल छोटा सा मालूम होता है लेकिन दरअसल यह बड़ा ही पेचीदा सवाल है। इसलिए इसमें कोई ताज्जुब की बात नहीं होनी चाहिए अगर इस पेचीदा सवाल को समझने में दोनों हाउससेज में कुछ आपस में मतभेद पैदा हो गया हो और थोड़ी सी दिक्कत पैदा हो गई हो।

सच बात तो यह है कि डाउरी बिल लोकसभा में हमारे सामने दो, तीन दफे आया। हमने बड़े गौर से उस के ऊपर बहस की और मुझे यह कहते हुए खुशी महसूस होती है कि असल मानों में किसी लोक सभा के मेम्बर में और दूसरे लोक सभा के मेम्बर में इसके बारे में एस्तलाफ नहीं है। अब असलन् हमारी श्रीमती पार्वतीकृष्णन् और श्रीमती रेणु चन्द्रवती एक स्कूल को रिप्रिजेंट करती हैं, दूसरे स्कूल को मैं रिप्रिजेंट तो नहीं करता लेकिन वह कहती हैं कि मैं रिप्रिजेंट करता हूं, मैं यह अर्थ कर सकता हूं कि मैंने उनकी स्पीचेज को सुना और जिम्प्वाएंट आफ व्यु से मैं देखता हूं

[पंडित ठाकुर दास भागवत]

उसमें और उनके प्वाएंटा ब्राफ व्यु में कोई फर्क नहीं है। मैं उनकी स्पीचिंग में से कोट कर सकता हूँ कि उन्होंने जो इस बारे में कहा है और मेरा जो उस बारे में कहना है, जहां तक बेसिक सवाल का ताल्लुक है उसमें कोई फर्क नहीं है। उसी तरह से जहां तक बेसिक सवाल का सम्बन्ध है दोनों हाउसेज के बीच में भी फर्क बहुत कम है।

हम लैंग्वेज जो सोचा करते हैं वह प्रेसाइज नहीं है। जिस दिन यह बिल हाउस में आया था और इस पर हाउस में बहस हुई थी तो हमारे ला मिनिस्टर साहब ने इस डाउरी की तारीफ़ की थी लेकिन दरअसल डाउरी को अभी तक हम डिफाइन नहीं कर सके हैं। डाउरी की तारीफ़ आज तक हम नहीं कर सके हैं और यह है भी एक जरा काफी मुश्किल चीज। "डाउरी" अंग्रेजी का लफ्ज है जो कंसिडरेशन के सेंस में आता है। यह कंसिडरेशन का लफ्ज आज तक किसी अंग्रेज ने डिफाइन नहीं किया, न ही कंट्रैक्ट ऐक्ट में उसको डिफाइन किया है और न किसी और जगह ही उसको डिफाइन किया गया है। अलबत्ता डाउरी से जो एक मामूली आदमी मतलब समझता है वह ऐक्सप्लेनेशन के अंदर मौजूद है। डाउरी की तारीफ़ उसके अंदर मौजूद है। अब चूँकि लैंग्वेज प्रेसाइज नहीं है इसलिए हर आदमी अपनी तरह से उसका मतलब लगाता है।

जहां तक हमारे देश का सवाल है हममें से हर एक शक्स भले ही जवान से चाहे वह कुछ ही कहे यह बेसिक चीज है कि हर एक शक्स मर्द और औरत और हर एक कुनबे वाला अपनी लड़की की शादी के मौके पर गिफ्ट देता है। लड़की के बालदैन शादी के मौके पर गिफ्ट देते हैं और आज से नहीं बल्कि हमेशा से यह गिफ्ट्स दिये जाते रहे हैं। अब यह कहना कि बालदैन अपनी लड़कियों को शादी के मौके पर गिफ्ट्स न दें या उनको गिफ्ट्स नहीं देने चाहिए यह उमूलन सही नहीं होगा और कोई उसको मानने को तैयार नहीं होगा। इसके साथ ही कोई भी हिन्दुस्तानी ऐसा नहीं होगा जो शादी के मामले में लड़के और लड़की को कर्माशियल प्रोपोजीशन बनाने के वास्ते तैयार होगा और लड़के या लड़की की शादी के मौके पर वह इस तरह से दूसरी पार्टी से रुपया छीनेगा। लेकिन मुझे अफसोस के साथ कहना पड़ता है कि हमारे देश में बहुत सी कुरीतियां चल रही हैं।

मैं आपको बतलाऊँ कि गवर्नमेंट ने जो १९२८-२९ में ऐज ऑफ कंसेंट कमेटी कायम की थी उसका एक मेम्बर होने के नाते मुझे सारे देश का दौरा करने का मौका मिला था और मैं ने देखा था कि इस देश में शादी के मुताल्लिक क्या क्या कुरीतियां चल रही हैं। आप यह सुन कर हैरान होंगे और मुझे भी तब तक नहीं मालूम था कि यहां पर लड़की वाले लड़के वालों से ब्राइड प्राइस बसूल करते हैं। लड़की वाला लड़के वालों से कहता है कि अगर तुम्हें मेरी लड़की को शादी में लेना है तो तुम्हें उस के लिए इतनी ब्राइड प्राइस देनी होगी इतना शुल्क देना होगा। अगर इतना शुल्क अर्थात् ब्राइड प्राइस नहीं दोगे तो मैं शादी नहीं करूंगा। आज भी हिन्दुस्तान में यह ब्राइड प्राइस की कुरीति चल रही है। लड़की की कीमत बसूल की जाती है और यह चीज ऐसी है कि हम सब लोगों को शर्म से अपना मुंह छिपा लेना चाहिए। आज भी हमारे देश में लाखों की तादाद में छोटी उम्र में शादियां होती हैं, छोटे छोटे बच्चों की शादियां होती हैं और हालत यहां तक है कि बच्चा पैदा भी नहीं होता है कि उनकी सगाई हो जाती है। अब यह हकीकत हमारे देश में है। इसको छिपाने से क्या फायदा है?

डाउरी जिसको कि ब्राइड प्राइस कहते हैं मैं बनलाना चाहता हूँ कि बिहार के ब्राह्मणों के अच्छे ज्ञानदानों में यह बुराई चलती है और अब मुझे बड़े बड़े लोगों ने उसकी बाबत बतलाया कि वहां पर यह ब्राइड प्राइस एक आम दस्तूर है तो मैं तो हैरान रह गया। हमें इन सब बुराइयों को दूर

करना है और उस के वास्ते प्रीपर ऐंटमोसफियर पैदा करना है। लेकिन यह सब चीजें और हकीकतें मैं आपको ही बतलाना चाहता हूँ और अगर मुझ से कोई दूसरा मुल्क वाला इनकी बाबत पूछे तो मैं उसके सामने यह कहने वाला नहीं हूँ कि हमारे मुल्क में ऐसी गंदी चीजें मौजूद हैं। हमें और आपको इन बुराइयों से लड़ना है और अपने देश व समाज को उन से पाक करना है।

इसी हाउस में पंडित जी ने कांस्टीट्यूशन का प्रीएम्बल पास किया था जिस में यह कहा गया था कि हर एक आदमी को हम एकोनामिक जस्टिस देंगे और उस के बाद हम ने फंडामेंटल राइट के मुतालिक दफा १६ पास की। अब उस के मुताबिक हर एक आदमी को इस का पूरा हक है कि वह अपनी जायदाद जिसे चाहे दे दे और मैं तो अपने ला मिनिस्टर साहब से यह जानना चाहूँगा कि अगर आप यह उसूल मानते हैं तब आपको इस में क्या ऐतराज है और इसको ऐक्सप्लेनेशन के साथ क्यों नहीं पास करते? मैं इस मौके पर गवर्नमेंट को मुबारकबाद देने के लिए तैयार हूँ हालांकि मैं अक्सर गवर्नमेंट को मुबारकबाद नहीं दिया करता हूँ लेकिन इस मौके पर मैं गवर्नमेंट को मुबारकबाद देना अपना फर्ज समझता हूँ कि उस के कांस्टीट्यूशन में हर एक शहरी को यह फंडामेंटल राइट दिया हुआ है। अब इंसाफ की बात तो यह है कि अगर आप उस उसूल को मानते हैं तो दफा १६ के मुताबिक जो गिफ्ट्स आप अपनी लड़की को शादी के मौके पर देना चाहें वह कंसिडरेशन औफ मैरिज न समझा जाकर डाउरी न समझा जाय। जो बाप अपनी मर्जी से बगैर किसी जोर जबदस्ती के शादी के मौके पर अपनी लड़की को चीजें देना चाहे वह डाउरी नहीं मानी जानी चाहिए। डाउरी वह उसी हालत में समझी जायगी जब उसके अन्दर कोई कोअर्शन या जबदस्ती की जायगी। डाउरी जब उसको माना जाय जब उसको देने को मंशा न हो और दूसरा फरीक उस से जबदस्ती निकलवाये। वह चीज यकीनन बुरी है।

यह हर एक मां बाप का फर्ज है कि वह उस लड़की को जिसको कि वह पाल पोस कर बड़ा करता है, शादी के मौके पर जब कि वह उसका एक नया घर बसवाता है तो वह यह कोशिश करता है कि मेरी लड़की अपने नये घर में खुशहाल रहे और अगर वह उस मौके पर कुछ गिफ्ट्स वगैरह देता है तो उसको डाउरी नहीं माना जाना चाहिए। अलवत्ता जबदस्ती से कोई भी शल्लु अगर लड़की या लड़के को शादी के सिलसिले में दूसरी पार्टी से पैसा ऐंठता है तो यकीनन वह चीज गलत है और उसको रोका जाना चाहिए।

डाउरी के बारे में जो ऐक्सप्लेनेशन ऐक्ट में रक्खा गया है वह बहुत ही मुनासिब है और मैं तो समझता हूँ कि अगर वह ऐक्सप्लेनेशन न रहे और उसको आप ऐक्ट में से निकाल दें तो यह बिल ऐसा बन जायगा जिसको कि कोई छुएगा तक नहीं। आप हिन्दुस्तान के अन्दर एक रेवोलूशनरी चीज करने जा रहे हैं। अब अगर यह ऐक्सप्लेनेशन नहीं रहता तो फिर तो हिन्दुस्तान में कोई मां बाप अपनी लड़की को कुछ नहीं दे सकेंगे क्योंकि वह डाउरी की डेफनीशन में आ जायेंगे। ऐक्सप्लेनेशन न रहने से तो जो बाराती लड़की वाले के घर आते हैं और उनको जिमाया जाता है खाना वगैरह दिया जाता है वह भी डाउरी की डेफनीशन में आ जायगा। इसी तरह से एक एक रुपया लड़की के भाई और अन्य रिश्तेदार तिलक में देते हैं वह भी डाउरी की डेफनीशन में आ जायगा। इसलिए मेरा कहना है कि ऐक्सप्लेनेशन तो इस बिल की जान है और उसको बिना में से नहीं हटाया जाना चाहिए।

अब मैं उस क्रिटिसिज्म के बारे में कहना चाहता हूँ कि इस ऐक्सप्लेनेशन का मतलब यह है कि जो बाप अपनी लड़की को शादी के मौके पर कुछ देना चाहे वह दे दे। ला मिनिस्टर साहब ने यही एक क्रिटिसिज्म मानी है। मैं उन को और इस ऐवान को यह याद दिलाना चाहता हूँ कि जिस वक्त यह बिल हमारे सामने आया, तो डिप्टी मिनिस्टर, श्री हज्जारनवीस, ने एक अमंडमेंट दी, जिस में वही तारीफ भी शामिल थी, जो कि आज है। उस तारीफ से ला मिनिस्टर साहब मुतमईन नहीं हुए और उन्होंने

[पंडित ठाकुर दास भागंब]

अपने डिप्टी मिनिस्टर की प्रमोशन पर एक प्रमोशन टोकी और वह प्रमोशन निहायत माकूल थी। पहली प्रमोशन प्रमोशन दर्जे की माकूल थी और दूसरी प्रमोशन, यानी ला मिनिस्टर साहब की प्रमोशन, उस से भी ज्यादा माकूल थी। उन दोनों प्रमोशन से जो नतीजा निकला, वह मेरी दी हुई प्रमोशन के ऐन मुताबिक था और मैं उस से बहुत खुश था, क्योंकि वकीलों के दिमाग अक्सर एक तरह चलते हैं। मैं खुद जानता था कि हम ने कांस्टीच्यूशन का जो आर्टिकल १९ पास किया है, हम उस को टूटने नहीं देंगे और उस में हम ने जो कसम खाई है, उस को पूरा करने के लिये हम जान लड़ा देंगे।

जहां तक इस बात का ताल्लुक है कि लड़की या लड़की से टके खरे किये जायें, हम उस के सख्त खिलाफ हैं। ला मिनिस्टर साहब और डिप्टी मिनिस्टर साहब ने जो प्रमोशन दिये थे, उन से वह एक्सप्लेनशन बना था। वह उन के अपने दिमाग की इस्तारा है और उन दोनों की मुश्तर्का कोशिश का नतीजा है, जिस को हाउस ने ४० वोटस के मुकाबले में १८३ वोटस से मंजूर किया और बहुत राजी-खुशी मंजूर किया। मैं दाव देता हूँ कि जो कुछ उन्होंने किया, वह इतना माकूल और अच्छा किया, हिन्दुस्तान की स्पिरिट और हालत के मुताबिक किया, कि उस से सारे देश में बड़ा इत्मीनान हुआ। अगर वह यह कर देते कि कोई शस्त्र अपनी लड़की को एक रुपया भी नहीं दे सकता, मंगल-सूत्र नहीं दे सकता, कुछ खर्च नहीं कर सकता, शादी पर बारातियों की खातिर नहीं कर सकता, तो देश में बड़ा भारी डिस-सैटिसफ़ैक्शन होता। यह ठीक है कि कुछ लोगों को इस से भी डिस-सैटिसफ़ैक्शन होगा। मिसाल के तौर पर जब एक्सप्लेनशन पास किया गया, तो श्रीमती रेणु चक्रवर्ती गुप्ते में हाउस से उठकर चली गई। अभी मैं ने श्रीमती रेणु चक्रवर्ती और श्रीमती पार्वतीकृष्णन का हवाला दिया। जो कुछ मैं ने कहा वही उन्होंने कहा। हम दोनों में कोई फ़र्क नहीं है। उन्होंने कहा कि अगर मां-बाप कुछ देना चाहें, तो वे दे सकते हैं।

श्री ३० ब० बिट्टल राव (खम्मम) : श्रीमती पार्वतीकृष्णन् कहती हैं कि फ़र्क है।

पंडित ठाकुर दास भागंब : यह उन की उसमस का फ़र्क है : जहां तक इस उसूल का ताल्लुक है कि लड़की को दान देना गलत है, मैं खुले तौर पर उस की तरदीव करना चाहता हूँ। मैं कहता हूँ कि लड़की को देना एक मेरीटोरियस एक्ट है और हर एक मां बात को अपनी फ़िनान्सियल काम्पैटेंस और अपने सब बच्चों का लिहाज कर के अपनी लड़की को देना चाहिए और यह उन का ऐन फ़र्ज है। यह कहना कि वे नहीं दे सकते, उसूलन गलत है। उन्होंने यही कहा था। अगर वे चाहें, तो मैं उन की स्पीच को क्वोट कर सकता हूँ। यही दो उसूल इस बिल में कायम हुए हैं।

इस सिलसिले में यह कहा जा सकता है कि सब कुछ देने की इजाजत दे दी गई है, अब इस बिल में क्या रखा है। मैं अर्ज करना चाहता हूँ कि इस बिल में यह रखा है कि अगर एक पैसा भी उस गज से दिया जाता है, जिस को कन्सिडरेशन आफ मेरिज कहते हैं, तो वह विल्कुल नाजायज हो जाता है। आप जानते हैं कि शादी के मौके पर लड़की को मां-बाप भी गिफ्ट देते हैं और ससुर और स्वाबिन्द की तरफ से भी गिफ्ट दिये जाते हैं और हजारों बरगों से ऐसा हो रहा है। वे जो कुछ देते हैं, वह लड़की का सारी उम्र के लिये भ्रसासा हो जाता है। हम शास्त्रों में जिस स्त्री-धन के बारे में पढ़ते हैं, उस को मां-बाप ही देते थे, जो कि लकड़ी का भ्रसासा होता था और जो एमर्जेंसी में बाद में खानदान का भ्रसासा बन

जाता था। उस स्त्री-धन को आनरेबल मिनिस्टर साहब ने अपने आरिजिनल बिल में बचाया। आंध्र प्रदेश और बिहार में जो बिल पास किये गये, उन में भी स्त्री-धन को बचाया गया और इस बिल में भी उसको बचाया गया है। मैं अर्ज करना चाहता हूँ कि यह सारी दुनिया का कायदा रहा है और इस में शान्दा होने की कोई बात नहीं है। विलायत में औरतों को पहले हक नहीं था और १८८३ में वहाँ मेरिज विमेंज प्रापटी एक्ट पास किया गया। स्विटजरलैंड में आज तक औरतों को वोट देने का हक नहीं है। हम खुश-किस्मत हैं कि हमारे लीडरान ने औरतों को सब हुकूक दिये और आहिस्ता आहिस्ता हम ने सब मामलों में उनको हुकूक दिये हैं। हम ने अपने मुल्क में औरतों को राइट आफ प्रापटी और राइट आफ इनहेरिटेस दिया है। मेरिज एक्ट में भी हम ने शादी करने के बारे में मर्द और औरत में तमीज नहीं की है और यह मुनासिब भी है, क्योंकि किसी मुल्क की सिविलाइजेशन का अन्दाजा इस बात से लगाया जाता है कि वहाँ औरतों के साथ क्या सलूक होता है।

डा० श्रीमती सीता परमानन्द : पंजाब में आप औरतों को मां-बाप की प्रापटी का हक नहीं देना चाहते हैं। तो फिर यह कैसे कह सकते हैं कि उनका राइट आफ इनहेरिटेस दिया है ?

पंडित ठाकुर बल्ल भागंब : मैं डंके की चोट से कहता हूँ कि प्रापटी का हक उनको है और बाप की जायदाद में राइट आफ इनहेरिटेस दिया है, लेकिन वह किसी कदम कम है, यह मैं खुद जानता हूँ। मैं चाहता हूँ कि यह हट जाये और उनको पूरा हक हो जाये। दायभाग में पूरा हक है और मिताक्षरा की खास हालत की वजह से उसमें हक कम है और मैं चाहता हूँ कि मिताक्षरा हट जाये। उनको शायद यह मालूम नहीं है।

अब मुझे थोड़ी शिकायत करनी है। मैं ने इस बिल पर दूसरे हाउस की सारी बहस पढ़ी। मैं देखता क्या हूँ कि वहाँ पर एक आनरेबल मेम्बर साहब ने, जिनका नाम मैं बाद में बताऊँगा अगर जरूरत पड़ी, यह शिकायत की कि दोनों लॉ मिनिस्टर साहबान मेरे साथ मिल गये, मैं ने उन पर प्रेशर डाल कर उनको दबा दिया, उनको अपनी इंडिपेंडेंट ओपिनियन नहीं रही और उन्होंने वही अमेंडमेंट दे दिये, जो कि मैं चाहता था। इस बारे में शायद उनको तजुर्बा कम है और वह जानते नहीं हैं कि मैं सारी उम्र मिनिस्टरों को अमेंडमेंट्स की मुखातिकन करता रहा हूँ और अपनी अमेंडमेंट्स देता रहा हूँ। वह आनरेबल मेम्बर मुझे जानते नहीं हैं जो उन्होंने मेरा जिक्र इस तरह किया कि "भागंब पान्टिफ आफ रीएक्शनरी-इजम एंड कनजरवेटिज्म", जो हमेशा ही सोशल रिफार्म के खिलाफ रहा है— इसलिये कि वह डाइवोर्स के खिलाफ है। मैं इस लफ्ज पान्टिफ को बुरा समझता हूँ और शायद वह नहीं जानते कि मैं ने हमेशा डाइवोर्स को सपोर्ट किया है। मैं ने क्या काम किया है, उनको मालूम नहीं है, लेकिन वह कहते हैं कि दोनों मिनिस्टरों ने मेरे दबाव में आ कर अपनी इंडिपेंडेंटिटी को खो दिया और मेरे मातहत हो कर काम किया। मुझे इसका सलूक अफसोस है, लेकिन अपने बारे में मुझे अफसोस नहीं है। मैं ने सारी उम्र इस तरह की बुराई की परवाह नहीं की है। मैं तो उनको मुहब्बत की नजर से देखता हूँ और वे जब चाहे, मुझ से पूछ लेते तो अच्छा होता। जिन मिनिस्टरों से मेरी बात-चीत नहीं हुई, उनके बारे में यह कहना कि मेरे दबाव में आ कर उन्होंने अपनी इंडिपेंडेंटिटी खो दी और हफ ने मिल कर कान्स्यायर कर के देश के बरखिलाफ यह कानून बना दिया, मैं समझता हूँ कि हाइट आफ इनहेरिटेस है और उनको यह नहीं कहना चाहिए था। उस हाउस आफ

[पंडित ठाकुर दास भागवंत]

एलडब्ले में ऐसी बातें हुईं, मुझे इस का अफसोस है। मैं बारह तेरह बरस से पेनल आफ चेरमैन में लोकसभा में रहा हूँ। एक मर्तबा भी ऐसी बात नहीं कही गयी है और जो मेम्बर मौजूद नहीं हैं, उस के खिलाफ इस तरह के चांजिब नहीं लगाये जाते हैं। मैं मिनिस्टर साहबान का वाई नहीं हूँ और कानूनों के बारे में मैं रोज उन की मुश्कालिफत करता हूँ, लेकिन इस वकत मैं दोनों मिनिस्टर साहबान की तारीफ करता हूँ। उन्होंने जो काम किया है, उस के लिये उन का नाम रहेगा। उन्होंने एक निहायत अच्छा काम किया है। मुझे ताज्जुब है कि यह ला मिनिस्टर साहब की अपनी तसनीफ है और एक्सप्लेनेशन में उन के अपने अलफाज हैं, लेकिन फिर भी वह कहते हैं कि हाउस अपना फ्री वोट दे और वह इस को रखे या न रखे।

मैं अर्ज करना चाहता हूँ कि हाउस को इस बारे में अच्छी तरह से और सोच-समझ कर काम करना चाहिए। अगर इस एक्सप्लेनेशन को हटा दिया गया, तो यह बिल देखने के काबिल नहीं है। तब यह इन्साफ पर मबनी नहीं होगा और इस के जरिये हम हजारों लाखों नौजवान लड़कियों के हुकूक के साथ खेलेंगे और उन को जो सम्पत्ति मिलती है, जो स्त्री-धन है, उस से हम उन को महरूम करेंगे। इस से बड़ी बे-इंसाफी मेरे दिमाग में और नहीं हो सकती है। अब तो वह वकत आ रहा है कि उन को और हुकूक देने चाहिए। हम देख रहे हैं कि सारी दुनिया में लड़के-लड़कियों, नौजवानों, को पूरे हुकूक मिल रहे हैं, लेकिन मेरे कुछ दोस्त दूसरे तरफ चल रहे हैं और उन को अपनी सम्पत्ति से महरूम कर रहे हैं। एक औरत सारी उम्र बच्चों की खिदमत करती है। आप नहीं खाती है, उन को खिलाती है। अपने मां-बाप और खाविन्द की खिदमत करती है। उसके साथ इन्साफ होना चाहिए और उस को ज्यादा हुकूक देने चाहिए, लेकिन यहाँ पर यह ब्याल जाहिर किया जा रहा है कि उसके हुकूक को छीन कर मां-बाप को कहा जाये कि तुम को हक नहीं है कि तुम उसको कुछ दो और डावरी की तारीफ यह की जाती है कि अगर एक रुपया भी दिया जायेगा, तो वह जुर्म होगा। इसलिये मैं अर्ज करना चाहता हूँ कि जहाँ तक स्त्री-धन का सवाल है, उस में और एक्सटेंशन होना चाहिए।

मैं समझता हूँ कि दफा ४ बहुत जरूरी है। एक तरफ हम कहते हैं कि डावरी खराब चीज है, लेकिन दूसरी तरफ कहते हैं कि जो डावरी डिमांड करे, उस को न छुएँ। अगर डावरी लेनी एक जुर्म है, तो कोई शक्स उस को लेने में कामयाब हो, या न हो, वह मुज्रिम है। अगर डावरी डिमांड करने वाले को सजा न दी जाएगी, तो उस का मतलब यह होगा कि अगर वह कामयाब हो गया, तो उस को डावरी मिल जायेगी, और अगर कामयाब न हुआ, तो उस का कुछ नुकसान नहीं होगा, उस को कोई सजा नहीं मिलेगी। मैं खुश हूँ कि आनरेबल मिनिस्टर साहब ने एक अमेंडमेंट दी है, जिस का मतलब यह है कि बे दफा ४ के पाबन्द हैं। आरिजिनल ऐक्ट में दफा ४ मौजूद थी और आज भी वह मौजूद है। उस की अमेंडमेंट के आने से यह है कि वह दफा ४ के उमूम को मानते हैं। धारदा ऐक्ट में इस बारे में हम ने यह रखा था कि नोटिस जारी करने से पेंटर तहकीकात की जाये। या ही उस उमूम को रखें, या यह रखें कि फिजूल और मेलीगंस मुकदमे न चलाये जा सकें।

इन अलफाज के साथ मैं आप का बुकिया अदा करता हूँ।

†श्री जगन्नाथ राव (कोरापट) : जहां तक खंड २ में "प्रत्यक्ष या अप्रत्यक्ष" शब्दों का प्रश्न है मेरे विचार से इन शब्दों का रखा जाना आवश्यक है। उन्हें अनावश्यक नहीं समझा जा सकता है।

जहां तक परिभाषा का प्रश्न है उसे विधेयक में रखना आवश्यक है, उससे यह नहीं समझना चाहिये कि उसके रखे रहने से दहेज शब्द की परिभाषा का प्रभाव समाप्त हो जायेगा।

जहां तक खंड ४ का प्रश्न है इसकी शब्दावलि उपयुक्त नहीं कही जा सकती है। उसका अभिप्राय यह प्रतीत होता है कि दहेज के लिये या दिये जाने के प्रयत्न को डण्डनीय करार दिया जाये। आवश्यकता यह है कि इसकी शब्दावलि को उचित बनाया जाय और उचित स्थान पर "प्रत्यन्त करना" शब्द निविष्ट कर दिये जायें। यह कहा गया है कि खंड ४ को विधेयक में शामिल करने से जनता को परेशानी का सामना करना पड़ सकता है। तथापि मैं इससे सहमत नहीं हूँ।

मुझे विश्वास है कि इस विधेयक से समाज तथा जनता में जाग्रति पैदा हो सकेगी। अतः इस विधेयक का सभी पक्षों को स्वागत करना चाहिये।

श्री ब्रह्मल किशोर (पंजाब) : आज सुदर्शन कुमारी की कुर्बानी जो दिल्ली के ए० डी० एम० की एक बहादुर बेटी थी, रंग लाई है। मैं अर्ज करूँ कि उस बहादुर बेटी ने डावरी की बिल बेटी पर बैठ कर अपने आप को कुर्बान कर दिया। आज उसी का नतीजा है कि इस बिल पर यहां गौर हो रहा है। यह कुर्बानी उसने १९५८ में की। उस वक्त अखबारों में इसकी बहुत चर्चा हुई। उसी चर्चा से मुतासिर होकर मैंने डावरी रेस्ट्रेंट बिल राज्य सभा में रखा। उसी बिल के नतीजे के तौर पर आज हम यहां इकट्ठे हुये हैं और इस डावरी के बारे में सोच विचार कर रहे हैं।

यह डावरी वह चीज है जोकि तमाम बुरी रसमों की जड़ है, तमाम कुरीतियों की जड़ है। यह डावरी ही तमाम बुराइयों की जड़ है। आप पूछ सकते हैं कि यह कैसे है? इसके जवाब में मैं आपकी सेवा में अर्ज करना चाहता हूँ कि आज बहुत शोर है कि पुरुषों और स्त्रियों को बराबर के हकूक हासिल हैं। इस इक्वैलिटी की हम दाद देते हैं। लेकिन मैं पूछना चाहता हूँ कि जिस वक्त किसी घर में लड़का पैदा होता है, तो आप खुशी मनाते हैं लेकिन जिस वक्त लड़की पैदा होती है, तो आप क्या कहते हैं? हमारी तरफ तो कहा जाता है कि डिग्री आ गई। उस डिग्री को पूरा करने के लिये बेटी का बाप ना मालूम क्या क्या कुकर्म करता है। वह रिश्वत लेने पर, चोर बाजारी करने पर, और तरह तरह के जितने भी पाप हैं सब डिग्री को पूरा करने के लिये करने पर उतारू हो जाता है।

यह कहा जाता है कि बहनों को इक्वैलिटी दे दी गई है, उनको गवर्नर बना दिया जाता है, उनको डिप्टी मिनिस्टर बना दिया गया है, कइयों को मेम्बर पार्लिमेंट भी बना दिया गया है। इस तरह की बातों से हम खुश हो जाते हैं कि हमने औरतों को, देवियों को अपने बराबर कर दिया। लेकिन मैं आपकी सेवा में अर्ज करना चाहता हूँ कि आप देहात में जाकर देखें कि जो लड़कियां शादी के काबिल हैं पर जिनके बाप दहेज नहीं दे सकते उन लड़कियों की क्या हालत है। वे लड़कियां आज घरों में बैठी सदं ग्राहें ले रही हैं। और वे देख रही हैं आपकी तरफ कि यह जनता के नुमायन्दों का इज्जलास सेंट्रल हाल में बैठ कर इस दहेज प्रथा को हटाने के लिये क्या करता है। आज देश की सारी जानता आपकी तरफ देख रही है और खास तौर से वे लोग जो कि मिडिल क्लास के और गरीब तबके के हैं। अमीरों को तो डाउरी देने में कोई फर्क नहीं पड़ता। वे तो एक दूसरे से देते लेते रहते हैं

[श्री जुगल किशोर]

लेकिन उनकी देखा देखी मिडिल क्लास के और गरीब भ्रादमियों पर असर पड़ता है और उनसे भी डाउरी मांगी जाती है। मैं आपको हरियाने के देहात के बारे में बताना चाहता हूँ, जहाँ से मैं भ्राता हूँ कि आज चार पांच हजार डाउरी दिये बगैर एक गरीब भ्रादमी भी अपनी लड़की की शादी नहीं कर सकता ।

श्री० रणवीर सिंह (रोहतक) : अगर वालों में ऐसा हो सकता है, बाकी सब में ऐसा नहीं है।

श्री जुगल किशोर : अगर वालों में तो होता ही है लेकिन अब माननीय सदस्य की बिरादरी में भी यह सिस्टम चल रहा है। हमारी देखा देखी आप भी ऐसा करने लगे हैं।

श्री० रणवीर सिंह : हमारे यहाँ यह सिस्टम नहीं है।

श्री जुगल किशोर : अगर आपके यहाँ डाउरी नहीं चलती तो बड़ी खुशी की बात है। लेकिन जिन लोगों में यह चलती है उनके बारे में मैं यह अर्ज करना चाहता हूँ कि, अब तो इस प्रथा ने हीलनाक रूप धारण कर लिया है। मैं क्या अर्ज करूँ अब तो डाउरी के लिये टेंडर मांगे जाते हैं। लड़के वाला कहता है कि जो लड़की वाला ज्यादा से ज्यादा रकम देगा उसकी लड़की के साथ मेरे लड़के की शादी होगी। इस हद तक नीबट आ गयी है। क्या इस सूरत में हमारा यह फर्ज नहीं हो जाता कि हम इस प्रथा को नेस्त नाबूद कर दें।

मुझे खुशी है कि सब भाई इस बात के हक में हैं कि डाउरी नहीं लेनी चाहिये लेकिन कुछ एक्सप्लेनेशन इवर उधर लगा कर उसको किमी तरीके से रखना चाहते हैं।

पंडित ठाकुर दास भार्गव : मैं लिमिट रखने के खिलाफ हूँ।

श्री जुगल किशोर : मैं अर्ज करना चाहता हूँ कि यह एक्सप्लेनेशन लगा के तो आप खुली छूट दे देते हैं। इसमें कोई लिमिट नहीं रहती कि कितना जेवर दिया जाये कितना कपड़ा बगैरह दिया जाये।

पंडित ठाकुर दास भार्गव : क्या आप बिड़ला या टाटा के लिये ५०० की लिमिट रखना चाहते हैं ?

श्री जुगल किशोर : अगर बिड़ला या टाटा के पास ज्यादा रुपया है तो वे उसको किसी अच्छे काम में लगा सकते हैं। इस प्रकार उसका प्रदर्शन करने से क्या फायदा है।

पंडित ठाकुर दास भार्गव : क्या लड़की की सम्पत्ति का दान अजसुद बुरी चीज है ?

