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Monday, May 4, 1964
Vaisakha 14, 1886 (Saka)

LOK SABHA DEBATES

**Seventh Session
(Third Lok Sabha)**



LOK SABHA SECRETARIAT
New Delhi

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LOK SABHA DEBATES

14001

14002

LOK SABHA

Monday, May 4, 1964|Vaisakha 14,
1886 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Evacuation of Pakistanis from Barmer Area

*1292. **Dr. L. M. Singhvi:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Pakistanis living in a six mile belt across the Barmer border are being evacuated;

(b) whether it is also a fact that Pakistani troops are moving into this area which was so far guarded by policemen, and that Pakistani army-men have started digging trenches and constructing bunkers in this border area; and

(c) whether Government have addressed any communication in this regard to the Government of Pakistan and if so, the result thereof?

The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):

(a) No, Sir.

(b) No, Sir.

(c) Does not arise.

Dr. L. M. Singhvi: Have Government sought to ascertain the source of the news appearing in the press to this effect? If so, may I know what is the source of the news and how this news came to be published? What action have Government taken against those responsible for the publication of this news?

The Minister of Defence (Shri Y. B. Chavan): We also hear these reports that the authorities are trying to persuade people to go back. Beyond that, really speaking, we have no information. Possibly these press reports are also based on those rumours.

Dr. L. M. Singhvi: Are any measures being taken on our side of the border in order to streamline security arrangements and in particular, to introduce an identity card system for those who live in the border areas and who freely pass from this part to that side and vice versa?

Shri Y. B. Chavan: We are taking steps to strengthen the armed constabulary there. Of course, this question of introducing any identity card system is not being considered.

Shri Harish Chandra Mathur: Why has it not been possible for the hon. Minister to visit that area and to know its peculiar problems? Why is it that this particular area has not been taken into consideration for border development?

Shri Y. B. Chavan: There is no question of ignoring any area as such. But naturally those border areas which become or tend to become more active are given priority. That was really the reason. But certainly I have intention to visit that part.

Shri Kapur Singh: Apart from the cease-fire line in Kashmir, in which sectors of our lengthy borders do our armies stand in direct confrontation to those of our neighbours?

Shri Y. B. Chavan: All along the cease-fire line. That is exactly where the armies are facing each other.

Shri Hari Vishnu Kamath: Has Government received reports to the

effect that the Pakistan Government is following a consistent, calculated policy with regard to the border throughout in this matter and the border in the east also is being tackled or being organised in a similar manner? If so, does Government propose to remove Indian citizens of dubious loyalty, and consequently, a security risk, on this side of the border to safer zones?

Shri Y. B. Chavan: Those of doubtful loyalty are very carefully watched. But there is no intention of shifting the population as such.

Shrimati Savitri Nigam: Just now the hon. Minister said that they are not ignoring this particular area. What particular steps have been taken to develop this area—to justify the hon Minister's statement?

Shri Y. B. Chavan: I did say that the armed constabulary which is in charge of the posts there is being strengthened.

श्री प्रकाशवीर शास्त्री : पीछे माननीय सुरक्षा मंत्री जी ने यह बताया था कि पाकिस्तान से लगती हुई जो राजस्थान की सीमा है वहाँ पर पाकिस्तान की अरं. मे सड़कें बनायी जा रही हैं या नहीं, इसकी हम जानकारी ले रहे हैं। मैं जानना चाहता हूँ कि वह जानकारी मिल गयी है क्या ? यदि हाँ तो उसका विवरण क्या है ?

अध्यक्ष महोदय : यह तो जनरल सवाल है, इसका इस से कोई ताल्लुक नहीं है।

श्री प्रकाशवीर शास्त्री : यह वाढमेर के बगल का भाग है।

अध्यक्ष महोदय : सवाल यह है कि वहाँ से वह अपने आदमी हटा रहे हैं या नहीं।

Mr. Speaker: Question No. 1293—
Shri D. C. Sharma.

Shri Hari Vishnu Kamath: Question No. 1301 may also be taken up with this.

Shri Harish Chandra Mathur: That is separate.

Mr. Speaker: If the Minister can conveniently answer both, she may do so.

Shrimati Lakshmi Menon: Yes.

Shri Harish Chandra Mathur: It might be taken up separately because it refers to an absolutely different issue.

Mr. Speaker: I will give an opportunity to him to put two questions.

Shri Harish Chandra Mathur: But it would mix up the whole thing.

Mr. Speaker: Yes, both may be answered together.

Assassination of Bhutan P.M.

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*1293. { **Shri D. C. Sharma:**
Dr. L. M. Singhvi:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the alleged assassin of the late Prime Minister of Bhutan was earlier working in the Assam Rifles and had spent some time in Chinese custody as a prisoner of war following the 1962 Chinese invasion; and

(b) if so, how and when he was released?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) According to present information, the assassin of the Prime Minister of Bhutan was not previously employed in the Assam Rifles.

(b) Does not arise.

Assassination of Bhutan P.M.

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*1301. { **Shri Harish Chandra Mathur:**
Shri Hari Vishnu Kamath:
Shri P. C. Borooah:
Shri Ram Harkh Yadav:

Will the **Prime Minister** be pleased to state what assistance if any has

been given by the Government of India to Bhutan Government in the investigation of the cause of Bhutan Prime Minister's assassination?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): The Government of India having received no request from the Government of Bhutan in this regard has not provided any assistance to that Government in investigating the cause of the assassination of the Prime Minister of Bhutan. It is, however, understood that, apparently, on the request of the brother of the late Prime Minister of Bhutan, the West Bengal Government sent two police dogs to track the assassin.

Shri D. C. Sharma: May I know if it has been established beyond doubt that the Chinese had some hand in the assassination of the Prime Minister of Bhutan, and that the Chinese had offered asylum to the assassin after he had done his work?

Shrimati Lakshmi Menon: Nothing has been established, because the whole thing is under investigation now.

Shri D. C. Sharma: May I know if the Government has any firm evidence about the assassin of the Prime Minister? If he was not in the Assam Rifles, was he not a person who was employed in the Indian Army in some capacity or other?

Shrimati Lakshmi Menon: No, Sir.

Shri Harish Chandra Mathur: This heinous and abominable murder of the Prime Minister is obviously the result of the intentions of the Chinese aggressors to create trouble on our border and have a military coup. May I know whether this aspect of the question has been examined by the Minister, and their reactions?

Shrimati Lakshmi Menon: As I have pointed out, the matter is under investigation. The assassin has been arrested and he is being interrogated. Various other persons have also been arrested. When the investigations are over, we will be able to know whe-

ther there is any complicity of the Chinese in this and whether there was any other motive behind this except some personal motive.

Shri Harish Chandra Mathur: May I know the Government of India's present information and their assessment, and whether they would wait indefinitely for this investigation, or they would like to take quick action in such matters?

Shrimati Lakshmi Menon: It is a matter for the Bhutan Government. This is an internal matter for the Bhutan Government, and we will have to wait till all the assessment has been made by the Bhutan Government itself.

Dr. L. M. Singhvi: May I know whether the Government are keeping themselves informed of the investigation which is going on, and if so, whether Government are in a position to indicate the antecedents of the assassin and whether he had any connection whatever with any foreign country?

Shrimati Lakshmi Menon: The same question is being repeated in different forms. All that we know..,

Mr. Speaker: The first portion is whether the Government is keeping itself informed of all the developments of the proceeding.

Shrimati Lakshmi Menon: I have pointed out that Bhutan is an independent country as far as these matters are concerned, and perhaps after the investigations are over, our political officer might get the results of the investigation.

Dr. L. M. Singhvi: On a point of order. May I know whether the particular status of Bhutan interferes with the Government keeping itself informed about the investigations in respect of this murder?

Mr. Speaker: I have asked her. Let her complete the answer.

Shrimati Lakshmi Menon: Nothing prevents us from keeping ourselves

informed of what is happening in Bhutan.

Dr. L. M. Singhvi: Are they doing it or not?

Shrimati Lakshmi Menon: We are doing it.

Shri Harish Chandra Mathur: The question arises whether we are dependent entirely on the Bhutan Government for what is happening in Bhutan, or whether we are having independent sources of information.

Mr. Speaker: No, she says they do not have an independent enquiry.

Shri Harish Chandra Mathur: In respect of important matters are we dependent entirely on what is done by the Bhutan Government?

Mr. Speaker: That is what she says.

Shri Harish Chandra Mathur: It is such an important matter of border turmoil that has effect on us.

Mr. Speaker: Order, order.

Shri Hari Vishnu Kamath: Has the attention of the Government been drawn to certain press reports emanating from Gauhati to the effect that in the pocket of the assassin was found a membership card of a Communist Party, and if so, may I know to which country's Communist Party does he belong?

Shrimati Lakshmi Menon: We have no information of what was found in his pocket.

Shri P. C. Borooah: May I know how many persons are involved, and whether the preliminary investigations disclose the presence of the Chinese hand in this incident?

Shrimati Lakshmi Menon: That has been answered—the number of people arrested in regard to this assassination.

Mr. Speaker: How many?

Shrimati Lakshmi Menon: I cannot give that figure.

Shri Indrajit Gupta: May I know whether at any stage India Government had received any prior information through our normal diplomatic channels as to the likelihood of any sort of a coup, attempted coup, in Bhutan which may be aimed at changing the present status of relationship between Bhutan and India?

Shrimati Lakshmi Menon: No, Sir. That has been the apprehension—something might happen because the Prime Minister was killed. Otherwise there was no other indication.

Shri Nath Pai: In view of the fact that from what is available to this country it seems that the matter was part of the overall conspiracy to subvert Bhutan into a satellite of a neighbouring country, and in view of the fact that it is our obligation so far as the security is concerned, may we know whether there was an indication from the available information to Government to show that this murder was part of a conspiracy to subvert and whether it was an individual rivalry or dynastic coup?

Mr. Speaker: That is what she has answered; this Government would wait till the investigations are completed?

Shri Nath Pai: She says that it is an independent country, Sir. So far as the security of Bhutan is concerned, the assassination of the Prime Minister there has a direct link; the security of Bhutan is our responsibility. Therefore, I am entitled to know.....

Mr. Speaker: She has explained the position.

Shri Nath Pai: So far as the obligations in this regard are concerned, it is not left to her alone; it is left to you, Sir . . .

Mr. Speaker: It is not left to me also . . . (Interruptions).

Shri Harish Chandra Mathur: The question arises out of our responsibilities. What are we doing?

Mr. Speaker: Order, order. Hon. Members are arguing all right. That is quite a different thing. The question was asked and the answer has come. I cannot now interfere in that.

Shri Nath Pai: The hon. Minister, Shri Lal Bahadur Shastri was willing to reply.

Shri Swell: Is it a fact that on the 13th of April when the conditions in Thimpu, capital of Bhutan, were critical preceding the arrest of the Deputy Chief of Staff and the Quarter-Master General there, the Government of India had ordered its troops to intervene should the conditions go out of control and, if so, whether this decision to ask the troops to intervene at Thimpu was at the request of the Bhutan Government or out of a realisation of the danger to the security of India posed by the assassination?

The Minister without Portfolio (Shri Lal Bahadur Shastri): The information which the hon. Member has given to the House may not be entirely correct. However, even if we have definite information in this regard, I would not like to share it with the House at the present moment. Secondly, we are keeping in close touch with developments in Bhutan, and whatever assistance is asked for by the Bhutanese Government, we are most willing to give. We do feel that the security of Bhutan is very important for us, for India as a whole, and at the present moment the King is in complete control of the present situation in Bhutan, and I do not think that we should feel nervous in any way.

Shri Hem Barua: In view of the fact that the assassination of the Bhutanese Prime Minister is part of a bigger scheme of things that has been engineered and encouraged by the Chinese as pointed out by a spokesman of the External Affairs Ministry, and it has also transpired that 14 people alleged to be involved in this coup have already got political asylum in China, and because it involves our national security, may I know whether

our Government was posted with the facts of these political developments in that mountain kingdom after the Chinese attack on this country in 1962 by (a) the Government of Bhutan itself and (b) by our political representative there?

Shri Lal Bahadur Shastri: In so far as the Chinese matter is concerned, I am not in a position to say exactly as to what part the Chinese played in this assassination. However, the Chinese are always prepared to fish in troubled waters. I do not think that there was any special effort of subversion in Bhutan. It is difficult for us to say anything exactly in regard to the particular incident because, as my colleague has just now said, the matter is under investigation and if any help even in that regard is asked from us, we should be willing to give it. I do not think that at the present moment there is any such fear of subversion, etc. As I said, we are keeping in touch and we will do the needful whenever we consider it necessary.

Shri Hem Barua: Sir, my question has not been replied to. The question was this: I just wanted to know whether our Government was posted with facts about these political developments in that kingdom because,—as I said, political developments have been taking place since the Chinese aggression on this territory in 1962—either by the Bhutanese Government or by our political representative there.

Mr. Speaker: When such long statements are made, how can Members expect precise answers to be given? This is not the time or the opportunity when long statements are to be made, during Question Hour—making assumptions, and then asking whether they are true or not.

श्री बागड़ी (हिसार) : कितने आदमी गिरफ्तार किये हैं और शामिल तकतीश किये हैं इतना तो पता होना चाहिए ?

Mr. Speaker: Order, order.

Shri Hem Barua: I just wanted to know whether our Government was posted with facts about these political developments in that kingdom. That is what I wanted to know, but that point in my question has not been replied to.

Shrimati Lakshmi Menon: We are posted with all the facts.

Shri Joachim Alva: Is it not true that after the Chinese aggression, dangerous movements and currents occurred in all these three Himalayan kingdoms and Prince Dorji was a kind of a kingpin in that alliance? Did we go all out and survey the situation and caution him in regard to security? Before the assassination took place, did we tackle any kind of security inside Bhutan itself?

Mr. Speaker: Order, order; it is also just the same statement being made.

Shri Joachim Alva: I want to know whether any special precaution was taken after the Chinese aggression. After all, Dorji was the kingpin in that alliance in the three Himalayan kingdoms.

Shri Lal Bahadur Shastri: The security of the Prime Minister was entirely the responsibility of the Bhutanese Government. But it is true that whenever he came to Calcutta—he used to be in Calcutta for long periods—we made adequate arrangements for his security and safety.

श्री बागड़ी : यह अधूरा जवाब देते हैं इसलिए सवाल करने की जरूरत पड़ती है।

अध्यक्ष महोदय : आर्डर, आर्डर।

Shri Nath Pai: Sir, on a point of order. In reply to my question the Minister of State in the Ministry of External Affairs stated—and earlier also she stated and you upheld her submission—that investigations are proceeding and therefore, about any subversion she cannot reply. But two minutes later, the Minister without Portfolio assured us that there is no

subversion. If the investigation is not complete, how can that conclusion be arrived at? We want your protection and your assurance that there should be some kind of consistency in the replies given within a lapse of, say, two minutes of each other. First, we were told that the investigations were not complete. Of course, you may say that "Mr. Nath Pai will realise that there is no point of order." But I request you to protect our rights in this matter.

Mr. Speaker: He knows it much better than I.

Shri Nath Pai: You alone can; I know—

Mr. Speaker: When he is conscious of the weakness, when he himself is conscious of it, what more can I do? (Interruption).

Shri Hem Barua: Should you not congratulate Shri Nath Pai for knowing your mind?

Mr. Speaker: Order, order. There is no question of knowing my mind. Of course, she had said that there was no subversion, but that was on the facts well known to the Government. That is all what she said.

Shri Nath Pai: She said the investigations are proceeding.

Mr. Speaker: She prefers not giving any information until the investigation is completed. That is what she said. The Minister without Portfolio said that we have got many facts within our knowledge; we are keeping in contact with that and the latest developments also. But he would not like to disclose that in the public interest.

Shri Nath Pai: I am sorry I have not made myself clear. He said categorically that he wants to assure that there is no subversion. This is the conclusion reached, unless, I am misquoting him.

Shri Lal Bahadur Shastri: The reply is not inconsistent. I said, subversion in a general way is not there.

Investigation is taking place on particular, specific matters. Even though the investigation is going on, I can in a general way say that there has been no subversion as such.

Israeli Independence Day Reception at Delhi

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*1294 { Shri Hari Vishnu Kamath:
Dr. L. M. Singhvi:
Shri P. C. Borooah:
Shri Hukam Chand
Kachhavaitya:

Will the Prime Minister be pleased to state:

(a) whether Government issued a directive to or advised the Consulate of Israel not to hold Israel Independence Day celebration on the 15th April, 1964 in New Delhi; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Yes, Sir. On 7th April, 1964, the Government advised the Consul of Israel not to hold the Israeli National Day reception on 15th April in New Delhi.

(b) A statement is placed on the Table of the House.

STATEMENT

The Government's decision was based on the following considerations:—

- (i) It was not customary for a Consul to hold his country's National Day reception in Delhi when the headquarters of the Consulate is not located here. The Israeli Consul, like all other Consuls, have been holding receptions in celebration of the National Days of their countries at their respective headquarters.
- (ii) In holding his country's National Day reception in New Delhi, the Israeli Consul appeared to be trying, with-

out proper authority, to assume the role of a diplomatic agent when he is required to confine himself to consular functions. This is in contravention of Article 17 of the Vienna Convention on Consular Relations which clearly lays down that prior approval of the receiving State must be obtained if a consular officer desires to perform diplomatic functions. Holding a National Day function away from the Consul's headquarters and in the National Capital is regarded as a diplomatic function.

Shri Hari Vishnu Kamath: I want to submit at the outset that the statement is a masterpiece of ambivalent evasion, and I therefore crave your indulgence to take a little longer time than usual on this question. Is it a fact that the Consul General of Israel is accredited to the entire territory of the Republic of India, and has the Minister's attention been drawn to the statement made by the Israeli Minister who was in the capital two days ago to the effect that the Council was within his legal rights under the Vienna Convention to which the statement refers and which has been misinterpreted, shall I say, if not misquoted? The statement refers to Article 17 of the Convention, But article 5 of the Convention says that among the consular functions are "furthering the development of commercial, economic and cultural and scientific relations between the sending State and the receiving State and otherwise promoting friendly relations between them in accordance with the provisions of the present Convention". The statement laid on the Table does not say that holding a National Day reception is a diplomatic function or diplomatic act. It only says that holding the National Day function outside the consular headquarters is not customary. He must try to follow this argument. May I know whether the celebration of the National Day outside the headquarters but within the

[**Shri Hari Vishnu Kamath**]: Jurisdiction of the Consul is or is not a consular function within the meaning of the Vienna Convention. If the answer be in the negative, will the Deputy Minister lay on the Table the letter of commission or the letter of accreditation of the Israeli Consul to this country?

Shri Dinesh Singh: Which portion of this long statement am I to answer, Sir?

Shri Hari Vishnu Kamath: It is not a long statement; it is one question, if you have got the brains to understand.

Mr. Speaker: There may be some difficulty. The hon. Member should not get angry.

Shri Hari Vishnu Kamath: It is not like receiving Sheikh Abdullah in this country. It is not as easy as that. This is cancelling a reception arranged by a friendly country.

Mr. Speaker: I could not follow myself.

Shri Hari Vishnu Kamath: He received Sheikh Abdullah at Palam. It is not as easy as that.

Mr. Speaker: If it is difficult and not so easy as receiving Sheikh Abdullah, then it will be very difficult for many hon. Members to understand.

Shri Hari Vishnu Kamath: I do not think so.

Mr. Speaker: Why not? Such a long question is difficult to answer. If he wants to put a simple question, I will allow him. The whole thing cannot be argued like that. The whole convention cannot be discussed.

Shri Hari Vishnu Kamath: There is reference to the convention in the statement itself. Is it not a fact that under the Vienna Convention the holding of a national day function within the territory to which a consul is accredited is a consular function and not a diplomatic function? If the answer is in the negative, will the Minister lay on the Table of the House a copy of the letter of commission of the Israeli Consul to our country?

Shri Dinesh Singh: Holding of the national day function by a consul should be restricted to the headquarters.