श्री जुगल किशोर : तो मैं अर्ज कर रहा था कि इस एक्सप्लेनेशन से तो आज पूरी छूट दे रहे हैं। कानन तोड़ने वाले तो आप कैसा भी सख्त कानून बनायें उसमें कुछ लूपहोल ढूँढ लेते हैं और उसका नाजायज फायदा उठा लेते हैं और उस में सुराक्ष बना लेते हैं। लेकिन यहाँ तो हमने पहले ही बड़ा सुराक्ष कर दिया है और खुली छूट दे दी है।

कई भाइयों ने कहा कि यह एक्सप्लेनेशन ही तो इस बिल की जान है। लेकिन मैं तो कहता हूँ कि यह डाउरी की जान है। और जब हम डाउरी की बुराई को दूर करना चाहते हैं तो हमको उसकी खान को निकालना ही होगा। हम तो इस बिल के अन्दर कोई लूपहोल नहीं रहने देना चाहते।

एक माननीय सदस्य: यह कहा जाता है कि ये एक्सप्लेनेशन बिल की जान है, न कि डाउरी की जान है ।

श्री जगल किशोर : यह बिल की जान नहीं है बल्कि डाउरी की जान है । यह बिल की जान कैसे हो सकता है क्योंकि यह बिल तो डाउरी को खत्म करने के लिये लाया गया है । इस एक्सप्लेनेशन के रहने से ही डाउरी की जान रहती है । इसी लिये हम इसको नहीं रखना चाहते । मैं अर्ज करूँ कि आप यह खयाल करें कि इस डाउरी के कारण आज महिलाओं की क्या दुर्दशा हो रही है । इस चीज को देखते हुये हमारा और आपका यह फर्ज हो जाता है कि इस डाउरी की बुराई को बिल्कुल खत्म कर दें ।

इसके खत्म करने से दो बातें होंगी । एक तो जो लड़कियों के मां बाप हैं वे आराम से रहेंगे और जो वे पैदा करेंगे उसको अपना जीवन स्तर ऊंचा करने में खर्च करेंगे । अभी जो हमारे लोगों का जीवन स्तर ऊंचा नहीं होता उसका कारण यह डाउरी है । हर वक्त लोगों को इसकी चिंता रहती है और इसके लिये रुपया जमा करने के स्थान के कारण न वह अच्छा खा सकते हैं, न अच्छा पहन सकते हैं और इसी कारण उनका जीवन स्तर ऊंचा नहीं होता । इसलिये मैं आपकी सेवा में अर्ज करना चाहता हूँ कि अगर आपके दिलों में अपनी बहिनों का कुछ भी खयाल है, उनके ऊपर डाउरीके कारण जो अत्याचार हो रहे हैं उनको अगर आप दूर करना चाहते हैं तो इस एक्सप्लेनेशन को उड़ाना निहायत जरूरी है । अगर यह एक्सप्लेनेशन रहता है तो इस बिल को पास करने से कोई फायदा नहीं होगा प्रेजेंटस की शकल में वे सब कुछ लेते रहेंगे । तो एक तो मैं यह अर्ज करना चाहता हूँ कि इस एक्सप्लेनेशन को जरूर उड़ा दिया जाना चाहिये ।

दूसरे जहां तक शब्द—डाइरेक्टली और इंडाइरेक्टली—का सवाल है इनको मैं जरूरी समझता हूँ कि रखा जाये ।

जहां तक क्लॉज ४ का सवाल है उसके अन्दर लोक सभा ने यह रखा है कि अगर कोई डिमांड करे तो उसको कैद की या जुरमाने की सजा या दोनों सजायें हो सकती हैं, लेकिन दूसरी तरफ क्लॉज २ में एक्सप्लेनेशन रख कर खुली छूट दे दी है कि बतौर तोहफे के चाहे कुछ भी लिया जा सकता है । एक तरफ तो आप इतनी सक्ती बरतते हैं और दूसरी तरफ इतनी नरमी दिखाते हैं, ये दोनों बातें भेरी समझ में नहीं आतीं । अगर सक्ती करना चाहते हैं तो पूरी तरह कीजिये । इसलिये मैं अर्ज करना चाहता हूँ कि अगर आपको नारियों का स्थान है तो आपको इस बिल को सख्त बनाना होगा ।

नारी नर की खान

हम सब नारी से पैदा होते हैं । अगर उसकी हालत ठीक होगी तो हमारी हालत भी ठीक होगी । इसलिये भेरी प्रार्थना है कि आप इस बिल को बगैर एक्सप्लेनेशन के पास करें तभी हम इस डाउरी की बुराई को खत्म कर सकेंगे ।

डा० सुशीला नायर (झांसी) : उपाध्यक्ष महोदय, यह जो विधेयक हमारे सामने आया है, यह आवश्यक है, इन बारे में तो कुछ कहने की जरूरत नहीं है क्योंकि दोनों हाउसेज, लोक सभा और राज्य सभा, ने इसको स्वीकार किया है और दोनों ने इसकी आवश्यकता समझी है ।

[डा० पुस्तोत, ना यर]

(उपरोक्त अधोदय पीठासीन हुये)

इसलिये मैं समझती हूँ कि देश के प्रतिनिधि, देश के नुमायन्दें, दोनों हाउसेज के, दहेज की प्रथा को समाप्त करना चाहते हैं इसके बारे में किसी को अपने मन में शंका करने की आवश्यकता नहीं है। दोनों सदनों ने यह निर्णय लिया है कि यह दहेज की प्रथा विवाह की पवित्र संस्था का, विवाह की पवित्र रस्म का अपमान है। दहेज देना और दहेज लेना दोनों विवाह की प्रथा के लिये अपमान हैं। इसी कारण से राज्य-सभा और लोक-सभा ने अपने-अपने दृष्टिकोण से इस विधेयक को अर्च्छा बनाने की कोशिश की है। अब उसके लिए किसी का यह कहना कि राज्य-सभा अधिक प्रगतिशील थी या लोक सभा अधिक प्रगतिशील रही और राज्य-सभा कम प्रगतिशील बनी, यह दोनों बातें दुस्त नहीं हैं। जहां तक मैं देखती हूँ, कुछ सुधार जो राज्य-सभा ने इस बिल में किये वह अधिक प्रगतिशील थे और कुछ सुझाव जो लोक-सभा ने दिये वह अधिक प्रगतिशील थे। इसलिए यह आवश्यक हुआ कि हम सब दोनों हाउसेज के सदस्य इकट्ठा होकर मिलें और इस विधेयक को हम जितना अर्च्छा बना सकते हों, बनायें। मैं इस चीज को मंजूर करती हूँ कि इस कानून के बन जाने से दहेज की कुप्रथा यथायक इस देश से चली जायेगी, ऐसी चीज नहीं है मगर इससे दहेज की कुप्रथा निकालने में मदद जरूर मिलेगी।

कुछ लोग बात कर रहे थे बैठे-बैठे और कुछ लोगों ने बोलने में भी यह बात कहने की कोशिश की कि भरे किसी से पैसा मांगा थोड़े ही जाता है। अपनी इच्छा से दिया जाता है अगर कोई बाप अपनी खुशी से अपनी लड़की को कुछ देता है तो उसमें किसी को क्यों कोई शिकायत होनी चाहिए? जब मेरे बुजुर्ग पंडित ठाकुर दास भागव बड़े जोरों से इस चीज की हिमायत कर रहे थे कि लड़की को तो हमने उसके बाप की जायदाद में हक दे दिया है तो अब दहेज को आप क्यों निकालते हैं? वहां भी मिलना चाहिए और यहां भी मिलना चाहिए, इत्यादि, इत्यादि। मुझे तो उनकी यह बात सुन कर थोड़ी हंसी भी आई। मुझे स्मरण है कि जब वहां लोक सभा में हिन्दू सक्सेशन ऐक्ट पास हो रहा था तब और उससे मिलती जुलती कुछ धार्मिक रिहलिकेशन या अन्य कानूनों में जब-जब हाउस के सामने आई हैं तो पंडित ठाकुर दास भागव ने लड़कियों को हक दिये जाने का विरोध किया है...

पंडित ठाकुर दास भागव : यह बिल्कुल गलत है बल्कि हकीकत इसके बरखिलाफ है।

डा० सुशीला नायर : पंडित जी ने जमीन लड़कियों को नहीं मिलनी चाहिए, यह बारबार कहा है।

पंडित ठाकुर दास भागव : मैंने अनमैरीड लड़कियों को जमीन में हक देने के बारे में कहा है जबकि मैरीड लड़कियों को मैंने कहा है कि उनको ब्याच बाप के, वहां समुदाय में हक मिलना चाहिए। मैरीड लड़कियों को मैं उनके पति के घर में उनकी समुदाय में हक दिलवाना चाहता था।

डा० सुशीला नायर : मेरा तो कहना यह है कि जब हिन्दू सक्सेशन ऐक्ट में लड़कियों को अधिकतर देने की बात आती है तो कुछ बुजुर्गवार उसका विरोध करते हैं कि लड़कियों को हक नहीं मिलना चाहिए क्योंकि भास्तिर हमें उन्हें धाबी में दहेज देना होता है। उस वक्त यह दलील दी जाती है कि जब उनको दहेज देना है तो उनको जमीन क्यों

देनी चाहिए। अब हम कहते हैं कि भाई दहेज मत दो। हम नहीं चाहते कि लड़कियों को आप दहेज दें। दहेज के नाम से शील्ड लेकर आप लड़की को उसका अधिक नहीं देना चाहते तो यह दहेज की प्रथा बंद होने से आप फिर यह तो न कह न सकें कि हम इसलिए उनको अधिकार नहीं देना चाहते क्योंकि हमें उन्हें दहेज देनी होती है। लड़कियों को दहेज नहीं चाहिए आप उनको जमीन के और अन्य अधिकार दीजिये। अब दहेज के हक में दलील यह दी जाती है कि वह तो स्त्रीघन है और उसके बारे में तो शास्त्रों में भी कहा गया है। लेकिन क्या हकीकत में आज जो दहेज की प्रथा है या स्त्रीघन है, उसके बारे में आप लोग अपने दिल पर हाथ रख कर यह कह सकते हैं कि यह लड़कियों के हक में है? या फायदे में है? अगर आप अपने दिल को इसके बारे में टटोल कर पूछेंगे तो आपको यह जवाब मिलेगा कि दहेज व स्त्रीघन से लड़की का फायदा नहीं। हम आप सब इस बात से अपरिचित नहीं हैं कि लड़कों की एक तरह से वित्री होती है। जितना अधिक पढ़ा लिखा लड़का होता है उतने ही उस के दाम ज्यादा लगते हैं। लड़के वाला बिल्कुल सीधे बिना शर्म के कहता है कि भाई अगर आज लड़के से तुम अपनी लड़की की शादी करना चाहते हो तुम्हें २० या २५ हजार नकदी की व्यवस्था करनी होगी। लड़के वाला लड़की के पिता से यह सवाल करता है कि क्या उसके पास २०-२५ हजार कैश है। अगर इतना कैश तुम्हारे पास नहीं है तो फिर अपनी लड़की के वास्तु और कोई वर तलाश करो। इस कानून के बन जाने के बाद यह चीज नहीं होगी।

हमारे त्यागी जो ने और शायद कुछ अन्य भाइयों ने यह कहा था कि खाली लड़के बिकते हो, ऐसी बात नहीं है, लड़कियां भी बिकती हैं। लड़के वाले से ब्राइड प्राइस वसूल की जाती है। अब मेरा कहना है कि अगर लड़कियां बिकती हैं तो यह भी अनुचित बात है और उसको भी बंद होना चाहिए। जो भी मां-बाप अपनी लड़की को शादी में देने के ऐवज में पैसा मांगते हैं वह अनुचित बात करते हैं और वह भी बंद होना चाहिए। इसीलिए जो दहेज की यहां पर व्याख्या दी गई है उसमें लड़के और लड़की का फर्क नहीं रखना जायेगा शादी तय करने के लिए चाहे लड़के ही की तरफ से पैसा मांगा जाये अथवा लड़की वाले की तरफ से, उन दोनों का ही इसमें विरोध किया गया है और दोनों ही को बंद होना चाहिए।

मैं जानती हूँ जहां कि लड़कियां बिकती हैं। लड़की के तो दाम हर जगह मांगें ही जाते हैं लेकिन जैसा कि हमारे त्यागी जी ने बतलाया उत्तरप्रदेश के पर्वतीय भागों में लड़की के दाम मांगे जाते हैं। यह बात सही है। लेकिन मैं यह भी आप से कह दूँ कि उस लड़की को फिर छड़ाया भी जा सकता है। जो पिता ५०० रुपया लेकर अपनी लड़की को बेच देता है वह ५०० रुपया देकर उसको पुनः वापिस ले सकता है और फिर दुबारा किसी अन्य के हाथ अपनी लड़की को बेच सकता है। पति भी बेच सकता है। पर वह एक तरह स गुलामी जैसी बात है। २५०, ३००, ४००, ५००, १००० या २००० रुपये में लड़की ३, ४ या ५ जगह बिकती है, इस तरह के कैसेज हमारे पास आये हैं। लेकिन अब यह कहना कि चूँकि ट्राइबल लोगों में कुछ ऐसा रिवाज है उन्हें हमें ध्यान में रखना चाहिए और तब कानून बनाना चाहिए, मुझे तो यह बिल्कुल बेकार बात लगती है। मेरी समझ में तो यह सारी चीजें इस बात को बल देती हैं कि शादी के बारे में दाम मांगना और सीदेबाजी करना चाहे वह लड़के वाले की तरफ से हो या लड़की वाले की तरफ से दोनों ही गलत है और उनको संस्था समाप्त होना चाहिए। सीधे दाम मांगने और सीदेबाजी करना या किसी विचालिये की मार्फत इस तरह की चीज करना अनुचित है और वह समाप्त होनी चाहिए। इसलिए मैं समझती हूँ

[डा० सुशीला नायर]

कि इस बिल में यह जो संशोधन राज्य-सभा वालों ने रक्खा है कि डाइरेक्टली और इनडा-इरेक्टली शब्द शामिल होने चाहिए, यह शब्द बहुत आवश्यक हैं और इनको रहना ही चाहिए।

इसी प्रकार से एक दूसरी चीज यह कही जाती है कि लड़की की जब शादी होगी तो उस मौके पर क्या हम लड़की के वास्ते कोई छोटा-मोटा उपहार लेकर नहीं जायेंगे? इसके लिए एक ऐक्सप्लेनेशन रक्खा गया है कि जो कैंस, जेवर और कपड़े वगैरह उपहार के रूप में दिये जायेंगे उनको डाउरी नहीं माना जायेगा। मैं समझती हूँ कि यह सरासर अनावश्यक है। इतना ही नहीं बल्कि ऐसा ऐक्सप्लेनेशन रख कर एक रास्ता बताना है लोगों को कि डाउरी अगर कानून बंद भी हो गयी है तो भी जेवर के रूप में कपड़े के रूप में उस वक्त जितना चाहे बतौर उपहार दे सकते हैं और वह डाउरी की डेफिनीशन में नहीं आयेंगा। इस तरह से तो इस कानून को हम बि-कुल निकम्मा बना देंगे, डैड लैटर बना देंगे। इस कानून से बचने के लिये किस तरीके से रास्ता निकालेंगे यह चीज आप इस ऐक्सप्लेनेशन के द्वारा लोगों को सिखा रहे हैं।

आपने यह कह दिया है कि डाउरी वह चीज है जोकि शादी तय करने के लिए कंसिडरेशन के रूप में दी जाती है। अब शादी के मौके पर जो मित्र आदि प्रेजेंट्स लाते हैं वे तो इस डाउरी की हद में आ ही नहीं सकते। ऐसी हालत में कोई आवश्यकता नहीं है कि इस तरह का ऐक्सप्लेनेशन लगा कर आप लोगों को एक रास्ता बतायें कि इस प्रकार से इस कानून का उल्लंघन किया जा सकता है। इसी चीज को ध्यान में रखते हुए राज्य-सभा ने उस ऐक्सप्लेनेशन को निकाल देने की सिफारिश की है। मेरी समझ में राज्य सभा की ऐक्सप्लेनेशन को निकालने की सिफारिश बहुत ही उचित है। मैं चाहती हूँ कि हम राज्य-सभा के उस मुद्दाव को कि ऐक्सप्लेनेशन निकाल देना चाहिये इस ज्वाइंट सेशन में स्वीकार कर लें। यह ऐक्सप्लेनेशन निकाल दिया जाना चाहिए। इसकी आवश्यकता नहीं है। इसके रहने से कोई फायदा नहीं है। नुकसान ही हो सकता है।

इसके बाद मुख्य प्रश्न है क्लॉज ४ का। उसको निकालने की कोशिश इसलिये हुई कि उसमें जो यह व्यवस्था की गई है कि अगर कोई डाउरी डिमांड करता है, तो उसको दंड दिया जा सकता है, वह हैरासमेंट का कारण बन सकती है। यह कहा गया कि यदि किसी के यहां शादी तय नहीं हो पाई—किसी और बरह से तय नहीं हो पाई, तो वह कहेगा कि यह हम से डाउरी, दहेज मांगता था, इसलिये शादी तय नहीं हुई और उस पर मुकदमा चला देगा। मैं कहना चाहती हूँ कि जिस लड़की का बाप किसी लड़के वाले पर यह कह कर बेकार मुकदमा चला देगा कि वह मुझे से दहेज मांगता था, क्या उसका दिमाग नहीं घूमा होगा। उसको अपनी लड़की की शादी करनी है। अगर वह एक जगह बेकार झूठा मुकदमा दायर करता है, तो दूसरा कौन उसके यहां शादी करने के लिये तैयार होगा? समाज में उस बात का प्रचार होगा और उसकी लड़की की शादी होना मुश्किल हो जायेगा। इसलिये बिना कारण के कोई मुकदमा नहीं कर सकता।

इसके अलावा यह भी कहा जाता है कि जो दहेज को समाप्त करने की बात की जाती है, वह ठीक नहीं है, क्योंकि अगर किसी की लड़की सुन्दर नहीं होती है, कुरूप होती है या उसमें और कमी होती है, तो पिता भ्रष्ट दहेज दे कर उसको भ्रष्ट घर में ब्याह सकता है। मैं समझती हूँ कि यह दलील भी बिल्कुल पुरानी हो गई है। यह दलील उस जमाने में लग सकती थी, जब हिन्दू मैरिज टूट नहीं सकता था। आज तो वह टूट सकता है। जब हमने डाइवोर्स का विधेयक

पास कर दिया, तो उसके बाद यह सोचने के कोई माने नहीं हैं कि पैसा दे कर हम अच्छे घर में लड़की की शादी कर देंगे, क्योंकि शादी के बाद डाइवोर्स हो कर के लड़की की हालत वैसी की वैसी, या उससे भी खराब हो सकती है। यह बात भी ध्यान में रखना चाहिये और डावरी न तो डायरेक्टली और न इनडायरेक्टली होना चाहिये और एक्सप्लेनेशन के रूप में उसके लिये रास्ता खुला नहीं रखना चाहिये।

क्लाज ४ के सम्बन्ध में जिस हैरासमेंट का जिक्र किया गया है, मुकदमें के पहिले स्टेट गवर्न-मेंट से इजाजत लेने के बारे में जो संशोधन आज रखा गया है, उससे उस हैरासमेंट की सम्भावना ही नहीं रह जाती है। मैं समझती हूँ कि इजाजत के लिये जाना पेरेंट्स के लिये बहुत कठिन होगा और इससे इस कानून में बहुत कुछ कमी आ सकती है, लेकिन मैं मानती हूँ कि इस कानून की पूर्ति खाली मुकदमेबाजी से नहीं होगी। मैं तो यह समझती हूँ कि इस कानून के पास होने से समाज पर इसका बहुत अच्छा असर होगा। जब लोगों को मालूम है कि दहेज मांगने से कानून की हद में आ जाते हैं, तो मांगने वाला डरेगा। जब उन्हें मालूम है कि दहेज लेने देने से कानून की हद में आ जाते हैं, तो लेने वाला डरेगा। कई लड़के प्रगतिशील और प्रोग्रेसिव विचारों वाले होते हैं। वे तो कहते हैं कि मैंने कुछ नहीं लेना है, लेकिन पिता जी गला दबाते हैं कि तुम्हारी पढ़ाई पर इतना खर्च किया, तुम्हें विलायत भेजने पर इतना खर्च किया, आदि, वह सब खर्च दहेज में पूरा होना चाहिये। इस कानून से उन लड़कों में मजबूती आ जायेगी और वे अपने पिता से कहेंगे कि आप ऐसा करते हैं, इस कानून से मुश्किल आ जायेगी। इसलिये मैं समझती हूँ कि क्लोज ४ का रहना अत्यन्त आवश्यक है। जो प्रोवाइजों लगाया गया है, वह मुझे बहुत पसन्द नहीं है, लेकिन इस क्लोज को रखने के लिये वह प्रोवाइजो भी स्वीकार करें। अगर उसके अमल में दिक्कतें आयेंगी, तो हम फिर पार्लियामेंट के सामने आयेंगे और अगर इसको और सुधारने की आवश्यकता होगी, तो सुधार लेंगे।

श्रीमती रेणु चक्रवर्ती ने कहा कि कम्यूनिस्ट पार्टी को बहुत चिन्ता है कि यह विधेयक पास होना चाहिये। मैं कहना चाहती हूँ कि जो सरकार यह विधेयक लाई है, वह तो कांग्रेस की है। इलैक्शन आने वाला है, इसलिये हर पार्टी इसमें से यश लेने की कोशिश करे, तो इसके कोई खास माने नहीं हैं। मैं समझती हूँ कि कांग्रेस सरकार के लिये यह बहुत शोभा की बात है कि अनेक सोशल और प्रोग्रेसिव लेजिस्लेशन्स के साथ यह प्रोग्रेसिव लेजिस्लेशन भी वह लाई है और मैं आशा करती हूँ कि इस विधेयक को इन तीनों सुधारों के साथ—“डायरेक्टली और इनडायरेक्टली” को रख कर, क्लोज ४ को रख कर और क्लोज २ के पहिले एक्सप्लेनेशन को निकाल कर—हम पास करेंगे और इस देश की लाखों लड़कियों की इस आशा को पूरा करेंगे कि इस विधेयक के पास होने से, दहेज के रूप में उनका जो अपमान होता है, वह समाप्त होगा।

†श्री ए० डी० मणि (मध्य-प्रदेश) : चूंकि प्रत्यक्ष या अप्रत्यक्ष रूप से शब्दों को रखने से विधेयक में कोई परिवर्तन नहीं आता, इसलिये सभा को इस बारे में रखे गये संशोधनों का समर्थन करने का हक है।

खण्ड ४ के द्वारा में श्री हजरनवीस का जो संशोधन है वह खंड ४ की अपेक्षा अधिक स्तरनाक है क्योंकि इसके द्वारा जो अधिकार सरकार को दिये जाने का इरादा है उन का राजनीतिक प्रयोजनों के लिये दुरुपयोग किया जा सकता है क्योंकि राज्य सरकारें इसे लागू करेंगी। विवाह के समय उपहार के रूप में दी गई वस्तु को उच्च न्यायालयों ने भी प्रथागत माना है।

[श्री ए० डी० मणि]

अतः इस उपबन्ध को निकाल देना चाहिये, क्योंकि इसके दुरुपयोग से कई स्वतंत्रता विरोधी दलों के प्रत्यर्थियों को निर्वाचन लड़ने में बाधा पड़ेगी। हमें लोकमत के साथ भी चलना चाहिये।

ब्लफंडन समिति के अनुसार अपराध वह होता है जो कोई घातक या हानिकारक कार्य हो और जिससे लोगों का शोषण हो। हमें दहेज लेने या देने के लिये दंड का विधान बनाने समय लोक मत की प्रतीक्षा करनी चाहिये। अतः खंड ४ हटा दिया जाए और यदि खंड ४ और श्री हजरनवीस के संशोधन में से एक चीज रखनी है तो मैं खंड ४ का समर्थन करूँगा श्री हजरनवीस के संशोधन का नहीं।

व्याख्या के सम्बन्ध में मेरा एक संशोधन है। मैं कोई 'मेंट' शब्दों के बाद "समुचित प्रकार की और २००० रुपये से अनधिक मूल्य की" शब्द जोड़ना चाहता हूँ। प्रेम या वात्सल्य के कारण माता पिता हार और साड़ियाँ धादि देना चाहते हैं। अतः इतना उपबंध अवश्य कर दिया जाना चाहिये।

श्री ७० २० पाठ्ये (नैनीताल) : क्या इस विधेयक के अनुसार कोई पदाधिकारी दहेज की सूची तैयार करेगा ?

श्री ए० डी० मणि : यह आशा नहीं की जा सकती कि हर विवाह पर पुलिस के अफसर पहुंचेंगे। इस विधेयक के अनुसार दंड उन्हीं को मिलेगा जो बहुत अधिक दहेज देने का प्रयत्न करेंगे।

श्री राम लेखक यादव (बाराबंकी) : इसमें कोई शक नहीं है कि जो दहेज प्रथा आज देश में प्रचलित है, वह बहुत बुरी प्रथा है। चाहे राज्य-सभा के माननीय सदस्य हों और चाहे लोक-सभा के सभी इस मामले में एक मत हैं कि इस प्रथा का अन्त होना चाहिये। इस प्रथा के दो कारण हैं, एक तो सामाजिक असमानता और दूसरा आर्थिक विषमता। जब तक हम सामाजिक असमानता और आर्थिक विषमता को दूर नहीं करेंगे तब तक केवल इस तरह का अधिनियम बना देने मात्र से यह समस्या हल नहीं हो सकेगी।

सभी जानते हैं कि स्त्री और पुरुष गैर-बराबर हैं। स्त्री तो एक ऐसी वस्तु है जिसको कुछ पैसा दे करके जबर्दस्ती दूसरे के गले मड़ा जाता है। स्त्री और पुरुष की असमानता का कारण हमारे देश में जाति प्रथा है या कुलीन प्रथा है। अगर इस कुलीन प्रथा का अन्त हो जाए तो बहुत अंशों में और मैं तो यह कहूँगा कि पूरे तीर पर इस दहेज प्रथा की जड़ को ही हमेशा के लिये हम काट सकते हैं, इसको समाप्त कर सकते हैं। लेकिन जब तक कुलीन प्रथा रहेगी तब तक चाहे लड़कों के लिये पैसा लिया जाए या लड़कियों के लिये पैसा लिया जाए दोनों तरह से यह प्रथा चलती रहेगी और इसका निराकरण नहीं हो सकता है।

श्री प्रधान मंत्री जी इस सम्बन्ध में बोले हैं और उन्होंने कहा कि उन्हें बड़ा धक्का लगा जब पांच साल पहले उन्होंने सौराष्ट्र में कुंवारी लड़कियों को धात्म-हत्या करते हुये सुना। मैं समझता हूँ कि अगर प्रधान मंत्री जी को धक्का लगा होता तो सही मानों में वह इस समस्या के बारे में जागरूक हुये होते। उन्होंने जब से देश आजाद हुआ है कोई न कोई प्रभावशाली कदम इस विषय में उठाया होता जिससे जाति प्रथा का अन्त हो सकता। लेकिन इस विषय में कुछ नहीं किया गया है।

जहां तक इस विधेयक का सम्बन्ध है, इसके दो उद्देश्य हैं। एक उद्देश्य तो यह है कि दहेज प्रथा का अन्त हो और दूसरे उस उद्देश्य की पूर्ति के लिये कुछ ऐसी व्यवस्था की गई है कि अन्त तो दहेज लिया ही न जाए और अगर लिया जाए तो देने और लेने वाले दोनों को दंडित किया जाए। जहां तक दंड का सम्बन्ध है उन्होंने इसके अन्तर्गत यह रखा है कि दहेज देने और लेने वाले पर मुकदमा चलेगा और अगर यह साबित हो जाता है तो उनको छः महीने तक की सजा या पांच हज़ार रुपये तक जुर्माना हो सकता है, या दोनों हो सकते हैं।

मैं इस सदन का तथा माननीय सदस्यों का और साथ ही साथ माननीय स्त्री सदस्याओं का ध्यान इस ओर आकर्षित करना चाहता हूँ कि इस विधेयक पर बहस तो बड़ी गर्मागर्म चल रही है और यह आशा भी की जाती है कि कोई बड़ा नतीजा निकल जाएगा लेकिन इसके उद्देश्य को देखें या इसकी व्यवस्थाओं को देखें, तो ये दोनों ही उद्देश्य इस विधेयक से पूरे नहीं होते दिखाई देते। और इसलिये पूरी नहीं होते कि जो धारा २ में व्याख्या नं० १ है, उसमें है कि दहेज न दिया जाये, लेकिन उस व्याख्या में क्या कहा गया है? उसमें कहा गया है :

“ह घोषणा की जाती है कि नकदी, जेवर और वस्त्रों के रूप में दिए गये उपहार दहेज नहीं समझे जायें जब तक कि उन्हें शादी के खास उद्देश्य के लिए ही न दिया जाये।”

इस व्याख्या के रहते हुये क्या हम यह आशा करें कि दहेज प्रथा का अन्त हो जायेगा? अभी हमारी सदस्या डा० सुशीला नायर ने कहा कि यह बहुत प्रगतिशील विधेयक है। लेकिन मुझे दुःख है कि जब-जब इस सरकार ने कोई प्रगतिशील विधेयक संसद् के सामने रक्खा, तब-तब दिखावट की कि जाहिरा तौर पर वह बहुत प्रगतिशील है, लेकिन उस के अर्धन कोई ऐसी व्यवस्था कर के उसे ऐसा मोड़ दिया गया कि उसकी सारी प्रगतिशीलता समाप्त हो गई। इस व्याख्या के रहते हुये अगर हम आशा करें कि दहेज प्रथा का अन्त हो जायेगा, तो मैं समझता हूँ कि यह बहुत गलत-फहमी की बात होगी और इससे कुछ होने वाला नहीं है।

इसी तरह से इसमें जो धारा ४ है, उस के बदले में जो यह संशोधन रक्खा गया है उस के लिये मंत्री महोदय ने कहा कि इस का मतलब यह नहीं है कि कोई परेशानी वह लोगों के लिये पैदा करेगा, बल्कि उससे लोगों को आसानी ही होगी। किसी भी राज्य सरकार के कर्मचारी को, चाहे वह मैजिस्ट्रेट हो या अन्य अधिकारी हो, उस को वह अधिकार नहीं दिया जायेगा कि वह मुकदमा चलाने की इजाजत दे दे। इस सम्बन्ध में मैं माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूँ कि मौजूदा स्थिति में जब किसी सरकारी अधिकारी के खिलाफ कोई पब्लिक का आदमी मुकदमा दायर करना चाहता है तो उस को इस के लिये इजाजत लेनी पड़ती है सरकार की, और इससे बड़ी तकलीफ होती है। इस में भी ज्यादातर मिसालें आपको ऐसी मिलेंगी जिनमें मुकदमा चलाने की इजाजत नहीं मिलती। तो इसमें जो व्यवस्था कर दी गई है उससे यह समस्या हल नहीं होगी और यह और कठिन हो जायेगा कि लोगों को मुकदमा चलाने की इजाजत मिल जाये। धारा ४ का जो खंड है उसके साथ जब यह व्यवस्था आती है तो साफ जाहिर हो जाता है कि इस की मंशा केवल यह है कि डाउरी लेने, द ज लेने की जो बात करते हैं, चाहे परोक्ष में या सीधे, उस को किस तरह से हम दंड से बचाने की व्यवस्था करेंगे। यही इस के अन्तर्गत कहा गया है।

उसमें यह भी कहा गया है कि अगर कोई दहेज लेता है या देता है, कोई दहेज मांगता है तो उसके ऊपर मुकदमा चलाये जाने की इस में व्यवस्था है। धारा ५ में इस विषय में कहा गया है कि यह जो धूर्म होगा वह गैर-दस्तन्दाजी का होगा। दस्तन्दाजी का धूर्म नहीं होगा। मैं आप से निवेदन करूँ कि एक आदमी अपनी लड़की की शादी करना चाहता है, और वहां उस से रुपया मांगा जाता है। गरीबी के कारण, आर्थिक कमजोरी के कारण वह दहेज दे नहीं सकता। वह लौट कर किसी दूसरे लड़के की

[श्री राम सेवक यादव]

तलाश में जाता है। अगर उस के पास पैसा होता तो वह दहेज दे कर लड़की की शादी कर देता। अब प्रश्न यह उठेगा कि वह खुद जा कर मुकदमा दायर करे। पहले तो मुकदमा लड़ने के लिये इजाजत ले और इस के लिये वह एक मुकदमा दायर करे। उस के बाद जब इजाजत मिल जाये मुकदमा लड़ने की तो दूसरा मुकदमा दायर करे उस पर जो कि दहेज मांगता है। आप सोच लीजिये कि इस का क्या मतलब है। अगर उस की प्राथिक क्षमता इस तरह की होती तो उस को मुकदमा लड़ने की क्या जरूरत होती? वह पैसा दे कर किसी अच्छे घर में शादी कर देता अपनी लड़की की। इसलिये यह जो व्यवस्था है वह फागज के अन्दर ही रहेगी, इस से कुछ होगा नहीं। इसके मुताबिक कोई मुकदमे नहीं चलेंगे भले ही इस संबंध में आप कानून बना डालें। मिसाल के तौर पर मैं आपको बतलाऊं कि बालकों के विवाहों पर कानूनी प्रतिबन्ध लगा हुआ है, लेकिन मैं अपने निर्वाचन क्षेत्र की बात बतलाता हूँ कि मुझे आज तक कोई ऐसा मामला नहीं मिला जो कि अदालत में गया हो जब कि शादियां रात दिन होती रहती हैं। हां, एक मिसाल जरूर मिली कि एक गांव में एक प्रधान का चुनाव हुआ। बीच में दो पार्टियां पैदा हो गईं और उन दोनों में दलबन्दी हो गई। दलबन्दी के कारण जब एक के यहां शादी हुई तो दूसरी पार्टी ने जा कर शिकायत की, और उस पर मुकदमा चला। इस व्यवस्था से यह जरूर होगा कि जब भी किसी जगह दो पार्टियों में विरोध होगा तो शायद इस तरह की शिकायत आ जाये, लेकिन वास्तविक रूप में इस कानून के रहते हुए इसमें गैरदस्तान्दाजी की धारा जुड़ी हुई है उसके रहते हुए सही मायनों में कोई मुकदमे अदालतों में नहीं जायेंगे। इसलिये मैं सदन से और माननीय मंत्री महोदय से कहना चाहता हूँ कि अगर वे चाहते हैं कि यह विधेयक पास हो, अगर वे चाहते हैं कि इस विधेयक की मंशा दहेज प्रथा को रोकना और दहेज लेने वाले को दंडित करना हो, तो इस एक्सप्लेनेशन को छोड़ दिया जाये। इसमें जो एक्सप्लेनेशन है उस के लिये हमारे पंडित ठाकुरदास भार्गव ने कहा कि वह विधेयक की जान है। मैं कहूंगा कि विधेयक का जो उद्देश्य है उस उद्देश्य के लिये यह एक्सप्लेनेशन भीत है। हमें उसकी जान ले लेते हैं अगर उस को कायम रखते हैं। जब तक यह व्यवस्था रहेगी तब तक यह चीज चलेगी नहीं।

एक बात मैं और कहूंगा कि केवल कानून बनाने से समस्या हल होने वाली नहीं है। इस समस्या के दो पहलू हैं। कानून भी बने और साथ-साथ जनमत का जागरण रहे। लेकिन इस दिशा में अब तक कुछ नहीं हुआ। मैं समझता हूँ कि अगर सरकार इस विधेयक को पारित करती है तो इसका मन्तव्य दूसरा समझ लिया जायेगा और मैं समझता हूँ कि जो माननीय सदस्य जरा भी ध्यान लगा कर सोचते होंगे वे जानते होंगे कि इस का कोई नतीजा निकलने वाला नहीं है। इसलिये जब तक जनमत जागृत नहीं किया जाता तब तक कुछ नहीं होगा। अगर इस विधेयक में कुछ भी जान रखनी है, इस को उद्देश्यपूर्ण रखना है तो इस एक्सप्लेनेशन को निकाल दिया जाये और जो दंड देने की व्यवस्था है वह जुर्म गैर-दस्तान्दाजी न हो, उस को कागिजबंद बनाया जावे। तभी यह चीज चल सकती है। अगर सही मायनों में इस को कार्यान्वित करना चाहते हैं तो जो लोग राजकीय सेवा में आना चाहते हैं अगर वे दहेज लें तो उन को नौकरी में न रखा जाये। दूसरे जो दहेज लेने वाले हैं उन को दंड मिले और इसको एक अनैतिक अपराध घोषित किया जाये। दूसरे जो दहेज देने वाले और लेने वाले लोग हों उन को बोट देने और बोट पाने के अधिकार से तथा चुनाव में खड़े होने के अधिकार से वंचित रखा जाये। तभी जा कर इस विधेयक के उद्देश्य की पूर्ति हो सकती है, वरना नहीं।

इन शब्दों के साथ मैं इस सदन से निवेदन करूंगा कि वह इस की व्यवस्थाओं की ओर ध्यान दे और जो दंड की व्यवस्था है उसमें संशोधन करे, तभी इस के उद्देश्य को पूर्ति हो सकती है।

धीमती अन्नाद्यती लक्ष्मणपाल (उत्तर प्रदेश) : उपलब्धनामकी महोदय, आज इस संयुक्त प्रविष्टिघन के भवसर पर हम ऋग्वेद विधेयक की कुछ विधायास्पद धाराओं पर अब निर्णय ले रहे हैं तो हमें यह देखना होगा कि उन धाराओं की अर्थार्थ और बुराई को जपने के लिये हमें कौनसी कसौटी बनानी है, हम किस प्रकार पर यह निर्णय करेंगे कि कौनसी धारा अर्थार्थी है और कौनसी बुरी है, कौनसी उपयोगी है और कौनसी अनुपयोगी है। दोनों सदनों के माननीय सदस्य जो आज इस सभा में उपस्थित हैं, शायद इस बात को मानते हैं कि इस दहेज विधेयक का लक्ष्य दहेज को समाप्त करना है, लेकिन अगर यह विधेयक अपने इस लक्ष्य को पूरा करने के प्रयोग्य हो सके तो हमें यह भी देखना पड़ेगा कि इस विधेयक की एक-एक धारा, और उस धारा की एक-एक पंक्ति और पंक्ति के एक-एक अक्षर से एक ही प्रकार की अर्थार्थ निकलनी चाहिये और वह दहेज के विधेय में हो। इस दृष्टि से जब हम इस विधेयक की धाराओं की धारा-दृष्टि पर लक्ष्य करते हैं तो हमें इस विधेयक की सब से बड़ी कमजोरी धारा १ और उसका एकसप्लेनेशन ए' जयवी है।

धारा २ में दहेज की व्याख्या की गयी है, लेकिन व्याख्या जो है वह तो अपने आप में इतनी काफ़ी है, इतनी स्पष्ट है, इतनी पर्याप्त है उसका स्पष्टीकरण लगाने की कोई आवश्यकता नहीं। अभी महोदय ने अपने भाषण में स्वयं स्वीकार किया है कि एकसप्लेनेशन न भी जोड़ा जाये तो भी डेफ़ीनीशन के मानी में कोई फर्क नहीं आयेगा। आखिर डेफ़ीनीशन से भी यह मानी निकलता है कि जो अर्थार्थ को दिया अर्थार्थ उभार है और जो मजबूरी से दिया जाये वह दहेज है। तो फिर एकसप्लेनेशन जोड़ने से कोई अन्तर पड़ता नहीं है। अगर एकसप्लेनेशन न जोड़ा जाये तो काम खराब नहीं होता, लेकिन अगर एकसप्लेनेशन खला जाता है तो सारा खेल ही बिगड़ जाता है। असल में एकसप्लेनेशन क्या है? इसमें क्या धरा है कि उभार के रूप में कपड़ा भी दिया जा सकता है, जेवर भी दिया जा सकता है और कोई दूसरे उपहार भी दिये जा सकते हैं और उनको कोई भी सीमा नहीं है। जितना अर्थार्थ चाहे बिना ला सकता है। अन्तर इस सारी बात की छूट दे दी जाती है तो फिर इस दहेज विधेयक में रह ही क्या था। एकसप्लेनेशन से तो विधेयक की जान ही निकल जाती है और यह विधेयक बिल्कुल फिकरमा और बेकार हो जाता है।