Shri Hari Vishnu Kamath: No, Sir.

Shri Dinesh Singh: The headquarters of the Consul of Israel is Bombay.

Shri Hari Vishnu Kamath: It is wholly wrong.

Mr. Speaker: That is a different thing. He must listen to the answer even if it is wrong. It can be challenged in any other manner, but the information should be received.

Shri Hari Vishnu Kamath: It is wrong.

Mr. Speaker: That is a different thing altogether.

Shri Dinesh Singh: He has been holding these national day functions at Bombay for the last 14 years. There is nothing new. He wanted to break from that and hold the function in Delhi. We advised against it. The hon. Member referred to the statement. In the statement we have mentioned very clearly that holding national day functions away from the Consul's headquarters and in the national capital is regarded as a diplomatic function.

Shri Hari Vishnu Kamath: Is the Government aware of the revulsion caused among the people and the Press by this shabby treatment of a friendly country, and is the Government aware of the impression that this conduct of the Government has been inspired by an Arab phobia, a fear of Arab States and complete, abject alignment with the Arab States in this region and there is no non-alignment in this region? I would like to know whether even at this hour they are prepared to express regret for their act, for their conduct?

Mr. Speaker: He should not put questions in such a manner that he wants to bring closer one friendly country and, then, at the same time, he might say certain things that might offend others.

Shri Hari Vishnu Kamath: May I tell you, in all humility, that there are countries in the world, in Europe, Asia and Africa, who have got cordial relations with both the Arab States and Israel?

Mr. Speaker: Order, order. He can put the question all right. Why should he say Arab phobia and all those things?

Shri Hari Vishnu Kamath: Is it because of the fear of the Arab States? Will it be all right if I say "inspired by a bias in favour of the Arab States and against Israel"?

Shri Dinesh Singh: I would submit, there was no shabby treatment at all. The Consul was duly advised not to hold this reception. He had sufficient time to cancel his reception and there was no shabby treatment at all.

Dr. L. M. Singhvi: Under what specific convention were the Government justified in regarding holding of the national day celebration as a diplomatic duty, and under what particular convention were the Government justified in cancelling his personal accommodation in Ashoka Hotel?

Shri Dinesh Singh: The answer to the first part is, under the usual established convention being followed by all diplomatic missions they hold their national day functions wherever their headquarters are. Regarding the second part, Government did not cancel his personal reservation of accommodation.

Shri Hari Vishnu Kamath: Sir, I rise to a point of order....

Dr. L. M. Singhvi: Under what specific convention.....

Mr. Speaker: Not so many at a time.

Shri Hari Vishnu Kamath: The statement laid on the table says "customary". The word used is "customary". It does not say that it is against law. It is conventional or customary. How is he prohibited

from holding it here. Sir, I hope you will come to our rescue. May I appeal to you, Sir, seated in that high Chair. . . .

Mr. Speaker: Shri Kamath certainly realises that I allowed him two questions. The third question was put by another hon. Member. After he has got the answer, Shri Kamath stands up and says something. This is not the way in which supplementaries should be put.

Shri Hari Vishnu Kamath: When the statement is so ambiguous, what can we do?

Mr. Speaker: I will tell him if he wants.

Dr. L. M. Singhvi: Mr. Speaker, it is legitimate for us to know, when we ask a specific question, under what specific convention this is regarded as a diplomatic duty. He does not say whether it is under any specific convention that the holding of national day celebrations is regarded as a diplomatic function.

Mr. Speaker: He has not referred to any clause of the convention or the number of year of the convention. But he has said that it is under the general procedure.

Shri Hari Vishnu Kamath: It is customary. It is not wrong....

Mr. Speaker: If it is wholly wrong, he can have remedy in another way and not in this manner. I have ruled it here many a time that if a Member is not satisfied with the answer given by the Minister and he thinks that it is wrong, then the Member has got remedies about that. He can write to me, give his reasons, substantiate his version and say that it is a mistake that has been committed by the Minister. Then I will find out from the Minister why he has made that statement. But in the supplementaries this procedure cannot be followed.

Shri Hari Vishnu Kamath: But we are at the fag end of the session.

Mr. Speaker: What can I do then?

Shri P. C. Borooah: May I know whether the last-minute cancellation of the reservation of the lounge was indicative of the lack of co-ordination between the different departments, inviting diplomatic and international criticism and, if so, what steps are being taken to amend this wrong?

Shri Dimesh Singh: How is it last minute? If the hon. Member had followed my replies, we had advised the Consul on the 7th. The reception was to be held on the 15th.

श्री हुकम चन्द कछवाय : इजराईल को स्वतंत्रता दिवस मनाने की इजाजत नहीं दी गई और इस कारण यह घास पर मनाया गया और विदेशों के राजदूत वहाँ आये थे। क्या इसका उनके मन पर बुरा असर नहीं पड़ा और क्या इस की रिपोर्ट सरकार को मिली है? क्या सरकार की उस नीति का यह परिचायक है कि अरब देशों को खुश करने के लिए इजराईल के साथ इस तरह का व्यवहार किया जाये ?

अध्यक्ष महोदय : कामत साहब ने भी यही बात कही थी और उनके सवाल को आप ने सुन ही लिया है।

श्री हुकम चन्द कछवाय : अरब देशों के साथ

अध्यक्ष महोदय : यही बात उन्होंने कही है।

Shrimati Renu Chakravartty: In view of the fact that the Israeli Consul did something which the External Affairs Ministry had clearly told him had contravened the instructions issued by the External Affairs Ministry, may I know what steps Government have taken to make known our disapproval to the Government of Israel?

Shri Dinesh Singh: We have not taken any steps because we had advised the Consul to cancel the party and the party did not take place. We have informed the Consul of Israel—I would not say our displeasure—that this was not the correct way of doing things.

Shri Hari Vishnu Kamath: You should have conveyed your regret.

Shri H. N. Mukerjee: In view of the fact that more than a week had elapsed between the intimation by Government to the Israeli Consul and the date of the proposed celebrations, and in view of the rather dramatic way in which in the presence of many of the guests the Israeli Consul announced the cancellation under duress of a certain function, may I know if Government does not still take a serious view of the matter and make representations to the Israeli Government to let the Israeli Government know its mind in regard to this dramatic incident?

Shri Dinesh Singh: I think the Israeli Government is aware of that because the party was not held. They are aware of the mistake made by their Consul. I do not think we need take any further action.

Shri Hem Barua: May I know whether this decision to ask the Israeli Consul to cancel the party was governed by the contravention of the international ethics and etiquettes? I am asking this because there is no established convention like that. They have not adopted any such convention. That is what I would like to point out.

Mr. Speaker: Would he now put the supplementary?

Shri Hem Barua: May I know whether this decision was governed by a fawning desire on the part of Government to please certain groups of countries or nations and, if so....

An hon. Member: The same question.

Shri Hem Barua: No, it is not the same question. If so, may I know if this position is in conformity with our policy of non-involvement in internal affairs and prevention of international animosity....?

Shri Dinesh Singh: Yes, Sir. This decision was purely governed by our

desire to see that no unhealthy conventions are established.

Mr. Speaker: Is it in conformity with our policy of non-alignment?

Shri Dinesh Singh: Yes, Sir.

Shri Hem Barua: May I submit...

Mr. Speaker: No.

Shri Hem Barua: He has not replied to my question.

Mr. Speaker: Then too I cannot help it.

Shri Kapur Singh: May I know whether there is any concrete precedent for construing celebrations of national day by a Consul in the capital of a country as a diplomatic function such as contravenes the provisions of the Vienna Convention?

Shri Dinesh Singh: All these privileges and position that diplomats have in a country are primarily given by the receiving country. There are general conventions which are to give guidance but it all depends upon the country to give or not to give certain privileges despite the conventions. It is purely something that is granted by the receiving States. Here we have maintained that diplomatic missions and those missions which are located here in the capital should hold their national day functions here and those who have their headquarters away from the capital should hold their functions at their headquarters.

Shri Kapur Singh: Has he answered my question or has he evaded it? I asked for a concrete precedent. Has he got it or has he not got it? That is my question.

Shri Hem Barua: They are manufacturing a convention this time. Israel is a small country.

Shri Kapur Singh: Why does he not say 'Yes' or 'No'? Is there a concrete precedent?

Shri Hari Vishnu Kamath: Not only here, anywhere in the world?

Shri Dinesh Singh: I am sorry, I do not follow the hon. Member.

Mr. Speaker: Is there a precedent anywhere?

Shri Hari Vishnu Kamath: No-where in the world.

Shri Dinesh Singh: I am not aware because they have not held this function.

Shri Kapur Singh: Now that he says that he has not followed me.....

Mr. Speaker: He has said, "I do not know whether there is any precedent". He does not say that he does not follow. Dr. Aney.

Shri Hem Barua: On a point of order, Sir.

Mr. Speaker: I call one hon. Member; but another hon. Member stands up and begins to.....

Shri Hem Barua: On a point of order, Sir.

Mr. Speaker: What is that?

Shri Hem Barua: We have come to know that there is no precedent. The Deputy Minister has said that categorically; but so long he had been trying to argue and convince you and us that this momentous decision was taken on the basis of a convention, which means, on the basis of certain precedent and we tried to argue that there was no precedent; that there was no convention and that by formulating this decision or policy against a small country, like Israel, the Government was trying to establish a convention where there is no convention. That was our argument. Therefore the Deputy Minister's statement on the basis of a wrong argument when there was no precedent should be expunged from the proceedings of the House because they do not have any legs to stand on. That is my point of order.

Shri A. P. Jain: May I suggest.....

Mr. Speaker: Is that a point of order? May I put that question to the hon. Member himself? At the most what he has said is that this

might be expunged from the records. That is what he has come to. Things are coming to such a pass. I wanted the permission of the House and hon. Members then resented it, but this question is now assuming such proportions that I must ask hon. Members to quote first the rule that is being violated before they are allowed to formulate the point of order. Dr. Aney.

Some hon. Members. Yes, Sir.

Shri Kapur Singh: Mr. Speaker, Sir.....

Mr. Speaker: I had called Dr. Aney.

Shri Kapur Singh: I wish to make an humble submission about what you have said just now, if I may?

Mr. Speaker: He need not do that. What policy shall we adopt in future? Dr. Aney.

Dr. M. S. Aney: May I know whether it is a fact that the Consul-General of Israel and his wife were also asked to vacate the room in the Ashoka Hotel on that day and to shift to some other place?

Mr. Speaker: He has said, "No; it was not done".

श्री बागड़ी : इजराईल को इस जगत को मनाने की इजाजत नहीं दी गई लेकिन दूसरी तरफ चीन के प्रधान मंत्री को, जिस देश ने हमारे देश पर हमला किया था, हिन्दुस्तान के ऊपर से उड़ने की इजाजत दी गई। इन दोनों बातों का मिलाया जाये तो क्या हिन्दुस्तान की सम्भ्रान्त विदेशों के अन्दर नीचे नहीं चली गई मालूम देती है और क्या भारत सरकार इस बात को सोच रही है और क्या वह प्राप्ति जो भी फैसला करना है, इसको दृष्टि में रखते हुए करेगी ?

अध्यक्ष महोदय : भारत सरकार जरूर सोचेगी ।

श्री बागड़ी : मैं जानना चाहता हूँ कि अन्तर क्या है । श्री चाऊ-एन-लाई को तो उड़ान भारतीय प्रदेश से करने दी गई लेकिन . .

अध्यक्ष महोदय : आपने कह दिया है कि भारत सरकार सोचे और वह सोचेगी ।

श्री बागड़ी : सवाल का जवाब क्यों नहीं दिलवाया जाता है ? अन्तर क्या है ? श्री चाऊ-एन-लाई को तो

अध्यक्ष महोदय : इसमें कोई जवाब की जरूरत नहीं । आप ने कहा है वे सोचें और वे सोचेंगे ।

Shri A. P. Jain: On a point of order, Sir. Has a Minister the right to give hints from there to an hon. Member?

An hon. Member. Why not?

Mr. Speaker: I could not follow what Shri Ajit Prasad has said.

Shri A. P. Jain: Shri Tyagi was giving a hint to the hon. Member by his hand.

The Minister of Rehabilitation (Shri Tyagi): I was just asking him to sit down.

श्री बागड़ी : अब त्यागी नहीं, वह भागी हो गये हैं ।

Shri A. P. Jain: He should sit down himself.

Shri Kapur Singh: Something should be done to impose decorum on those who sit on the Treasury Benches in answering questions as well as in behaving during the Question Hour.

Mr. Speaker: Hon. Members are aware that old-established practices are difficult to shed. Next question.—Shri Yashpal Singh.

Shri Tyagi: I made a gesture after you gave your ruling for Shri Bagri to sit down.

Autonomy for Hill Districts in Assam

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*1295 { Shri Yashpal Singh:
Shri Prakash Vir Shastri:
Shri P. C. Borooah:
Shri Rishang Keishing:

Will the Prime Minister be pleased to state:

(a) whether the Hill Leaders have accepted the Prime Minister's offer of greater autonomy for the Hill Districts of Assam;

(b) if so, whether it is proposed to appoint a Commission to work out the details for implementing his offer; and

(c) what will be its terms of reference and composition?

The Minister of State in the Ministry of External Affairs (a) and (b). Yes.

(c) These are under consideration.

श्री यशपाल सिंह : क्या सरकार बतला सकती है कि असम के पहाड़ी इलाकों के जिलों को यह मोका क्यों दिया गया कि वह अलग अलग अटानमी की बातचीत करें ।

बिना विभाग के मंत्री (श्री लाल बहादुर शास्त्री) : हिल ट्रस्ट्स की अपनी खास कठिनाइयाँ हैं और उनकी दिक्कतें हैं जिन के बारे में उन्होंने आज तक बातचीत की, और उनकी बातों पर विचार करना भारत सरकार के लिये और असम गवर्नमेंट के लिये उचित ही है ।

श्री यशपाल सिंह : क्या देश की सिक्योरिटी की दृष्टि से यह मुनासिब है कि किसी एक सूबे को इतना मोका दिया जाये कि वह आकर अपनी अलग और यूनीक पोजीशन जाहिर करे ।

श्री लाल बहादुर शास्त्री : कोई मुवा ऐसी बात सुनाने के लिये नहीं आया ।

श्री प्रकाशवीर शास्त्री : मैं जानना चाहता हूँ कि क्या असम के इन पहाड़ी जिलों के

नेताओं का कोई सम्मेलन अभी उस क्षेत्र में हुआ था और उस में सर्वसम्मति से उन्होंने एक प्रस्ताव स्वीकार किया कि प्रधान मंत्री जी ने जो आश्वासन दिया है कि किसी दूसरे देश की तरह उन को भी अधिकार है स्वायत्त बनने का, उस को वे स्वीकार करते हैं, और क्या भारत सरकार किसी अंश में यह निर्णय कर चुकी है कि इन जिलों को और कुछ अधिक स्वायत्तता दी जाये किसी रूप में । यदि हाँ, तो उस का विवरण क्या है ।

श्री लाल बहादुर शास्त्री : माननीय सदस्य ने "किमी देश" शब्द का प्रयोग किया । मैं यह कहूँ कि यह देश नहीं है, प्रदेश है और प्रदेश में भी यह उसका एक हिस्सा है । इस में कहीं कल्पना नहीं है कि उस क्षेत्र को प्रदेश से थोड़ा भी पृथक् किया जायेगा । वह प्रदेश देश का हिस्सा है और रहेगा । रह गई बात यह कि प्रधान मंत्री जी ने उन से कुछ कहा है । वह, जैसा मैं ने पहले कहा, यह है कि उन की जो कठिनाइयाँ हैं और उस इलाके के जो विकास के काम हैं उन के सम्बन्ध में सुविधा देने के लिये कुछ विशेष अधिकार देने की बात प्रधान मंत्री ने कही है जिस पर बातचीत करना अभी बाकी है ।

श्री प्रकाशवीर शास्त्री : मेरा सवाल यह नहीं था । मेरा सवाल यह था कि प्रधान मंत्री जी ने जिस स्वायत्तता का आश्वासन दिया है उसका विवरण क्या है । कुछ तो बतलाया जाये कि किस रूप में उन्हें स्वायत्तता दी जायेगी ।

श्री लाल बहादुर शास्त्री : यह तो आप ने पूछा नहीं था । लेकिन अब आप पूछते हैं तो मैं जवाब देता हूँ कि, अभी इस पर कोई लिखा पढ़ी नहीं हुई है । इस पर एक कमिशन बैठने वाला है, फिर उस के टर्म्स आफ रीफरेंस पर विचार होगा ।

Shri P. C. Borooah: May I know whether according to the Prime Minister's offer the Chief Minister of Assam

will have no power to override the decision of the Hill Ministers and the Assam Legislature will have no power to override the decisions of the regional Committee formed by the members of the Hill Districts?

Shri Lal Bahadur Shastri: I have not fully followed the question. Various points have been raised. But, as I said, they will have to be referred to a Commission which has yet to be appointed. In the light of the talks, the terms of reference will be drawn up and the whole matter considered by the Commission.

Shri P. C. Borooah: My question was different.

Mr. Speaker: Still there is nothing that can be told.

Shrimati Renuka Barkataki: It is reported that the Prime Minister has already given some concessions or terms to the Hill leaders in the matter of giving them greater autonomy. May I know whether these terms of reference will be binding on the Commission or not?

Shri Lal Bahadur Shastri: No terms of reference have been drawn up yet. That is what I said. Certain matters were generally discussed. The Prime Minister had said that we may have some kind of a Scottish arrangement for the Hill Areas. It was something of the kind which he said. Our course there is the Scottish pattern and in a general way the Scottish pattern will also have to be considered by the Commission. But so far nothing has been specifically conceded.

Shri Rishang Keishing: May I know whether they have accepted the offer of the Prime Minister with or without condition and, if it had been accepted with conditions, what are the conditions?

Shri Lal Bahadur Shastri: As far as I know, they have more or less accepted it without any condition, of course, in the hope that the general assurance given by the Prime Minister will be kept in mind.

Shrimati Renu Chakravartty: In reply to part (b) of the question it has been stated that the commission is to work out the details for implementing the offer of the Prime Minister. May I know the subjects which this commission will work out in the field of which the regional committee will have autonomy? What will be the way in which they will finance their region? What will be the language for their education? These are the three points on which there has been the greatest controversy. What will be the actual items on which the commission will work?

Shri Lal Bahadur Shastri: Some of the points raised by the hon. Member will certainly be considered by the commission. The question of language is a very important one. The question of regional development, the budget of the region, certain special privileges to be given to the tribes in so far as their own habits and traditions etc. are concerned, are various matters which should be considered by the commission. I cannot at the present moment state specifically what the exact terms of reference would be.

I may add that perhaps it was a mistake that the External Affairs Ministry agreed to answer this question. Of course, we take the collective responsibility. The details of this particular matter are being processed in the Home Ministry.

Shri Swell: Is it a fact that the term used by the Prime Minister in his offer is 'full autonomy' and not 'greater autonomy'? Is it also a fact that notwithstanding the terms of reference and composition of the commission, this commission is expected to work within the broad framework of the Prime Minister's offer and other assurances to the hill leaders?

Shri Lal Bahadur Shastri: As I said perhaps it may not be quite correct on my part to answer the details of it. But, as far as I know, the Prime Minister has not—I am saying this subject to correction—used the

term 'full autonomy', but only autonomy, which, of course, means maximum autonomy.

Shri Swell: I beg to differ.

Shri Lal Bahadur Shastri: That may be so; therefore, I said that I was saying that subject to correction. Anyhow, what the quantum of autonomy will be will also depend upon the report of the commission.

Shri Swell: On a point of order. I would request the hon. Minister Without Portfolio to kindly refer to the papers relating to the proceedings of our meeting with the Prime Minister, wherein the term 'full autonomy' is clearly used and was clearly discussed between us and the Prime Minister.

Shri Lal Bahadur Shastri: May I say this? ..

Mr. Speaker: The hon. Member has only asked the hon. Minister to refer to those papers.