किसी विधेयक को लाने से पहले हमें यह भी देखना चाहिये कि हम उसे किस प्रकार की बनता के लिये ला रहे हैं। हमको देखना चाहिये कि हम अपने देश के जिन लोगों के लिये यह विधेयक ला रहे हैं वे कौन हैं। कहने को तो हर कोई चाहता है कि दहेज बुरा है और नहीं लेना चाहिये लेकिन जब अपनी बारी आती है तो हर एक कहता है कि उसको अपने लड़के की शादी पर उपादा से ज्यादा दहेज मिले। अब हमारी इस प्रकार की मनोवृत्ति है तो इस प्रकार की मनोवृत्ति वाले समाज के लिए अगर हम यह एकसप्लेनेशन रखेंगे तो उसका क्या असर पड़ने वाला है। इसको रखने का मतलब यह होगा कि हम दहेज अर्थात् प्रतिबन्ध नहीं लगा रहे हैं बल्कि उसको प्रोत्साहन दे रहे हैं। आज हमको यह फैसला करना है कि हमको दहेज पर प्रतिबन्ध लगाना है या उसको प्रोत्साहन देना है। अगर दहेज पर प्रतिबन्ध लगाना है तो इस एकसप्लेनेशन को इसमें से उठाना ही चाहिए।

इसके अलावा एक और बात है। एकसप्लेनेशन के अन्त में एक लक्ष्य बड़ी-दलील यह भी आती है कि अगर लड़कियों को विवाह के भवसर पर दहेज नहीं दिया जाता तो उनके साथ बड़ा भारी अन्याय होगा क्योंकि इस प्रकार हम उनको उनके स्वीघन से वंचित कर देंगे। लेकिन जैसा कि पहले भी कहा जा चुका है आज दहेज का रूप स्वीघन का नहीं रहा है बल्कि वह तो लड़के की कीमत के रूप में लिया जाता है। जैसे-जैसे लड़के की लियकरतें बढ़ती जाती है वैसे-वैसे ही उसका मूल्य भी बढ़ता चला जाता है। तो इस प्रकार से दहेज न रहने से लड़के के लिए कोई अन्तर पड़ने वाला नहीं है। अगर एकसप्लेनेशन रहना है तो मैं निश्चय तैसाय यह कह सकती हूँ कि लोगों को द

[श्रीमती चन्द्रावती लखनशिल]

को बनाए रखने के लिये एक बहाना मिल जाएगा, इन से देश के अन्दर एक गलत साइकालाजी पैदा होगी, एक गलत वातावरण बनेगा। इस बिल का घस होना तो यह चाहिए कि जिन के पास धन है वे भी डाउरी या उपहार के रूप में ज्यादा न दें सकें जिससे कि जो गरीब हैं उन के अन्दर स्वर्ण पैदा न हो। तो हर प्रकार से हम देखते हैं कि इस एक्सप्लेनेशन को रखने से सारा बिल बिल्कुल निकम्मा बन जाता है।

दूसरा सवाल इस बिल में शब्द "डाइरेक्टली और इनडाइरेक्टली"—को रखने का है। अगर इन को निकाल दिया जाता है तो सारे बिल की ताकत ही खत्म हो जाएगी। अगर हम चाहते हैं कि यह बिल अपने लक्ष्य में सफल हो तो हमको इसे इफेक्टिव बनाना पड़ेगा और जानदार बनाना पड़ेगा और ऐसा करने के लिए यह जरूरी है कि इन शब्दों को रखा जाए, क्योंकि देखने में आता है कि डाइरेक्टली के मुकाबले देश में आज इनडाइरेक्टली बहुत दहेज लिया जाता है। कोई आज इस तरह नहीं कहता कि हमें १० हजार रुपया दहेज के लिए चाहिए, लेकिन इस तरह कहा जाता है कि लड़के को पढ़ने के लिए विलायत भेजना है। इस तरह से इनडाइरेक्टली रुपया मांगा जाता है, या कहा जाता है कि लड़के के लिए कोई फैंटरी लगवा दीजिए। इसलिए मेरा विचार है कि डाइरेक्टली और इनडाइरेक्टली दोनों को रखना जरूरी है।

तीसरी विवादास्पद धारा यह है, जिसमें दहेज की डिमांड को दंडनीय बनाने की बात है। इस पर काफी बहस हो चुकी है और अभी भी यह चर्चा का विषय बना हुआ है। मैं कहती हूँ कि दहेज की डिमांड के लिए दंड की व्यवस्था होनी चाहिए जैसा कि लोकसभा ने रखा है। दहेज की शुरुआत ही डिमांड से होती है। इसलिए मैं समझती हूँ कि शुरुआत में ही बुराई को रोकना बुद्धिमता की बात होगी।

आज कल शादी के सम्मले में प्रचार करने के लिए क्रिकेट के आर्गेनाइजेशन काम कर रहे हैं। वे मैरिज मार्केट में प्रचार करते हैं कि फलां व्यक्ति पांच हजार रुपये की या दस हजार की या २५ हजार की शादी करेगा। इस प्रकार के संगठनों द्वारा डिमांड को प्रसारित किया जाता है। तो ऐसे समाज के लिए डिमांड को दंडनीय न बनाना इस क्षिति को अर्थहीन बना देना होगा। दोनों सदनों के अन्दर डिमांड पर दंड की व्यवस्था करने पर काफी मनभेद था लेकिन मंत्री महोदय ने आज अपनी तरफ से जो इसमें प्रभाव डाला है उस से काफी समाधान हो जाता है और जो लोगों की यह शिकायत थी कि इसका दुरुपयोग होगा, हैरासमेंट होगा, वह सम्भावना बहुत कम हो जाती है।

इसलिए आज मैं यह कहती हूँ कि जब हम बहुत आग्रह के बाद इस बिल को इस सदन में लाए हैं तो हमें कोशिश करनी चाहिए कि इसमें कोई भी कमजोरी न रहने पाए, और जो भी कमजोरियाँ इसमें हों, उनसे मुक्त कर के ही इसे हम जनता के हाथ में दें जिससे कि समाज की यह बुराई दूर हो सके और समाज में नया वातावरण बन सके।

श्री कल्याण सिंह (रांची पश्चिम-रक्षित-अनुसूचित आदिम जातियाँ) : मैं इस विधेयक का विरोध करता हूँ क्योंकि समाज सुधार का काम कानून से नहीं हो सकता। मुझे इस विधेयक पर यह आपत्ति है कि इससे उस उद्देश्य की पूर्ति नहीं होगी जिसके लिये यह बनाया जा रहा है। जनता की इच्छा के विरुद्ध इसे लागू नहीं किया जा सकता।

†उपलब्धता महोदय : माननीय सदस्य अपना भाषण कल जारी करें।

इस के पश्चात् संसद के सदन की संयुक्त बैठक गंगलवार ६ मई, १९६१/१९ बंसाक, १८८३ (शक) के ग्यारह बजे तक के लिये स्थगित हुई।

संसद् के सदनों की संयुक्त बैठक वाद-विवाद

(तेरहवां सत्र)



लोक-सभा सचिवालय
नई दिल्ली

एक रुपया (१०० में)

चार पिनिस (विदेश में)

डा० रविन्द्र नाथ टैगोर को अर्द्धांजलि .

४५

सहज निबोध विधेयक

४५- ६७

• प्रबोधनों सहित दोनों सदनों द्वारा पारित रूप में विचार करने का प्रस्ताव

श्री जयपाल सिंह	४५-४६
श्रीमती पुष्पलना दास	४६
ग्रन्थार्य कृपालानी	४६-४७
श्रीमती सावित्री निगम	४८
श्रीमती पार्वती कृष्णन	४८-४९
श्रीमती टी० नल्लामुत्तु रामामूर्त्ती.	५०
श्री न० रा० मुनिस्वामी.	५०-५१
श्री तजम्मूल हुसैन	५१-५२
श्री खाडिलकर	५२-५३
ज्ञानी जैल सिंह	५३-५४
श्री बी० डी० खोबरागड़े	५४-५५
पंडित ब्रजनारायण ब्रजेश	५५-५६
श्री भूपेश गुप्त	५६-६०
श्रीमती कृष्णा मेहता	६०-६२
श्री गोरे	६२-६३
श्रीमती शारदा भार्गव	६३-६५
श्रीमती मफीबा अहमद	६६
डा० डब्ल्यू एस० बालिंगे	६६
श्री नि० बि० माझति	६६-६७
श्री शीलमन्न याजी	६७-६८
श्री अ० कु० सेन	६८-७५
खंड २, ४, १, ३ और ५ से १०	७५-८६
पारित करने का प्रस्ताव	८६
श्री अ० क० सेन	८७

संसद के सदनों की संयुक्त बैठक

मंगलवार, ६ मई, १९६१/१९ वैशाख, १८८३ (शक)

संसद भवन के केन्द्रीय हाल में संसद के सदनों की संयुक्त बैठक ११ बजे समवेत हुई

[अध्यक्ष महोदय पीठासीन हुए]

डा० रवीन्द्र नाथ टैगोर को श्रद्धांजलि

†अध्यक्ष महोदय : माननीय सदस्य गण, कल डा० रवीन्द्र नाथ टैगोर की जन्म शताब्दी थी। यह हमारा सौभाग्य है कि उनका चित्र इस हाल में लगा हुआ है। वह हमारे देश के महान कवि, दार्शनिक, कलाकार, संगीतज्ञ, और बड़े प्रतापी विद्वान थे। इतनी विशेषताएं एक व्यक्ति में होना बड़ा कठिन है उन्हें उपनिषद भावना का प्रतीक कहा जा सकता है। वह समस्त संसार में एक ही आत्मा को रमी हुई देखते थे। उन्होंने शांति निकेतन की स्थापना कर और महर्षियों जैसे काम किये। हम प्रार्थना करते हैं कि उनकी शिक्षा हमारा मार्ग प्रशस्त करे।

दहेज निषेध विधेयक

†अध्यक्ष महोदय : अब दहेज रोक विधेयक पर विचार जारी रहेगा।

†श्री भूपेश गुप्त (पश्चिम बंगाल) : श्रीमान्, खंड ४ के बारे में श्री हजरतबीस ने जो संशोधन रखा है उस पर पूरी चर्चा होनी चाहिये।

†अध्यक्ष महोदय : मैं माननीय सदस्य को अवसर दूंगा। श्री जयपाल सिंह।

†श्री जयपाल सिंह (रांची पश्चिम-रक्षित-अनुसूचित आदिम जातियां) : शनिवार को मैंने कहा था कि मैं इस विधेयक का विरोध करता हूं। वस्तुतः हम भारतीयों की परम्पराएं अनोखी हैं। हमारे समाज में जागृति नहीं है। इस लिए इस प्रकार के कानून से सामाजिक सुधार नहीं हो सकता। इस कानून से कानून को ही घृणा की दृष्टि से देखा जाने लगेगा। अब तक ऐसे अनेक कानून असफल हो चुके हैं।

†मूल अंग्रेजी में

[श्री जयपाल सिंह]

श्री मोरारजी देसाई ने बम्बई में मद्यनिषेध का कानून लगाया था। इस के बाद भी वहाँ पर खराब बन्द नहीं हुई। उल्टा लोग बेइमानी करने लगे हैं। इसलिये जब तक जनता का समर्थन प्राप्त न हो, सफलता नहीं मिल सकती। आपने देखा होगा कि पहले बचपन की शादी को रोकने का कानून बना था, किन्तु आज के युवक को यह बताने की जरूरत नहीं कि बचपन की शादी खतरनाक होती है। समाज सुधार के कामों को जागृत लाकर ही किया जाना चाहिये। इस विधेयक का आदिवासियों पर भी प्रतिकूल प्रभाव पड़ेगा। अतः इस को कानून बनाने से पहले आपको काफी विचार करना चाहिये।

†श्रीमती पुष्पलता बास (आसाम) : श्रीमान्, मैं व्याख्या संख्या १ के बारे में सहमत नहीं हूँ। उससे विधेयक का उद्देश्य ही समाप्त हो जाएगा। हमारे राज्य में दहेज लेना या देना दोनों पाप समझे जाते हैं। असम में लड़कियों का काफी अभाव है और उसका कारण यह है कि वहाँ भी लड़कियाँ काम करती हैं। हिन्दू समाज में प्राचीन काल से नारी का काफी सम्मान रहा है। और पति से रहित माताओं को भी हमारे समाज में मान्यता मिली है। द्रोणाचार्य जैसे महा-पुरुषों ने अविवाहित स्त्रियों की संतानों की शिक्षा दी है। जब जाबाली द्रोणाचार्य के पास शस्त्र सीखने के लिये गये तो उससे उसका गोत्र पूछा गया। जाबाली को अपना गोत्र मालूम नहीं था। उसकी माता ने बताया कि जब वह यौवना हुई तो उसे संतान की इच्छा हुई और उस ने अनेक युवकों से संपर्क बनाया। इसलिये उसे कुछ पता नहीं था कि उस का पिता कौन था। जाबाली ने वही बात उससे कह दी। इस पर द्रोण ने उसे कहा कि पुत्र क्योंकि तुम्हारी माँ ने सच बोला है अतः तुम ब्राह्मण हो। इस प्रकार जहाँ प्राचीन समय से नारियों का सम्मान रहा है वहाँ दहेज को बुरा माना गया है और दहेज मांगने वालों को नरक का भागी कहा गया है। ऐसे ही युग में हमारे देश में सतियाँ और महासतियाँ हुई हैं। उस स्वर्ण युग के बाद हमारे समाज में गिरावट आनी शुरू हुई और हमारे पुरुष और नारियाँ अरिष्ट से विचलित हो गये। समाज की स्थिति यह हो गई कि नारियों का सम्मान नहीं रहा और लोग वामिनी और कौचन को घृणा की दृष्टि से देखने लगे तथा अरिष्ट को जीवन में गिरावट का कारण समझने लगे। स्वामी विवेकानन्द और गांधी जी ने फिर स्त्री की पालि कार्य और अब विनोभाजी वही काम कर रहे हैं। पंडित ठाकुरदास भागंठ जी चाहते हैं कि दहेज प्रथा बन्द न हो, परन्तु मेरी इच्छा यह है कि माताएँ अपनी पुत्रियों को ऐसा दहेज दें जो सदा बना रहे। उन्हें अपनी पुत्रियों को संतान को पालने तथा पति के जीवन को सुखी बनाने की शिक्षा देनी चाहिये।

इस संबंध में श्री रवीन्द्र नाथ टैगोर के शब्द "पूजा करि रखिबे याचाय —

आभी नारी"।

बहुत प्रभाव पूर्ण है। जिसका अर्थ है कि नारी सुख और दुख दोनों में पति का साथ देना चाहती है।

†आचार्य कृष्णलाली (सीतामढ़ी) : अध्यक्ष महोदय, अगर इस बिल के खिलाफ कोई बोलेगा तो उसे प्रतिक्रियात्मक समझा जाएगा क्योंकि घर में भी औरतों की हुकूमत है और संसद में भी। इस विधेयक का प्रभाव मध्यम वर्ग के कुछ थोड़े लोगों पर पड़ेगा क्योंकि धनवान लोगों के यहां तो लेने देने की कोई बात नहीं होती, क्योंकि सब को पता होता है कि वे तो दंगे भ्रमण्य। वैसे दहेज की प्रथा बहुत खराब है। सवाल यह है कि इस कानून को लागू कैसे किया जाएगा। क्या दुल्हन शिकायत करेगी या दूल्हा? यदि कोई सामाजिक कार्यकर्ता शिकायत करेंगे तो दुल्हन और

†सुख अंग्रेजी में

दूल्हा गवाही नहीं देंगे। और यदि किसी पक्ष ने गवाही दी तो आत्म हत्याओं की संख्या बढ़ जाएगी। इसलिए यह बड़ा नाजुक कानून है। पर नारियां हठ कर रही हैं और वे चाहती हैं कि यह कानून अवश्य पास हो जाना चाहिए। इसलिये हम क्या कह सकते हैं। मुझे स्मरण है कि एक बार श्री त्यागी ने गांधी जी को यह सुझाव दिया था कि घूमपान का निषेध कर देना चाहिये। उस समय गांधी जी ने उत्तर दिया था कि यह ऐसी वाहिद्यात आदत है कि इसको कोई बन्द नहीं कर सकता। दहेज समस्या की भी यही स्थिति है।

• अतः मेरा निवेदन है कि इस प्रकार के कानूनों से कोई लाभ न होगा। शारदा अधिनियम के समान यह भी प्रभाव हीन रह जायेगा। क्योंकि जैसे शारदा अधिनियम पास हो जाने के बाद भी वे बुराइयां अभी तक चल रही हैं; इसी प्रकार से यह कानून पास होने के बाद भी दहेज चलता रहेगा।

यह समझना गलत है कि औरतें दहेज नहीं चाहतीं। गृणिं चाहतीं हैं कि उनके घर में रेडियो भी हो और भी सभी प्रकार की सुविधायें भी हों। वह गहने भी पहनना चाहती है। इसलिये वह स्वयं दहेज चाहती है। अधिक से अधिक दहेज प्राप्त करने में वे एक दूसरे से स्पर्धा करती हैं।

नवयुवक लड़के भी दहेज चाहते हैं क्योंकि उनमें से कुछ व्यक्ति उस घन से आक्सफोर्ड या किसी और विदेशी विश्वविद्यालय में उच्चशिक्षा के लिये जाते हैं और अपना भविष्य बना सकते हैं, जिसका अन्ततः लड़की को ही लाभ होगा।

अतः इसे कानून बना देने के बाद भी इसे कार्यान्वित नहीं किया जा सकेगा। उससे तो कुछ एक बुरे लोगों को ईर्ष्यावश कुछ अन्य व्यक्तियों को तंग करने का मौका मिलेगा।

अतः बहनों से मेरा निवेदन है कि वे अपने आपको संगठित करें, दहेज प्रथा के विरुद्ध प्रचार करें और सत्याग्रह करें तथा यह स्पष्ट कह दें कि वे घन के बल पर विवाह करने के लिये तैयार नहीं हैं।

भारतीय घरों में सारा कार्य स्त्रियों के परामर्श से ही चलता है। विश्व के अन्य किसी भी देश में स्त्रियों का पुरुषों पर उतना अधिक नियंत्रण नहीं है जितना भारत में। मेरी भी वैसी ही स्थिति है। मेरी पत्नी का मेरे ऊपर नियंत्रण है। परन्तु स्वयं वह कोई भी कार्य करने में स्वतंत्र है।

अतः मैं यह कह रहा था कि स्त्रियां अपने आपको संगठित करें और इस बात के लिये सत्याग्रह करें कि यदि दहेज का प्रश्न उठाया जायेगा तो वे विवाह नहीं करेंगीं। किसी भी समस्या का सबसे अच्छा हल सत्याग्रह ही है। यदि छः मास तक भी उन पुरुषों का बाइकाट करेंगी जो दहेज चाहते हैं तो इसका परिणाम यह होगा कि पुरुष स्वयं झुक जायेंगे और कहेंगे कि "हमें दहेज नहीं चाहिये।"

• इस सम्बन्ध में मेरा एक और निवेदन यह है कि नवयुवकों और नवयुवतियों को अपना जीवन सरल बनाना चाहिये। यदि वे अपने जीवन में अधिक तड़क-भड़क न रखें तो दहेज के सम्बन्ध में कोई कानून के बनाने की कोई आवश्यकता ही नहीं है। परन्तु क्योंकि अब कानून बनाया जा रहा है, इसलिये मेरा निवेदन यही है कि विवाह के समय दिये जाने वाले उपहारों को दहेज के क्षेत्र में सम्मिलित न किया जाये। उसे अपराध नहीं मानना चाहिये।

†श्रीमती सावित्री निगम (उत्तर प्रदेश): दहेज की कुप्रथा को समाप्त करने वाले इस विधान का मैं पूर्णरूपेण समर्थन करती हूँ और मुझे आशा है कि न ही केवल इस समाज के सदस्यों से अपितु सामान्य जनता से भी इसे पूर्ण समर्थन प्राप्त होगा। दहेज प्रथा वास्तव में सम्यता के मार्ग पर कलंक है।

कई माननीय सदस्यों ने इस प्रथा को जारी रखने के लिये कई संशोधन पेश किये हैं। वे संभवतः भूल गये हैं कि यह प्रथा कितनी अमानवीय और अन्यायपूर्ण है। उन्हें यह समझना चाहिये कि समय परिवर्तन के साथ सम्यता के विकास से सभी प्राचीन प्रथायें समाप्त हो जाती हैं। उदाहरणार्थ स्वयंवर प्रथा अब पूर्णरूपेण समाप्त हो गयी है।

दहेज प्रथा का प्रचलन भी एक विशेष काल में किन्हीं विशेष परिस्थितियों के कारण हुआ था। यह प्रथा उन दिनों प्रारम्भ हुई थी जबकि देश पर विदेशियों के आक्रमण हो रहे थे। उस समय लोगों ने अपनी लड़कियों को रक्षा के लिये बचपन में ही उनका विवाह करना प्रारम्भ कर दिया। और उनके पालन पोषण के लिये वे उनके विवाह के समय कुछ धन भी दे दिया करते थे। वहीं से दहेज प्रथा प्रारम्भ हुई थी। परन्तु अब तो हमें उन प्रथाओं को छोड़ देना चाहिये और विवाह की सम्पूर्ण विधि को एक नये आधार पर आधारित करना चाहिये।

अतः इस विधेयक को पास किये बिना समाज सुधार करना संभव नहीं होगा और न ही सामाजिक न्याय और समानता पैदा की जा सकेगी। कुछ माननीय सदस्यों ने यह पूछा है कि स्त्रियाँ ही इस कानून के लिये अधिक उत्सुक क्यों हैं? इसका कारण यह है कि स्त्रियों ने ही इस प्रथा के परिणामस्वरूप इतने अधिक कष्टों का सामना किया है।

दहेज प्रथा के कारण समाज में नारी का मान समाप्त हो गया है। पुत्री को जन्म देना एक प्रकार से अभिशाप समझा जाता है। घर में लड़की के जन्म लेते ही सम्पूर्ण परिवार में उदासी स्रष्टा जाती है। वैसे तो सन्तान वरदान स्वरूप होती है। परन्तु पुत्री का जन्म अभिशाप स्वरूप माना जाता है। अतः यदि हम एक सर्वोदय समाज की स्थापना करने के इच्छुक है तो हमें सबसे पहले दहेज प्रथा की भयंकर समस्या को समाप्त कर देना होगा।

बहुत से सदस्यों ने स्त्रीदान की व्याख्या का समर्थन किया है और यह कहा है कि उसे जारी रखा जाये। परन्तु स्त्रीदान की जरूरत उस समय थी जब कि स्त्री को सम्पत्ति में कोई अधिकार प्राप्त न था। परन्तु अब तो उसे भी सम्पत्ति में बराबर का भाग मिलता है। अतः अब उसकी कोई जरूरत नहीं है।

जहां तक खण्ड ४ का सम्बन्ध है, मैं उसका समर्थन करती हूँ। परन्तु खेद है कि उसके साथ एक परन्तुक जोड़ दिया गया है। यदि इस परन्तुक को रखा गया तो उससे यह विधान पूर्णरूपेण प्रभावकारी न बन सकेगा। हम व्यर्थ में ही भयभीत होते रहते हैं। हमें अपने लोगों में विश्वास रखना चाहिये। अतः यदि माननीय विधि मंत्री हमारी प्रार्थना मान कर इस परन्तुक को हटा दे, तो विधेयक पर्याप्त प्रभावकारी सिद्ध हो सकेगा।

†श्रीमती पार्वती कृष्णम् (कोयम्बटोर): आशा है कि इस विधान से सामाजिक असमानता को दूर करने में पर्याप्त सफलता प्राप्त होगी। परन्तु केवल इस विधान के पास कर देने मात्र से ही सामाजिक बुराइयाँ दूर नहीं हो जायेंगी। इसे कार्यान्वित करने के

लिये हमें सभी को समझाना पड़ेगा। ऐसे कई माननीय सदस्य हैं जो इसके विरोधी हैं। स्वयं श्री त्यागी ने इसका घोर विरोध किया है। अतः हमें सचेत हो जाना चाहिये कि हमें समाज में भी इस सम्बन्ध में कितने विरोध का सामना करना पड़ेगा।

पण्डित ठाकुर दास भार्गव ने इसका विरोध करते हुए यह कहा है कि इस विधान से प्राचीन सामाजिक प्रथाओं पर आघात पहुंचेगा। ठीक है मैं भी विवाह प्रथा को एक प्राचीन सामाजिक प्रथा मानती हूँ परन्तु मैं सामाजिक बुराइयों को स्वीकार करने के लिये तैयार नहीं हूँ। हमें सभी ऐसी सामाजिक प्रथाओं को समाप्त कर देना होगा जो कि हमारे समाज की प्रगति के मार्ग पर जाने से रोकती है।

जहाँ तक संशोधनों का सम्बन्ध है, मैं सर्वप्रथम यह बता देना चाहती हूँ कि मैं व्याख्या का क्यों विरोध कर रही हूँ। उसे विधेयक में सम्मिलित करने का क्यों समर्थन किया जा रहा है। कुछ सदस्यों ने यह दिया है कि इसके सम्मिलित करने में ही लाभ होगा क्योंकि इससे दहेज के लेन देन की अनुमति नहीं होगी, परन्तु यह तर्क बड़ा अजीब सा है। जिस समय लोक सभा में इस पर चर्चा की जा रही थी, उस समय हमने यह मुझाव दिया था कि लोगों के मन से सन्देह दूर करने का यह उपाय है कि विधेयक में अधिक स्पष्ट व्याख्या सम्मिलित की जाये परन्तु इस व्याख्या में कई त्रुटियाँ हैं। हमारा ऐसा विचार है कि इस व्याख्या में बहुत सी कमियाँ रह गयी हैं और इससे व्यर्थ में लोगों को परेशान किया जायेगा।

पण्डित ठाकुर दास भार्गव ने बड़े प्रभावकारी शब्दों में यह कहा है कि यदि पिता प्रेमवश अपनी पुत्री को कुछ देना चाहे तो उसे क्यों रोका जाये। श्री त्यागी ने भी यही तर्क दिया है। ठीक है जो भी व्यक्ति अपनी पुत्रियों को प्रेमवश कुछ देना चाहे, उन्हें कोई भी नहीं रोक सकता। परन्तु विवाह के अतिरिक्त अन्य अवसर पर भी तो उपहार दिये जा सकते हैं। अतः इस विधेयक के पास हो जाने के बाद भी उपहार के रूप में पुत्रियों को कुछ भी देने में कोई प्रतिबन्ध न होगा।

जहाँ तक दण्ड सम्बन्धी खण्ड का सम्बन्ध है, लोक-सभा में हमने यह भांग की थी कि इस खण्ड को अवश्य सम्मिलित किया जाये। माननीय विधि मंत्री का मत है कि इसे सम्मिलित न किया जाये क्योंकि इससे व्यर्थ में परेशानी बढ़ेगी। राज्य सभा के सदस्यों ने भी इस खण्ड का विरोध किया है। श्री हजरतबीस ने उस खण्ड पर एक और परन्तुक जोड़ दिया है। परन्तु मैं समझती हूँ कि उस परन्तुक से तो स्थिति और भी खराब हो जायेगी। प्रभावकारी व्यक्ति विशेष अफसर से मिलकर व्यर्थ में ही दूसरों को परेशान कर सकते हैं। अतः मेरा यही निवेदन है कि उक्त खण्ड को बिना किसी परन्तुक के पास कर दिया जाये।

अतः दोनों सभाओं के सदस्यों से मेरा निवेदन है कि वे इस परन्तुक का घोर विरोध करें क्योंकि इससे परेशानियाँ बहुत बढ़ जायेंगी। विशेषतया ग्राम्य क्षेत्रों में तो दोनों पक्ष व्यर्थ में ही एक दूसरे को परेशान करते रहेंगे। यह परन्तुक स्वयं ही एक खट्टरा बन जायेगा।

अन्त में मुझे आशा है कि प्रस्तुत किये गये विभिन्न संशोधनों को दृष्टि में रखते हुए विधेयक को पुनः तयार किया जायेगा और उसे एक सुन्दरतम रूप में पास किया जायेगा।

†श्रीमती टी० नन्साभूसू रामानूति (मद्रास) : सामाजिक बुराइयों और सामाजिक अन्याय को दूर करने वाले इस विधान पर अपने विचार अभिव्यक्त करते समय मैं हर्ष अनुभव करती हूँ। कुछ एक माननीय सदस्यों ने इसका विरोध किया है। उनका यह कहना है कि दहेज प्रथा को समाप्त करने के लिये प्रस्तुत किया गया यह विधान व्यावहारिक नहीं है। उनका यह कहना है कि इस विधेयक के पास हो जाने के बाद भी दहेज प्रथा जारी रहेगी।

वास्तव में इस विरोध में कोई आश्चर्य की बात भी नहीं है। जब कभी भी सामाजिक सुधार के लिये कोई भी विधान पेश किया जाता है, उस समय समाज के प्रतिक्रियावादी व्यक्ति उसका अवश्य विरोध करते हैं। उदाहरणार्थ कुछ लोगों ने स्त्री शिक्षा का भी घोर विरोध किया था। परन्तु सुधारवादी विरोध से डरते नहीं हैं।

यह विधेयक एक ऐसा विधेयक है जिसकी चिरकाल से प्रतीक्षा की जा रही है। इसे तो बहुत पहले ही पास हो जाना था। जिन लोगों ने इसकी व्यावहारिकता के सम्बन्ध में निराशावादी विचार व्यक्त किये हैं; उन्हें चाहिये कि वे देश की वर्तमान स्थिति को समझें और यह महसूस करें कि इस समय इसकी अत्यधिक आवश्यकता है। अतः उन से यह निवेदन है कि वे इसे पास कराने में सहयोग प्रदान करें।

जहां तक विधेयक के प्रथम स्पष्टीकरण का सम्बन्ध है, मेरा निवेदन है कि उसे विधेयक में से निकाल दिया जाये क्योंकि उस के रहने से कई प्रकार की गलतफहमियां होने का डर है।

अतः मेरा निवेदन यह है कि इस विधेयक को पास कर दिया जाये। यह विधान एक अत्यन्त लाभकारी विधान सिद्ध होगा। यह देश के इतिहास में एक नया युग होगा और उस के परिणामस्वरूप महिलाओं को वही प्रतिष्ठा पुनः प्राप्त हो जायेगी जो कि उन्हें विदेशी आक्रमणों से पहले प्राप्त थी।

लड़कियों का सौन्दर्य ही सब कुछ नहीं है इसलिए यदि कोई व्यक्ति केवल सौन्दर्य के कारण किसी लड़की से विवाह कर लेता है तो यह ठीक नहीं है। लड़की में वे गुण अवश्य होने चाहिए जिन से वह गृह-कार्य ठीक तरह चला सके। मैं ने ऐसी बहुत सी स्त्रियां देखी हैं जो देखने में सुन्दर न होने पर भी अत्यन्त गुणवान होती हैं। वास्तव में वे गुणों के कारण ही समाज में उच्च स्थान प्राप्त करती हैं।

यदि कोई व्यक्ति लड़की से विवाह न कर के उस के घन से विवाह करता है तो वह समाज और राष्ट्र का सच्चा सेवक नहीं हो सकता। आज देश में दहेज न स्वीकार करने के लिए हस्ताक्षर आन्दोलन चल रहा है। अतः मेरा अनुरोध है कि इस विधेयक को अवश्य पारित किया जाये ताकि हमारे देश की लड़कियों का जीवन मृधर सके। हम कोई नया काम नहीं कर रहे हैं क्योंकि महामारण और रामायण में स्त्रियों को उच्च स्थान प्राप्त है। अतः हमें लड़कों और लड़कियों को समान स्तर पर लाने का प्रयत्न करना चाहिये। तभी स्वर्ण युग का सूत्रपात होगा।

†श्री न० रा० मुनिस्वामी (बेल्गोर) : अध्यक्ष महोदय, मैं इस विधेयक के संबंध में केवल तीन बातों का निर्देश करूंगा। सब से पहली बात खण्ड २ में प्रत्यक्षतः अथवा अप्रत्यक्षतः शब्द जोड़ने के बारे में है। प्रधान मंत्री ने कहा है कि ये शब्द उस खण्ड में अवश्य होने चाहिए ताकि अप्रत्यक्ष रूप से दहेज प्राप्त करने वाले व्यक्ति को भी दंडित किया जा सके। मैं इस से सहमत नहीं हूँ क्योंकि खंड ३ में यह कहा गया है कि यदि कोई व्यक्ति इस अधिनियम के लागू होने के बाद दहेज देता अथवा लेता है अथवा उस के देने या लेने में सहायता करता है तो उसे दण्ड महीने के कारावास अथवा पांच हजार रुपए जुमाने अथवा दोनों दण्ड दिये जा सकेंगे। मेरा निवेदन है कि इस में प्रत्यक्षतः

अथवा अप्रत्यक्षतः शब्द नहीं है और जब दांडिक खण्ड में ये शब्द सम्मिलित नहीं हैं तो आपको उन्हें व्याख्या खण्ड में सम्मिलित करने का कोई अधिकार नहीं है। परन्तु खंड ३ में अब हम कोई परिवर्तन नहीं कर सकते हैं इसलिए मैंने एक संशोधन रखा है जिसके द्वारा खण्ड ४ में ये शब्द जोड़ दिए जायेंगे। यदि इसे स्वीकार कर लिया जाता है तो हम इन शब्दों को खण्ड ३ में रखने की कठिनाई से बच सकते हैं।

खण्ड ४ के संबंध में मेरा यह भी विचार है कि उस में "मांग" शब्द का प्रयोग ठीक नहीं हुआ है। यदि लोग दहेज देने के लिए कहेंगे तो उसे मांग समझ लिया जायेगा यह ठीक नहीं है। अतः या तो इस शब्द को खण्ड से निकाल देना चाहिए या उसको प्रयोग सही अर्थ में किया जाना चाहिए। दूसरी बात यह है कि इस खंड में दहेज की मांग के संबंध में वर और वधू दोनों पक्षों का उल्लेख किया गया है। यह ठीक नहीं है क्योंकि दक्षिण में केवल लड़की वालों से दहेज की मांग की जाती है लड़के वालों से नहीं। अतः मैंने एक संशोधन पेश किया है कि "अथवा वर" शब्द निकाल दिये जायें।

जहां तक व्याख्या का संबंध है, मैं उस के लोप के लिए तैयार हूं। उसका शब्द विन्यास ऐसा है कि हव गौदान भी नहीं कर सकेंगे क्योंकि उसे भी विवाह के लिये दिया गया उपहार समझ लिया जायेगा और संबंधित व्यक्ति को गिरफ्तार किया जा सकेगा। इसलिए इस व्याख्या को निकाल दिया जाना चाहिए।

फिर खंड ३ को देखने से मालूम होता है कि उस में "प्रत्यक्ष अथवा अप्रत्यक्ष रूप से" शब्द नहीं रखे गए हैं। चूंकि यह दांडिक खंड है और उस में ये शब्द नहीं प्रयुक्त हुए हैं इसलिए खण्ड २ में से भी ये शब्द निकाल दिए जाने चाहिए।

जहां तक इस विधेयक के अन्तर्गत प्राभियोजन का संबंध है, मेरा विचार है कि यदि कोई व्यक्ति दोष से मुक्त हो जाता है तो उसे कुछ प्रतिकर दिया जाना चाहिए। विधि उपमंत्री न एक संशोधन रखा है जिस में यह कहा गया है कि सरकार अथवा उस के द्वारा प्राधिकृत व्यक्ति की पूर्व मंजूरी के बिना न्यायालय इस अधिनियम के अन्तर्गत किसी भी अपराध पर विचार नहीं करेगा। मैं इस में इतना और जोड़ देना चाहता हूं कि यदि वह गिकायत गलत निकलेगी तो न्यायालय संबंधित व्यक्ति को प्रतिकर दिलाएगा।