Shri Lal Bahadur Shastri: I merely wanted to clear up one thing, that the hon. Prime Minister did not use those words. Those words were used by Shri Swell and perhaps others, especially by Shri Swell when he met the Prime Minister, and the Prime Minister, it is said, reacted somewhat favourably over all the points that the hon. Member had raised with him.

Shri Swell: I would request the Minister Without Portfolio to refer to those proceedings where the brunt of the Prime Minister's offer is clearly laid down; they were drafted by his Ministry and then given to us after the approval of the Prime Minister.

Mr. Speaker: I would suggest another meeting between the Member and the hon. Minister.

Shri Buta Singh: May I know whether it is proposed gradually to extend the federal principle of autonomy to the entire border areas?

Shri Lal Bahadur Shastri: They are already autonomous, that is, all the border states.

Shri P. R. Chakraverti: What are the exact implications of the full measure? 588(Ai) LSD-2.

sure of autonomy which has been promised to the hill tribes, and what are the necessary accompaniments?

Shri Lal Bahadur Shastri: As far as I know, nothing specific has been promised. There has been a general discussion, and in order to work it out, specific terms of reference will have to be drawn up and a commission set up.

Shri Tridib Kumar Chaudhuri: Is it in the contemplation of Government that this autonomy which has been offered to the hill districts would be something more than the quantum of autonomy which they already enjoy under the Constitution, and if so, in what way would it be greater than the autonomy that they at present enjoy under the Constitution?

Shri Lal Bahadur Shastri: They will certainly get greater autonomy in accordance with these proposals. But it will not in any way go against any provisions of the Constitution.

सैनिकों के लिए नाम के बिल्ले

*१२६६. श्री श्रीकारलाल बेरवा : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कुछेक प्रशिक्षण केन्द्रों तथा संस्थापनों में भारतीय सेना की सभी श्रेणियों के लिये "नामों के बिल्ले" देने की प्रथा आरम्भ की जा रही है ; और

(ख) यदि हाँ, तो योजना की मोटी रूपरेखा क्या है ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चट्टाण) : (क) तथा (ख). जी हाँ। प्रयोगात्मिक तौर पर ४ प्रशिक्षण संस्थापनों में सभी श्रेणियों के लिए नामों के बिल्ले जुटाए गए हैं। इससे उच्च अफसर और प्रशिक्षक, प्रशिक्षण पा रहे अफसर/सैनिक की उसके नाम से सम्बोधित कर सकेंगे। सेना अधिकारी यह महसूस करते हैं, कि इससे उसे अपने व्यक्तित्व के विकास में सहायता मिलेगी, तथा अफसरों और सैनिकों में परस्पर, और घना सम्पर्क स्थापित कर सकने में भी।

[(a) and (b). Yes Sir, 'Name Tags' have been provided for all ranks in 4 training institutions as an experimental measure. This would enable an officer soldier undergoing training being addressed by his name by his superior officers and instructors. The Army authorities feel that this would help in developing his individuality, and establishing a closer link between the officers and the soldiers.]

श्री श्रीकार लाल बरवा : मैं जानना चाहूंगा कि ये जो बिल्ले परिचय के लिए लगाए गए हैं, तो अफसरों के बिल्लों के अन्दर और सैनिक बिल्लों के अन्दर क्या पहचान होगी, और उनके खोने के ऊपर जांच के लिए क्या कार्रवाई की जाएगी।

Shri D. R. Chavan: There is practically no difference between the tags of the officers and men. The name will be stencilled on the cloth. It will be fixed on the top of the right pocket.

श्री श्रीकार लाल बरवा : इन बिल्लों को लगाने का खास अभिप्राय क्या है ? परिचय के अलावा इससे और काम हो सकता है ? क्या इन बिल्लों से रेल में टिकट के लिए या पासपोर्ट के लिए भी कुछ काम लिया जा सकेगा और अगर कोई पाकिस्तानी या चीनी सैनिक इन को लेकर हमारी तरफ आ जाये तो उसके खिलाफ क्या कार्रवाई की जाएगी ?

प्रतिरक्षा मंत्री (श्री यशवन्तराव चव्हाण): यह तो सब गलतफहमियां हैं इस काम के बारे में। इनका उद्देश्य तो यह है कि अफसरों और जवानों के बीच निजी सम्बन्ध स्थापित हो। अगर उनको नम्बर से पुकारने के बजाय नाम से पुकारा जाएगा तो उनमें ज्यादा विश्वास पैदा होगा।

श्री श्रीकार लाल बरवा : मान लो कि किसी पाकिस्तानी या चीनी सैनिक को यह बिल्ला मिल गया और वह हमारे सैनिकों में मिल कर हमारा भेद लेने आये तो उसकी जांच के लिए क्या व्यवस्था है।

अध्यक्ष महोदय : इस बात का खतरा नहीं होना चाहिए।

श्री यु० सि० चौधरी : क्या यह समझा जाए कि इन बिल्लों को लगाने के बाद जो यूनिटों के नाम कंधों पर होते हैं वे समाप्त हो जायेंगे।

Shri D. R. Chavan: It is affixed on the top of the right pocket.

Mr. Speaker: Would those on the shoulders be dispensed with or would they remain?

Shri D. R. Chavan: They will remain.

Shri Indrajit Gupta: Am I to take it that this practice of introducing name tags is going to be confined only to the training period of these soldiers or will it be a permanent feature of their service conditions? Also, in view of the fact that similarity of names is very common in our country, for example, there may be ten Ram Singhs, will there be any other method devised to identify one name from another?

Shri Y. B. Chavan: If they have the same names, there will be some other way to identify them, for example, surname, or father's name. That also can be indicated there.

These experiments are being made in four institutions. If they succeed, they will be undertaken in all.

श्री हुकम चन्द कछवाय : हमारी सेना अनेकों वर्षों से काम कर रही है। तो अभी क्यों यह आवश्यक समझा गया कि इनको यह बिल्ला दिया जाए ? और इन बिल्लों को पूरी तरह अमल में लाने के लिए कितना समय लगेगा और इस काम पर कितना खर्चा आवेगा ?

Shri Y. B. Chavan: As I said, this recommendation was made by the Army Commanders' Conference held in October 1963. The Army commanders felt that it was necessary to make an experiment on these lines because this practice is prevalent in all the armies of the world. Of

course if it succeeds, naturally we will have to go into the question of cost etc.

श्री यशपाल सिंह: ये बिल्के किस भाषा के अक्षरों में लिए जायेंगे ?

श्री यशवन्त राव चव्हाण : देवनागरी में लिए जायेंगे ।

Film Awards

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*1297. { **Shri Subodh Hansda:**
Shri S. C. Samanta:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the special criteria or standard fixed by Government for giving State Awards to feature films;

(b) how many Hindi films competed for the 1963-64 awards;

(c) the number of films which got the awards and their names; and

(d) whether all these award winning films fulfilled the required standard?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) No special criteria have been fixed by Government for selection of feature films for giving State Awards. It has, however, been laid down in the Rules that the object of the State Awards is to encourage the production of films of a high aesthetic and technical standard and of educational and cultural value.

(b) 17 (including Urdu and Hindustani).

(c) A statement is laid on the Table of the House. [Placed in Library, See No. LT-2846/64.]

(d) The Central Committee of State Awards does not recommend any film for an Award unless, in their opinion, it is of a standard adequate for an Award.

Shri Subodh Hansda: Is it a fact that while declaring the film *Shehar Aur Sapna* as the best picture, there was difference of opinion among the members of the Central Selection

Committee and the Chairman as this film was not recommended for the best prize by the Zonal Selection Committee and was placed as the sixth film? If that is so, I would like to know the special features represented in this film in comparison with the best picture in Bengali, *Mahanagar*, which is awarded the third prize?

Shri Sham Nath: We do not know whether there was any difference of opinion among the members of the Committee in regard to the film for the President's Gold Medal, but we are aware that they adopted a system of marking, and on the basis of that marking they decided that the President's Gold Medal should be awarded to *Shehar Aur Sapna*.

Shri Subodh Hansda: Is it a fact that the writer and director of this film called on some of the members of the Selection Committee and tried to convince them of the ideas of socialism and requested them to give it the best award to make it fit for the President's Gold Medal?

Shri Sham Nath: The question is not very clear, but as far as I understand....

Mr. Speaker: Were any influences exercised by the director and the writer on the people who make the selection? Is that the question?

Shri Sham Nath: Not to our knowledge.

Shri P. Venkatasubbalah: May I know whether the Government is aware of the criticism in the press regarding the composition of the judges, and if so, may I know on what basis this composition has been made and the qualifications that will make a man or woman fit to be on the committee?

Shri Sham Nath: The Central Committee was a very high powered one, and was headed by an ex-Minister, and it included an ex-Advocate-General, an ex-Governor, an ex-Chief Justice, two M.Ps., two exM.Ps. and two some other prominent people.

Shri P. Venkatasubbaiah: I wanted to know....

Mr. Speaker: Order, order. The hon. Member should realise that if we appoint a high powered committee, we should place some reliance on them if they have taken a decision. Opinions would always differ from one man to the other.

Shri Balakrishnan: In view of the fact that some pictures, just like the Tamil picture *Ratna Tilakam* which was produced exclusively for war purposes, have not been given the Award, may I know whether Government will consider giving priority to pictures which aim at propagating the defence efforts and development of our country?

Shri Sham Nath: It is the regional committees which make recommendations and these recommendations are considered by the Central Committee, and the Government have no power to interfere with the decision of the Central Committee.

Shri D. C. Sharma: May I know why this committee, high powered committee, high voltage committee, consists of many "ex-es"—ex-Governors, ex-Chief Justice, ex-M.P., ex-director? Why is it that all these persons have been taken? Have they been taken because they have more leisure, or for other reasons?

Shri Sham Nath: This committee include 14 persons, and five or six of them were included in the committee because of their position in the public life of the country.

Shri H. N. Mukerjee: In view of almost the unanimous opinion of serious film critics that aesthetic considerations do not appear to have played a large part in the selections made by the committee, may I know if Government is going to reconsider this practice of appointing people who are well-known in public life, as the hon. Minister just now said, because they do not appear to be able to make the kind of judgment which

will pass muster, especially as far as international competition is concerned?

Shri Sham Nath: That is a suggestion. But as far as this year's awards were concerned, there were recommendations in regard to them by the Central Committee and we were not in a position to interfere with the recommendations that have been made.

Shri S. M. Banerjee: Is it a fact that *Mahanagar* produced by Satyajit Ray was not given the gold award by the President because there were some objections by some Anglo-Indians including Mr. Frank Anthony to some of the sentences used there? Is it a fact?

Shri Sham Nath: No, Sir; it is not a fact.

12.00 hrs.

SHORT NOTICE QUESTIONS

पश्चिमी पाकिस्तान से भारत आने वाले प्रवक्ता

S.N.Q. 23. श्री प्रकाशवीर शास्त्री : क्या पुनर्वास मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या पश्चिमी पाकिस्तान से भी अल्पसंख्यक निकल कर भारत आ रहे हैं ;

(ख) जो वहां से आये हैं क्या उन्होंने वहां रह गये अल्पसंख्यकों को कुछ दर्दनाक स्थिति का भी वर्णन किया है जिससे उन्हें भी सहायता की अपेक्षा है और यदि हां, तो क्या भारत के पाकिस्थित हाई कमिश्नर से इस सम्बन्ध में कुछ जानकारी ली गई है ; और

(ग) पश्चिमी पाकिस्तान में विभाजन के बाद अल्पसंख्यकों की संख्या कितनी थी और अब कितनी है और क्या इस बीच धर्म परिवर्तन की भी भारी संख्या का पता लगा है ?

पुनर्वास मंत्री (श्री त्यागी) : (क) जी हां । १-१-१९६४ से ३१-३-१९६४ की अवधि में ५७ व्यक्ति पश्चिमी पाकिस्तान से भारत आये ।

(ख) जी नहीं ।

(ग) पश्चिमी पाकिस्तान में अल्प-संख्यक समुदाय के व्यक्तियों की वर्तमान संख्या लगभग २,००,००० है । विभाजन के समय अल्पसंख्यक समुदाय के व्यक्तियों की संख्या के सही आंकड़े प्राप्त नहीं हैं । विभाजन के बाद लगभग ४६,८८,००० व्यक्ति भारत में दाखिल हुये और १९५२ में पासपोर्ट तथा बीजा योजना के लागू करने पर लगभग ३०,००० व्यक्ति भारत आये हैं ।

सरकार की जानकारी में अल्पसंख्यक समुदाय के व्यक्तियों के धर्म-परिवर्तन के इक्के-दुक्के मामलों को छोड़ कर, पाकिस्तान में सामूहिक रूप से हिन्दुओं के धर्म-परिवर्तन की कोई घटना सरकार के नोटिस में नहीं आई है ।

[(a) Yes, Sir. During the period from 1-1-1964 to 31-3-1964, 57 persons migrated from West Pakistan to India]

(b) No, Sir.

(c) It is estimated that the present number of members of minority community in West Pakistan is about 2,00,000. No exact figure of the strength of minority community at the time of partition is available. About 46,88,000 persons crossed into India from West Pakistan after partition and since the introduction of the Passport and Visa Scheme in 1952 about 30,000 persons have migrated to India.

Whereas Government is aware of isolated cases of conversion of members of minority community no large scale conversion of Hindus to Islam in Pakistan has come to the notice of Government.]

श्री प्रकाशबीर शास्त्री : मैं यह जानना चाहता हूँ कि समाचार पत्रों में प्रकाशित इन समाचारों की ओर भी क्या सरकार का ध्यान गया है जिसमें लिखा गया है कि जो भी पश्चिमी पाकिस्तान से अल्पसंख्यक लोग उजड़ कर आ रहे हैं उनमें से अधिकांश व्यक्ति वे हैं जिनका कि राजनीतिक भाषा में हम हरिजन या पिछड़े वर्ग के लोग कहते हैं, उन्होंने यहाँ आने के बाद इस तरह कभी कोई अपने वक्तव्य दिये हैं कि हमें वहाँ मृतकों का दाह संस्कार नहीं करने दिया जाता है, धर्म मन्दिर हमारे नष्ट कर दिये गये हैं और हम हिन्दुस्तान में रहना पसन्द करते हैं लेकिन वहाँ जाना नहीं चाहते तो क्या भारत सरकार ने अपने हाई कमिश्नर से इस प्रकार की जानकारी ली है कि जो अल्पसंख्यक इस समय पश्चिमी पाकिस्तान में हैं भी उनको वहाँ भारी मात्रा में परेशान किया जा रहा है ?

श्री त्यागी : पत्रों में और हिन्दुस्तान टाइम्स नामक अखबार में विशेष रूप से एक खबर निकली थी कि रणबीरसिंहपुरा के अन्दर या सियालकोट की तरफ से कुछ हरिजन, उन्होंने लिखा था कि १५०० हरिजन आये हैं । इस समाचार को पढ़ने के बाद मैंने वाफ़ी छानबीन की और इधर, उधर मालूम किया तो कोई इत्तिला इस किस्म की आने की नहीं मिल सकी । मैं अभी और इस बात की छानबीन कर रहा हूँ कि वह कहाँ से आये हैं । मेरी इत्तिला के मुताबिक तो अभी तक कुल संख्या जैसी कि मैंने बतलाई वह ५७ आदिमियों की है ।

श्री प्रकाशबीर शास्त्री : जिस समाचार की चर्चा अभी पुनर्वास मन्त्री ने की है उसमें जो यह बतलाया गया कि रणबीरसिंहपुरा में कुछ विस्थापित आये हैं उन्होंने यह कहा है कि १५०० के लगभग व्यक्ति जो सियालकोट में पड़े हैं और बुरी तरह से मौत के मुँह में फँसे हुए हैं उनको वहाँ से जल्दी निकालना चाहिए क्योंकि उनका जीवन

संघ में आ चुका है तो क्या सरकार जिस तरह से कि उसने पूर्वी पाकिस्तान से अल्प-संख्यक समुदाय के लोगों को आने में सहूलियत दी है और उनको सुविधा प्रदान कर रही है जैसे किसी के पास वीसा नहीं होगा पासपोर्ट नहीं होगा तो भी उनको आने दे रही है उसी तरह से इन लोगों को भी आश्वासन देगी, यदि हां, तो क्या भारत सरकार जम्मू व काश्मीर सरकार से भी यह कह रही है जो उनसे लगता हुआ हिस्सा है उनको अपने वहां आमानी के साथ बसाया जाय ?

श्री त्यागी : जहां तक इस समाचार का सम्बन्ध है कि १५०० आदमी जम्मू में आये हैं, कोई व्यक्ति मुझे ऐसा नहीं मिल सका जिससे इस बात की जानकारी मिल सके। कल भी मालूम किया तो यह पता चला कि यह खबर गलत है। फिर भी मेरी तहकीकात अभी जारी है और यदि कोई ऐसे व्यक्ति होंगे तो मैं जरूर आपको इसकी सूचना दे दूंगा। जहां तक आने वाले लोगों का ताल्लुक है वह यह ५० व्यक्ति बाकायदा वीसा लेकर यहां पर परमिट लेकर आते हैं क्योंकि माइग्रेशन की जो इजाजत मिलती है, कायदे के अन्दर उसको लेकर आते हैं और वे चाहे जहां भी जा सकते हैं। पश्चिमी पाकिस्तान से इस तरीके से जो माइग्रेशन सर्टिफिकेट लेकर यहां आते हैं उनकी जिम्मेदारी इस मिनिस्टरी पर नहीं पड़ती है।

श्री प्रकाशबीर शास्त्री : मैं मन्त्री महोदय की जानकारी के लिए ऐसे लोगों के नाम, उनकी पत्नियों के नाम और जो समाचार उन्होंने दिये हैं वह भी अगर आप चाहें तो मैं दे सकता हूं ?

श्री त्यागी : अगर कोई भी मिला उस सम्बन्ध में मुझे इत्तिला देंगे तो मैं उसकी तहकीकात अवश्य करा लूंगा।

Dr. L. M. Singhvi : The hon. Minister himself pointed out that he is aware of the news-item appearing in the *Hindustan Times*. I would like

to know what effort, if any, was made by the Government to contact the persons who have been specified in this news-item, and if any attempt was not made, why not it be made, and if it was made, what is the result of that attempt?

Shri Tyagi : Attempt was made to find out which are the persons but we could not locate any. We could not gather any information. I have submitted that an enquiry is still proceeding and I am at it, to catch any person who does like that, and surely we will inform the House. I am still in that process of acclimatising myself here and I request hon. Members to have a sense of co-operation. Please co-operate with me rather than spoil my efforts.

Mr. Speaker : Probably the Members have to acclimatise themselves with the Minister!

Shri Nath Pai : The Members are carrying on in the noble traditions.

श्री बड़े : मन्त्री महोदय ने अभी यह कहा कि उन्होंने काफी छानबीन की है लेकिन यह नहीं बताया कि पाकिस्तान हाई कमिश्नर से छानबीन करने के बाद उनका जवाब क्या आया है और उन्होंने छानबीन कब की है।

श्री त्यागी : पाकिस्तान से तो वहां कोई इत्तिला है नहीं आने की। यहां पर जो अखबारों में खबर मिली है उसकी बाबत मैंने दूसरे अखबारों से भी पूछा, दूसरे अखबारों के नुमायन्दे जो वहां पर हैं उनसे भी पूछा और उन्होंने भी यही जवाब दिया कि यहां इसकी कोई इत्तिला नहीं है।

श्री बड़े : पाकिस्तान में जो अपने हाई कमिश्नर हैं उनसे भी आपने पूछा कि नहीं ?

अध्यक्ष महोदय : जिनका कि आप जिक्र कर रहे हैं ऐसे लोग हाई कमिश्नर को बता कर नहीं आते हैं।

श्री जगदेव सिंह सिद्धान्ती : उन ५७ व्यक्तियों में से क्या आपने १, २ व्यक्तियों भी पूछा है...