अंत में मैं यह कहना चाहता हूं कि यदि माननीय मंत्री ने चतुराई से काम लिया होता तो इस संयुक्त बैठक की आवश्यकता न पड़ती। हमें यह विचार करना चाहिए कि इस में पैसा खर्च होता है। मैं आशा करता हूं कि भविष्य में इसकी पुनरावृत्ति नहीं होगी।

†अध्यक्ष महोदय : माननीय सदस्य को ऐसा नहीं कहना चाहिए। संयुक्त बैठक कोई बुरी चीज नहीं है। वह यह कह सकते थे कि यह मतभेद पहले ही दूर कर लिया जाना चाहिए था। परन्तु संयुक्त बैठक को बुरा नहीं कहा जा सकता।

†श्री तजन्मूल हुसैन (बिहार) : अध्यक्ष महोदय, खण्ड २ के अन्तर्गत दहेज की व्याख्या "वधू अथवा वर के माता पिता अथवा किसी अन्य व्यक्ति द्वारा दिया गया नकद अथवा गहनों अथवा सम्पत्ति के रूप में उपहार" की गई है। इसलिए यदि माता पिता कोई चीज देते हैं तो वह प्रत्यक्ष है। परन्तु यदि किसी अन्य व्यक्ति द्वारा दी जाती है तो वह अप्रत्यक्ष है। अतः मेरा निवेदन है कि "प्रत्यक्ष अथवा अप्रत्यक्ष रूप से" शब्दों को जोड़ना निरर्थक ही होगा। परन्तु चूंकि उनका कोई खास महत्व नहीं है इसलिए मैं इस बात पर विशेष जोर नहीं देना चाहता।

[श्री तजम्मूल हुसैन]

इसके बाद मैं खण्ड ४ पर आता हूँ। इस में यह कहा गया है कि यदि कोई व्यक्ति वधू अथवा वर के माता पिता अथवा संरक्षक से दहेज की मांग करेगा तो उसे दंडित किया जावेगा। मेरा निवेदन है कि इस खंड में एक बड़ी खामी रह गई है। यह भी तो संभव है कि दहेज की मांग सीधे लड़की से ही की जाये तथा उसके मां बाप से नहीं। क्या ऐसी स्थिति में वह अपराध नहीं माना जायेगा? इस के अतिरिक्त एक बात यह भी है कि यदि कोई शादी तय हो जाती है और तिलक भी चढ़ जाता है परन्तु बाद में किसी विशेषकारण से वर इस शादी से इन्कार कर देता है तो यद्यपि उसने दहेज की मांग की है फिर भी लड़की वाला प्रतिशोध की भावना से न्यायालय में यह कह देगा कि उस ने दहेज की मांग के कारण ही यह संबंध तोड़ा है और उस व्यक्ति को निरपराध होने पर भी दंडित किया जा सकेगा।

यही नहीं, मेरा निवेदन है कि केवल दहेज की मांग को दंडित अपराध नहीं माना जा सकता है। अपराध के दो आवश्यक तत्व हैं—'मेन्स री' और 'एक्टस रीज'। 'मेन्स री' का तात्पर्य वास्तविक उद्देश्य से है और 'एक्टस रीज' का तात्पर्य वास्तविक कार्य से है। उदाहरण के लिए मैं खुले तौर से कहता हूँ कि मैं 'क' को मारना चाहता हूँ परन्तु वास्तव में बैसा करता नहीं हूँ तो भारतीय दंड संहिता के अन्तर्गत वह अपराध नहीं समझा जायेगा इसी प्रकार यदि मैं किसी व्यक्ति को मार देता हूँ पर मेरा उद्देश्य वैसा नहीं था तो वह आकस्मिक घटना होगी। इसलिए मेरा निवेदन है कि किसी चीज की मांग करना मात्र अपराध नहीं है। अतः यदि हम इसे पारित कर भी देंगे तो यह मामला उच्चतम न्यायालय में जायेगा और वह उसे रद्द कर देगा जैसा कि पहले भी अनेक बार हो चुका है।

जहां तक व्याख्या (१) का सम्बन्ध है, उसमें कहा गया है कि विवाह के उपलक्ष्य में न दिया गया उपहार दहेज नहीं होगा। इसका मतलब यह है कि लोग उपहार के रूप में कुछ भी दे सकेंगे और कानून की गिरफ्त में नहीं आयेंगे।

[उपाध्यक्ष महोदय पीठासीन हुए]

अतः इस विधेयक का उद्देश्य पूरा नहीं होगा। इसलिए मेरे विचार से इस व्याख्या का निकाल दिया जाना अत्यन्त आवश्यक है।

अन्त में मैं यही कहूंगा कि यह विधेयक इस बुराई को दूर नहीं कर सकेगा जो वर्षों से चली आ रही है। इसको केवल दो प्रकार से समाप्त किया जा सकता है। पहली बात तो मेरे विचार से यह है कि हमें अपनी लड़कियों को शिक्षित करके उन्हें विवाह की पूर्ण स्वतंत्रता दे देनी चाहिए और मात पिता को उनके विवाह में अड़ंगा नहीं लगाना चाहिए। प्रत्येक सम्य देश में ऐसा ही होता है। दूसरी बात यह है कि यदि किसी आदमी को दहेज लेने के सम्बन्ध में दंडित किया जाता है तो उसकी स्त्री को भी किया जाना चाहिए क्योंकि प्रत्येक व्यक्ति अपनी स्त्री से अग्रथय सलाह लेता है। मेरा विचार है कि दंडित किये जाने के डर से पत्नियां अपने पतियों को ऐसा करने से रोकेंगी।

यह विधेयक यदि अधिनियम बन जाता है तो कुछ लाभदायक सिद्ध हो सकता है। मेरा विचार है कि यह विधेयक पारित करना लड़कियों के हित में है। लेकिन साथ ही मेरा निवेदन है कि हमें अपनी लड़कियों एवं लड़कों को अच्छी शिक्षा देनी चाहिये।

श्री जगन्नाथ (अहमदनगर) : हमारे सामने प्रश्न यह है कि हम किन लोगों के लिये विधान बना रहे हैं और क्या इसका अपेक्षित लाभ होगा। हमें विदित होना चाहिये कि जहां तक दहेज का मामला है, विभिन्न क्षेत्रों तथा विभिन्न समुदायों में पृथक् पृथक् परिपाटियां हैं। हमारे

देश में जब तक विवाहों में लेन देन व धन सम्पत्ति का महत्व रहेगा, हम दहेज की प्रथा को समाप्त नहीं कर सकते। इसे समाप्त करने का उपाय विधान नहीं है। इस विधेयक का प्रारूप भी अच्छा नहीं है। इसके कारण गांवों में विवाह करने वाले दलालों का घन्घा खूब चमक जायेगा। इसके प्रारूप से यह आभास मिलता है कि विवाह को जो कि एक पवित्र संस्कार, एक वाणिज्यिक रूप प्रदान कर दिया गया है। इस कुप्रथा को समाप्त करने के लिये यह आवश्यक है कि लोगों को शिक्षित किया जाये और उनमें सामाजिक जागृति पैदा की जाये। स्पष्टीकरण १ को ऐसे ही रहने दिया जाये। विवाह में अल्पस्वरूप उपहार देने लेने के आनन्द को दंडनीय अपराध नहीं बनाया जाना चाहिये। दहेज की भांग के लिये दंड का उपबंध करने वाले खंड को निकाल दिया जाना चाहिये।

इस विधेयक का प्रभाव हमारे ऊपर काफी अच्छा पड़ेगा।

अन्त में मैं निवेदन करूंगा कि इस विधेयक को या तो वापस ले लिया जाना चाहिये या इसके दंड सम्बन्धी उपबंधों को निकालकर और इसे निर्देशक प्रकार का बना कर ऐसा बनाया जाना चाहिये कि किसी को भी कोई हानि न होने पावे।

श्रीमान् जैल सिंह (पंजाब): सम्माननीय डिप्टी स्पीकर साहब, इस बिल पर जहां तक दोनों हाउसेज का सवाल है काफी बहस हुई है। अब सिर्फ राज्य सभा के अमेंडमेंट्स को इसमें शामिल करना बाकी है। आफिशियल अमेंडमेंट आयी है उसके मुताबिक यह नजर आता है कि कुछ अमेंडमेंट्स एक्सेप्ट कर लिए जा सकते हैं।

मैं इसके सम्बन्ध में यह जो एक्सप्लेनेशन नम्बर १ है इसको डिलीट करने के हक में कुछ अर्ज करना चाहता हूं। इस बिल की जरूरत कितनी है इसके सम्बन्ध में कुछ कहने की जरूरत नहीं है। मैं विश्वास रखता हूं कि यह एक कदम है जो हमें बड़ा रहे हैं, मगर यह काफी नहीं है। इसमें आगे चल कर काफी अमेंडमेंट्स करने की जरूरत पड़ेगी और हो सकता है कि हमको अपने सम्बन्ध का यह ढांचा जिस तरह से आज शादी विवाह का है इसको बदलना पड़े। राजनीतिक स्वतंत्रता के बाद हम आर्थिक और सामाजिक आजादी के लिए जट्टोजुहद कर रहे हैं, उसी का यह एक अंग है। नाबराबरी होने की वजह से यह गरीब और अमीर का भेद है और इसी वजह से यह बीमारी ज्यादा बढ़ती है और कायम रहती है। जहां तक मैं समझ सका हूं विवाह शादी के साथ कानून का कोई ताल्लुक नहीं है। यह तो प्रेम और मुहब्बत का सौदा है और दिलों का सौदा है। इसके साथ दहेज का होना जुदा बात है, जो हमारे देश में फैला हुआ है। इसको बन्द करने के लिए हम यह कदम उठाना चाहते हैं, लेकिन अगर इसमें यह एक्सप्लेनेशन रहता है जिसमें कैश, धारनामेंट, क्लाय और अदर आर्टिकल्स शामिल हैं और वह शादी के भौके पर दिये जा सकते हैं, तो मैं समझता हूं कि इस बिल में जान बाकी नहीं रह जाती और इस कानून को बनाने का कुछ फायदा नहीं होगा क्योंकि जो अमीर आदमी होता है उसके बड़े रसूल होते हैं और उसके बहुत से अंग होते हैं। और आज जो यह दहेज का सवाल है वह गरीब पर लागू नहीं होता। गरीब लोग तो बेचारे औरत के लिए तरसते रहते हैं, उनकी तो शादी नहीं होती। अमीर आदमी डाउरी मांगता है और अमीर आदमी ही डाउरी देता है। इसलिए अमीर आदमी को इस एक्सप्लेनेशन की वजह से काफी गुंजाइश मिलेगी कि वह चोरी कर सके, और यह बीमारी हमारे यहां पड़ी रहे।

मैं यह तो समझ सकता हूं कि इस बिल की वजह से दहेज का जो आम तौर पर दिखावा किया जाता है वह चला जायेगा। इससे गरीब आदमी सब्र कर लेगा और धनी आदमी अहंकार से

[ज्ञानी जेल सिंह]

यह नहीं कह सकेगा कि मैंने इतना दहेज दिया और गरीब आदमी शामिल नहीं होगा कि मैंने नहीं दिया। लेकिन यह दहेज की बीमारी रहेगी नहीं। इसका कारण यह है कि जो लोग दहेज देने वाले हैं उन पर हम ने प्रतिबन्ध नहीं लगाया है।

अगर इस बिल में से क्लाज ४ को डिलीट कर दिया जाता है और इसको शामिल नहीं रखा जाता तो फिर मैं समझता हूँ कि रिश्ते के वक्त जो डिमांड की जाती है उसको हम नहीं पकड़ सकेंगे। मेरे स्थान में यह जो शादी विवाह के वक्त में डिमांड लोग करते हैं उसका मुजाहिरा नहीं करते हैं और न इन मौकों पर लोगों को इकट्ठा किया जाता है, बल्कि वह तो घर में बैठ कर सीदा तै कर लिया जाता है। इसलिए मैं समझता हूँ कि जब तक हम अपने मुल्क में स्वीयंबर की रस्म नहीं लाते तब तक यह दहेज की बुराई कतई तीर पर खत्म नहीं हो सकती। इसलिए मैं समझता हूँ कि इस क्लाज ४ को कायम रखना निहायत जरूरी है जिससे कि हम उन लोगों को पकड़ सकें जो डिमांड की रिवाज को कायम रखे हुए हैं और उस पर फर्रु कर रहे हैं।

एक वह हैं जो हमारी जान लेते हैं

एक हम हैं जो उन पर जान देते हैं।

तो जिन लोगों के दिमाग पर इस रिवाज का असर है वह समझते हैं कि ऐसा करके हम ऊंचे उठ सकेंगे और हमारी इज्जत बढ़ेगी। ऐसे लोग इस रिवाज को रकने नहीं देंगे। मेरा तजरबा है कि जब तक अमीर आदमी को हथकड़ी न दिखायी जाये या जेल का दरवाजा न दिखलाया जाये तब तक वह किसी चीज से नहीं घबराता। वह इन बातों का इन्तिजाम कर सकते हैं कि कोई उनकी शिकायत न करे, कोई उनका पल्ला न पकड़े।

पंजाब में और कुछ दूसरे सूबों में यह कायदा हुआ कि कोई आदमी ५० से ज्यादा लोगों को दावत में न बुलाये। लेकिन अमीर लोग ऐसा करते थे कि एक कार्ड अपने नाम से छपवाया, एक अपने भाई के नाम से छपवाया, एक बहिन के नाम से छपवाया और इस तरह से ६-७ कार्ड छप जाते थे और तीन सौ चार सौ आदमियों को बुलाया जाता है और पार्टी चलती थी।

यही नहीं कुछ जगहों पर जैसे पंजाब में और दूसरे सूबों में भी कुछ लोगों में ऐसा रिवाज है कि बेटे वाले को अपनी बरात का खर्चा करना पड़ता है और जो बेटे वाले के मेहमान होते हैं उनका भी खर्चा उसी को करना पड़ता है।

इसलिए जहाँ तक इस बिल के मंशा मुबारक का सवाल है, जहाँ तक इस बुनियादी सवाल का तात्पर्य है उसके साथ मैं सोलहों आना हूँ और उसकी ताईद करता हूँ, मगर मैं यह चाहूँगा कि यह जो एक्सप्लेनेशन है इसके निकाल दिया जाये। अगर इसको नहीं निकाला जायगा तो इसमें कैश, आरनामेंट्स, क्लाथ और अदर आर्टिकल्स इतनी चीजें आ जाती हैं कि उनसे दहेज पूरा किया जा सकता है। इसके मुताबिक लाखों के जेवर बनाये जा सकते हैं, लाखों के कपड़े बनाये जा सकते हैं और दूसरी चीजें दी जा सकती हैं। इसलिए मैं आशा करता हूँ कि दोनों हाउसेज के मेम्बर सहायान इस बात पर जोर देंगे, और इस पर अपनी राय देंगे कि इस एक्सप्लेनेशन को लाइन १ से लाइन ६ तक डिलीट कर दिया जाये। जै हिन्द।

श्री बी० डी० लोबराण्डे (महाराष्ट्र): मैं इस विधेयक का समर्थन करता हूँ। कुछ आननीय सदस्यों ने कहा है कि विधान द्वारा सामाजिक सुधार नहीं किया जा सकता। यह कहना

गलत है। विधान द्वारा सामाजिक सुधार किया जा सकता है बशर्ते कि हम यह मुनिश्चित कर लें कि विधि को ठीक ढंग से लागू किया जा सकता है। और सरकार की नीयत उसे लागू करने की हो। क्योंकि संसद् ने अब तक जितने विधान पारित किये हैं यदि उन्हें ठीक ढंग से लागू किया गया होता बहुत कुछ सुधार हो गये होते। आज समाज में स्त्रियों का स्थान घट गया है। मेरा निवेदन है कि समाज में स्त्रियों को उचित स्थान मिलना चाहिये।

राज्य सभा ने जो संशोधन पारित किये हैं वे ठीक हैं। मैं उनका समर्थन करता हूँ।

यदि खंड २ में "प्रत्यक्ष या अप्रत्यक्ष रूप से" शब्द नहीं रखे जायेंगे तो किसी न किसी रूप में दहेज दिया जा सकता है और समाज विरोधी लोग विधि के उपबंधों का उल्लंघन करने का प्रयत्न करेंगे। सभी संदेहों का निवारण करने तथा विधि को स्पष्ट करने के लिये भी इन शब्दों का रखा जाना आवश्यक है।

जहां तक कि स्पष्टीकरण की बात है उसे निकाल देना चाहिये। मेरी समझ में यह बात नहीं आती। कानून को भंग करने के इच्छुक व्यक्तियों को हमें अपनी ओर से कोई सुझाव देना चाहिये। जो माता पिता अपने बच्चों के प्रति प्यार तथा स्नेह होने के कारण उन्हें कोई भेंट या उपहार देना चाहते हैं, उनके मार्ग में कोई रुकावट नहीं है।

अगर हम इस दहेज की बुराई को दूर करना चाहते हैं तो यह बहुत आवश्यक है कि सामाजिक दृष्टिकोण को बिल्कुल बदलना होगा। और इसके लिये यह आवश्यक है कि समाज का पुनर्गठन करना चाहिये।

दहेज प्रथा का उन्मूलन करने का एक तरीका यह है कि अन्तर्जातीय विवाह होने चाहिये।

दूसरे मातापिताओं द्वारा विवाह सम्बन्ध तय नहीं किये जाने चाहिये, अपितु युवक युवतियों को इन सम्बन्ध में खुली छूट होनी चाहिये। इससे यह होगा कि उनका परिचय प्रेम का रूप धारण कर लेगा और वे आपस में विवाह कर सकते हैं।

अतः दहेज प्रथा को दूर करने के लिये हमें पहिले रूढ़ियों और परम्पराओं को तिलांजलि देनी चाहिये। और युवक युवतियों को आपस में मिलने की पूरी छूट देनी चाहिये।

मैं उन सभी सदस्यों से जो महिलाओं को पुरुष के समकक्ष स्थान दिलाना चाहते हैं यह निवेदन करता हूँ कि वे इस विधेयक का समर्थन करें।

पंडित ब्रज नारायण "ब्रजेग" (शिवपुरी) : कृष्णम वन्दे जगद्गुरुम्।

उपाध्यक्ष महोदय, इस में सन्देह नहीं कि मेरे देश में और समाज में एक प्रकार की नहीं, अनेकों प्रकार की बुराइयां घुस गई हैं और समाज में जो दोष आये हैं, उन के कारण समाज जर्जरी-भूत हो कर नित्य-प्रति शनैः शनैः पतन की ओर जा रहा है। समाज को स्वस्थ बनाने के लिये, सबल और सशक्त बनाने के लिये, उस में आये हुए दोषों का निराकरण होना परमावश्यक है। उन दोषों में लड़की या लड़के के लिये पैसा मांगना, यह एक महान् पाप है, जो समाज में उत्पन्न हुआ है। जब हम विवाह करने जाते हैं, तो विवाह करते हैं लड़के और लड़की के साथ और बीच में उस में पैसा आ जाता है—इस आत्मीय सम्बन्ध में, सम्पूर्ण जीवन को एक साथ चलाने वाले सम्बन्ध में, जड़ पदार्थ बीच में आ जाता है, जो कि चैतन्य को जड़त्व की ओर ले जाता है। इसलिये चैतन्य चैतन्य ही रहे और उस में जड़त्व न आये, उस में जाग्रति के चिन्ह समाप्त न हो पायें, इस दिशा में प्रयत्न

[पंडित ब्रज नारायण "बुद्धेय"]

करना प्रत्येक बुद्धिमान समाज धीर वर्ग का कर्तव्य हो जाता है। इस दृष्टि से समाज में से इस दहेज प्रथा को निकालने के लिये जो बिल लाया गया है, उस की भावना का विरोध कोई भी बुद्धिमान आदमी नहीं करेगा। हमारे समाज में से किसी दोष को निकालना चाहिये, इस सम्बन्ध में क्यों विरोध करना चाहिये और जो व्यवस्था हमारे समाज को दुर्बल बनाती है, उस को चलते देने की अनुज्ञा कौन देगा ? जिस की बुद्धि भ्रष्ट हुई है, जिस को समझ नहीं है, वही ऐसा कर सकता है।

अतएव इस बिल की भावना का तो मैं आदर करता हूँ, परन्तु उस भावना की पूर्ति के लिये जो पद्धति अपनाई गई है, जो मार्ग अपनाया गया है, वह सम्पूर्णरूपेण मेरी समझ में नहीं आया है। दो प्रकार की बातें यहाँ पर चल रही हैं। कुछ लोग यह कहते हैं कि कानून के द्वारा समाज का सुधार नहीं हो सकता है और कुछ लोगों का यह विचार है कि कानून के द्वारा ही समाज का सुधार हो सकता है। बात वास्तव में यह है कि यदि कानूनों के बिना ही दोषों को निकालना सम्भव होता और यदि कानूनों के द्वारा दोषों को न निकाला गया होता, तो फिर लोक सभा की आवश्यकता नहीं थी, क्योंकि कानूनों के निर्माण के सिवाये लोक सभा क्या करती है ? विधान निर्माण करना, जो विधान खराब है, उनका संशोधन करना, जो नहीं है, उनका निर्माण करना, जिस की आवश्यकता है, उस की पूर्ति करना, इसी के लिये लोक सभा है। अगर कानून के द्वारा कुछ नहीं हो सकता है, तो लोक सभा की आवश्यकता नहीं रह जायगी। प्रजातंत्र में लोक सभा का जो निर्माण हुआ है, उस का तात्पर्य यही निकलता है कि बहुत सी ऐसी बातें हैं, बहुत से ऐसे दोष हैं, जिन का निराकरण विधान के द्वारा ही किया जा सकता है। परन्तु इस सम्बन्ध में मैं यह निवेदन करना चाहता हूँ कि कुछ लोग विभिन्न समस्याओं के समाधान के बारे में जो विचार प्रकट करते हैं, उन से भ्रम निर्माण होता है। इसलिये आवश्यकता इस बात की है कि उन को इस विषय में अपने विचार स्पष्ट रूप से प्रकट करने चाहियें। जो लोग यह विधान ला रहे हैं, गो-रक्षा के प्रश्न पर वे कहते हैं कि वह तो लोग करेंगे, कानून से गो-रक्षा बहीं हो सकेगी। गाय की रक्षा लोगों को करनी चाहिये और हम रक्षा नहीं करेंगे, इस तरह की परस्पर विरोधी बातें जब हम करते हैं, तो इस से भ्रम-निर्माण होता है। मैं मानता हूँ कि सभी जो दोष हैं वे कानून के द्वारा ही निकाले नहीं जा सकते हैं। परन्तु यदि हम कोई कानून बनाते हैं तो वह इस प्रकार का हमें बनाना चाहिये कि किसी भी प्रकार की किसी बुराई की गृहाइश उसमें न रहे। यदि हम विधान बनाते हैं, तो उसे पूर्ण बनाना चाहिये और उसका कठोरता के साथ पालन करना चाहिये और साथ ही साथ पालन कराने के लिये तत्पर रहना चाहिये। अगर ऐसा हुआ तभी कोई बुराई दूर हो सकती है। यदि हम ने सीधी नाक न पकड़ कर के चक्कर लगा कर नाक को पकड़ने की कोशिश की तो इससे कुछ लाभ नहीं होगा।

हम चाहते हैं कि दहेज प्रथा का अन्त हो। लेकिन इसके रास्ते में जो बुराइयाँ हैं उनका भी हमें अन्त करना होगा। सब से खराबी की बात इस वक्त यह है कि यहाँ पर ऐसा वायुमंडल पैदा करने की कोशिश की गई है कि नारी कुछ और है और नर कुछ और। मैं पूछना चाहता हूँ कि ये नर और नारी आते कहाँ से हैं। नर और नारी के समागम से ही तो नर और नारी आते हैं। यदि नर न हो तो नारी क्या करेगी और यदि नारी न हो तो नर क्या करेगा। अगर इन दोनों में से एक न हो तो क्या आप ब्रह्मचारियों से इस सृष्टि का संचालन करने को कहेंगे। दोनों के सम्मिलन के कारण ही यह सारी सृष्टि चलती है। यहाँ न कोई बड़ा है और न कोई छोटा। न पुरुष बड़ा है और न नारी छोटी। दोनों समान हैं। समान स्थान का उद्घोष हमारे ग्रन्थों में किया गया है।

यत्र नार्यस्तु पूज्यन्ते रमन्ते तत्र देवताः

अधिक पुण्य करके पैसा कमा कर लाने की वजह से नर कहीं नारी पर हावी न हो जाय, इसके प्रति उस को सावधान किया गया है ।

यत्र नार्यस्तु पूज्यन्ते रमन्ते तत्र देवताः ।

यत्र यास्तु न पूज्यन्ते सर्वाः तत्र अफला क्रियाः ॥

मेरे देश का पतन इसीलिये हुआ है और इसीलिये हो रहा है कि इस देश में नारी के प्रति अपमान और तिरस्कार और उसको दास बना कर रखने की प्रवृत्ति उत्पन्न हो गई है । जिस दिवस इस देश में नारी के प्रति पूज्य भाव उत्पन्न होगा उस दिन यह डावरी नहीं रहेगी । जब आप अपने घर में गृह लक्ष्मी ला रहे हैं तो पैसा मांगने की क्या आवश्यकता है । जब स्वयं मेरे घर में लक्ष्मी आ रही है तो इस का अर्थ हुआ कि मेरे घर में लक्ष्मी बड़ेगी । और यदि लक्ष्मी के स्थान पर मैं राक्षसिनी ला रहा हूँ, पतिता ला रहा हूँ और स्वयं भी यदि मैं पतित हूँ यदि स्वयं भी मैं पापी हूँ तो यह डावरी कितने दिन मेरे घर में टिकेगी, इस को सब जानते हैं । यदि मेरी प्रवृत्ति स्वयं ठीक नहीं है, तो समाज को प्रवृत्ति कैसे ठीक हो सकती है । सभी की प्रवृत्ति ठीक होनी चाहिये और सब में यह भावना आनी चाहिये कि नारी हमारे लिये पूज्य स्थान रखती है, नारी पुरुष के लिये सर्वस्व प्रदान करने वाली है, सब कुछ उसके द्वारा मिलता है । इस तरह की भावना हमारे जो नेता हैं, हमारे जो कार्यकर्ता हैं, उनको उत्पन्न करने की कोशिश करनी चाहिये । हम अंग्रेजों को तो यहां से भगा सकते हैं और डावरी को हम उखाड़ कर फेंक नहीं सकते हैं, क्या कमाल की बात है । अगर ऐसा हम नहीं कर सकते हैं तो क्या हो गया है इस देश को ? जब अंग्रेजों के जमाने में हम बड़े बड़े पापों के खिलाफ लड़ाई लड़ सकते थे तो क्या हम यह नहीं कर सकते हैं ? कानून तो उन के जमाने में यह था कि इस देश में हम बोल भी नहीं सकते हैं । लेकिन इसके होते हुए भी हम ने अंग्रेजों राज को खत्म कर दिया । हम ने उस कानून को और उस कानून के बनाने वालों को भी यहां से उखाड़ कर फेंक दिया । यदि सभा इस बात पर एक मत हो जाय कि इस प्रथा से हम कष्ट पा रहे हैं, दुःख पा रहे हैं, तो यह कुप्रथा एक दिन भी टिक नहीं सकती है । परन्तु समाज में इस प्रकार का वायमंडल उत्पन्न करने वाले लोग नहीं रहे हैं । यहां पर भी बहस चलती है, बोल बाल कर ही हम मीज मजा लेना चाहते हैं और गम्भीरतापूर्वक किसी चीज को सोचने के लिये ही तैयार नहीं हैं, उस पर चलने के लिये तैयार नहीं हैं, विचार करने के लिये तैयार नहीं हैं और जब हम स्वयं गम्भीर नहीं तो बाहर वाले जो हैं, जो हमारी बात को सुनते हैं, वे भी गम्भीर ही हैं, जनता भी गम्भीर नहीं है । वह कहती है कि बनाये जाओ आप कानून और इन कानूनों को बनाने से क्या होगा ? बात उस की ठीक है । हम ने चोरी न करने के बारे में एक कानून बनाया है, पर चोरियां हो रही हैं । हमारा कानून यह है कि डकैतियां नहीं हो सकती हैं लेकिन डकैतियां हो रही हैं । हम ने यह भी कहा है कि रिश्वतखोरी नहीं होनी चाहिये, लेकिन रिश्वतखोरी चल रही है, लोग दे ले रहे हैं । डावरी क्या है एक झाड़बरी ही तो है । झाड़बरी अगर बन्द नहीं होती है तो डावरी कैसे बन्द हो सकती है । रिश्वतखोरी अगर बन्द नहीं होती तो दहेज कैसे बन्द हो जायगा । लोगों को गर्ज पड़ती है, और देना पड़ता है और यहां पर उन को गर्ज पड़ेगी तो देना पड़ेगा और कोई पकड़ में नहीं आयेगा । इस वास्ते हम को सब से पहले नैतिक स्तर को, नैतिक धरातल को उठाना पड़ेगा, लोगों में जागृति लानी पड़ेगी और जिस प्रकार हम किसी जमाने में बड़े से बड़ा त्याग करने के लिये तैयार थे देश के उत्थान के लिये, उसी रास्ते पर हमें अब आना पड़ेगा और बड़े से बड़ा त्याग करने के लिये तैयार होना पड़ेगा ।

यह जो डावरी है यह भी एक दिखावा मात्र बन कर रह गई है, एक शो मात्र बन कर रह गई है । यह जो दिखावा है, इस को इसमें से निकलना चाहिये । जब कोई इतने हार दे देता है, इतनी अंगुठियां दे देता है, काफी अधिक संख्या में साठियां दे देता है,

[मंडित ब्रज नारायण "ब्रजेश"]

तो लोभ कहते हैं कि बड़ा अच्छा विवाह किया है और यदि यह सब कुछ नहीं किया जाता है और केवल लड़की को ही दे दिया जाता है तो मेरे यहां तो यह कहा जाता है कि इंद्र भी कोई नहीं, कल्प-वृक्ष भी कोई नहीं, कामधेनु भी कुछ नहीं है ।

शाखाम् ददातु नहि कल्प तरुः स्वकीयाम् ।

वत्साम् ददातु नहि काम दुर्घात्रि दोत्रीम् ॥

चक्षुः सहस्रं न च वैवतु चक्षुमेकम् ।

घन्यास्तु ते मुपगताः तनुजा ददातु ॥

कल्पतरु से यदि हम उस की एक शाखा मांगें तो वह नहीं देगा और कामधेनु से यदि उसका वत्स मांगें तो वह भी नहीं देगी, यदि इंद्र में सहस्र नेत्र छपके होते हुए भी एक नेत्र मांगें तो वह अपना नेत्र प्रदान नहीं करेगा । तब वे घन्य हैं जो अपनी तनुजा, आत्मजा दूसरों को प्रदान करते हैं । जब कन्या मिल गई तो हम को किसी दूसरी वस्तु की इच्छा नहीं होनी चाहिये । लेकिन हम में पाप वृत्ति जामृत हो गई है, दिखावा भी आ गया है । कितनी दौलत बंती है, कितनी तस्वीरें निलती हैं, कितने मेहमान पीछे चलते हैं, कितने डोल पिटते हैं, इन सब चीजों पर ही हमारा ध्यान जाता है । मेरी समझ में नहीं आता है कि क्यों यह सारा दिखावा हो रहा है । देश में लोग भूखे मर रहे हैं लेकिन यहां हज़ार हज़ार और पांच पांच सौ आदमी पीछे चलते हैं और इतना लम्बा चौड़ा शो किया जाता है । यह सब कुछ क्यों होता है ? यह सब कुछ इसलिये होता है कि हम में देश भक्ति की भावना नहीं है ।

यह जो बिल आया है इस में एक स्पष्टीकरण किया गया है । इस के बारे में मेरे मित्र भार्गव जी ने कहा है कि यह इस बिल का प्राण है मगर मैं कहता हूँ कि इस से यह बिल निष्प्राण हो गया है । मुझे कोई नुकसान नहीं है । मेरे जैसे आदमियों को शादियों में पैसा काफी आ जाता है । मिनिस्ट्रों को भी इस से कोई नुकसान नहीं है, उन को भी फायदा हो सकता है । हम दोनों को फायदा है । कहीं जब विवाह होता है तो पंडित जी महाराज वहां पधारते हैं और शादी सम्पन्न करवाते हैं और सोना, चान्दी पैसा जो कुछ भी मिलता है, ले कर चले आते हैं और उससे उन का काम चल जाता है । इस वास्ते में क्यों इस का विरोध करूँ ? लेकिन सच्चाई तो यह है कि यह सब दिखावा है, शो है । शो क्या होता है । अपना काम निकालने के लिये कुछ भक्तों की ओर से भेंट दे दिया जाता है शादी के मौके पर तो यह सोच लिया जाता है कि कल मिनिस्टर से काम पड़ेगा तो वह निकल सकता है । लड़की की शादी होगी और मिनिस्टर साहब को उस शादी में दो हज़ार रुपया दे दिया जायेगा तो नाम तो लिखा ही जायेगा कि दो हज़ार रुपया शादी में आया था और बाद में काम निकलवाने की शर्त पड़ी तो वह निकल ही जायेगा ।

इस वास्ते मैं निवेदन करना चाहता हूँ कि इसको आप बन्द करना चाहते हैं तो पूरी तरह से बन्द कर दीजिये । विवाह के समय पैसा नहीं आएगा, कुछ नहीं आएगा । केवल लड़का और लड़की रहेंगे, दूसरा कोई नहीं होगा । लड़के के साथ लड़की जाएगी और कोई नहीं । आप कह सकते हैं यह सम्भव नहीं है । लेकिन मैं कहता हूँ कि यह चीज होती भी रही है ।

विष्णु स्वरूपं वराय लक्ष्मी स्वरूपिणी इमाम्

कन्याम् तुभ्यमहम् संप्रदत्त ।

यह संकल्प है ।

श्री राम सेवक यादव (बाराबंकी) : आपने लड़की की शादी में कितना पैसा दिया ।

पंडित ब्रज नारायण "ब्रजेश" : अभी वह छोटी है, जब बड़ी होगी, तब बात करूंगा । लड़के के विवाह में कुछ मांगा नहीं ।

मैं निवेदन करना चाहता हूँ कि जब कि कन्या को विष्णु रूप मानते हैं, कन्या को लक्ष्मी स्वरूप मानते हैं और उसके चलते अगर इस प्रकार के दोष आ गए हैं तो उन दोषों को निकालने के लिए कानून का सहारा लेना परम आवश्यक है, इससे हवा तो फलेगी, लोग डरेंगे तो कि अगर उन्होंने इसके खिलाफ कुछ किया तो उनको सजा हो जाएगी । जो ईमानदारी से इसको रोकना चाहते हैं, उनको इससे प्रोत्साहन तो मिलेगा । कहीं ऐसा न हो कि सरकार केवल कानून बनाकर बैठ जाए और पुलिस वाले जा कर पैसा खाते जायें और अगर पैसा नहीं मिलता है तो पूछे ही नहीं । जैसे और पाप कानूनों के होते चल रहे हैं, ठीक उसी प्रकार के ये पाप इसके बाद भी ज्यों के त्यों न चलते रहें, इसकी आपको रोकथाम करनी होगी । यह सारी की सारी चीज जो लौट पलट कर आ गई है कि पैसा भी दे सकते हैं, आभूषण भी दे सकते हैं, सब कुछ दे सकते हैं फिर डावरी क्या रह गई । अगर मैं खुद नहीं दे सकता हूँ तो मैं अपने साले से कह दूंगा कि तुम दे दो, पैसा मैं दे रहा हूँ । लड़के वाला कह सकता है कि मैंने किताब कानून की देख ली है और आप नहीं दे सकते हैं, लेकिन आपके साले साहब तो दे सकते हैं, उनसे दिलवा दीजिये । इस तरह की चीज को सरकार कैसे रोकेंगी ? दो हज्जार के हार साले साहब बनवा कर ले आयेंगे, नाम उनका होगा और दाम किसी और के लगेगे और यह सारी चीज चलती रहेगी । लौट पलट पर वही का वही चलता रहेगा । डावरी को रहना ही नहीं चाहिये और इतना ही नहीं बल्कि दिखावा उस में से बिल्कुल जाना चाहिये, पाप की जड़ का ही नाश किया जाना चाहिये । जब तक इस प्रकार का इसमें संशोधन नहीं होगा, तब तक कोई नाम नहीं होगा । जब तक यह स्पष्टीकरण नहीं निकलेगा, तब तक यह बिल निष्प्राण रहेगा ।

डायरेक्टली और इंडायरेक्टली का जो झगड़ा है, उसमें कोई अन्तर नहीं है । कौन किस की शिकायत करने जाता है, कौन किस से लड़ने

उपस्थित महोदय : आप झगड़े में ही न पड़ें ।

पंडित ब्रज नारायण "ब्रजेश" : कब से मैं बोलने की प्रतीक्षा कर रहा था और दस मिनट की जो सीमा है, वह भी मुझ से ही शुरू हुई लेकिन फिर भी बोलने का जो अवसर प्रदान किया गया, उनके लिए मैं आपको धन्यवाद देता हूँ और इतना ही निवेदन करना चाहता हूँ कि यह जो पाप इस देश में आया है, यह जाना अवश्य चाहिये, इससे जनता और समाज दोनों जर्जर भूत हो रहे हैं, देश को बड़ा कष्ट हो रहा है । परन्तु इस में समाज को पुनश्च पाप करने का अवसर नहीं देना चाहिये, और जो इस को पास करने वाले हैं, जो इस विधेयक पर वोट देने वाले लोग हैं, उन को स्वयम् भी सक्रिय रूप से काम करने की आवश्यकता पड़ेगी, तभी हम इस प्रकार की बुराइयों से बच सकेंगे ।

इन शब्दों के साथ मैं संशोधनों के साथ इस विधेयक का समर्थन करता हूँ और अपना स्थान ग्रहण करता हूँ ।

श्री भूपेश गुप्त : सर्वैवानिक रूप से यद्यपि यह मतभेद सभा के दो सदनों के बीच में है तथापि वास्तव में यह मतभेद उन दो वर्गों के बीच है जो समाज में सुधार चाहते हैं और जो समाज में बहुत धीमे से सुधार चाहते हैं या सुधारों के विरोधी हैं ।

†मूल ध्येयी में

[श्री भूपेश गुप्त]

इस विधेयक के संबंध में लोक-सभा या राज्य सभा में सरकार हमें कोई पथप्रदर्शन नहीं कर सकी और विधि मंत्री हर कदम पर लड़खड़ाते रहे और कोई निश्चित मत नहीं दे सके।

इस संबंध में हमें सभा के दोनों सदनों के बीच प्रतिस्पर्धा का वातावरण नहीं पैदा करना चाहिये अपितु लोक-सभा के प्रस्ताव में जो अच्छी बात हो उसे राज्य-सभा ने और राज्य सभा के प्रस्ताव में जो अच्छी बात हो उसे लोक-सभा ने स्वीकार करना चाहिये।

स्नेह और प्रेम के नाम पर जो कुछ भी दिया जाय सब क्षम्य है तथापि यदि वह विवाह ठहराने के नाम पर दिया जाता है तब मैं विधि से हस्तक्षेप करने को कहूंगा।

यह कहा गया है कि इस प्रकार के उपबंधों से जनता को परेशान किया जा सकता है। मेरा अनुभव यह है कि इस प्रकार के कई अन्य अधिनियमों के आधार पर जनता को परेशान कम किया जाता है। वास्तव में इन अधिनियमों का पालन ही नहीं किया जाता है इनकी उपेक्षा की जाती है। अतः जनता की परेशानी के नाम पर इतना गुलगपाड़ा मचाना ठीक नहीं है।

विधेयक के संबंध में बड़ी भावनायें व्यक्त की गयी हैं। मैं आपको बता देना चाहता हूँ कि यह भावनायें व्यक्त करने का समय नहीं है अपितु इस बुराई को देश से समूल नष्ट करने के लिये संवैधानिक शक्तियाँ प्राप्त करने का समय है।

जहाँ तक व्याख्या का प्रश्न है उसे रखना विधेयक के अपबंधन करने का निमंत्रण देना है अतः हमें लोक-सभा का यह सुझाव स्वीकार कर लेना चाहिये कि यह व्याख्या हटा दी जाय।

यह कहा गया है कि शादी के समय दिये गये उपहारों का क्या होगा। निसंदेह उपहार दिये जा सकते हैं लेकिन यदि वे शादी ठहराने के लिये दिये जायेंगे तो इस अधिनियम के उपबंधों का उल्लंघन करना होगा। तथापि इसे सिद्ध करने का भार उस व्यक्ति पर पड़ेगा जो कि शिकायत करेगा। यह कार्य बहुत कठिन है।

कोई भी व्यक्ति इस अधिनियम के पश्चात् दहेज देते समय यह नहीं कहेगा कि मैं यह वस्तु विवाह ठहराने के एवज में दे रहा हूँ। अतः इसे इस रूप में नहीं रखा जाय। इससे इस अधिनियम का उल्लंघन होगा।

यदि कोई व्यक्ति इस अपराध को सिद्ध करना चाहेगा तो उसे एक अधिकारी के पास जाना होगा। उसे इन्हें में भी उसे कुछ समय लगेगा ही संभव है तब तक वर और उसके पक्ष वाले सारा दहेज ले कर चम्पल हो जायें। इस प्रकार यह सामाजिक विधान कभी सफल नहीं हो सकता है।

इस प्रकार इस विधेयक से न तो जनता में जागृति ही आ सकती है और न उनके विरुद्ध कार्यवाही करने की शक्ति प्राप्त होती है। वस्तुतः सरकार ने इस संबंध में बहुत दुर्बलता से काम किया है। मेरा अनुरोध है कि इस परन्तुक को हटा दिया जाये। हमें इस संबंध में लोक-सभा का सुझाव मान लेना चाहिये।

श्रीमती कुष्मा मेहता (अम्बू तथा काश्मीर) : उपाध्यक्ष महोदय, मैं इस दहेज निषेध बिल का स्वागत करती हूँ। जब यह सदन में पहले प्रस्तुत हुआ था उस समय भी मैं ने इसका स्वागत किया था। इसमें जो कुछ भी त्रुटियाँ थीं लेकिन जनता को जागरित करने का एक साधन है।

इस विधेयक के कारण ही आज यह संयुक्त अधिवेशन चल रहा है। यह हिन्दुस्तान के इतिहास के लिये और भारत की जनता के लिए एक नई घटना है।

कहने को तो कह सकते हैं कि यह एक मामूली सी बात थी, लेकिन वास्तव में यह एक मामूली बात नहीं है। यह एक बड़ी बात है जिसमें स्त्री जाति का मान छिपा हुआ है क्योंकि यह स्त्री जाति के लिए सबसे बड़ी इज्जत की बात थी। इसका मतलब यह नहीं है कि इसका पुरुषों के साथ कोई सम्बन्ध नहीं है। दहेज का भार ज्यादातर पुरुष जाति पर ही पड़ता है। लड़की के पिता को लड़की के हाथ पीले करने के लिए दहेज जैसा भी हो जुटाना पड़ता है। इस दहेज के ही अभिशाप के कारण हम देखते हैं कि लड़की के जन्म लेते ही उसके माता पिता के मुंह पर उदासी सी छा जाती है। लड़की कितनी ही गुणवती हो, रूपवती हो और पढ़ी लिखी हो लेकिन जो एक खुशी उसके माता पिता के दिल में और अन्य परिवार वालों में होनी चाहिए, वह नहीं रहती है। उसके माता पिता और परिवार वालों में उदासी का भाव आ जाता है और उनके सिर पर यह चिंता सवार रहती है दहेज की। आज हमारे देश और समाज की अवस्था ऐसी है जिसमें लड़की के शील, गुण और रूप आदि को न देख कर सिर्फ यह देखा जाता है कि उसके साथ दहेज कितना आयेगा, नकदी कितनी लड़की के बाप से मिलेगी। जब ऐसी बुराई समाज में मौजूद हो तो एक जनतंत्री सरकार का यह कर्तव्य हो जाता है कि वह उम कुरीति को दूर करने के लिए कदम उठाये, कोई रास्ता निकाले और आवश्यक लेजिस्लेशन लाये। सरकार इस दृष्टि से जो यह विधेयक लायी है वह स्वागत योग्य क्योंकि उसके द्वारा समाज में से इस दहेज की कुप्रथा को दूर करने और खत्म करने का प्रयत्न किया जा रहा है। लेकिन इसके साथ ही सरकार को इस बात की भी सावधानी और सतर्कता बतानी होगी कि जिस उद्देश्य से उसने यह विधेयक बनाया है उससे कहीं जनता के कष्ट दूर होने के बजाय बढ़ न जायें। विधेयक को पाम करते समय इस बात का ख्याल रखा जाय कि इससे जनता की कठिनाइयां कहीं घटने और खत्म होने के बजाय बढ़ न जायें। विधेयक ऐसा होना चाहिए ताकि जब भी कोई बुरा काम करे उसे उसको करने में झिझक हो। विधेयक उसे ऐसा काम करने से रोके जिसके लिए उसे बाद में अपना सिर देश, समाज और सरकार के आगे शर्म से झुकाना पड़े।

श्रीमन्, साथ ही इस बात का ध्यान रखा जाना चाहिए कि विधेयक ऐसा बनाया जाय जिससे चोरी के दरवाजे न खुल जायें। जाहिर है कि अगर हम ऐसी बातें रखते हैं जिनसे आसानियों के बदले कठिनाइयां आ जाती हैं तो चारों तरफ चोरी और झूठ के दरवाजे खुल जाते हैं और उनके कारण हमारी नैतिकता पर भी बुरा असर पड़ता है।

जिस रूप में अब यह विधेयक आया है उसका मैं पूरी तरह से समर्थन करती हूँ और सरकार को घन्यवाद देती हूँ कि वह इस प्रकार का एक बिल लाई जिससे यह दहेज की कुप्रथा को समाप्त करने और रोकने की कोशिश की जा रही है। दहेज के कारण स्त्री जाति को बहुत ही यातनायें सहनी पड़ती रही हैं और हमारी लड़कियों में भले ही कितने ही गुण क्यों न हों, भले ही रूपवान और पढ़ी लिखी क्यों न हों लेकिन लड़कियों के गुण और रूप आदि को न देख कर यही देखा जाता रहा है कि लड़की का बाप दहेज में कितना दे सकता है। दहेज के कारण हमारी लड़कियों को बहुत ही अपमानित होना पड़ता है और यह कुप्रथा हमारे देश और समाज के लिए एक अभिशाप बन कर रही है।

क्लाज ४ में जो नया संशोधन हुआ है उसका मैं पूरी तौर से समर्थन करती हूँ। उससे किसी तरह भी क्लिप्पी को झूठा कष्ट नहीं दिया जायेगा। नये संशोधन के अनुसार राज्य सरकार से इजाजत लेनी पड़ेगी और मेरा विश्वास है कि उसके कारण बहुत सी बुराइयां दूर हो जायेंगी और झूठी शिकायतें कम होंगी।

[श्रीमती कृष्णा मेहता]

मैं आपको बतलाना चाहती हूँ कि हमारी जम्मू तथा काश्मीर विधान सभा में एक दहेज निषेध बिल पास किया गया था और वह कानून के रूप में हमारे राज्य में लागू हुआ। उसके लागू होते ही अभी दो तीन ही महीने की बात है कि एक घटना घटी और वह इस प्रकार से कि एक लड़की वाला अपनी लड़की का सम्बन्ध एक किसी लड़के के साथ करना चाहता था लेकिन लड़के ने उस रिश्ते को मंजूर नहीं किया क्योंकि वह यह नहीं चाहता था कि वहाँ पर उसकी शादी हो। लड़के ने दूसरी जगह अपना विवाह कर लिया। अब पहले लड़की वाले ने उस लड़के और लड़के के पिता दोनों पर अदालत में जाकर दावा दायर कर दिया कि उससे दहेज लिया गया है। अब इस तरह की समाज में झूठी बातें यदि सामने आती हैं, खाली बदला लेने की गरज से और दुश्मनी के कारण अगर इस तरह की झूठी शिकायतें सामने आती हैं तो यह कोई अच्छी चीज नहीं होगी। इसका समाज पर बुरा प्रभाव पड़ेगा और हमारे लोगों का नैतिक स्तर गिरेगा जो कि वांछनीय नहीं है।

क्लाज २ में जहाँ 'दहेज प्रत्यक्ष या अप्रत्यक्ष रूप से' संशोधन किया है यह स्वीकार किया जाये। वह संशोधन वैसे तो ठीक है क्योंकि वह दहेज लिये जाने के विरुद्ध पूरी रोक लगाने की एक चेष्टा है।

दहेज किसी तरह से भी प्रत्यक्ष या अप्रत्यक्ष दिया जाना बन्द होना चाहिए। हमें विधेयक को इस रूप में पास करना चाहिए ताकि झूठ और चोरी के दरवाजे न खुल जायं। इसलिए हमें विचार करना है और सोच समझ कर विधेयक को इस रूप में पास करना है जिससे लोग झूठ और चोरी का आश्रय न लें वरना होने यह वाला है कि दहेज मिटेगी नहीं दहेज देने वाले देंगे और लेने वाले लेंगे लेकिन एक ऐसी बात हो जायेगी कि हर एक के सामने यह कहना पड़ेगा कि मैंने कुछ नहीं लिया और मैंने कुछ नहीं दिया। इसलिए मैं यह चाहती हूँ कि सरकार का और सब माननीय सदस्यों को इस बारे में गम्भीरता से विचार करना चाहिए कि जहाँ हम सब इस बात के लिए उत्सुक हैं कि यह दहेज प्रथा का कलंक हमारे देश और समाज के माथे पर से हट जाय वहाँ यह भी ध्यान रखना है कि इस विधेयक को ऐसा जटिल न बना दिया जाय जिससे लोगों का नैतिक अघपतन हो।

यह बड़े हर्ष का विषय है कि सरकार इस कुप्रथा और कलंक को समाप्त करने के हेतु यह विधेयक लाई है और आगे चल कर कुछ नृतियाँ और कमियाँ यदि इसमें पाई जाय तो उनको दृष्टि में रख कर संशोधन भी किये जा सकते हैं। मुझे उम्मीद है कि यह विधेयक जिस रूप में एक्सप्लेनेशन के साथ पेश है वह सही दिशा में एक कदम है और हमारी लड़कियों को जो कष्ट उठाने पड़ते हैं उनको इससे राहत मिलेगी। मैं इस विधेयक का स्वागत करती हूँ और आपको धन्यवाद देती हूँ कि आपने मुझे बोलने का समय दिया।

†श्री गोरे (पूना) : एक बड़े सरल से विधेयक को पारित करने के लिए संसद् के दोनों सदनों का सम्मिलित सत्र हो रहा है। प्रश्न केवल इतना है कि दहेज प्रथा को रोका जाय। मैं जब कुछ माननीय सदस्यों को यह कहते हुए सुनता हूँ तो मुझे आश्चर्य होता है कि दहेज प्रथा को समाप्त करने के लिए कोई कानून बनाने से कोई लाभ नहीं होगा। मेरा निवेदन है कि यदि समाज सुधारक इस कानून का लाभ उठाना चाहेंगे तो इससे उनके हाथ बहुत मजबूत होंगे। हमें यह अच्छी प्रकार समझ लेना चाहिए कि यदि हमारे समाज सुधारक तथा राजनीतिक कार्यकर्ता इस विधेयक से किनारा

करेंगे, तो हम इसका पूरा लाभ नहीं उठा सकेंगे। यदि हम ठीक भावना से इस दिशा में आगे बढ़ते रहें तो यह आशा की जा सकती है कि आने वाले १०, १५ वर्षों में इस प्रथा का समाप्त होना सम्भव हो जायेगा। मैं यह भी अनुरोध करना चाहता हूँ कि इस विधेयक को सर्वसम्मति से पास किया जाना चाहिए।

मेरा निवेदन है कि शब्द 'प्रत्यक्ष या अप्रत्यक्ष रूप में' रखे जाने चाहिए। मेरा कहना है कि यदि हम इस दिशा में सचमुच ही कुछ करने के इच्छुक हैं तो हमें इस विधेयक को यथासम्भव त्रुटि-हीन बनाने का प्रयत्न करना चाहिए। जहाँ तक परन्तुक का सम्बन्ध है, इस मामले में राज्य सरकार को पूर्व स्वीकृति की बात हटा दी जानी चाहिए। हम प्रथम श्रेणी के अथवा द्वितीय श्रेणी के मजिस्ट्रेट को इस सम्बन्ध में अधिकार दे सकते हैं। इस प्रकार की व्यवस्था कानून में होनी चाहिए कि सामान्य व्यक्ति सरकारी अधिकारी तक बिना किसी कठिनाई के पहुँच सके। इन शब्दों से मैं इस विधेयक का हार्दिक समर्थन करता हूँ। हम सब को इसे सफल बनाने का पूरा प्रयत्न करना चाहिए।

श्रीमती शारदा भार्गव (राजस्थान) : आज का दिन एक मुबारक दिन है जब कि हम समाज के माथे पर लगा एक कलंक का टीका घोने जा रहे हैं। यह डावरी सिस्टम एक भ्रमिशाप के रूप में हमारे समाज में प्रचलित रहा है। इसको आज हम खत्म करने जा रहे हैं। इस विधेयक के पास कर देने के बाद एक बहुत बड़े दोष को हम समाज में से निकाल फेंकेंगे। यह प्रथा लड़कियों की शादियों के रास्ते में बहुत बाधक रही है और इस बाधा को हम दूर करने जा रहे हैं। इस वास्ते आज का दिन एक बहुत ही महत्वपूर्ण दिन माना जाएगा। इसमें कोई दो राय नहीं है कि दहेज प्रथा बहुत बुरी प्रथा है और समाज के लिए बड़े सिरदर्द का कारण रही है।

कुछ माननीय सदस्यों ने यह कहा है कि चाइल्ड मैरेज के बारे में जो कानून पास हुआ है वह बेकार साबित हुआ है। मैं मानती हूँ कि उस कानून से जितना लाभ होना चाहिए था नहीं हुआ है। मगर जब यह कहा जाता है कि चाइल्ड मैरेज के बारे में जो कानून है, वह बिल्कुल ही बेकार साबित हुआ है, तो मैं इससे सहमत नहीं हो सकती वैसे तो कोई भी सामाजिक कुप्रथा केवल कानून बना देने से बन्द नहीं हो सकती है। लेकिन अगर यह कहा जाता है कि कानून पास ही नहीं किया जाना चाहिए तो यह भी गलत बात होगी। कानून पास कर के भी और समाज में इस तरह की शिक्षा देकर भी कि जिस चीज के बारे में कानून पास किया गया है वह बुरी है और उसका अन्त होना चाहिए हमें अपने काम को आगे बढ़ाना चाहिये। यहाँ पर यह भी कहा गया है कि दहेज प्रथा का अन्त करने के लिए सोशल वर्कर्स जाकर लोगों को समझायें, सत्याग्रह करें तथा दूसरे उपायों का सहारा लें। यह सब कुछ हो सकता है। मगर सब से बड़ी बात यह है कि वे युवक जिनकी शादियाँ होने वाली हैं, वे अगर इस चीज को हाथ में ले लें, तो इस प्रथा को बहुत जल्दी और बहुत शीघ्रता के साथ समाप्त किया जा सकता है।

हमारे भाइयों ने यह भी कहा है कि शादी के समय सास और ननद बहुत ज्यादा दहेज मांगती हैं और चाहती हैं कि दहेज आए। इस बात को मैं कुछ हद तक मान लेती हूँ लेकिन सास और ननद के अतिरिक्त ससुर और ज्येष्ठ भी बहुत हद तक दोषी हैं और वे भी चाहते हैं कि दहेज आए। ससुर कहने को तो कहता है कि मैं इसको बहुत बुरा मानता हूँ लेकिन क्या बतायें, सास ही दहेज मांगती है इसलिए दहेज लेना पड़ता है। मैं समझती हूँ कि इस तरह की झूठी बातें करने से कोई लाभ नहीं है। दिल में तो वे भी यह चाहते हैं कि दहेज मिल जाए तो बहुत अच्छा हो। मैं कहती हूँ कि अगर पुरुष वर्ग यह कह दे कि दहेज नहीं लेना है तो वह कभी नहीं लिया जाएगा। औरतों के

[श्रीमती शारदा भागव]

ऊपर इसका दोष डालना और इस तरह कहना कि वे ही चाहती हैं इसलिए लेना पड़ रहा है, बहाने-बाजी है। इस वास्ते मैं समझती हूँ कि कानून द्वारा इसको बन्द करना बहुत जरूरी है।

दूसरी बात मैं यह कहना चाहती हूँ कि अब जब कि हम इस बिल को सम्मिलित सत्र में पास करने जा रहे हैं तो हमें इस बात को भूल जाना चाहिए कि लोक-सभा ने क्या पास किया और राज्य सभा ने क्या पास किया था। हमें केवल इस चीज को ध्यान में रख कर अपनी राय जाहिर करनी चाहिए कि कौन से क्लॉज या कौन से संशोधन ज्यादा अच्छे हैं। अगर राज्य सभा के माननीय सदस्यों को लोक-सभा के माननीय सदस्यों के संशोधन ज्यादा अच्छे लगें तो उन्हें उनको स्वीकार कर लेना चाहिए और अगर लोक-सभा के माननीय सदस्यों को राज्य सभा के द्वारा स्वीकृत संशोधन ज्यादा अच्छे लग तो उनको उन्हें मान लेना चाहिये। हमें केवल यही ध्यान में रखना चाहिए कि कौन से संशोधन ज्यादा उपयोगी हैं। यह बात नहीं होनी चाहिए कि जो कुछ हमारे हाउस ने पास किया है वही होना चाहिए। हमें चाहिये कि जो चीज इस कुप्रथा को दूर करने में अधिक सहायक होती हो, उसको हम स्वीकार कर लें।

यहां पर डायरेक्टली और इंडायरेक्टली का संशोधन आया है। मैं इसका हृदय से समर्थन करती हूँ। दहेज देना बहुत बुरी चीज है और लेना भी। मैं माननीय मंत्री जी को बधाई देना चाहती हूँ उस एक्सप्लेनेशन के लिए जो उन्होंने जोड़ा है। मैं उसका समर्थन करती हूँ। वह बहुत सही चीज है। इसका क्या कारण है यह मैं आपके सामने रखना चाहती हूँ। दूसरी धारा में साफ साफ लिख दिया गया है कि शादी की शर्त के रूप में जो चीज या धन दिया जाएगा वह दहेज माना जाएगा और शर्त के अलावा जो कुछ दिया जायेगा वह दहेज नहीं माना जाएगा। यह चीज साफ साफ क्लॉज २ के अन्दर लिखी हुई है और जो स्पष्टीकरण दिया गया है वह केवल इस क्लॉज को साफ करने के लिए दिया गया है। इसके खिलाफ यह कहा जाता है कि अगर एक्सप्लेनेशन को मान लिया जाएगा तो लोग कई बहानों से बहुत सी चीजें दे देंगे और अगर एक्सप्लेनेशन नहीं होगा तो नहीं दे पायेंगे। अगर क्लॉज २ को बिना एक्सप्लेनेशन के ही रखा जाता है तो इसका मतलब यह होगा कि जो पढ़े लिखे हैं जो चालाक हैं, जो टेक्नीकल लैंग्वेज को समझते हैं वे शादी की शर्त के रूप में दी जाने वाली चीजों के अलावा सब कुछ दे सकते हैं लेकिन जो लोग लीगल लैंग्वेज को, टेक्नीकल लैंग्वेज को नहीं समझते हैं, उनको तकलीफ होगी। वे लोग जो पढ़े लिखे नहीं हैं उनको विवाह के समय वकील से पूछना पड़ेगा कि दूसरी धारा का क्या मतलब है, और क्या दिया जा सकता है क्या नहीं दिया सकता है और इससे उनको तकलीफ होगी। वकील उनको इस चीज को समझायेगा, तब उनकी समझ में यह चीज आयेगी। वह उनको कहेगा कि कुछ भी दिया जा सकता है लेकिन वह शादी की शर्त के रूप में नहीं होना चाहिये। इस वास्ते मैं समझती हूँ कि जब तक हम दूसरी धारा को रखते हैं जिसके अन्दर यह है कि शादी की शर्त के अलावा सब कुछ दिया जा सकता है तब तक इस एक्सप्लेनेशन का रहना ज्यादा उपयोगी होगा और लोग अंधेरे में नहीं रहेंगे। जब आप एक्सप्लेनेशन दे देंगे तो लोग समझ जायेंगे कि यह यह चीज हम अपनी खुशी से दे सकते हैं। या तो आप धारा २ को ही न रखें और कह दें कि शादी के समय कुछ भी देना ही ज़ावरी है और अगर इस धारा को इसी प्रकार रखते हैं तो एक्सप्लेनेशन का होना बहुत जरूरी है। इससे कोई धोखे में नहीं रहेगा और चीज साफ हो जाएगी। जो लोग वह कहते हैं कि एक्सप्लेनेशन के होने से ज्यादा दिया जाएगा उनकी बात मेरी समझ में नहीं आती है। अगर एक्सप्लेनेशन को हटा दिया जाएगा तो शायद वह समझते हैं कि इसका यह मतलब हो जाएगा कि कुछ भी नहीं दिया जा सकता है, जो कि गलत है। अगर वे ऐसा समझते हैं तो मुझे ताज़ुब होता है। कैसे यह समझा जा सकता है कि कुछ भी नहीं दिया जा सकता है ?

हमारे यहां लड़कियों की शादियां १४—१५ वर्ष की उम्र में हो जाती हैं। जिस समय वे समुराल जाती हैं उस समय यदि यह सोच लिया जाय कि कुछ भी नहीं देना है तो इस का मतलब यह हुआ कि साढ़ी भी वह अपने घर की पहिन कर नहीं जा सकती है और अगर ऐसा है तो यह बहुत ही गलत चीज है। क्या यह सम्भव है कि लड़की को समुराल भेजते समय उस को साढ़ी पहनने की भी जरूरत नहीं है। समुराल से ही साढ़ी भी पहनने को मंगाई जाय और पिता पर उसका उस समय साढ़ी लेने का भी हक न रहे। क्योंकि अगर कोई भी चीज देने की कतई मुमानियत हो जाती है तो इस का मतलब यह होगा कि अगर वह साढ़ी पहन कर भी जाती है तो वह डावरी समझली जायेगी। इस वास्ते मैं समझती हूँ कि धारा २ का मतलब साफ है और जो स्पष्टीकरण किया गया है उस का भी मतलब साफ है। इस का मतलब यह है कि शादी की शर्त के रूप में दी गई कोई चीज ही डावरी समझी जायेगी, दूसरी चीजें नहीं। अगर एक्सप्लेनेशन को आप नहीं रखते हैं तो जो कम पढ़े लिखे हैं जो लीगल लैगुएज को नहीं समझते हैं, उनको तकलीफ होगी और जो पढ़े लिखे हैं, जो समझदार हैं, उनको कोई तकलीफ नहीं होगी। वे क्लाज २ से ही यह पता चला लेंगे कि शादी की शर्त के रूप में कुछ नहीं दिया जाना चाहिये। इस वास्ते मैं समझती हूँ कि ला मिनिस्टर साहब ने एक्सप्लेनेशन दे कर इस सारी चीज को साफ कर दिया है और बता दिया है कि धारा २ से उन का क्या मतलब है। मैं इस धारा का तथा एक्सप्लेनेशन का हृदय से समर्थन करती हूँ और चाहती हूँ कि यह एक्सप्लेनेशन जरूर रहे। इस चीज को स्पष्ट कर देना बहुत जरूरी है और अगर इस को स्पष्ट नहीं किया जाता है तो लोगों को परेशानी होने के भलावा कुछ नहीं होगा।

इस विधेयक में सजा के लिये धारा रखी गई है। विधेयक आप कोई भी स्वीकार कर लें, अगर उस में सजा कोई नहीं रखी जाती है तो वह विधेयक बेकार हो जाता है। सजा देना बहुत जरूरी है। इस धारा के लिये जो प्रावाइजो रखा गया है उस का भी मैं समर्थन करती हूँ। यहां पर हैरासमेंट की बात कही गयी है। हैरासमेंट की कम गुंजाइश हो, इस के लिये राज्य सरकारों को सोचने का मौका दिया गया है कि अगर कोई मुकदमा करे तो राज्य सरकार यह देख ले कि उस मुकदमे में सचमुच कुछ तत्व है या केवल दुश्मनी की बिना पर मुकदमा किया जा रहा है। अतः सजा देने वाली चौथी धारा को जिस रूप में अब रखा गया है उस का मैं समर्थन करती हूँ और मैं समझती हूँ कि इस के इस रूप में पास हो जाने से खाम ख्वाह किसी को परेशान करने वाली बातें दूर हो जायेंगी।

अन्त में मैं इतना ही कहना चाहती हूँ कि किसी भी सोशल ईविल को दूर करने के लिये केवल बिल पास कर देना ही काफी नहीं होता है।

[श्री एस० वि० कृष्णमूर्ति राव पीठासीन हुये]

असल में जो भी सामाजिक कानून बनाये जाते हैं वे इसलिये बनाये जाते हैं कि जो लोग कानून से डरते हैं या जो लोग कानून पर चलते हैं, उसको मानते हैं, उन के ऊपर कम से कम कुछ असर तो पड़ेगा। चोरों पर तो कभी भी कानून का असर नहीं होता। उन के खिलाफ जितने भी कानून आप बना दें, कोई लाभ नहीं हो सकता है। वे चोरी तब तक करते ही जायेंगे जब तक कि पकड़े नहीं जाते।

मैं इस पूरे बिल का समर्थन करती हूँ और आशा करती हूँ कि जिस प्रकार से इस को ला मिनिस्टर साहब ने पेश किया है और जो संशोधन प्रस्तावित किये हैं उनको उसी रूप में स्वीकार कर लिया जायेगा। आशा है यह बिल हमारी समाज के लिये बड़ा लाभदायक सिद्ध होगा।

†श्रीमती मकीबा घुहमद (जोरहाट) : जिस विधेयक को अन्तिम रूप में पारित करने के लिये यह संयुक्त सत्र हो रहा है उस पर १९५९ से लेकर आज तक कई रूपों में चर्चा हो चुकी है। मैं इस बात को स्वीकार करती हूँ कि केवल कानूनों से ही सामाजिक बुराइयों को समाप्त नहीं किया जा सकता। फिर भी इस बात से तो इन्कार नहीं किया जा सकता कि कानून का शिक्षणात्मक महत्व होता ही है। और अन्ततोगत्वा समाज पर सामूहिक तौर पर उसका अच्छा ही प्रभाव होता है। मैं इस विधेयक को स्त्रियों के उद्धार की दिशा में एक महत्वपूर्ण कदम मानती हूँ। इस का प्रभाव क्या रहता है यह तो आने वाला समय ही बतायेगा, परन्तु मेरा विश्वास का इस का प्रभाव बहुत अच्छा ही रहेगा। और यदि संसद् के दोनों सदनों के ७०० सदस्य इसे सफल बनाने पर तुल जायेंगे तो यह अवश्य सफल होगा।

मैं यह भी निवेदन करना चाहती हूँ कि इस विधेयक को भारत के सभी नागरिकों पर लागू किया जाना चाहिये, चाहे वे किसी भी धर्म के अनुयायी हों। विवाह के अवसरों पर बहुमूल्य उपहार तथा शाही स्वागत करने की परिपाटी को भी हटाना चाहिये। कम से कम इसे प्रोत्साहन तो नहीं देना चाहिये।

मैं यह भी निवेदन करना चाहती हूँ कि मैं इस बात से सहमत हूँ कि "प्रत्यक्ष या अप्रत्यक्ष" रूप से शब्दों को खंड में रखा जाना चाहिये। खंड ४ के परन्तुक को स्वीकार किया जाना चाहिये। खंड २ के स्पष्टीकरण को निकाल दिया जाना चाहिये, क्योंकि इस के रहने से विधेयक का महत्व नष्ट हो जायेगा। इन शब्दों से मैं विधेयक का हादिक समर्थन करती हूँ।

†डा० डब्ल्यू० एस० बाल्कि (महाराष्ट्र) : मैं विधेयक का समर्थन करता हूँ परन्तु मेरा मत यह है कि जब तक हमारे समाज में धनी मानी व्यक्ति को एक गरीब व्यक्ति की अपेक्षा अधिक सम्मान प्रदान करने की मान्यता न बदली जाये तब तक दहेज की बुराई को समाप्त नहीं किया जा सकता। केवल मात्र विधेयक को पारित कर देने मात्र से इस विधान का लक्ष्य पूरा नहीं हो सकेगा।

जैसे कि इस से पूर्व कुछ माननीय सदस्यों ने कहा है कि खंड २ में 'प्रत्यक्ष या अप्रत्यक्ष रूप से' ये शब्द रहने चाहिये मैं इस से पूर्णतः सहमत हूँ। मैं यह भी निवेदन करना चाहता हूँ कि खंड के वाक्य विन्यास में सुधार किया जाना चाहिये। मैं इस मामले में श्री पी० एन० सप्रू से सहमत नहीं।

मेरा कहना है कि दहेज की मांग ही इस बुरी प्रथा की जड़ है जिसे दंडनीय बनाया जाना चाहिये। विधि का मिश्रण है कि किसी से अन्याय नहीं होना चाहिये चाहे उस के लिये अपराधियों को क्यों न मुक्त करना पड़े। इस दृष्टि से विधि उपमन्त्री महोदय ने जो मूल खंड में संशोधन प्रस्तुत किया है वह बहुत ही अच्छा किया है। यह गलत है कि इससे कठिनाइयाँ बढ़ेंगी। मेरे विचार में संशोधन को स्वीकार कर लेना चाहिये। इन शब्दों से मैं विधेयक का समर्थन करता हूँ।

†श्री नि० बि० माईति (घाटल) : मैं सरकार द्वारा प्रस्तुत किये गये संशोधनों सहित इस विधेयक का पूर्ण रूपेण समर्थन करता हूँ।

खंड २ में राज्य सभा द्वारा 'प्रत्यक्ष या अप्रत्यक्ष रूप से' इन शब्दों से विधेयक के उपबन्ध और अधिक स्पष्ट हो गये हैं। अतः निवेदन है कि इन शब्दों को विधेयक में रहने दिया जाये।

जहाँ तक स्पष्टीकरण संख्या १ का सम्बन्ध है, उस में विवाह के बदले में किये गये 'लेन देन' और 'उपहार' इनका अन्तर स्पष्ट कर दिया गया है। अतः इस स्पष्टीकरण को भी विधेयक में रहने दिया जाये।

जहां तक खण्ड ४ का सम्बन्ध है, म समझना हूं कि उस में सरकार द्वारा प्रस्तावित किये गये परन्तुक के कारण ट्रेप भावना या बदला लेने की भावना से शिकायत करने की गुंजाइश न रहेगी। अतः यह परन्तुक स्वीकार कर लेना चाहिये।

श्री शील भद्र याजी (बिहार) : उपसभापति महोदय, इस डाउरी प्राहिब्यन बिल की क्या उपयोगिता है इस पर बहुत सी तकरीरें हुईं। मैं उस की उपयोगिता पर कुछ कहना नहीं चाहता लेकिन इस विधेयक पर श्रीर इस की तरमीम पर बोलते हुए जो हमारे ला मिनिस्टर साहब ने तकरीर की उस से हम लोगों को बहुत दुःख हुआ। हिन्दुस्तान के ला मिनिस्टर साहब यदि किसी विधेयक को सदन के समक्ष रखते हैं श्रीर इस तरह की घोषणा करते हैं कि यह बिल ठीक तरीके से काम नहीं करेगा तो हिन्दुस्तान की तमाम जनता पर जो कि ला को मानने वाली है उस का बुरा असर पड़ सकता है। मेरी समझ में उन को इस तरीके से कहना नहीं चाहिये था।