अध्यक्ष महोदय : आर्डर, आर्डर । मैंने अभी श्री बृजराज सिंह—कोटा को बुलाया ।

श्री बृजराज सिंह—कोटा : उन ५७ आदमियों से क्या आपने पूछा है कि वह पाकिस्तान वापिस क्यों नहीं जाना चाहते हैं और वहां पर अन्य हिन्दुओं की क्या स्थिति है ?

श्री त्यागी : यह ५७ आदमी नारमल तरीक़ से जो माइग्रेशन सर्टिफिकेट लेकर आते हैं, जैसे टूरिस्ट्स वगैरह आते हैं उसी तरीक़ से यह माइग्रेशन सर्टिफिकेट लेकर आने वाले आदमी आते हैं और हमारी चौकियों पर अपने को रजिस्टर कराने के बाद इंडिया में चाहे जहां जा सकते हैं और उनसे यह तहकीकात करने का कारण ही नहीं मिल सका ।

श्री बृजराज सिंह—कोटा : यह सज्जन वापिस क्यों नहीं जाना चाहते यह भी आपने पूछा ?

श्री त्यागी : अगर उनको वापिस जाना है तब तो कहेंगे कि उन्हें कोई दिक्कत है । वह एक तारीख में नहीं आये हैं । अलग अलग तारीखों में अलग अलग चौकी पर अपने को रिपोर्ट करते हैं । यदि उनके पास कोई ऐसी खबर होती तो जरूर बतलाते । मैं उनको लौकैट नहीं कर सका कि वह कहाँ पर गये हुए हैं ।

श्री जगदेव सिंह सिद्धान्ती : मैं यह जानना चाहता हूँ कि इन ५७ व्यक्तियों में से कितने हरिजन हैं आं : वे आये क्यों हैं । अगर वे वापस नहीं जाना चाहते हैं, तो वे आए क्यों हैं ?

श्री त्यागी : ये लोग माइग्रेशन सर्टिफिकेट ले कर आए हैं । ये भाग कर आए हुए आदमी नहीं हैं ।

श्री जगदेव सिंह सिद्धान्ती : ये बीजा ले कर तो आए हैं, लेकिन ये आए क्यों हैं ?

अध्यक्ष महोदय : माननीय सदस्य को मालूम होना चाहिए कि माइग्रेशन सर्टिफिकेट ले कर तो लोग आते रहते हैं—कोई किसी रिश्तेदार को मिलने के लिए आते हैं और कोई किसी शादी पर आते हैं ।

Shri Mohsin: Is it a fact that certain papers are indulging in such false and exaggerated rumours so as to create some disturbance in this part of the country and if so, what action is being taken in this matter?

Shri Tyagi: I must confess that there are certain papers which are indulging in such type of sensational news and I am afraid some action has to be taken. After all, we should stop this type of rumour-mongering.

Shri U. M. Trivedi: Sir, this is not the first occasion that stories have been set afloat that only Harijans are the persons who are not allowed a visa to enter India and only under exceptional circumstances these Harijans are allowed to come into India on migration certificates and each one of them does not want to go. This state of affairs is continuously in existence since 1952 up-to-date Will the Minister kindly make enquiries?

Shri Tyagi: If the hon. Member is kind enough to forward one case to me, I shall certainly start an enquiry.

Shri Hari Vishnu Kamath: Is it not a fact that the high hopes and expectations entertained at the time of partition by the Prime Minister, his colleagues—Sardar Vallabhbhai Patel, and other leaders—that the people would peacefully settle down in the two countries established after independence have been dashed, and if so, what factors are responsible for this failure of expectations?

Shri Tyagi: It is a matter for speculation. My hon. friend knows as much as I do. There is nothing further for me to add.

WRITTEN ANSWERS TO QUESTIONS

Indian Missions Abroad

*1298. **Shri Harish Chandra Mathur:**

Will the Prime Minister be pleased to state:

(a) the posts of Heads of Indian Missions abroad remained vacant for more than four months during the last two years; and

(b) the arrangements being made to improve upon the situation?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a). The posts of Ambassadors at Peking, Rio-de-Janeiro, Addis Ababa, Vienna, Rangoon and Oslo.

(b) Ambassadors at Rio-de-Janeiro, Addis Ababa and Vienna have been appointed and they are in position now. Announcement of the appointment of our Ambassador at Oslo has also been made already. He is expected to reach there in June, 1964. Selection for Rangoon has been made and it is expected that the new Ambassador would be reaching there by the end of May, 1964. At Peking, in the absence of an Ambassador, the Government has appointed a Charge d' Affaires to remain in charge of the Indian Embassy there.

Administrative Reform in NEFA

*1299. **Shri Rishang Keishing:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Government of India have appointed a Commission to bring about administrative reforms in NEFA;

(b) if so, the names of the members of the Commission; and

(c) how long it will take the Commission to complete its work?

The Parliamentary Secretary to the Ministry of External Affairs (Shri D. Ering): (a) The Government of India has approved the constitution by the Governor of Assam of a committee to go into the development of Local Self-Government institutions in NEFA.

(b) The Committee will consist of Shri D. Ering, Parliamentary Secretary, and Member of Parliament for NEFA, Brig. D. M. Sen, former Legal Adviser, NEFA, and now Advocate-General, Nagaland, Shri B. D. Pande, Additional Secretary, Ministry of Finance, and a representative of the NEFA Administration.

(c) The Committee is expected to commence its work in May, 1964, and will be able to prepare a programme of work only after it has assessed its tasks in detail.

आसाम की सीमा पर पाकिस्तानियों
का घावा

*१३००. { श्री हुकम चन्द कछवाय :
 { श्री बड़े :
 { श्री कपूर सिंह :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आसाम के वित्त मंत्री ने राज्य विधान सभा में स्वीकार किया है कि १७ सशस्त्र पाकिस्तानियों ने ३० मार्च को घासपाड़ा के सीमावर्ती गांव पर घावा बोला और बहुत सी चीजें लूट लीं ; और

(ख) यदि हां, तो इस संबंध में भारत सरकार की प्रतिक्रिया क्या है ?

बैदेशिक कार्य मंत्रालय में राज्य मंत्री (श्रीमती लक्ष्मी मेनन) : (क) आसाम के वित्त मंत्री ने ८ अप्रैल १९६४ को राज्य विधान सभा में वक्तव्य देते हुए थाना धुबरी के गांव घासपाड़ा में एक भारतीय राष्ट्रिक के घर में पाकिस्तानी उपद्रवकारियों द्वारा डाका डालने का जिक्र किया था ।

(ख) इस बारे में ग्वालापाड़ा के डिप्टी कमिश्नर ने रंगपुर (पूर्व-पाकिस्तान) के डिप्टी कमिश्नर को विरोध-पत्र भेजा है और यह कहा है कि लूटा हुआ माल उसको भालिक को वापस दिलगया जाय ।

Indo-Pakistani Commanders' Meeting

*1302 { Dr. L. M. Singhvi:
Shri P. B. Chakraverti:
Shri Onkar Lal Berwa:

Will the Minister of Defence be pleased to state:

(a) whether an agreement on patrolling in the graveyard area in Jammu near the ceasefire line was signed between the Divisional Commanders of India and Pakistan at a meeting held on the 14th April, 1964;

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

(c) whether Indian civilian would be permitted to cultivate existing area of Sarkhanda grass opposite the graveyard area?

The Minister of Defence (Shri Y. B. Chavan): (a) Yes, Sir.

(b) A statement is laid on the Table of the House.

STATEMENT

The following agreements were reached at the meeting of the Divisional Commanders of the two sides on 14th April 1964:—

(a) Patrolling would be resumed by both sides according to the itinerary before the first exchange of fire on 25th January, 1964.

(b) No patrols would enter the space between the two tents pitched after the Divisional Commanders' meeting on 17th March, 1964.

(c) The sites of the existing two tents, housing the present standing patrols, would be marked by stone markers which will be painted white and constructed under U.N. supervision by 21st April, 1964. After this date, both the tents and standing patrols would

be removed and the patrolling arrangements described above would come into force.

(d) Our Divisional Commander stated that the existing area of 'sarkanda' grass opposite Grave Yard area should be cleared and cultivated as a result of the Indian civilians reoccupying village Chak Jasu about 400 yards North East of the Grave Yard.

(e) Civilians will have unhindered movement in the area as hitherto.

2. Stone markers have since then been erected and the tents removed, under the supervision of the U.N. Military, Observers. Patrolling has also been resumed w.e.f. 22nd April, 1964.

(c) Yes Sir.

Manufacture of Ships

*1303. Shri Subodh Hansda: Will the Minister of Defence be pleased to state:

(a) whether the proposal for the expansion of Garden Reach Workshops, Calcutta for the manufacture of ships and other general engineering equipment has made any progress;

(b) whether Government have entered into any agreement with any country for ship-building; and

(c) if so, with which countries and what are the terms of this collaboration?

The Minister of Defence Production (Shri Raghuramaiah): (a). The proposal to increase the ship building capacity is under consideration of the Company; expansion of capacity for the manufacture of general engineering equipment is progressing.

(b) No, Sir.

(c) Does not arise.

पाकिस्तानियों द्वारा भारतीय सर्वेक्षण अधिकारियों को गिरफ्तारी

*१३०४. श्री श्रींकार लाल बेरवा : क्या प्रवान मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या यह सच है कि २० अप्रैल, १९६४ को पूर्वो पाकिस्तान पुलिस द्वारा एक भारतीय सर्वेक्षण अधिकारी को गिरफ्तार कर लिया गया था ;

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

(ग) क्या यह भी सच है कि उसके पास जो नक्शे तथा अन्य कागजात थे वे छान लिये गये थे और सांमा पुलिस द्वारा बचाये जाने से पहले उसे गुण्डों द्वारा पोटा गया था ?