जहां तक राज्य सभा या लोक-सभा की तरमीमों का ताल्लुक है, मैं समझता हूं कि दोनों सदनों का सम्बन्ध होना चाहिये। राज्य सभा ने प्रत्यक्ष और अप्रत्यक्ष रूप से दहेज देने की जो बात की है उस को मान लेना चाहिये। इसके अलावा लोक-सभा ने जो क्लॉज २ में एक्सप्लेनेशन जोड़ा है उसको बिलमें से हटा देना चाहिये। क्योंकि यह स्पष्टीकरण एक तरह से डाउरी की डिमांड को लीगलाइज करने के बारे में है यदि वह विधेयक में रहने दिया जाता है और जिस के कि द्वारा लोगों को दहेज देने की छूट दी गई है तो मैं समझता हूं कि उस एक्सप्लेनेशन के साथ इस बिल को पास करने से तो बेहतर यह होगा कि यह बिल ही वापिस ले लिया जाय। एक्सप्लेनेशन नम्बर १ के जरिये हम डाउरी को लीगलाइज कर रहे हैं और इस को रक कर एक तरीके से एक हाथ से जो बिल हम जनता को दे रहे हैं दूसरे हाथ से उस को वापिस लिये ले रहे हैं। एक्सप्लेनेशन का पेट इतना बड़ा है कि जिस की कि कोई हद नहीं और उस के अन्दर केश, श्रीनिमैट्स, कपड़े लत्ते, हाथी घोड़े कुछ भी दिये जा सकते हैं। मेरे विचार में यदि उस एक्सप्लेनेशन को बिल में जोड़ दिया जाता है तो फिर यह डाउरी प्राहिब्यन बिल बेकार हो जाता है और उस से कोई फायदा होने वाला नहीं है।

अब यह जो नजराने और गिफ्ट्स बर्गरह लड़कियों को देने की बात चलती है तो जब लड़की को हिन्दू सक्सेशन एक्ट के मुताबिक जायदाद में हिस्सा भी मिल सकता है तो शादी के बाद अगर लड़की को कोई चीज देना चाहे तो उस को कोई रोकने वाला नहीं है। अभी हमारी एक बहिन सदस्या ने कहा कि उस को स्पष्टीकरण करने से साड़ी नहीं मिलेगी। अब लड़की साड़ी पहिन कर ही तो बैठेगी। बिना साड़ी पहिन वह कैसे शादी में बैठेगी। अब साड़ी को कैसे नजराना करार दिया जा सकेगा ? इसलिये इस तरीके की बात करने से काम चलने वाला नहीं है।

एक्सप्लेनेशन १ को इस बिल से हटा देना चाहिये वरना इस बिल की जान ही निकल जाती है और यह बेकार हो जाता है।

इस के अलावा श्री हजरनवीस ने जो प्राविजो रक्खा है मैं समझता हूं कि उस प्राविजो की कोई जरूरत नहीं है। आज जो हमारे सदस्यों को यह आशंका है कि इस तरह के सोशल कानूनों की अवज्ञा होती है उसकी वजह यह है कि शारदा एक्ट और उसी तरह के दूसरे कानूनों में आपने पुलिस को पावर्स नहीं दी थीं। इस एक्ट में भी आप पुलिस को पावर नहीं दे रहे हैं। अब जब पुलिस सारे देश पर शासन कर सकती है, बड़े बड़े हत्या के केशों को पकड़ सकती है तो कोई कारण नहीं है कि वह इस एक्ट का ठीक तरह से अमल न करा सके और श्रीफेंडर्स को सजा न दिला सके। लेकिन यदि आप पुलिसको पावर नहीं देते हैं तो फिर माननीय सदस्यों की जो आशंका है कि इस कानून की अवज्ञा होगी वह गलत नहीं है। इसलिये मैं समझता हूं दहेज मांगने पर जो सजा देने का प्राविजन है वह जरूर रहना चाहिये और जो श्री हजरनवीस ने प्राविजो जोड़ना कहा है उसको हटा देना चाहिये और उस को न जोड़ना चाहिये। ऐसा होने से ही मैं समझता हूं कि यह बिल सार्थक हो सकेगा।

[श्री शीलभद्र याजी]

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ और राज्य सभा और लोक सभा दोनों हाउसेज के माननीय सदस्यों से यह अपील करता हूँ कि वे आपस में सामंजस्य करें। जो हमारे दो अमेंडमेंट्स हैं उनको स्वीकार कर लिया जाय और उनका डाउरी डिमांड को जो पीनेलाइज करने का मुद्दा है उसको हम मान लें। इसके साथ ही श्री हजरनवीस का प्राविजो जोड़ने वाला अमेंडमेंट है उसको हम दोनों मिल कर नामंजूर कर दें। ऐसा करने से ही यह बिल सार्थक होगा और जो भक्तसद हम हासिल करना चाहते हैं वह पूरा हो सकेगा। हम समझते हैं कि इस सम्बन्ध में पुलिस को काफ़ी पावर देनी चाहिए।

यदि शारदा एक्ट में पुलिस को काफ़ी पावर दे दी जाती, तो उसकी दुर्गति न होती। इस बिल में जो मैजिस्ट्रेट के विषय में व्यवस्था की गई है, उससे काम चलने वाला नहीं है। यह पुलिस का काम है। पुलिस पर ही सुरक्षा और व्यवस्था का भार है, इसलिये उस को पावर दी जानी चाहिये कि वह तिलक, दहेज देने वाले और लेने वाले को पकड़ सके। यदि पुलिस को काफ़ी पावर दी गई, तभी यह कानून सार्थक हो सकेगा।

मैं यह निवेदन करना चाहता हूँ कि हमारे देश और समाज में इस कानून की बड़ी ज़रूरत है। कुछ बुजुर्ग सदस्यों ने इस के विरोध में कहा है। माननीय सदस्य, श्री सप्रू, ने तो पुराने ज़माने की बात कही है कि इस कानून की ज़रूरत नहीं है, लेकिन मैं उन से मुक्तिफ्रिक नहीं हूँ। मैं आशा करता हूँ कि जो बुजुर्ग सदस्य इस को मानने के लिये तैयार नहीं हैं, वे इस को मानेंगे। यदि राज्य सभा की अमेंडमेंट्स को और दहेज मांगने को पीनेलाइज करने सम्बन्धी लोक सभा की अमेंडमेंट को स्वीकार किया जायगा, तो यह विधेयक सही मानों में अच्छा हो सकेगा। इस कानून के बनने से जनता पर काफ़ी नैतिक असर पड़ेगा। मैं आशा करता हूँ कि कम से कम पार्लियामेंट के मेम्बर और समाज-सेवी आदि अब तिलक दहेज की बात नहीं करेंगे।

आखिर में मैं फिर पुरजोर अपील करता हूँ कि माननीय सदस्य एक स्वर से इस बिल को पास कर के इस सामाजिक कुरीति को दूर करने की चेष्टा करेंगे।

†विधि मंत्री (श्री अ० कु० तेन) : मैं उन सभी माननीय सदस्यों का कृतज्ञ हूँ जिन्होंने इस विधेयक की चर्चा में भाग लिया है और इसके सिद्धान्तों का समर्थन किया है। इस सम्बन्ध में अभिव्यक्त किये गये मतभेद को हमें दूर करने का यत्न करना चाहिये। मैंने खण्ड २ में "प्रत्यक्ष या अप्रत्यक्ष रूप से" इन शब्दों को रखने और खण्ड ४ में परन्तु को लागू करने के सम्बन्ध में जो कहा था उसके विरोध में जो बातें कही गई हैं, मैं उनका उत्तर दूंगा। उसके प्रतिरिक्त मैं खण्ड २ के स्पष्टीकरण के सम्बन्ध में भी कुछ प्रकाश डालूंगा।

मैं इस बात पर भी प्रकाश डालूंगा कि स्पष्टीकरण के विपक्ष और पक्ष में क्या क्या मत प्रकट किये गये हैं। मैंने यह स्पष्ट रूप से समझा दिया है कि मेरे मतानुसार स्पष्टीकरण होने या न होने का विधेयक के मूलरूप पर कोई असर नहीं पड़ता। जिन माननीय सदस्यों ने उस स्पष्टीकरण को हटा देने पर जोर दिया है, उनके दृष्टिकोण की भी समझना करनी चाहिये, क्योंकि उनके दृष्टिकोण का इस आधार पर पूर्णतया निराकरण नहीं किया जा सकता कि स्पष्टीकरण से उन लोगों को प्रोत्साहन नहीं मिलेगा जो कानून को तोड़ना चाहते हैं। परन्तु मैंने यह स्पष्ट कर दिया है कि जहाँ तक सरकार या मेरा अपना सम्बन्ध है, हम स्पष्टीकरण संख्या १ को रखने या हटा दिये जाने के सम्बन्ध में पूर्णतया निष्पक्ष हैं।

†मूल अर्थों में

[अध्यक्ष महोदय पीठासीन हुये]

माननीय प्रधान मंत्री द्वारा भी यह स्पष्ट कर दिया गया था कि माननीय सदस्यों को इस सम्बन्ध में अपना मत देने की पूरी स्वतंत्रता होगी। परन्तु श्री शीलभद्र याजी ने यह निराधार ही कह दिया है कि विधि मंत्री ने यह कहा है कि यह कानून लागू नहीं किया जा सकता। मैं ने यह नहीं कहा था। मैं ने माननीय सदस्यों को यह स्पष्ट करने का यत्न किया था कि किसी भी ऐसे विधान को सफलतापूर्वक लागू करने की क्या संभावनायें हो सकती हैं, जिसके द्वारा किसी अत्यन्त प्राचीन और देश व्यापक सामाजिक समस्या को हल करने का यत्न किया जाये। यदि मैं माननीय सदस्यों को यह न बताता कि इस प्रकार के कानून को लागू करने में किन किन कठिनाइयों का सामना करना पड़ेगा तो यह समझा जाता कि मैं ने अपने कर्तव्य का पालन नहीं किया है। मैं ने यह कहा था कि :—

“हमें यह पूर्णतया समझ लेना चाहिये कि स्पष्टीकरण संख्या १ के बिना भी उस कानून का उल्लंघन करने वालों की संख्या पर्याप्त होगी और जो उल्लंघन करना चाहते हैं उन्हें स्पष्टीकरण १ की जरूरत ही नहीं है। वे स्वयं अपने आप से ही या अन्य लोगों से प्रोत्साहन मिलता रहेगा। इसलिये यदि यह सोचा जाये कि स्पष्टीकरण संख्या १ से इसका उल्लंघन समाप्त हो जायेगा, तो मैं यही कहूंगा कि मैं उन लोगों के मत से सहमत नहीं हूँ जो कि स्पष्टीकरण संख्या १ को हटा देने के पक्ष में हैं।”

मैं यह बात फिर से कह देना चाहता हूँ कि स्पष्टीकरण संख्या १ को हटा देने से उल्लंघन की घटनायें कम नहीं होंगी। मैंने यह कहा था कि :—

“हमें यह बात स्पष्टतया समझ लेनी चाहिये कि इस कानून के पास हो जाने के बावजूद भी उसका उल्लंघन करने वाले लोग उल्लंघन करते ही रहेंगे। केवल इस अधिनियम के पास कर देने मात्र से दहेज प्रथा समाप्त नहीं हो जायेगी। परन्तु फिर भी हम इस कानून को पास कर रहे हैं ताकि उससे जनता की विचारधारा में कुछ अन्तर आयेगा और जो यह सोचते हैं कि वे बिना किसी भय या संकोच के दहेज के रूप में जो भी चाहें मांग सकते हैं, अब मांगने में संकोच करेंगे क्योंकि कानून उनके विरुद्ध होगा और जनता की विचारधारा विरुद्ध होगी।”

मैं ने जो कुछ भी कहा था उस पर कोई आपत्ति नहीं कर सकता। मैं यह बात विश्वासपूर्वक और नम्रता से कह देना चाहता हूँ कि अपना कर्तव्य निभाने के लिये मुझे यही बात कहनी चाहिये।

श्रीमती रेणु चक्रवर्ती (बसिरहाट) : प्रश्न यह है कि क्या स्पष्टीकरण के बिना उचित उपहार परिभाषा में सम्मिलित होंगे ?

श्री प्र० कु० सेन : मैं ने पहले भी बताया है कि उचित उपहार तो इस स्पष्टीकरण के बिना भी दण्ड से मुक्त हैं। यह समझना गलती है कि बिना स्पष्टीकरण के स्वाभाविक प्रेम से दिये हुए उपहारों के कारण भी दण्ड दिया जायेगा।

श्री भूपेश गुप्त : यह स्पष्टीकरण तो इसलिये है कि कोई सन्देह न रहे।

श्री प्र० कु० सेन : मुझे तो कोई भी सन्देह नहीं है, परन्तु फिर भी यह स्पष्टीकरण उन लोगों के कहने पर रखा गया है जिनके मन में कुछ सन्देह था। लोक सभा के सदस्यों के कहने पर ही यह स्पष्टीकरण रखा गया है।

†श्री ए० डी० मजि (मध्य प्रदेश): क्या इस स्पष्टीकरण को हटा देने से विधेयक कमजोर पड़ जायेगा ?

†श्री प्र० कु० सेन : जी, नहीं। मूल रूप में विधेयक में कोई फरक नहीं पड़ेगा।

†परिचित ठाकुर दास शर्मागब : साक्ष्य अधिनियम की धारा ११५ का क्या बना है ? आपने स्वयं ही यह स्पष्ट तथा स्पष्टीकरण प्रस्तुत किया है और अब स्वयं उसे छोड़ रहे हैं ?

†श्री प्र० कु० सेन : मेरा यही मत है कि स्पष्टीकरण का और कोई लाभ नहीं है, सिवाय इसके कि यह उन बातों को और अधिक स्पष्ट कर देता है जो कि विधेयक में पहले ही समाप्त दी गयी हैं। लोक सभा ने यह स्पष्टीकरण जोड़ा और मैंने इस वक्तव्य से कि सरकार किसी भी दृष्टिकोण के लिए बचनबद्ध नहीं है, दोनों दृष्टिकोणों में सामंजस्य स्थापित करने की बात सोची। मैं ने केवल इतना ही कहा था, और मैं नहीं समझ पाता कि इस प्रकार का रास्ता कोई मंत्री क्यों नहीं अपना सकता। इसलिए मुझे सिर्फ कुछ सामान्य बातों के बारे में और इस प्रश्न के बारे में कि यह परन्तु रखा जाना चाहिये या नहीं, उत्तर देना है।

जो लोग इस विधेयक के विरुद्ध हैं मैं उनके तर्क नहीं समझ पाया। उनके तर्क का आधार यह था कि चूंकि केवल विधान बनाने से दहेज प्रथा समाप्त नहीं की जा सकती और इस कानून को वास्तव में प्रभावशाली बनाने के लिए दृढ़ जनमत की आवश्यकता होगी, इसलिए यह कानून बनाना निरर्थक है।

मैं इस बात में विश्वास नहीं करता कि सामाजिक बुराईयों की समाप्ति केवल लोकमत पर छोड़ दी जाये। वास्तव में सभी देशों में और खासकर इस देश में भी हमारा यह अनुभव रहा है कि सामाजिक सुधार के कई मामलों में विधान जनमत से कहीं आगे बढ़ गया है। हम यह न भूलें कि विधान भी, सामाजिक तथा आर्थिक आयोजन की तरह, भावी जीवन से सम्बन्धित होता है और यदि भविष्य के लिए कोई योजना बनानी है तो एक ऐसी सामाजिक स्थिति निर्माण करनी होगी, दृढ़ लोकमत निर्माण करना होगा जो न केवल वर्तमान विधान बल्कि प्रत्येक दार्ढिक विधान की सफलता के लिए आवश्यक होगा। विधान पास करने का यह अर्थ नहीं होता कि अपराध होंगे ही नहीं, फिर भी विधान पास किये जाते हैं। आज दहेज के सम्बन्ध में विधि द्वारा कोई आचरण निर्धारित नहीं है। समाज में मनुष्यों के आचरण व व्यवहार सम्बन्धी नियम स्थापित करने के लिए दंड सम्बन्धी कानूनों का होना आवश्यक है। इस कानून से दहेज के मामले में कम से कम एक व्यवहार-सिद्धान्त, तो अवश्य निर्धारित हो जायगा और इस कानून के पास हो जाने के बाद दहेज एक वैर-कानूनी बात हो जायगी। मुझे इस में जरा भी सन्देह नहीं है कि इस कानून से, पहले के अन्य सामाजिक विधानों की तरह, उचित मार्गदर्शन प्राप्त होगा और हमारी सामाजिक विचारधारा की दिशा ही बिलकुल बदल जायगी। अतः मैं इस बात से बिलकुल सहमत नहीं हूँ कि यह विधान धाम ही नहीं किया जाना चाहिये। यह विधेयक इसलिए भी अत्यन्त आवश्यक है कि यह दहेज के विरुद्ध लोकमत निर्माण करने में सहायक होगा। लोकमत से ही इस सामाजिक कुप्रथा को अन्तिम रूप से समाप्त किया जा सकता है।

अब अगले परन्तु का प्रश्न है जो वास्तव में यहां भी एक मुख्य विवाद का प्रश्न बन गया है। संड २ में "प्रत्यक्ष रूप से या अप्रत्यक्ष रूप से" ये शब्द कायम रखने में असहमत होने की कोई बात नहीं है यद्यपि मेरे माननीय मित्र श्री वाजपेयी ने कहा कि ये शब्द नहीं रहने चाहियें।

†मूल धरोखी में

खंड ४ का परन्तुक दोनों प्रतिवादी दृष्टिकोणों के बीच सामंजस्य स्थापित करने के लिये है । एक दृष्टिकोण यह है कि दहेज की मांग को दंडनीय बनाया जाये और दूसरा यह कि यद्यपि दहेज की मांग को दंडनीय बना कर रोकना वांछनीय है, फिर भी केवल मांग के कारण ही लड़कों के पिता या संबंधियों के विरुद्ध झूठे तथा निराधार मामले दायर करने के लिये रास्ता खुल जायेगा । यह कहा गया था कि दहेज लेने की दशा में पूर्ण प्रमाण की आवश्यकता होगी और उसे अपना आरोप सिद्ध करने के लिये न्यूनतम प्रमाण तो निश्चय ही पेश करना पड़ेगा । उसे यह सिद्ध करना होगा कि सभी गहने, साड़ियां और दूसरी चीजें खरीदी गई थीं और वह दी गईं । उस तरह का कोई प्रमाण आवश्यक होगा । मैं ने यही कहा था कि कानून की दृष्टि से यह ठीक हो सकता है लेकिन इस बात को सिद्ध करने के लिये कि किसी व्यक्ति ने दहेज मांग कर अपराध किया है या नहीं, न्यायालयों को मौखिक बयानों पर निर्भर रहना पड़ेगा । इस कानून के बाद कोई व्यक्ति लिखित रूप में दहेज नहीं मांगेगा और न ही यह समझना उचित होगा कि मांग इतने बेबकूफ होंगे जो लिखित रूप में कोई वचन देंगे, जो इस अपराध के प्रमाण के रूप में पेश किये जा सके । इसलिये इन मामलों में न्यायालयों को गवाहों के मौखिक बयानों पर ही अपना निर्णय देना होगा कि अमुक व्यक्ति ने दहेज मांग कर कोई अपराध किया है या नहीं । उस आरोप के आधार पर किसी व्यक्ति को सजा हो सकती है और छोड़ा भी जा सकता है, फिर भी उसे कठिनाइयों का सामना करना ही पड़ेगा और धन भी खर्च करना पड़ेगा । इसलिये यह कहा गया था कि झूठे और निराधार अभियोग न चलाये जायें इसलिये सावधानी बरती जानी चाहिये । यह भी सुझाव दिया गया था कि एक ऐसी प्रणाली कायम की जाये कि केवल मांग पर आधारित शिकायत में न्यायालय हस्तक्षेप करे इस से पहले उस प्रणाली से मंजूरी प्राप्त करना आवश्यक कर दिया जाये । इन दो परस्पर विरोधी दृष्टिकोणों में सामंजस्य स्थापित करने के आशय से ही माननीय उपमंत्री ने इस परन्तुक का प्रस्ताव रखा है ।

कुछ लोगों ने यह कहा था कि राज्य सरकारें इस खण्ड को लागू करने के मामले में अपने कर्तव्य का पालन शायद न करें । लेकिन यह अधिनियम तब तक लागू नहीं किया जा सकता जब तक राज्य सरकारें अपना कर्तव्य पालन न करें क्योंकि राज्य सरकार को ही अभियोग दायर करना होगा । इसलिये यह तर्क समुचित नहीं है कि राज्य सरकारें अपना कर्तव्य पालन नहीं करेंगी । हम ने यह परन्तुक इसीलिये रखा है कि राज्य सरकार एक सामान्य आदेश या विशिष्ट आदेश द्वारा किसी पदाधिकारी को नामनिर्देशित करे जो मुकदमे की अनुमति देने से पहले शिकायतों की पूरी छानबीन करे । इस विशेष पदाधिकारी की व्यवस्था करने का मुख्य आशय यह था कि दूर के जगहों में या भीतरी स्थानों में जो जिला दफतरो या मुख्य कार्यालयों से बहुत दूर हैं, गांवों के साधारण लोग सहूलियत से आवश्यक पदाधिकारी के पास पहुंच सकें । इसी कारण हम ने एडवोकेट जनरल या जिला मजिस्ट्रेट या किसी पहले दर्जे के मजिस्ट्रेट का उल्लेख नहीं किया है क्योंकि दूर के गांवों में साधारण ग्रामवासियों को उस प्रथम श्रेणी के मजिस्ट्रेट के पास जाना पड़ेगा । हो सकता है कि जहां उस मजिस्ट्रेट के पास पहुंचना आसान हो, वहां राज्य सरकार उसे नामजद कर दे । इस परन्तुक के विरुद्ध तर्क इस भ्रामक विश्वास पर आधारित है कि इस में केवल प्रथम श्रेणी के मजिस्ट्रेट ही नियुक्त किये जायेंगे । वास्तव में इस के अधीन, अन्य व्यक्ति भी नियुक्त किये जा सकते हैं जहां प्रथम श्रेणी के मजिस्ट्रेट उपलब्ध न हों । अतः मैं इस आलोचना को समझने में असमर्थ हूँ कि प्रथम श्रेणी के मजिस्ट्रेट काम न कर सकेंगे । इस के विपरीत, यदि राज्य सरकार चाहे तो वह किसी भी श्रेणी के मजिस्ट्रेट या किसी अन्य पदाधिकारी को उस विशिष्ट स्थान

[श्री अ० कु० सेन]

में जहाँ कोई मैजिस्ट्रेट उपलब्ध न हो, नियुक्त कर सकती है। इसलिये यह परन्तुक रखने से जिस के अधीन केवल प्रथम श्रेणी के मैजिस्ट्रेट ही काम करेंगे, अभियोग चलाना और भी कठिन हो जायगा और इसलिये मैंने यह सोचा कि जिस रूप में यह परन्तुक लिखा गया है वह उन लोगों के लिये अधिक अच्छा होगा जो आवश्यक अधिकारियों के पास पहुँचने और उनसे आवश्यक सहायता प्राप्त करने के काम को और आसान बनाना चाहते हैं। अतः इस परन्तुक को कायम रखना दो भिन्न भिन्न दृष्टिकोण के बीच सब से आसान समझौता है जैसा कि माननीय विधि उपमंत्री ने अपने संशोधन में सुझाया है।

अगला प्रश्न स्पष्टीकरण के बारे में है।

†श्री लज्जमुल हुसैन : मैं एक मौखिक प्रश्न उठाना चाहता हूँ।

†अध्यक्ष महोदय : माननीय मंत्री महोदय अपना भाषण समाप्त कर लें, उसके पश्चात् यदि कोई सदस्य स्पष्टीकरण चाहेंगे तो मैं उस की अनुमति दे दूंगा।

†श्री अ० कु० सेन : जहाँ तक स्पष्टीकरण का सम्बन्ध है मेरे पास उससे अधिक कहने के लिये कोई विशेष बात नहीं है, जो मैंने पहले कहा था और अब कहा है। मैंने कहा था कि स्पष्टीकरण इससे अधिक कुछ नहीं कहता जो कि खंड में पहले ही मौजूद है। किन्तु 'स्पष्टीकरण' शब्द के प्रयोग से ही स्पष्ट होता है कि यह उस खंड का स्पष्टीकरण ही है, इस से अधिक कुछ नहीं।

अब यह निश्चय करना माननीय सदस्यों का काम है कि स्पष्टीकरण के उद्देश्य से 'स्पष्टीकरण' को रखा जाये अथवा खंड अपने आप में ही इतना स्पष्ट है कि उसके लिये किसी स्पष्टीकरण की आवश्यकता नहीं है।

जहाँ तक मेरे उत्तर का सम्बन्ध है, वह वस्तुतः समाप्त ही है किन्तु मैं श्री प्रकाशवीर शास्त्री द्वारा उठाई गई एक बात के बारे में कुछ कहना चाहता हूँ, जिसमें उन्होंने ने कहा था कि हम दिखाना तो यह चाहते हैं कि हम दहेज प्रथा के विरोधी हैं किन्तु वस्तुतः हम उन सभी प्रतिबन्धों को कायम रख रहे हैं जिससे इस कुरीति को बढ़ावा मिलेगा। उनका विचार था कि हम दहेज प्रथा के विरुद्ध अपने विरोध का केवल दिखावा कर रहे हैं परन्तु उसके उन्मूलन के लिये कोई गम्भीर प्रयत्न नहीं कर रहे हैं। इस के साथ साथ उन्होंने ने हमारे समाज में पत्नीत्व का मूलभूत आदर्श क्या है, इस का भी प्रसंगानुकूल उल्लेख किया था।

पंडित ब्रज नारायण 'ब्रजेश' : श्री प्रकाश वीर शास्त्री तो आज या पिछले शनिवार को इस विषय पर नहीं बोले हैं।

†श्री अ० कु० सेन : मुझे खेद है। मैं इस के लिये क्षमा चाहता हूँ। मेरा मतलब श्री ब्रज नारायण 'ब्रजेश' से था। किन्तु दोनों सदस्य हिन्दी के इतने अच्छे बक्ता हैं कि एक के स्थान पर दूसरे का भ्रम हो जाता है। मैं इस के लिये हार्दिक क्षमायाचना चाहता हूँ। हाँ, तो मैं यह कहना चाहता हूँ कि उन्होंने इस प्रकार की आलोचना करते हुए, जैसी कि प्रायः उन लोगों द्वारा की जाती है जोकि सरकार के समर्थक नहीं हैं, पत्नीत्व के मूल आदर्श के बारे में कुछ उपयुक्त निर्देश किये थे और इस बारे में अपने विचार प्रकट किये थे कि विवाह के बारे में हमारा आदर्श क्या होना चाहिये। उन्होंने कहा था कि जब हम पत्नी को घर लाते हैं, तो एक प्रकार से लक्ष्मी को घर लाते हैं। वस्तुतः

†मूल अंग्रेजी में

उसे संस्कृत, हिन्दी, बंगाली और संविधान की अनुसूची में उल्लिखित सभी भाषाओं में गृह-लक्ष्मी कहा जाता है, जिस का अर्थ है कि घर में सम्पन्नता और समृद्धि को लाया जाता है। उन्होंने यह ठीक ही कहा था उसके द्वारा सम्पत्ति अथवा उपहार के रूप में कुछ लाया जाना हमारे इस आदर्श में मेल नहीं खाता। इस सम्बन्ध में कौन मतभेद प्रकट कर सकता है? इस बारे में कोई सन्देह नहीं है। हमारी मूल मान्यता, हमारा मूलभूत आदर्श यही है, हमारी सम्पूर्ण परम्परा यही है किन्तु हम इन आदर्शों से भटक गये हैं और हम में कुछ बुराईयाँ उत्पन्न हो गई हैं, जिस के कारण हम आज दुर्बल हो गये हैं। हम अपने आदर्शों को केवल बार बार दुहरा कर ही प्रगति नहीं कर सकते। इन आदर्शों को प्राप्त करने के लिये कानून बनाने की भी आवश्यकता है।

इस के पश्चात् मुझे श्रीमती पुष्पलता दास की कुछ बातों के बारे में कुछ कहना है। उन्होंने-ने डा० टैगोर की एक कविता को इस ढंग से सुनाया कि जब वह इसे पढ़ रही थी तो कोई यह नहीं कह सकता था कि वह आसामी हैं। यद्यपि मैं अपनी मुख्य बात से जरा विषयान्तर कर रहा हूँ तथापि मैं इस बात को कहे बिना नहीं रह सकता कि इससे पुनः यह बात सिद्ध होती है कि बंगालियों और असामियों में कितनी समानता है अतः उनका आपस में लड़ना कितनी बेहदा बात है। उन्होंने कहा कि अमर नारीत्व के जिस चिरन्तन आदर्श का हम हमेशा से पालन करते आये हैं, वह दहेज की प्रथा के बिल्कुल विपरीत है। दहेज की प्रथा ने स्त्रियों का स्थान नीचा कर दिया है। उन्होंने यह भी कहा कि वैदिक काल से लेकर आधुनिक काल हमारा आदर्श सदैव यही रहा है कि जब हम स्त्री से विवाह करते हैं तो वह हमारी सहचरी है, जब बूढ़े होते हैं तो वह हमारी पथ-प्रदर्शक होती है और जब हम युवा होते हैं तो वह हमारी माता होती है। कवि ठाकुर की कविता का उद्देश्य इसी भाव को प्रकट करना था। यदि आप यह कहते हैं कि आप जिस स्त्री से शादी करना चाहते हैं, वह आप की सहचरी नहीं और उसे समानाधिकार प्राप्त नहीं हैं तो आप को उससे विवाह नहीं करना चाहिये। जैसा कि मैं पहले कह चुका हूँ कि ये मूलभूत बातें हैं और हमारी संस्कृति का अभिन्न अंग हैं किन्तु फिर भी हम इनसे भटक जाते हैं और इनका दृढ़तापूर्वक पालन नहीं करते। यदि हम इन बातों का अनुसरण करते तो इस विधेयक की कोई आवश्यकता न पड़ती।

हम लोगों को एक महान् सफलता प्राप्त हुई है। परस्पर मतभेदों के बावजूद दोनों सदनों की संयुक्त सत्र में जो विचार विमर्श हुआ है उसके परिणामस्वरूप हमारे सामाजिक जीवन में इस मामले को सर्वाधिक महत्व प्राप्त हो गया है। इस सारी समस्याओं को, जो किसी समय केवल समाज सुधारकों तक सीमित थी अथवा जिसका प्रभाव सम्बन्धित माता-पिता पर पड़ता था, इस प्रकार प्रस्तुत किया गया है कि अब इसको एक राष्ट्रीय समस्या का रूप प्राप्त हो गया है। जब संसद् के ऊपर यह जिम्मेदारी आती है कि वह इस कुप्रथा के कानूनी अस्तित्व को समाप्त कर दे। अब से इस कुप्रथा का अस्तित्व गैर-कानूनी होगा और यदि इसका अस्तित्व छद्म रूपसे होगा तो कानून उसके विरुद्ध अपनी सम्पूर्ण शक्ति के साथ खड़ा होगा।

मुझे पूरा विश्वास है कि निकट भविष्य में व्यक्तिगत यातना का इतिहास और कहानियों की पुनरावृत्ति नहीं होगी और नारीत्व के बारे में हमारे चिरसिंचित आकांक्षाओं और आदर्शों की अबाध पूर्ति हो सकेगी।

इन शब्दों के साथ मैं अपील करता हूँ कि इस प्रस्ताव को स्वीकार किया जाये।

श्री भूषेण गण्ट : क्या माननीय मंत्री महोदय खंड ४ के बारे में यह बताने की कृपा करेंगे कि 'पदाधिकारी' शब्द का सही अर्थ क्या है? कल प्रधान मंत्री महोदय ने पंचायत राज के प्रधानों

[श्री भूपेश गुप्त]

का उल्लेख किया था। पंचायतों के प्रधानों को किसी भी तरह से सरकारी पदाधिकारी नहीं माना जा सकता। सरकार को इस बारे में स्थिति स्पष्ट करनी चाहिए।

मैं यह भी चाहता हूँ कि प्रधान मंत्री और विधि मंत्री के कल के भाषणों से जो भ्रम उत्पन्न हो गया है उसे दूर किया जाये।

श्री तजम्मूल हुसैन : मेरा पहला प्रश्न यह है कि खंड ४ के अधीन यदि लड़की अथवा लड़के के पिता अथवा अभिभावकों से दहेज मांगा जाये तो वह दंड्य है। किन्तु यदि दुल्हन से ही दहेज मांगा जाये तो क्या होगा ? यदि हम एक दूसरे से प्यार करते हैं और मैं दुल्हन से कहता हूँ, "मुझे इतना धन दो।" तब क्या होगा ?

दूसरे खंड ४ के अन्तर्गत मांग करना दंडनीय है। दंड-विधि के अन्तर्गत अपराध के लिए दो चीजें आवश्यक होती हैं—अपराधी-मनोवृत्ति और वास्तविक कृत्य। इसके बारे में उनका क्या विचार है ?

तीसरी बात यह है कि 'स्पष्टीकरण' के अनुसार उपहार दहेज नहीं माना जायेगा। क्या आप समझते हैं कि कोई यह कहेगा कि वह दहेज दे रहा है। जो कुछ दहेज दिया जायेगा, उसके बारे में यह कहा जायेगा कि यह उपहार है। यदि यह उपबन्ध विधेयक में रहा तो इससे विधेयक का उद्देश्य ही विफल हो जायेगा।

श्रीमती रेणु चक्रवर्ती : खंड ४ के परन्तुक में उल्लिखित 'पदाधिकारी' शब्द के बारे में श्री भूपेश गुप्त ने प्रश्न पूछा है। मेरा ख्याल है कि डा० सीता परमानन्द ने अपने भाषण में कहा था कि यह अच्छा होगा यदि राज्य सरकार गैर-सरकारी लोगों की नियुक्ति करें। मुझे यह बात स्पष्ट नहीं हुई कि क्या राज्य सरकारों द्वारा नियुक्त किये जाने वाले 'पदाधिकारियों' में गैर-सरकारी लोग भी शामिल होंगे। कृपया इसको स्पष्ट किया जाये।

श्री श्री कु० सेन : जो कुछ श्री भूपेश गुप्त ने कहा है उससे मुझे कोई मतभेद नहीं। जो कुछ प्रधान मंत्री ने कहा है उससे भी उसका कोई मतभेद नहीं। राज्य-सभा और लोक-सभा में भी कोई मतभेद नहीं है। मेरा निवेदन है कि खंड २ में स्पष्टीकरण न भी होता तब भी सद्भाव से उपहार देने पर कोई उपबन्ध नहीं था। और यह तो बिल्कुल स्पष्ट है कि स्पष्टीकरण निकाल भी दिया जाय तो विधेयक वैसा ही बना रहेगा। प्रश्न तो यह है कि खंड ४ जैसा कि वह है उसे इसी रूप में रखा जाय अथवा नहीं।

वर अथवा वधू द्वारा एक दूसरे से दहेज मांगने पर उनको दंड देने का प्रश्न ही उत्पन्न नहीं होता। साथ ही मैं यह भी स्पष्ट कर देना चाहता हूँ कि यह सोचना भी गलत है कि खंड ४ के परन्तुक के अन्तर्गत किसी श्रेणी के न्यायाधीशों को अधिकारी के रूप में नियुक्त न किया जायेगा। हमको यह समझ लेना चाहिए कि भारतीयता से तथा स्वैच्छा से दिये गये उपहारों के मूल्य की अधिकतम सीमा निर्धारित करने का प्रश्न ही उत्पन्न नहीं होता।

यह संभावना बिल्कुल निराधार है कि खंड ४ के अधीन मुकदमा दायर करने के लिए अनुमति देने के लिए सरपंचों को पदाधिकारियों के रूप में नियुक्त किया जा सकता है। सामान्यतः राज्य के पदाधिकारियों के रूप में नियुक्त किया जा सकता है। सामान्यतया राज्य के पदाधिकारी ही इस काम के लिए नियुक्त किये जायेंगे पर अन्य उत्तरदायी व्यक्ति भी नियुक्त किये जा सकते हैं। मेरा मत तो इस दिशा में यह है कि यह मामला राज्य सरकारों पर छोड़ देना सब से अच्छा होगा।

†अध्यक्ष महोदय : मैं प्रस्ताव को मतदान के लिए प्रस्तुत करता हूँ :

प्रश्न यह है :

“कि दहेज देने अथवा लेने को निषिद्ध करने वाले विधेयक पर लोक सभा तथा राज्य सभा द्वारा पारित रूप में तथा दोनों सभाओं द्वारा सहमति प्राप्त संशोधनों पर और जिन मामलों में दोनों सभायें सहमत नहीं हैं, उन पर विचार विमर्श करने के प्रयोजन से विचार किया जाये।”

प्रस्ताव स्वीकृत हुआ।

खंड २—(दहेज की परिभाषा)

†अध्यक्ष महोदय : अब हम खंडवार चर्चा करेंगे। पहले खंड २ को लेंगे।

प्रस्ताव प्रस्तुत हुआ।

“कि खंड २ विधेयक का अंग बने, जिसका संशोधित पाठ निम्नलिखित है :—

“2. In this Act, “Dowry” means any property or valuable security given or agreed to be given—

- (a) by one party to a marriage to the other party to the marriage; or
- (b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person:

at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or *Mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies.

Explanation I.—For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the marriage of the said parties.

Explanation II.—The expression “valuable security” has the same meaning as in section 30 of the Indian Penal Code.”

(“२. इस अधिनियम में, “दहेज” का अर्थ है, कोई भी वह सम्पत्ति या मूल्यवान प्रतिभूति, जो

- (क) विवाह के एक पक्ष द्वारा विवाह के दूसरे पक्ष को, अथवा
- (ख) विवाह के किसी एक पक्ष के जनकों या किसी अन्य व्यक्ति द्वारा विवाह के किसी एक पक्ष को या किसी अन्य व्यक्ति को ; कथित पक्षों के विवाह के विचार से, विवाह के समय, या उससे पहले या उसके पश्चात् दी गयी या दी देने के लिये तय हुई हो, परन्तु इसमें वह मेहर सम्मिलित नहीं होगा जो मुस्लिम व्यक्तिगत विधि (शेरियत) तागू होने वाले व्यक्तियों के मामले में दिया जाता है।

†मूल अंग्रेजी में

व्याख्या १—संदेह निवारण के लिये, यहां घोषित किया जाता है कि विवाह के समय विवाह के किसी पक्ष को नकदी, भ्रामूषणों, वस्त्रों या अन्य वस्तुओं के रूप में दिये गये किसी उपहार को, इस धारा के अर्थों में, जब तक दहेज नहीं माना जायेगा जब तक कि वह कथित पक्षों के विवाह के विचार से न दिया गया हो।

व्याख्या २—“मूल्यवान, प्रतिभूति” शब्दों का वही अर्थ लगाया जायेगा, जो भारतीय दंड संहिता की धारा ३० में अभिप्रेत है।”

†श्री नारायणन् कुट्टि मेनन (मुकुन्दपुरम्) : मैं प्रस्ताव करता हूं :

“पृष्ठ १ पक्ति ६ के अन्त में “Given” [“दिये गये”] के पश्चात् “either directly or indirectly” [“प्रत्यक्ष अथवा अप्रत्यक्ष रूप से”] शब्द रखे जायें। (३)

†अध्यक्ष महोदय : प्रश्न यह है :

“पृष्ठ १ पक्ति ६ के अन्त में “Given” [“दिये गये”] के पश्चात् “either directly or indirectly” [“प्रत्यक्ष अथवा अप्रत्यक्ष रूप से”] शब्द रखे जायें। (३)

प्रस्ताव स्वीकृत हुआ।

†श्रीमती रेणु चक्रवर्ती : मैं अपना संशोधन संख्या ५ प्रस्तुत करती हूं।

†श्री नवाबसिंह चौहान : मैं अपना संशोधन संख्या १० प्रस्तुत करता हूं।

†श्री प्रतुल चन्द्र मिश्र : मैं अपना संशोधन संख्या ११ प्रस्तुत करता हूं।

†श्री बाबुपेयी : मैं अपना संशोधन संख्या १२ प्रस्तुत करता हूं।

†श्री प्र० ना० सिंह (चन्दौली) : अध्यक्ष महोदय, जहां तक स्पष्टीकरण को हटाने का प्रश्न है, पहले उस पर बोट लिये जाने चाहिए। यदि उसे न हटाने के पक्ष में निर्णय हो तब उस पर सीलिंग का सवाल उठता है कि वह २००० रुपया हो अथवा ५०० रुपया हो। यह नहीं होना चाहिए कि पहले सीलिंग का सवाल आ जाय।

†डा० राज बहादुर गौड़ (भाद्र प्रदेश) : सब से पूर्व सभा की राय लेनी चाहिए कि स्पष्टीकरण रखा जाना उचित है अथवा नहीं। अतः इस पर पहले मतदान होना चाहिए।

†अध्यक्ष महोदय : मैं समझता हूं कि यह सही प्रक्रिया नहीं है। पहले मैं संशोधनों को मतदान के लिए रखूंगा। संशोधन १० और १२ दोनों एक से हैं अतः संशोधन १२ पर मत लेना अनावश्यक है—संशोधन संख्या १० पर किया गया निर्णय उस पर भी लागू होगा।

अध्यक्ष महोदय द्वारा संशोधन संख्या १० और ११ मतदान के लिये रखे गये तथा स्वीकृत हुये।

†अध्यक्ष महोदय : क्या ५१ रुपये के बारे में जो संशोधन है, उसे मतदान के लिये रखा जाये ?

†मूल अंशेजी में

श्रीमती रेणु सक्वर्ती : अब उसकी आवश्यकता नहीं।

अध्यक्ष महोदय : अब इस खण्ड का कोई और संशोधन नहीं है।

श्री कालिका सिंह (भाजमगढ़) : संशोधन संख्या २८ है।

श्री अ० कु० सेन : वह संशोधन नियम-बद्ध है। उसके बारे में कोई मतभेद नहीं था। वार्षिक प्रयोजनों के लिये आवश्यक चीजों को "दहेज" नहीं माना गया है।

अध्यक्ष महोदय : अब मैं संशोधन संख्या ५ मतदान के लिये रखता हूँ। यह संशोधन खंड २ की व्याख्या १ को हटाने के लिये है।

अध्यक्ष महोदय द्वारा संशोधन संख्या ५ मतदान के लिये रखा गया। कत विभाजन हुआ ; पक्ष में १६२; विपक्ष में २३०। संशोधन अस्वीकृत हुआ।

अध्यक्ष महोदय : अब मैं खंड २ को संशोधित रूप में मतदान के लिये रखता हूँ।

प्रश्न यह है :-

"कि खण्ड २, संशोधित रूप में, विधेयक का अंग बने, जिस का संशोधित पाठ निम्नलिखित है:—

"2. In this Act, "dowry" means any property or valuable security given or agreed to be given either directly or indirectly—

(a) by our party to a marriage to the other party to the marriage; or

(b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person;

at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or *mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies.

Explanation I.—For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the marriage of the said parties.

Explanation II.—The expression "valuable security" has the same meaning as in section 30 of the Indian Penal Code.

(२. इस अधिनियम में, "दहेज" का अर्थ है, कोई भी वह सम्पत्ति या मूल्यवान प्रतिभूति, जो

(क) विवाह के एक पक्ष द्वारा विवाह के दूसरे पक्ष को; अथवा

(ख) विवाह के किसी एक पक्ष के जनकों या किसी अन्य व्यक्ति द्वारा विवाह के किसी एक पक्ष को या किसी अन्य व्यक्ति को;

कथित पक्षों के विवाह के विचार से, विवाह के समय, या उस से पहले या उस के पश्चात् प्रत्यक्ष या अप्रत्यक्ष रूप से दी गई या देने के लिये तय हुई हो; परन्तु इस में वह

श्रीमूल अंगजी में

[अध्यात्म महोदय]

मेहर सम्मिलित नहीं होगा जो मुस्लिम व्यक्तिगत विधि (शेरियत) लागू होने वाले व्यक्तियों के मामले में दिया जाता है ।

धारा १.—संदेह निवारण के लिये यहां घोषित किया जाता है कि विवाह के समय विवाह के किसी पक्ष को नकदी, आभूषणों, कस्त्रों या अन्य वस्तुओं के रूप में दिये गये किसी उपहार को, इस धाराकेअर्थों में तब तक दहेज नहीं माना जायेगा जब तक कि वह कथित पक्षों के विवाह के विचार से गया हो ।

धारा २.—“मृत्युवान् प्रतिभूति” शब्दों का वही अर्थ लगाया जायेगा, जो भारतीय दण्ड संहिता की धारा ३० में अभिप्रेत है ।)

प्रस्ताव स्वीकृत हुआ ।

खंड २, संशोधित रूप में, विधेयक में जोड़ दिया गया ।

खंड ३, विधेयक में जोड़ दिया गया, जिसका पाठ निम्नलिखित है :—

“3. If any person, after the commencement of this Act, gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to five thousand rupees, or with both.”

(“३. यदि कोई व्यक्ति, इस अधिनियम के प्रारम्भ के पश्चात् दहेज देता या लेता या ऐसे लेन देन को अभिप्रेरित करता है, तो उसे छः महीने तक के कारावास अथवा पांच हजार रुपये तक के जुर्माने, अथवा दोनों का दण्ड दिया जा सकेगा ।”)

खंड ४—(दहेज मांगने के लिये दण्ड)

अध्यात्म महोदय : अब हम खंड ४ लेते हैं । प्रस्ताव प्रस्तुत हुआ ।

कि खण्ड ४ विधेयक का अंग बने, जिस का पाठ निम्नलिखित है :—

“4. If any person, after the commencement of this Act, demands, directly or indirectly from the parents or guardian of a bride or bridegroom, as the case may be, any dowry, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to five thousand rupees, or with both.”

(“४. यदि कोई व्यक्ति, इस अधिनियम के प्रारम्भ के पश्चात् बधु तथा बर के जनकों अथवा अभिभावकों से यथा स्थिति, प्रत्यक्ष या अप्रत्यक्ष रूप में किसी दहेज की मांग करता है, तो उसे छः महीने तक के कारावास अथवा पांच हजार रुपये तक के जुर्माने अथवा दोनों का दण्ड दिया जा सकेगा ।”)

श्री श्री गुरुदेव : इस खण्ड ४ को दो भागों में मतदान के लिये रखा जाना चाहिये । इसलिये कि दोनों सभाओं में इसी खंड पर सब से पहले मतभेद खड़े हुए थे । माननीय विधि उपमंत्री द्वारा रखे गये संशोधन का प्रथम भाग लोक सभा ने स्वीकार कर लिया था, लेकिन राज्य सभा उस से सहमत नहीं हुई । इसलिये खण्ड ४ का वर्तमान स्वरूप ऐसा नहीं है जिस से दोनों सभायें सहमत हों । इसलिये विधि उपमंत्री के संशोधन के लोक-सभा द्वारा स्वीकृत प्रथम पैरा को मतदान के लिये अलग से रखना चाहिये ।

सारी बहस इसी बात पर है कि खण्ड ४ को लोक सभा द्वारा पारित रूप में स्वीकृत किया जाये। या नहीं। खण्ड २ की ऐसी स्थिति नहीं थी।

†**अध्यक्ष महोदय** : मैं इस से सहमत हूँ। मैं इसे दो भागों में मतदान के लिये रखूंगा।

†**विधि उपमंत्री (श्री हज़ारनबीस)** : मैं प्रस्ताव करता हूँ :—

पृष्ठ २ में—

खण्ड ४ के स्थान पर यह रखा जाये—

“4. If any person, after the commencement of this Act, demands, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to five thousand rupees, or with both:

Provided that no court shall take cognizance of any offence under this section except with the previous sanction of the State Government or of such officer as the State Government may, by general or special order, specify in this behalf.” (23)

(“४. यदि कोई व्यक्ति, इस अधिनियम के प्रारम्भ होने के पश्चात्, वधु अथवा वर के जनकों अथवा अभिभावकों से, यथा स्थिति, प्रत्यक्ष अथवा अप्रत्यक्ष रूप में, किसी दहेज की मांग करता है, तो उसे छः महीने तक के कारावास अथवा पांच हजार रुपये तक के जुर्माने अथवा दोनों का दण्ड दिया जा सकेगा :

परन्तु कोई भी न्यायालय राज्य सरकार की अथवा राज्य सरकार के सामान्य अथवा विशेष आदेश द्वारा इस प्रयोजन के लिये उल्लिखित अधिकारी की पूर्व अनुमति के बिना इस धारा के अन्तर्गत किसी भी अपराध को हस्तक्षेप नहीं मानेगा।”) (२३)

श्री **बाबूबेबी (बलरामपुर)** : मैं अपना संशोधन संख्या १५ प्रस्तुत करता हूँ।

श्री **राम सेवक भादव (बाराबंकी)** : मैं अपना संशोधन संख्या ३१ प्रस्तुत करता हूँ।

श्री **गौरे** : मैं अपना संशोधन संख्या ३३ प्रस्तुत करता हूँ।

श्री **न० रा० मुनिस्वामी** : मैं अपना संशोधन संख्या ३४ प्रस्तुत करता हूँ।

श्री **कालिका सिंह** : मेरा भी एक संशोधन है—संशोधन संख्या २६।

†**अध्यक्ष महोदय** : माननीय विधि उपमंत्री के संशोधन से संबंधित संशोधनों को मैं मतदान के लिये पहले रखूंगा, उस के बाद मुख्य संशोधनों को।

श्री **कालिका सिंह** का संशोधन संख्या २६, विधि उपमंत्री के संशोधन में एक परन्तुक जोड़ने के लिये है। क्या मैं उसे मतदान के लिये रखूँ ?

श्री **प्र० ना० सिंह (चन्दौली)** : अध्यक्ष महोदय, माननीय सदस्य श्री कालिका सिंह ने जो अमंडमेंट रखा है, वह श्री हज़ारनबीस के अमंडमेंट पर अमंडमेंट नहीं है, बल्कि वह आरिजिनल बिल के क्लॉज ४ की जगह पर सन्स्टीट्यूशन है। इसलिये इस को अमंडमेंट के रूप में नहीं रखा जा सकता है।

श्री अशोक महोदय : माननीय सदस्य कहते हैं कि श्री कालिका सिंह का संशोधन श्री हृदयरतवीस के संशोधन का संशोधन नहीं है अपितु उस संशोधन के स्थान पर रखा जाने वाला दूसरा संशोधन है। लेकिन उस के पहले दोनों पैरा बिधि उप मंत्री के संशोधन से ज्यों के त्यों लिये गये हैं, इसलिये मैं उसे स्थानापन्न संशोधन नहीं मानता।

मैं श्री कालिका सिंह द्वारा प्रस्तावित केवल परन्तुक को मतदान के लिये रखूंगा।

श्री प्र० ना० सिंह : एक श्रीचित्त्य प्रश्न है। मैं आप का विनिर्णय चाहता हूँ। श्री कालिका सिंह ने अपना संशोधन लिखित रूप में दिया है। क्या पूर्व सूचना देने के बाद वह अपने लिखित संशोधन में परिवर्तन भी कर सकते हैं।

श्री अशोक महोदय : यदि संशोधन प्रस्तावित नहीं किया गया हो, तो मैं माननीय सदस्य को लिखित संशोधन के एक किसी भाग तक ही उसे सीमित करने की अनुमति दे सकता हूँ। इसलिये मैं उस के केवल परन्तुक को मतदान के लिये रखूंगा।

श्री कालिका सिंह : मैं अपना संशोधन संख्या २६ प्रस्तुत नहीं करना चाहता।

श्री बाबूबेदी : अब वह संशोधन सभा के समक्ष प्रस्तुत है।

श्री अशोक महोदय : चूंकि मैं ने उसे औपचारिक रूप में प्रस्तुत नहीं माना है, इसलिये वह सभा के समक्ष प्रस्तुत नहीं करना जा सकता।

अब मैं श्री गोरे का संशोधन संख्या ३३ लेता हूँ। वह चाहते हैं कि अनुमति देने की शक्ति जिला मैजिस्ट्रेटों को ही रहे।

श्री अशोक महोदय द्वारा संशोधन संख्या ३३ मतदान के लिये रखा गया तथा अस्वीकृत हुआ।

श्री अशोक महोदय : अब मैं संशोधन संख्या ३४ मतदान के लिये रखूंगा।

श्री प्र० कु० सेन : उस पर आग्रह नहीं किया जा रहा है।

श्री न० रा० मुनिश्चामी : मैं उस पर आग्रह नहीं करना चाहता।

संशोधन संख्या ३४, सभा की अनुमति से, वापस लिया गया।

श्री अशोक महोदय : अब मैं संशोधन संख्या १५ लेता हूँ।

श्री अशोक महोदय द्वारा संशोधन संख्या १५ मतदान के लिये रखा गया तथा अस्वीकृत हुआ।

श्री अशोक महोदय : अब मैं संशोधन संख्या ३१ लेता हूँ। यह संशोधन बिधि उप मंत्री के संशोधन संख्या २३ में से परन्तुक हटाने के लिये है।

श्री अशोक महोदय द्वारा संशोधन संख्या ३१ मतदान के लिये रखा गया।

श्री अशोक महोदय : मैं ने मत विभाजन की संख्या गिन ली है—पक्ष में ५० मत हैं इस प्रकार वह एक बड़े बहुमत से अस्वीकृत हुआ।

श्री मूल प्रश्नों में

†अध्यक्ष महोदय : अब मैं श्री हजरतवीस का संशोधन संख्या २३ मतदान के लिये रखता हूँ ।

प्रश्न यह है :

पृष्ठ २० में—

खण्ड ४ के स्थान पर, यह रखा जाये—

“4. If any person, after the commencement of this Act, demands, directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry, he shall be punishable with imprisonment which may extend to six months, or with the fine which may extend to five thousand rupees, or with both:

Provided that no court shall take cognizance of any offence under this section except with the previous sanction of the State Government or of such officer as the State Government may, by general or special order, specify in this behalf.” (23)

(“४. यदि कोई व्यक्ति, इस अधिनियम के प्रारम्भ होने के पश्चात्, वधू अथवा वर के जनकों अथवा अभिभावकों से यथा स्थिति प्रत्यक्ष अथवा अप्रत्यक्ष रूप में किसी दहेज की मांग करता है, तो उसे छः महीने तक के कारावास अथवा पांच हजार रुपये तक के जुर्माने, अथवा दोनों का दण्ड दिया जा सकेगा :

परन्तु कोई भी न्यायालय राज्य सरकार की अथवा राज्य सरकार के सामान्य अथवा विशेष आदेश द्वारा इस प्रयोजन के लिये उल्लिखित अधिकारी की पूर्व अनुमति के बिना इस धारा के अन्तर्गत किसी भी अपराध को हस्तक्षेप नहीं मानेगी।”) (२३)

प्रस्ताव स्वीकृत हुआ ।

स्वामनाथख खंड ४ विधेयक में जोड़ दिया गया ।

खंड १—(संक्षिप्त नाम, विस्तार तथा प्रारम्भ)

†श्री हजरतवीस : मैं प्रस्ताव करता हूँ :

पृष्ठ १, पक्ति ३ में,

“१९६०” (“१९६०”) के स्थान पर,

“१९६१” (“१९६१”) अंक रखे जायें । (२)

†अध्यक्ष महोदय : प्रस्ताव यह है :

पृष्ठ १, पक्ति ३ में, •

“१९६०” (“१९६०”) के स्थान पर,

“१९६१” (“१९६१”) अंक रखे जायें । (२)

†मूल अंग्रेजी में

प्रस्ताव स्वीकृत हुआ ।

†अध्यक्ष महोदय : प्रश्न यह है :

“कि खंड १, संशोधित रूप में विधेयक का अंग बने, जिस का पाठ निम्नलिखित है :—

Short title, extent and commencement.

‘1.(1) This Act may be called the Dowry Prohibition Act, 1961.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.’

(संक्षिप्त नाम, विस्तार ‘१. (१) इस अधिनियम का नाम ‘दहेज निषेध अधिनियम, १९६१’ रखा जाये ।

तथा प्रारम्भ

(२) यह अधिनियम जम्मू तथा कश्मीर राज्य के अतिरिक्त सारे भारत में लागू हो ।

(३) यह अधिनियम केन्द्रीय सरकार द्वारा सरकारी गजट में अधिसूचित तिथि से प्रभावी होगा । ’ ”)

प्रस्ताव स्वीकृत हुआ ।

खंड १, संशोधित रूप में, विधेयक में जोड़ दिया गया ।

अधिनियमन सूत्र

†श्री हजरतजीत : मैं प्रस्ताव करता हूँ :

पृष्ठ १, पंक्ति १ में,

‘Eleventh Year’ (“म्यारहवां वर्ष”) के स्थान पर,

‘Twelfth Year’ (“बारहवां वर्ष”) शब्द रखे जायें । (१)

†अध्यक्ष महोदय : प्रश्न यह है :

पृष्ठ १, पंक्ति १ में,

‘Eleventh Year’ (“म्यारहवां वर्ष”) के स्थान पर,

‘Twelfth Year’ (“बारहवां वर्ष”) शब्द रखे जायें । (१)

प्रस्ताव स्वीकृत हुआ ।

†अध्यक्ष महोदय : प्रश्न यह है :

“कि अधिनियमन सूत्र, संशोधित रूप में, विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :

‘Be it enacted by Parliament in the Twelfth year of the Republic of India as follows:—’

(‘भारतीय गणतंत्र के बारहवें वर्ष में संसद् यह अधिनियमित करती है :—’)

प्रस्ताव स्वीकृत हुआ ।

अधिनियमन सूत्र, संशोधित रूप में, विधेयक में जोड़ दिया गया।

खंड ३, ५, ६, ७, ८, ९ और १०

†अध्यक्ष महोदय : अन्य खण्डों के बारे में कोई मतभेद नहीं है। इसलिये मैं सभी को एक साथ मतदान के लिये रखता हूँ।

प्रश्न यह है :

“कि खण्ड ३, विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :—

Penalty for '3. If any person, after the commencement of this Act, gives or takes giving or or abets the giving or taking of dowry, he shall be punishable taking of with imprisonment which may extend to six months, or with dowry. fine which may extend to five thousand rupees, or with both.'

(दहेज देने या लेने के लिये '३. यदि कोई व्यक्ति इस अधिनियम के प्रारम्भ के पश्चात् दहेज देता अथवा लेता है अथवा उसके देन-लेन को अभिप्रेरित करता है, तो उसे छः महीने के कारावास अथवा पांच हजार रुपये तक के जुर्माने या दोनों का दण्ड दिया जा सकेगा।')

“कि खण्ड ५ विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :—

Agreement '5. Any agreement for the giving or taking of dowry shall be for giving or void.' taking of dowry to be void.

(दहेज के लेने अथवा देने '५. दहेज लेने अथवा देने का हर करार विधि-शून्य होगा।') का करार विधि-शून्य होगा

कि खण्ड ६ विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :—

Dowry to '6.(1) Where any dowry is received by any person other than the be for the woman in connection with whose marriage it is given, that benefit of person shall transfer it to the woman— of the wife or (a) if the dowry was received before marriage, within one her heirs. year after the date of marriage ; or (b) if the dowry was received at the time of or after the marriage, within one year after the date of its receipt ; or (c) if the dowry was received when the woman was a minor, within one year after she has attained the age of eighteen years ;

and pending such transfer, shall hold it in trust for the benefit of the woman.

(2) If any person fails to transfer any property as required by sub-section (1) and within the time limited therefor, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to five thousand rupees,

or with both; but such punishment shall not absolve the person from his obligation to transfer the property as required by sub-section (1).

- (3) Where the woman entitled to any property under sub-section (1) dies before receiving it, the heirs of the woman shall be entitled to claim it from the person holding it for the time being.
- (4) Nothing contained in this section shall affect the provisions of section 3 or section 4.

(दहेज पत्नी अथवा उसके उत्तराधिकारियों के लाभ के लिए होती

६. (१) यदि दहेज उस स्त्री से, जिसके विवाह के संबंध में वह दी गई है, भिन्न किसी व्यक्ति द्वारा प्राप्त की जाती है तो वह व्यक्ति उसे—

- (क) यदि दहेज विवाह के पूर्व प्राप्त हुई हो, तो विवाह की तारीख के पश्चात् एक वर्ष के अन्दर; अथवा
- (ख) यदि दहेज विवाह के समय अथवा उसके पश्चात् प्राप्त हुई हो, तो उसकी प्राप्ति की तारीख के पश्चात् एक वर्ष के अन्दर; अथवा
- (ग) यदि दहेज स्त्री की अवयस्कता में प्राप्त हुई हो, तो उसके अठारह वर्ष की अवस्था प्राप्त कर लेने के पश्चात् एक वर्ष के अन्दर उस स्त्री को हस्तान्तरित करेगा, और ऐसा हस्तांतरण होने तक उसे स्त्री के लाभ के लिए न्यास के हक में धारण करेगा।
- (२) यदि कोई व्यक्ति उप-धारा (१) के अनुसार निर्धारित समय के अन्दर किसी सम्पत्ति का हस्तांतरण नहीं कर पाता है तो उसे छह महीने तक के कारावास अथवा पांच हजार रुपये तक के जुर्माने अथवा दोनों का दण्ड दिया जा सकेगा, परन्तु ऐसे दण्ड से वह व्यक्ति अपने उस सम्पत्ति के उपधारा (१) के अनुसार हस्तांतरण के दायित्व से मुक्त नहीं होगा।
- (३) यदि उपधारा (१) के अन्तर्गत सम्पत्ति की हकदार स्त्री उसे प्राप्त करने के पूर्व मर जाती है तो उस स्त्री के उत्तराधिकारी उसे धारण करने वाले व्यक्ति से प्राप्त करने के हकदार होंगे।
- (४) इस धारा की कोई भी बात धारा ३ अथवा धारा ४ के उपबन्धों को प्रभावित नहीं करेगी।

कि. संख्य ७. विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :—

Cognizance of offences 7. Notwithstanding anything contained in the Code of Criminal Procedure, 1898,—

- (a) no court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence under this Act ;
- (b) no court shall take cognizance of any such offence except on a complaint made within one year from the date of the offence;

(c) it shall be lawful for a presidency magistrate or a magistrate of the first class to pass any sentence authorised by this Act on any person convicted of an offence under this Act.'

(अपराधों का विचारा-
धिकार .

“७. दंड प्रक्रिया संहिता, १८६८ में किसी बात के अन्तर्विष्ट होते हुए भी,—

(क) प्रेसीडेन्सी मजिस्ट्रेट अथवा प्रथम श्रेणी के मजिस्ट्रेट से नीचे के स्तर का कोई न्यायालय इस अधिनियम के अन्तर्गत किसी अपराध का फैसला नहीं करेगा;

(ख) कोई भी न्यायालय ऐसे किसी अपराध में अपराध की तारीख से एक वर्ष के अन्दर की गई शिकायत के बिना हस्तक्षेप नहीं करेगा ।

(ग) प्रेसीडेन्सी मजिस्ट्रेट अथवा प्रथम श्रेणी का मजिस्ट्रेट इस अधिनियम के अन्तर्गत किसी अपराध के लिए दोष सिद्ध ठहराने हुए किसी व्यक्ति को इस अधिनियम द्वारा प्राधिकृत कोई भी दण्ड दे सकेगा ।’)

कि खण्ड ८ विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :—

Offences to be non-cognizable, bailable and non-compoundable. ‘8. Every offence under this Act shall be non-cognizable, bailable and non-compoundable.’

(अपराध अहस्तक्षेप्य, अमानत-योग्य और अप्रत्यक्ष होने) ‘८. इस अधिनियम के अन्तर्गत प्रत्येक अपराध अहस्तक्षेप्य, अमानत-योग्य और अप्रत्यक्ष होगा ।’)

कि खण्ड ९ विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :—

Power to make rules. ‘9.(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.’

- (नियम बनाने की शक्ति '६. (१) केन्द्रीय सरकार इस अधिनियम के प्रयोजनों की पूर्ति के लिये, सरकारी गजट में अधिसूचना निकाल कर, नियम बना सकेगी।
- (२) इस धारा के अधीन बनाया गया नियम, नियमन के बाद यथाशीघ्र संसद् की प्रत्येक सभा के समक्ष सत्र-काल में कुल तीस दिन की अवधि के लिये रखा जायेगा। इस अवधि में एक सत्र या लगातार दो सत्रों का काल आ सकता है। और जिस सत्र-काल में नियम रखा जाये, यदि उस सत्र की समाप्ति पर अथवा उसके बाद के सत्र के दौरान दोनों सभायें उस नियम में कोई रूपभेद करने के लिये या उसे बिलकुल हटाने के लिये सहमत हो जायें, तो वह नियम, यथास्थिति, रूपभेद किये हुए रूप में ही प्रभावी होगा अथवा, बिलकुल प्रभावी नहीं होगा, लेकिन ऐसे रूपभेद करने या रद्द किये जाने का उस नियम के अधीन पहले किये गये किसी भी कार्य की वैधानिक मान्यता पर कोई प्रभाव नहीं पड़ेगा।")

कि शब्द १० विधेयक का अंग बने, जिसका पाठ निम्नलिखित है :—

Repeals

Andhra Pradesh Act 1 of 1953. '10. The Andhra Pradesh Dowry Prohibition Act, 1958, and the Bihar Dowry Restraint Act, 1950, are hereby repealed'."

Bihar Act 25 of 1950.

निरसत १९९० का आन्ध्र प्रदेश अधिनियम १। १९५० का बिहार अधिनियम २५। '१०. आन्ध्र प्रदेश दहेज निषेध अधिनियम, १९५८, और बिहार दहेज प्रतिबंध अधिनियम, १९५० निरसित किये जाते हैं।")

प्रस्ताव स्वीकृत हुआ।

खंड ३, ५, ६, ७, ८, ९ और १० विधेयक में जोड़ दिये गये

सम्यक् महोदय : प्रश्न यह है :

"कि विधेयक का नाम विधेयक का अंग बने,

जिसका पाठ निम्नलिखित है :—

'A Bill to prohibit the giving or taking of dowry'

भूल अंग्रेजी में

(‘दहेज देने या लेने का निषेध करने वाला विधेयक’)

प्रस्तव स्वीकृत हुआ ।

विधेयक का नाम विधेयक में जोड़ दिया गया ।

†श्री श्री० कु० सेन : मैं प्रस्ताव करता हूँ :

“कि विधेयक को, संशोधित रूप में, पारित किया जाये ।”

†अध्यक्ष महोदय : प्रश्न यह है :

“कि विधेयक को, संशोधित रूप में, पारित किया जाये ।”

प्रस्ताव स्वीकृत हुआ ।

†अध्यक्ष महोदय : विधेयक संशोधित रूप में पारित हुआ । संयुक्त बैठक समाप्त हुई ।

इसके पश्चात् संयुक्त बैठक समाप्त हुई ।



१९६१ प्रतिस्वयंभिकार लोक-सभा सचिवालय को प्राप्त

लोक-सभा के प्रक्रिया-सभा कार्य-संचालन सम्बन्धी नियम (पाँचवाँ संस्करण)
के नियम ३७६ और ३८२ के अन्तर्गत प्रकाशित और भारत
सरकार मद्रासालय, नई दिल्ली की संसदीय शाखा में मूद्रित

BILLS: contd.

Government of Union Territories
Bill: contd.

Motion to refer to J.C. (XIV),
4319-72, (XV), 4438-42.

Report of J.C. presented (XVII).
9681.

Message from R.S. concurring in
the recommendation of L.S. to
join the J.C. on the Bill (XV),
5442-43.

Consid. as reported by J.C.
(XVIII), 13785-875.

Consid. cl. (XVIII), 13875-900.

Passed (XVIII), 13908.

Hindu Marriage (Amendment) Bill
(Amendment of Sec. 13) by Shri
D. C. Sharma:

Int. (XIII), 807.

Hindi Sahitya Sammelan (Amend-
ment) Bill:

President's Assent (XIII), 31.

Hindus Succession (Amdt.) Bill:

Opinions on (XIII), 742, (XVI),
8202.

Indian Emigration (Amendment)
Bill:

Message from R.S. forwarding
the Bill as passed by it (XIV).
3901.

Laid on the Table as passed by
R.S. (XIV), 3901.

Indian Tariff (Amendment) Bill:

President's Assent (XIII), 31.

Industrial Disputes (Amendment)
Bill (Amendment of Section 3)
by Shri C. B. Bhattacharyya:

Int. (XVIII), 13892.

Institute of Technology (Amend-
ment) Bill:

Int. (XVII), 1622-23.

Insurance (Amendment) Bill
(Amendment of sections 31A and
49C) by Shri Indrajit Gupta:

Consid. (withdrawn) (XVII),
10784-800, (XVIII), 13694-
702.

BILLS: contd.

Iron Ore Mines Labour Welfare
Cess (Amendment) Bill:

Message from R.S. forwarding
the Bill as passed by it (XVIII),
11888.

Laid on the Table as passed by
R.S. (XVIII), 11889.

Legislative Councils of States Bill:
Opinions on, (XVI), 7948.

Length of Cinematograph Films
(Ceiling) Bill by Shri Rame-
shwar Tantia:

Consid. (withdrawn) (XIII), 843-
68.

Major Port Trusts Bill:

Time for presentation of Report
of S.C. extended (XIII), 34.

Marine Insurance Bill:

Report of J.C. laid on the Table
(XIII), 1425.

Message from R.S. forwarding the
Bill as passed by it (XIV), 3668-
69.

Consid. as passed by R.S. (XV),
5592-5604, (XVI), 8060-70.

Consid. cl. (XVI), 8070.

Passed. (XVI), 8070-72.

President's Assent (XVII), 11081.

Mines (Amendment) Bill (Amend-
ment of sections 12, 64, 66, 70,
72C and 73) by Shri S. C.
Samanta:

Consid. (withdrawn) (XVII),
10761-84.

Official Languages Bill:

Int. (XVII), 9440-71.

Consid. (XVII), 11362-492,
11624-757, (XVIII), 11889-
12014.

Consid. cl. (XVIII), 12014-17,
12147-92, 12336-470.

Passed (XVIII), 12470-523.

Representation of the people
(Amendment) Bill:

President's Assent (XIII), 31.

Salaries and Allowances of Minis-
ters (Amendment) Bill (Amend-
ment of sections 3, 4 etc.) by
Shri Hari Vishnu Kamath:

Int. (XVIII), 13692.

BILLS: contd.

Super: Profits Tax Bill, 1963:

Intd. (XIII), 1565-66.

Consid. (XVII), 10979—11000,
11098—11141.

Consid. cl. 11142—184.

Passed as amended 11185.

Message from R.S. returning the
Bill without recommendation
(XVIII), 13785.

Working Journalists (Conditions
of Service) and Miscellaneous
Provisions (Amendment) Bill
(Insertion of new section 7A) by
Shri C. K. Bhattacharyya:

Consid. (Negated) (XIII),
3109-10. (XV) 5544—81.

Young Persons (Harmful) Publi-
cations) Amendment Bill
(Amendment of Sec. 2) by Shri
C. K. Bhattacharyya.

Int. (XIII), 807-08.

BIOGRAPHY OF SARDAR PATEL
(XVII), 9657.

BIO GAS PLANT (XVII), 9887.

BISCUITS:

Export of, (XVII), 10614—616.

BLACK-MARKETING:

Black marketing in electrical goods
in Delhi (XVII), 9412.

Black-marketing in imported cars
(XVIII), 13549—54.

BLACKETT, PROFESSOR:

Professor Blackett's visit to India
(XIII), 304.

BLOOD DONATIONS:

Blood donations for Jawans (XV),
5183-84.

Blood donation in Orissa (XV),
6610.

Blood donations in Punjab (XVIII),
11859.

Blood Plasma Freeze Drier Units
(XIII), 538.

BOARD(S):

All India Handloom, (XVII),
10649—651.

Drinking Water Supply, (XVIII),
13362.

Indian for wild Life (XIV), 2109.

Joint, for water resources of Nepal
and India (XVII), 10359—63.

Marketing, (XIII), 1644.

BOAT(S):

Boat building yard at Karwar
(XVI), 8161—70.

BOILER(S):

Heavy Boiler Plant, Tiruchirapalli
(XVI), 6895.

High pressure boiler plants, (XIV),
3867—69.

BOKARO:

Bokaro Steel Plant (XIII), 697-98,
(XVIII), 12078—81, 13585—90.

Transfer of D.V.C. Office to, (XVII),
10345—47.

BOMBS LOST IN SURATGARH
AREA (XV), 5841.

BOMBAY:

Bombay customs (XIV), 3662-63.

Cotton power-loom owners in,
(XIV), 3648.

Indian cancer research centre,
(XVI), 8424-25.

Recovery of diamonds in (XVII),
10406.

Research Centre in, (XV), 4932.

Seizure of wrist watches by
customs (XIV), 2717.

BOMDILA:

Hospital at, (XIII), 951,
(XVIII), 12591.

Jeep accident near, (XIII), 951.

BONUS FOR TEXTILE WORKERS
(XVII), 9673-74.

BOOK(S):

Alleged sale of banned, (XIII),
1186-87.

Books as awarded Academic
Awards (XVI), 7424.

BOOK(S): contd.

- Books for Jawans (XVIII), 12596.
 Books on Dr. Rajendra Prasad (XVII), 11058.
 Books purchased by Ministry of Education (XIII), 331.
 Exhibition of Russian Text, (XIV), 3419.
 Publication of American and U.K. text, in India (XV), 6372-73.
 Review of Punjabi, on A.I.R. (XVI), 80440.

BOOK-TRUST:

- Children's Book Trust (XVII), 11555-557.

BORDER AGREEMENTS:

- Sino-Pak, (XVII), 11058-59.
 Sino-Pak, in Security Council (XVI), 8439.

BORDER AREAS:

- Development activities in, (XV), 6391-92.
 New Radio Stations in, (XIII), 943.
 Socio-Economic Development of people of, (XVI), 7408.

BORDER DISPUTE(S):

- Film on Sino-Indian, (XVII), 9635-39.
 Indo-Pak Border Conference (XVIII), 13965-969.

BORDER DISTRICTS (XVIII), 13079-80.

- Roads in, of U.P. (XVI), 8175-76.
 Transport and Communications in, of Bihar (XVI), 8173-74.
 Transport and communication in, of U.P. (XIV), 2111.

BORDER RAID(S):

- Intrusion by Chinese on Indian territory (XIII), 922.
 Raids by Pak Dacoits (XVI), 7163-64.

BORDER ROADS:

- Border Roads Development Board (XIV), 4133, (XVI), 8438.
 Border Roads Organisation (XIV), 4069-72.

BORDER ROADS: contd.

- National Highways and, (XVI), 8441.

BORDER TRADE:

- Duty on Indo-Nepal Border trade (XVI), 7667-68.

BORROWING PROGRAMMES (XV), 5130-32.**BOSE COMMISSION INQUIRY:**

- Re: Alleged leakage of Report of Attorney General on, (XVIII), 13908-44.

BOUNDARY DISPUTE(S): .

- U.P.-Bihar, 4903-04.

BRAHMAPUTRA:

- Brahmaputra bridge (XVII), 9903.
 Floods in, (XIV), 3606-660.

BRASS:

- Use of copper, tin, zinc and, (XIII), 1672.

BRICK PLANT:

- Mechanised, (XIII), 477-79.

BRIDGE(S):

- Bridge across Ganges at Ghazipur (XIII), 1716.
 Bridges in Eastern Uttar Pradesh (XIII), 1716.
 Bridges on national highways in Punjab (XVII), 11330.
 Bridge on Reva Chhatarpur Road (XIV), 2133.
 Bridges over Jamuna (XIV), 2124.
 Bridge over Narmada (XIII), 1691.
 Bridge over river Lolea (XIII), 1714.
 Inter-State, over Sutlej (XIII), 116.
 Neendakara, (XV), 6133.
 Repairs to, in Himachal Pradesh (XIII), 1698.
 Roads and, in Andhra (XVI), 8174.
 Roads and, in Mysore (XIV), 2153-54.
 Road and, in Orissa, (XIV), 3171.

BRIDGE(S): contd.

- Roads and, in Orissa (XVI), 8676.
 Road and, in Punjab (XVI), 8691.
 Road, in Delhi (XV), 6128—30.
 Road, on Gandak river (XVIII),
 12832.

BRONCHITIS (XIV), 2726.**BUDGET, GENERAL, 1963-64:**

Presented (XIII), 1529—84.

General Discussion (XIII), 3436—
 3572, 3573—92; (XIV), 3273—
 3366, 3669—3830, 3902, 3916—94,
 4152—4247.

BUDGET, RAILWAY, 1963-64:

Presented (XIII), 134—72.

General Discussion (XIII), 1743—
 1848; (XIV), 1937—2056, 2181—
 2267, 2450—2532.

BURMA:

Burmese employees of L.I.C. in,
 (XV), 6617.

Exodus of Indians from, (XVI),
 8421-22.

Indian currency for Indians from,
 (XVI), 9169-70.

Indians in, (XVII), 11024—26.

Nationalised Indian banks in,
 (XVIII), 13366.

Debates

Nationalisation of Banks in Burma
 and its effect on Indian Banking
 (C.A.) (XIII), 959.

Nationalization of Commercial
 Banks in, (C.A.) (XIII), 1201—
 05.

**BYE-ELECTIONS (XIII), 1648,
(XIV), 3897.**

Bye elections in Uttar Pradesh
 (XV), 5422-23.

C**C.A.R.E.:**

"CARE" Organisations (XV), 6377.

C.B.I.P.:

Senior Engineering Officers of,
 (XVII), 13392.

C.H.S.S. (XV), 6603.

Ayurvedic and Homoeopathic Dis-
 pensaries under the, (XVI), 9150-
 51.

C.H.S. Scheme for Central Gov-
 ernment Employees at Shahdara
 (Delhi) (XV), 5119—21.

Extension of, (XVII), 10377—80.

C.P.W.D.:

Collapse of, godown in New Delhi
 (XVIII), 14168—70.

C.S.I.R.:

High Level Inquiry Committee on,
 (XVIII), 13070-71.

CABLE(S):

Cable manufacturing plant at Rup-
 narayanpur (XVI), 6900-01.

Hindustan Cable Factory Rup-
 narainpur (XIII), 722.

CAFFEINE:

Manufacture of, from tea waste
 (XVII), 9362.

CALCUTTA:

Calcutta Gas Company (XVII),
 11026—28.

Circular Railway for, (XV), 4637.

Equipment for, suburban trains
 (XVII), 6837.

Forged passports in, (XVII), 9662.

Manuscripts with Asiatic Society,
 (XV), 6359—63.

National Instruments Factory
 (XVIII), 13604-05.

Reclamation of salt lakes near,
 (XVII), 11066.

CALCUTTA: contd.

- Seizure of Watches in, (XIV), 3659.
- Sweet ground water near, (XV), 6385-86.
- Urban Development of, (XVI), 7670-71.
- Water supply for greater, (XVII), 10371.

CALCUTTA PORT:

- Dredger for, (XV), 4603-05.
- Siltation of, (XVI), 8643.

CALLING ATTENTION:

- Accident at Jamuria Colliery (XV), 5609-11.
- Accidents at Mithani and Sripur Collieries (XVII), 10661-63.
- Accident between Tiruchi-Reni Express and a bus (XV), 5896-5900.
- Accident in Jamuna Colliery (XIII), 124-127.
- Accident to Aircraft of Delhi Flying club (XVIII), 14177-80.
- Alleged Scarcity of Sugar in Punjab (XVIII), 13985-89.
- Blasting of Railway line and firing on train by Naga hostiles (XVI), 9180-91.
- Collapse of wall of masonry tank in Military Lines, Saugar, (XIII), 958-59.
- Complaints made by Detenus to Indian High Commission, Ceylon (XVIII), 14176-77.
- Concentration of Chinese Troops in Tibet (XV), 5612-18.
- Crash of an I.A.F. Jet Aircraft (XVI), 7190-91.
- Defence Mission to U.S.A. and U.K. (XVII), 10422-24.
- Delay in arrival of Police at Town Hall on 6th March, 1963 (XIII), 2965-71.
- Disturbance in Law and Order situation in Kiriburu Iron Ore Project (XV), 4433-37.

CALLING ATTENTION: contd.

- Exodus of Hindu families from East Pakistan into Tripura (XVIII), 13780-81.
- Firing by Naga hostiles on military special train on 11-4-63 near Noajan Station (XVII), 9420-28.
- Harassment of members of minority community in East Pakistan (XVI), 7446-49.
- Industrial Licencing Policy (XVII), 11351-56.
- Intrusion of armed East Pakistan Policemen into Indian waters in the Ganges on 18-2-63 (XIII), 1199-1201.
- Jharkhand Colliery Accident (XVIII), 13622-23.
- Nationalization of Banks in Burma and its effect on Indian banking (XIII), 959.
- Outcome of visit of the Minister of State in the Ministry of Steel and Heavy Industries to Austria and West Germany (XVIII), 13969.
- Proposed Marlysia Federation (X-III), 735-37.
- Proposed merger of U.A.R., Iraq and Syria into one federal State and reaction of Government of India thereto (XVII), 11356-58.
- Release of Indian Prisoners of War in Chinese hands (XVI), 7442-45.
- Reported drastic cut in pig iron quota supplied to foundries in Punjab (XVIII), 13126-30.
- Reported entry of Naga Hostiles into India through Manipur (XIII), 1730-34.
- Reported kidnapping of Indian Nationals by Armed Pakistanis (XVII), 10323-27.
- Reported kidnapping of some Santhals by East Pakistan Police (XVIII), 13775-80.
- Reported railway accident in the Allahabad section (XIV), 1933-35.

CALLING ATTENTION—contd.

Reported rise in the price of rice in West Bengal (XVIII), 11863—87.

Reported shortfall in food production targets during the Third Plan period (XVIII), 12869—875.

Reported statement made in Washington by Shri B. Patnaik (XV), 5860—96.

Reported unemployment among artisans and Goldsmiths (XIII), 336-37.

Sighting of unidentified shifts off the Andhra Coast (XVII), 10418—22.

Sino-Pak. Border Agreement (XIV), 2162—70.

Statement on nationalisation of Commercial Banks in Burma (XIII), 1201—05.

Talks of Home Minister with the King of Nepal (XIV), 2751—55.

Treatment of Chinese internees in India (XVIII), 12866—869.

Visit of Joint United States-Commonwealth Air Mission to India (XIII), 544—47.

Water Supply in Delhi (XVII), 12626—30.

CAMBAY:

Pipelines from, for gas supply (XVII), 11614.

CAMERA FACTORY (XVIII), 12059—61.

CANADA:

Dakotas from, (XV), 5851.

Indian Industrialists Delegation for, (XVI), 9173-74.

Military aid from, (XVII), 11051-52.

CANALS:

D.V.C., (XVI), 7622—24.

D.V.C. Navigational, (XVI), 7621-22.

Gurgaon, (XVI), 9166-68.

Kosi Eastern, (XIII), 536.

CANALS—contd.

Navigation in Rajasthan, (XIII), 1371—73.

Rajasthan, (XIII), 502-03, 1407 (XVI), 7659.

Western Kosi, (XIII), 527.

CANCER:

Cancer hospitals (XIV), 3645.

Indian, research centre, Bombay (XVI), 8424-25.

Mouth, centre at Agra (XVIII), 13332.

CANTEENS RUN BY GOVERNMENT EMPLOYEES (XVII), 11598.

CANTONMENT(S):

Cantonments Act (XVIII), 12575.

Cantonments Board Fund quarters in Delhi Cantt. (XVIII), 12613.

Cantonment Town Nasirabad (XVIII), 12619.

Translation of, (XVIII), 12613.

CAPITAL FORMATION IN THE CURRENT FINANCIAL YEAR (XVI), 7173-74.

CAPITAL ISSUE:

Issue of Capital by companies (Q) (XV), 6619.

CAR(S):

Automobiles for Defence (XVII), 10629-630.

Black-marketeering in imported, (XVIII), 13549—54.

Car Plates in Hindi (XVI), 2427.

Car thefts in Delhi (XV), 4917.

Chrysler Automobiles (XVI), 6861-62.

Supply of fiat, (XVII), 9386.

CAR PARKING:

Car-parking in Connaught Place, New Delhi (XV), 4923.

Special car parks for tourists (XIII), 1686.

CARDAMOM:

Cardamom industry (XIII), 720.

Cardamom prices (XIV), 3875—77.

CARTRIDGES:

Price of, (XVIII), 12111-12.

CASH AWARDS (XVII), 11075.**CAHEW NUT (XVII), 9399.**

Cashewnut cultivation (XVI), 8168-69.

Cashew plantation (XVIII), 12835.

Cashew shell oil processing factory in Kerala (XIV), 3888-89.

Production of, (XV), 4668.

CASTE SYSTEM:

Television documentary on the Indian caste system in U.S.A. (XV), 5878.

CATERING:

Catering arrangements at Santa Cruz (XVII), 9897.

Catering contracts in Constitution House (XV), 5186.

Catering establishments (XVI), 8693.

CATTLE:

Cattle feed manufacturing unit (XVII), 9896.

Fruit and cattle farms (XVII), 11285.

CEMENT:

Adulteration of, (XVIII), 13613-14.

Allotment of cement to States (XVII), 10657.

Cement production (XVII), 9401.

Cement quota for Madras (XVII), 9412.

Cement quota to Andhra Pradesh (XVI), 7869—71.

Cement supply to Orissa (XVII), 10639.

Cement trade in Delhi (XVI), 8868—69.

Dealers of, (XIV), 2937.

Manufacture of, (XVI), 8884—88.

CEMENT—contd.

Production of, (XIII), 1655.

Quota allotted to States (XIII), 727-28.

Quota for Delhi (XIII), 1656.

Substitute for, (XVII), 10177.

CEMENT FACTORIES (XIV), 2940, (XVII), 9391.

,at Yerraguntla (XVII), 10659.

,in Assam (XVI), 6872—75.

,in Kangra (XVI), 6909-10.

,in Madhya Pradesh (XVII), 10651.

,in Madras (XIII), 1674.

,in Maharashtra (XVIII), 13600-601.

,in West Bengal (XVII), 10605—608.

CENSUS (XVI), 7417.

Retrenchment in Census offices (XVI), 7422-23.

CENTRAL ADVISORY BOARD FOR HARIJAN WELFARE (XIV), 3411.**CENTRAL ARID ZONE RESEARCH INSTITUTE, JODHPUR (XIV), 3149, (XVI), 8672,****CENTRAL BUREAU OF INVESTIGATION (XIV), 3415.****CENTRAL ENGINEERING AND DESIGN BUREAU (XIV), 3884-85.****CENTRAL EXCISE:**

Central Excise Department Quarters at Cuttack and Rayaguda (XVIII), 13373.

Central Excise Inspectors (XVIII), 13398.

Central Excise Inspectors and sub-Inspectors (XIII), 1410.

Central Excise Reorganisation Committee (XVII), 10371—73.

Integrated Central Excise offices (XVIII), 13389.

CENTRAL FLOOD CONTROL BOARD (XVII), 10417-18.

CENTRAL GOVT. OFFICES:

- Timings of, (XV), 4929.
- CENTRAL HEALTH CADRE**
(XVIII), 11851.
- CENTRAL HOUSING BOARD**
(XVI), 9149.
- CENTRAL INSTITUTE OF PHARMACY** (XIV), 2729.
- CENTRAL PROHIBITION COMMITTEE** (XVII), 10163.
- CENTRAL ROAD FUND** (XVII), 9881.
- CENTRAL SECRETARAT SERVICE** (XIII), 1187-88; (XVI), 7437-38.
- CENTRAL SILK BOARD** (XIV), 3894.
- CENTRAL SOCIAL CONSERVATION RESEARCH AND TRAINING CENTRE, KOTAH** (XIII), 1721.
- CENTRAL SOCIAL WELFARE BOARD** (XV), 4916.
- CENTRAL STATISTICAL ORGANISATION** (XV), 5865.
- CENTRAL TEA WAGE BOARD** (XII), 927.
- CEMENT WELFRE COMMITTEE** (XVIII), 13125-26.
- CENTRAL WOOL AND SHEEP RESEARCH INSTITUTE** (XIV), 3183-85.
- CENTRAL WORKERS' EDUCATION BOARD** (XVII), 11003-05.
- CERAMICS:**
Rubber and ceramics factories with Czench Collaboration (XIV), 3890.
- CESS:**
Agricultural cess (XVII), 11310.
Levy of cess on industries (XIII), 722.
- CEYLON:**
Beedi export to, (XVI), 7910-11.
Blankets from Ceylon Red Cross (XVII), 10399-400.
Ceylon Tea Board (XIV), 2954.
Collection of National Defence Fund in, (XVII), 9679.

CEYLON—contd.

- Export of sugar to, (XVII), 11297.
- Indians employed in, (XVI), 8397-8401.
- Indian settlers in, (XIV), 4107-08.
- Indo-Ceylon passengers at Dhanushkodi (XIII), 94-95.
- Repatriates from Singapore and, (XVII), 10395.
- Supply of oil to, (XV), 4927.
- Supply of petroleum products to, (XVII), 10184-85.
- Visas for Indian nationals visiting, (XV), 5865.
- CHANDIGARH:**
Central aid for construction of, (XVI), 9164-65.
- CHANDIPUR:**
Proof and Experimental Centre (XVII), 9672.
- CHARAS:**
Ganja, Bhang, Charas and opium (XV), 6606.
- CHEMICALS:**
Chemical Manufacturing Project at Durgapur (XIV), 2962.
Phyto-Chemical Project at Neri-mangalam (XVII), 10579-581.
- CHENAB:**
Survey of Chenab Basin (XIV), 2725.
- CHEST DISEASES:**
Chest diseases in India (XIV), 2701.
Increment for treatment of, (XV), 5169.
- CHIEF MINISTER(S):**
Chief Ministers' visit to forward areas (XV), 5851.
New assignment of Orissa Chief Minister (XVII), 11069.
- CHILDREN:**
Grants to voluntary organisations in Orissa for Child Welfare (XVII), 11579.

CHILDREN: contd.

Hearing aids for, (XVII), 11584-585.
Institutes for border, (XVIII), 13068.

CHILDREN'S BOOK TRUST (XVII), 11555-557.

CHILDREN'S FILM SOCIETY (XVII), 12618; (XIV), 4067-88.

Accounts of, (XVIII), 12618.

CHINA:

Bank of China (XVIII), 11869-870.
Capture of foreign textile markets by, (XVII), 10635.

Diplomatic relations with 'KMT' Government (XVIII), 12560.

"Friendship March" to Peking (XV), 5847.

K.M.T. Government (XIV), 1911.

Sino-Pak. agreement to revive caravan routes (XVII), 11071.

Sino-Pak. border agreement, (XVII), 11058-59.

CHINA CLAY:

China clay mining in Kerala (XVIII), 13111-12.

CHINESE AGGRESSION (XIII), 936.

Anti-Indian Chinese literature (XVI), 7367-72.

Anti-Indian propaganda by Chinese Embassy in Colombo (XIV), 4081-83.

Barahoti (XVI), 8383-85.

Expenditure on publicity against, (XVIII), 12600.

Handing over of equipment by Chinese (XIV), 4093-96.

Indian P.O.Ws. in China (XIV), 4105; (XV), 5853.

Intrusion by Chinese on Indian territory (XIII), 922.

Loss due to, (XIV), 1902.

Parcels for Indian prisoners in China (XV), 6088.

Release of Indian P.O.Ws. by Chinese (XVIII), 12580, 14164-67.

Withdrawal by Chinese from Ladakh (XIII), 877-82.

CHINESE AGGRESSION: contd.*Debate*

Concentration of Chinese Troops in Tibet (CA), (XV), 5612-18.

Re: Reported Concentration of Chinese Troops in Tibet (XV), 5440-42.

Release of Indian Prisoners of War in Chinese hands (C.A.) (XVI), 7442-45.

CHINESE NATIONALS (XIII), 1140-43.

Chinese asked to leave India (XV), 6373.

Chinese detenus in India (XIII), 1139-40.

Chinese in India (XVI), 7176.

Chinese infiltration into Indian Army (XVIII), 12604.

Chinese internees in India (XVIII), 13057-60.

Chinese internees in Rajasthan (XVII), 9642-43.

Internment of Chinese Nationals (XIII), 301-303.

Repatriation of Chinese detenus (XVII), 11573-74.

Wives of Chinese internees (XV), 4893-94.

Treatment of Chinese Internees in India (C.A.) (XVIII), 12866-69.

CHITTARANJAN:

Chittaranjan Locomotive Factory (XVIII), 12821.

Chittaranjan Locomotive Works (XVII), 9663-64.

Chittaranjan Railway engine (XV), 4680-81.

Chittaranjan Works (XIV), 2115.

Cholera and plague in Orissa (XVI), 9155-58.

CIGARETTES:

Duty-free cigarettes to army personnel (XIV), 3653-54.

Production of Bidis and, (XVIII), 13611.

CINEMAS:

- Cinema ticket rackets in Delhi (XVI), 7421.
- Licence to a Cinema house in Delhi (XVII), 10187-88.
- National Anthem in Delhi cinemas (XII), 950.

CITIES:

- Public Health in Major cities in India (XV), 5178.

CITIZENSHIP:

- Foreigners granted Indian, (XIV), 3422.

CIVIC AMENITIES:

- Civic amenities in Ramakrishnapuram, New Delhi (XVI), 7693.

CIVIL AVIATION:

- Economy in, (XIII),

CIVIL DEFENCE:

- Air raid precautions (XV), 4668-69.
- Civil Defence measures (XIII), 935.
- Civil Defence on Railways (XIV), 3174-75.
- Civil Defence Plan (XIII), 1158-63.

CLOTH:

- Accumulation of handloom cloth (XV), 5413-17.
- Cloth and Yarn prices (XIII), 1629.
- Stock of cloth in Khadi Bhandar, Delhi (XIV), 3898.
- Tariff Commission's Report on cloth and yarn (XIII), 1654.
- Shortage of clothing materials (XVII), 12121-22.

COAL:

- Coal and bauxite deposits in Madhya Pradesh (XVII), 10128-30.
- Coal deposits in Assam and Orissa (XVIII), 13120-21.
- Coal Development in West Bengal and Bihar (XVI), 7431-32.
- Coal dumps (XII), 311.
- Coal for Pathratu Thermal Plant (Bihar) (XVI), 7418.
- Coal for Rajasthan (XV), 6396-97.

COAL: contd.

- Coal for steel plants (XVI), 6864-66.
- Coal loading in railway wagons (XV), 6374-75.
- Coal preparation and coal carbonisation (XV), 4904.
- Coal transport (XIV), 2427.
- Coal transport in India (XIII), 1359-61.
- Coal transport problems (XVIII), 12087-90.
- Coal wagons for Orissa (XVIII), 13073.
- Coal wagons for Rajasthan (XVIII), 13073.
- Coking, (XVI), 7406.
- Despatch of, to Pakistan (XIII), 1197.
- Distribution of, (XIII), 314.
- Extraction of, in Jammu and Kashmir (XV), 6399.
- Foreign ships for transportation of, (XVIII), 12781-84.
- Hard and soft coke in Orissa (XVI), 7413-14.
- Industrial demand for, (XV), 4931.
- Land for, production (XIV), 2423.
- Low temperature Carbonisation Plant at Kothagudium (XVI), 7399-7406.
- Movement of, (XV), 6367-70.
- Movement of, by Railways (XIV), 2117, (XVI), 8164-65.
- Plant for, gasification (XIII), 319.
- Price of, (XVII), 10153.
- Production of coke and beehive coke (XIV), 3415.
- Report on, gradation (XVI), 7395-99.
- Scarcity of, (XIV), 3374.
- Ships for movement of, (XVI), 8636.
- Shortage of, supply (XIII), 338.
- Shortage of coke (XIV), 3408.
- Superior grade, (XV), 5379-80.
- Supply of inferior quality, (XIV), 2396.

COAL: contd.

- Transport of, by pipes (XVII), 10113-15.
- Transport of, by sea (XV), 6392.
- COAL CONTROLLER (XVI), 7424.**
- COAL DEPOSITS:**
- Coal deposits in Chingleput district, Madras State (XV), 4929-30.
- COAL MINES (XIV), 3395.**
- Accidents at Talchar, (XV), 6381-82.
- Accident in Ballihari Colliery (XVII), 11042-43.
- Accident in Jamuria Colliery (XVII), 11050.
- Caving methods in coal fields (XVII), 11600.
- Coal mines at Kamtee in Maharashtra (XVI), 8924.
- Coal mine in Kangra Distt. (Punjab) (XIV), 2413.
- Coal Mines in Madhya Pradesh (XVIII), 13119-20.
- Coal mines in Madhya Pradesh (XV), 6401.
- Coal Mines in Orissa (XV), 6382-83.
- Deep shaft, at Sudandih (XVI), 7400-02.
- Fatal accidents in collieries in Yellandu (XVII), 9667-68.
- Kalakote, (XIII), 334, (XVII), 11607, (XIV), 3393.
- Kothagudem Collieries (XIV), 2148.
- Occupational Health hazards in, (XV), 4387.
- Participation of labourers in Management of Tata collieries (XVI), 7173.
- Patharkhera, in Madhya Pradesh (XVII), 10169.
- Quarters for staff of, at Kothagudem (XV), 7189-90.
- Railway line to J. & K., (XIV), 2161.
- Raniganj Coal Fields (XV), 4930.
- Ropeways in Jharia, (XVII), 10183.

COAL MINES: contd.

- Rupee loans for collieries (XVIII), 13036-39.
- Singrauli Coal Mines in Madhya Pradesh (XV), 4922.
- Singareni Collieries (XIII), 1177, (XVI), 8162-63.
- Singareni collieries company (XVI), 8441, 8445.
- Subsidies for collieries (XVII), 10154.
- Talcher Collieries (XVII), 9650.
- Welfare Centre at Palana Coalfield (XVI), 7166.
- Welfare of, workers (XVIII), 12541.
- Debates*
- Accident in Jamuria—(C.A.) (XIII), 124-127, (XV), 5609-11.
- Accidents at Mithani and Sripur Collieries (C.A.) (XVII), 10661-63.
- Jharkhand Colliery Accident (XVIII), 13622-23.
- COAL MINING INDUSTRY:**
- Deep mining in Kothagudium (XIII), 1185.
- Drilling operations (XIII), 1185-86.
- Labour Management relations in, (XIV), 4134.
- Loans for private sector coal industry (XVI), 7404-06 (XVIII), 11810-14.
- Wage Board for Coal mining (XV), 4383.
- COAL WASHERIES (XVIII), 13113-14.**
- COAL PRODUCERS ASSOCIATIONS (XVII), 10165-66.**
- COASTAL SHIPPING (XIII), 97-98.**
- COCHIN HARBOUR:**
- Cochin Harbour-Coimbatore Railway track (XV), 4682.
- COCONUTS (XIII), 111.**
- Coconuts plantation (XV), 6113.

CODE OF DISCIPLINE:

Code of Discipline in Railways and Defence (XVI), 8423-24.

CO-EDUCATION (XVIII), 13066-67.

COFFEE:

Coffee production (XIV), 3897-98.

COINAGE:

"Detention of Chinese Coins" (XVI), 9163.

COIR GOODS (XVIII), 12114-15.

Freight rates on, (XVIII), 12837-38.

Quality control on exportable Coir Products (XIV), 2959.

COIR INDUSTRIES:

Coir industries in Orissa (XVII), 10636-637.

COKE:

Production of coke and bee-hive coke (XIV), 3415.

COLLEGES:

Age limit for admission to engineering, (XV), 6373-74.

Agricultural, (XVIII), 12832.

Agricultural, of Punjab (XVII), 11325.

Air-wing for N.C.C. in Gazipur, (XIII), 957.

College of Survey (XVI), 7383-84.

Engineering, at Allahabad (XVI), 8937.

Engineering, at Jaipur (XIII), 1188.

Evening (XIII), 305.

Government Degree, at Nahan (XVII), 10176-77.

Grants to U.P., (XV), 4910-11.

COLLEGES: contd.

Home science, in agricultural universities (XVII), 11289.

Kozhikode regional engineering, (XIII), 1192-93.

Medical (XVI), 7675-76.

New, in Delhi (XVI), 8941.

Preparatory classes in Delhi, (XVI), 7441.

Regional Engineering, Silehar (XIV), 3429.

Regional Engineering, Warangal (XIV), 2412.

Seats in Engineering, in Madras (XIV), 3428.

Teachers of affiliated, in Orissa (XVI), 7414-15.

Technological, at Pilani (XIV),

COL. BHATTACHARJEE (XIV), 1887.

COLOMBO:

Anti-Indian propaganda by Chinese Embassy in (XIV), 4081-83.

COLOMBO PLAN:

Training in England under the, (XVII), 10400.

COLOMBO PROPOSALS (XIII), 883-92.

COMMERCIAL FIRMS:

Military Officers in, (XVIII), 12615.

Senior civil servants in commercial concerns (XVI), 8904.

COMMERCIAL PILOTS ASSOCIATION (XVIII), 12810-11.

COMMERCIAL PUBLICITY (XVI), 7909-10.

COMMISSION(S):

Commissions/Committees appointed by Home Ministry (XV), 6384-85.

Dhebar, (XVII), 11547-551.

High Power, for water and power (XIV), 2687-90.

Hindu Religious Endowments, (XVIII), 12062-66.

COMMISSION(S): contd.

Khadi and Village Industries, (XVII), 9377, 9415, (XVIII), 13561-66.

Point re: Vivian Bose Commission Report, (XVIII), 12331-35.

Report of the Commission of Inquiry into Dalmia Jain Companies (M.) (XVIII), 14001-08, 14112-30, 14215-336.

COMMISSIONED OFFICERS:

Emergency Commissioned Officers (XVIII), 12587.

Official Language (Legislative), (XIV), 2950.

COMMITTEE(S):

Central Excise Reorganisation, (XVII), 10371-73

Central Welfare, (XVIII), 13125-26.

Commissions, appointed by Home Ministry (XV), 6384-85.

Committees constituted by Home Ministry (XVII), 10158-59.

Committee for Jute goods (XIII), 719-20.

Committee for negotiation with foreign collaborators (XV), 6575.

Committee for U.N. Trade and Development Conference (XVI), 6912.

To assess position of cultivation (XVI), 8186.

Enquiry, on Muslim Laws (XVIII), 12122.

Export Advisory, for Pearls and Precious Stones (XVII), 10595-598.

Expert, for cost reduction of exportable commodities (XIV), 3881-82.

Expert Committee on Khadi (XIII), 711-12.

Katju, on Kalinga Airlines (XV), 4639-40.

National Water Supply and Sanitation, (XV) 5154-58.

P & T Advisory, (XIV), 3150-53, (XVII), 9892.

COMMITTEE(S): contd.

Press Consultative, (XVII), 9666-67.
Railway accidents enquiry, (XVII), 11313.

Report of the Aligarh Muslim University Enquiry, (XV), 4904-05.

Debates

Absence of Members from the Sittings of the House:

Fourth Report — presented (XV), 5443-44.

Fifth Report, presented (XVIII), 13992.

Minutes (XVIII), 14185.

Business Advisory:

Twelfth Report (XIII), 133, 338-40.

Thirteenth Report (XIII), 870, 961.
Fourteenth Report (XIV), 2362, 2445-48.

Fifteenth Report: (XVI), 8624, 8697-8705.

Sixteenth Report (XVII), 11000, 11087-98.

Election to:

All India Institute of Medical Sciences (XVI), 9193-94.

Animal Welfare Board (XVII), 11358-359.

Central Advisory Committee for National Cadet Corps (XVII), 11086-087.

Central Silk Board (XVIII), 12881.

Coir Board (XVI), 7954-55.

Committee to investigate the conduct of certain Members during President's Address (XIII), 173-74 and 200.

Time for presentation of report extended (XIII), 1738.

Presentation of report (XIV), 3201-02.

Estimates (XVII), 10335-36.

National Shipping Board (XV), 4700.

Public Accounts (XVII), 10336-38.

COMMITTEE(S): *contd.*

Estimates:

- Minutes laid on the Table (XVIII), 12643, 12878.
- Twelfth Report presented (XIII), 742.
- Thirteenth Report presented (XV), 5619.
- Thirteenth and Twentieth Reports presented (XIII), 1425.
- Fourteenth and Fifteenth Report (XIII), 337-38.
- Sixteenth Report presented (XVII), 11081.
- Seventeenth Report presented (XIII), 742.
- Eighteenth Report — presented (XVII), 10327-28.
- Nineteenth and Twenty-first Reports presented (XIII), 3433-34.
- Twenty-fourth and Twenty-fifth Reports presented (XIII), 133.
- Twenty-fourth and twenty-fifth Reports presented (XIV), 2731.
- Twenty-fourth and Twenty-fifth Reports presented (XVII), 9429-30.
- Twenty-eighth Report presented (XV), 6919.
- Twenty-ninth Report — presented (XVI), 7948.
- Thirty first Report — presented (XVII), 10425.
- Thirty-second Report presented (XVI), 7686-87.
- Thirty-third Report, presented (XVI), 8696.
- Thirty-fourth Report — presented (XVI), 8202.
- Thirty-fifth Report presented (XVI), 8948.
- Thirty-sixth Report — presented (XVII), 9923-24.
- Thirty-seventh Report presented (XVIII), 12880.
- Minutes of Twenty-ninth and thirtieth Reports, laid on the Table (XVIII), 12141.

COMMITTEE(S): *contd.*Estimates: *contd.*

- Statements showing replies to recommendations — laid on the Table (XVIII), 12642.
- Government Assurances:
- First Report — presented (XVIII), 13401.
- Minute laid (XVI), 7195.
- Minutes of Third sitting laid on the Table (XVIII), 12877.
- Offices of Profit:
- First Report presented (XVIII), 12879.
- Petitions:
- Minutes, (XV), 6633, (XVIII), 13991.
- Private Members' Bills and Resolutions:
- Tenth Report (XVII), 11618, (XVIII), 12533.
- Thirteenth Report (XIII), 1207.
- Fourteenth Report (XIII), 2730, 3063-69.
- Fifteenth Report (XIII), 343ⁿ (XIV), 3994.
- Sixteenth Report (XV), 4934, 5543.
- Seventeenth Report (XV), 6405, 7047.
- Eighteenth Report (XVI), 7449, 8059.
- Nineteenth Report (XVI), 8948.
- Twenty-first Report (XVIII), 13135, 13668-91.
- Public Accounts:
- Motion re Association of Rajya Sabha with, (XVII), 10338.
- Message from R.S. agreeing to nominate seven Members to the committee (XVIII), 13400-01.
- Sixth Report presented (XIII), 548.
- Seventh Report (XIII), 2297.
- Eighth Report (XIV), 3902.
- Ninth Report (XV), 4934.
- Tenth Report (XVII), 11618.
- Eleventh Report (XVIII), 12643.
- Twelfth Report (XVIII), 13992.

विषय

पृष्ठ

गैर-सरकारी सदस्यों के विधेयक—पुरस्थापित—(क्रमशः)

- (२) श्री अजोत सिंह सरहदी का जित विधि व्यवसायी परिषद कौंसिल (संशोधन) विधेयक, १९५९ (धारा १२ और १५ का संशोधन)
- (३) श्री दीवान चन्द शर्मा का बाल विवाह रोक (संशोधन) विधेयक, १९५९ (धारा २ और ३ का संशोधन)

गैर-सरकारी सदस्य का विधेयक—पुरस्थापन प्रस्ताव अस्वीकृत . २३९६—९८

श्री बालकृष्ण वासनिक का जनतंत्र्या नियंत्रण विधेयक, १९५९ .

उपाध्यक्ष महोदय द्वारा घोषणा २३०१

उपाध्यक्ष महोदय ने घोषणा की कि चीनी अधिकारियों द्वारा श्री करम सिंह के साथ किये गये व्यवहार के बारे में प्रधान मंत्री सोमवार, १४ दिसम्बर, की बजाय मंगलवार १५ दिसम्बर, १९५९ को वक्तव्य देंगे।

गैर-सरकारी सदस्य का विधेयक—विचाराधीन २२९९—२३१३

श्री बाल्मीकि के न्यूनतम मजूरों (संशोधन) विधेयक, १९५८ (धारा १४ का संशोधन) पर विचार करने के प्रस्ताव पर अग्रतर चर्चा आरम्भ हुई। चर्चा समाप्त नहीं हुई।

सोमवार, १४ दिसम्बर, १९५९/२३ अद्ययावत, १८८१ (शक) के लिए कार्यवाही—

त्रिपुरा भू-राजस्व और भूमि सुधार विधेयक को एक संयुक्त समिति को मॉपने के प्रस्ताव पर अग्रतर विचार तथा भारतीय सांख्यिकीय संस्था विधेयक पर विचार करना तथा उमे पारित करना।