बैदेशिक कार्य मंत्रालय में राज्य मंत्री (श्रीमती लक्ष्मी मेनन) : (क) और (ख). १७ अप्रैल १९६४ को दरसना गेडे सीमा पर पश्चिम बंगाल सर्वेक्षक दल के अदली, श्री धनंजय घोराई पर पाकिस्तानी उपद्रवकारियों ने उस समय हमला किया जबकि वे दरसना शिविर से वापस आ रहे थे ; इनके पास यात्रा के लिए वैध दस्तावेज थे ।

(ग) पाकिस्तानी उपद्रवकारियों ने श्री घोराई से उनकी टाच, कुछ कागज और उनका निजी रुपय-पैसा छी लिया ।

Training in Journalism

*1205. Shri Subodh Hansda: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether there is any proposal to set up an Institute for training in Journalism in India;

(b) if so, whether any world organisation like UNESCO propose to give help to this Institute; and

(c) whether the proposal has been finalised and where the Institute will be located?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) to (c). No, Sir. Based on the recommendation of the Mass Communication Study Team sponsored by the Ford Foundation which visited India in early 1963 at the instance of this Ministry, a proposal to establish a Centre for Advanced Study in Mass Communication is, however, under consideration. The report of the Departmental Committee which was appointed to work out the details relating to the financial implications, physical requirements etc. for setting up the proposed Mass Communication Centre has recently been received and is under examination.

Indian Cancer Research Centre

2784. Shri Hari Vishnu Kamath: Will the Prime Minister be pleased to state.

(a) whether the Indian Cancer Research Centre, Bombay has conducted research on the aetiology of cancer; and

(b) if so, a resume of the experiments and results thereof?

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

(b) A brief note giving the required information is laid on the Table of the House. [Placed in Library. See No. LT-2848/64].

E.S.I. Scheme in Kerala

2785. Shri A. V. Raghavan: Will the Minister of Labour and Employment be pleased to state:

(a) whether the Employees' State Insurance Scheme could not make much headway in Kerala during 1963-64 for want of qualified medical and para-medical personnel;

(b) if so, the steps taken to fill up the posts lying vacant; and

(c) the amount sanctioned for 1963-64 and the amount spent that year under the E.S.I. scheme in Kerala?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) During 1963-64, the Employees' State Insurance Scheme was extended to 10 more centres in Kerala covering 32,250 more employees and medical benefit was extended to 27,000 more family units. The extension was not, however, upto the Plan targets because of paucity of medical personnel.

(b) The position regarding availability of medical personnel has improved and arrangements are being made by the State Government to extend the Scheme to further areas.

(c) Estimated Expenditure approved on Revenue Accounts during 1963-64—Rs. 49,39,700.

Actual Expenditure on Revenue Account during 1963-64—Rs. 46,43,987. (This figure is subject to adjust if any on the closure of final accounts.)

मजूरी बोर्डों की दिल्ली में बैठकें

२७८६. श्री सिद्धेश्वर प्रसाद : क्या श्री रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मजूरी बोर्डों की बैठकें दिल्ली में करने पर रोक लगा दी गई है ;

(ख) यदि हाँ, तो उसके क्या कारण हैं ; और यह आदेश किन बोर्डों पर लागू होते हैं, और

(ग) क्या इस आदेश की एक प्रति सभा पटल पर रखी जायेगी ।

श्री रोजगार मंत्रालय में उपमंत्री (श्री रंकि० मालवीय): (क) जी नहीं ।

(ख) और (ग). प्रश्न नहीं उठता ।

Indian High Commission in U.K.

2787. Shri S. N. Chaturvedi: Will the Prime Minister be pleased to state:

(a) whether Government's attention has been drawn to the summary of an

interview by Shri Donald Groom published on page 24 of 'Bhoodan Yagya' dated 27th December, 1963 in which he has stated that enquiries regarding Khadi and Bhoodan and Gramdan Movements made from India House, London, elicit the answer that they have no intimation on the subject, and that India's case has suffered by default in regard to India-China dispute; and

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

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). The Government of India is aware of the publication of an interview by Shri Groom, but the allegations made in the article have no substance and are contrary to known facts.

A number of enquiries have been answered by the High Commission in London about Khadi, Bhoodan and Gramdan Movements. There is also a considerable amount of literature in India House Library which is accessible to visitors and is examined by them frequently. As regards the India-China dispute, the Government of U.K. is well aware of the position and considerable publicity has been given to the Indian point of view.

Import of Contraband Goods along-with Army Mules

2788. { Shri Ram Sewak Yadav:
Shri V. B. Deo:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that ships carrying cargoes of mules meant for the Armed Forces from abroad have been bringing consignments of contraband goods also during 1963-64;

(b) if so, the details of the articles seized; and

(c) the action taken against the persons concerned?

The Minister of Defence (Shri Y. B. Chavan): (a) to (c). Some complaints of smuggling have come to the notice of Government. In one case during December 1963, the following articles were seized by the Customs Authorities from one of the ships which carried a cargo of mules for the Armed Forces:—

- (1) 8 woollen blankets
- (2) 24 bottles of special brandy
- (3) 72 bottles of beer
- (4) 4 magnetic tapes
- (5) 4 neckties
- (6) 1 Parasol
- (7) 7 pieces of crockery

The ownership of the above articles valued at Rs. 572 could not be established and these were confiscated by the Customs Authorities. In the circumstances, the question of taking action against any person does not arise.

Navy Helicopter

2789. Shri P. C. Borooah: Will the Minister of Defence be pleased to state:

(a) whether an Indian Navy helicopter attached to INS Vikrant ditched into the Ernakulam channel on the 4th April, 1964;

(b) if so, in what circumstances; and

(c) the damage caused due to the incident?

The Minister of Defence (Shri Y. B. Chavan): (a) Yes, Sir.

(b) The aircraft was on routine reconnaissance work over the Naval Base at Cochin.

(c) There were no casualties nor was there any damage to civil property. The damage to the aircraft was, however, heavy and the aircraft is considered beyond economical repair.

Border Clashes in Jammu and Kashmir

2790. Shri P. C. Borooah: Will the Minister of Defence be pleased to state how many persons have so far been killed and injured in Jammu and Kashmir in border clashes with Pakistan, since the signing of the cease-fire agreement in that area, both on Indian and Pakistan sides?

The Minister of Defence (Shri Y. B. Chavan): The figures of casualties in the border/CFL incidents in Jammu & Kashmir are not available prior to the year 1959. The figures of casualties from 1959 onwards are given below:—

Casualties

	Indians		Pakistanis	
	Killed	Injured	Killed	Injured
1959	4	12	not known	
1960	5	11	35	5
1961	5	17	34	27
1962	5	10	6	10
1963	9	17	13	18
1964 (upto 25th April)	25	15	60	16

Sainik School in Assam

**2791. { Shri P. C. Borooah:
Shri Liladhar Kotoki:**

Will the Minister of Defence be pleased to state:

(a) whether the Sainik School proposed to be set up in Assam has since been established;

(b) if so, the number of students admitted therein;

(c) whether any seats have been reserved for the Union Territories

of NEFA, Nagaland and Manipur and Tripura; and

(d) the medium of instruction in the school?

The Minister of Defence (Shri Y. B. Chavan): (a) The School is proposed to be opened in the middle of July, 1964.

(b) It is proposed to start the School with about 80—100 boys.

(c) There will be no specific reservation of seats for any Union Territory. But all boys from the territories mentioned in the question, who are selected for admission and express a preference for this School, will be admitted.

(d) Medium of instruction in the Sainik School in Assam will be English as it is in other Sainik Schools, and Hindi will be taught as a compulsory subject.

Visakhapatnam Port

2792. Shri P. C. Borooah: Will the Minister of Labour and Employment be pleased to state:

(a) whether the winchmen and signalmen of the Visakhapatnam port went on a strike recently thus paralysing the work there;

(b) if so, what were their demands; and

(c) Government's reaction thereto?

The Deputy Minister in the Ministry of Labour and Employment and Planning (Shri C. R. Pattabhi Raman): (a) Yes.

(b) The immediate cause of the strike was allotment of one winchman per crane hook and one reliever for every six or less number of winchmen in crane-fitted vessels as against the previous practice of allotting two winchmen per crane-hook. The workers had however, some other demands also which are mentioned in the statement laid on the Table of the House. [Placed in Library, See No. LT-2848/64].

(c) On the intervention of the Central Industrial Relations machinery a settlement was reached and the working at the Port was resumed with effect from 19-4-1964. According to the settlement, demands mentioned in the attached statement were to be considered at a special meeting of the Dock Labour Board.

Project "Phoenix"

**2793. { Shri D. C. Sharma:
Shri P. C. Borooah:**

Will the Prime Minister be pleased to state:

(a) whether the Atomic Energy Establishment at Trombay has completed its project "Phoenix", a plant to extract plutonium from waste fuel elements from the three atomic reactors at Trombay; and

(b) if so, the details of the project?

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

(b) A statement giving the required information is laid on the Table of the House. [Placed in Library, See No. LT-2793/64].

Training for Apprentices and Instructors in Industries

2794. Shri Ram Harakh Yadav: Will the Minister of Labour and Employment be pleased to state:

(a) whether Government propose to introduce a new pattern of training for Apprentices and Instructors in industries in the Fourth Five Year Plan; and

(b) if so, the outlines thereof?

The Deputy Minister of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) Certain proposals for reorganisation are under the consideration of the Central Apprenticeship Council and the National Council for Training in Vocational Trades and have not yet been refer-

red to Government for their consideration.

(b) Does not arise.

कोयला खान भविष्य, धनबाद

२७६५. { श्री हुकम चन्द कछवाय :
श्री प्रकाशबीर शास्त्री :
स्वामी रामेश्वरानन्द :

क्या श्रीम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि धनबाद की कोयला खान भविष्य निधि की व्यवस्था में गम्भीर वित्तीय अनियमितताएँ हुई हैं ; और

(ख) यदि हाँ, तो स्थिति के सुधार के लिये क्या कदम उठाये गये हैं ?

श्रीम और रोजगार मंत्रालय में उपमंत्रि तथा योजना उपमंत्रि (श्री चे० रा० पट्टाभिरामन) (क) और (ख)। कुछ संदिग्ध अनियमितताओं की जांच की जा रही है।

Protest Note to Pakistan

2796. **Shri R. Barua:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that the Government of India have lodged a protest with the Pakistan Government regarding the publication of a malicious report in Dawn, of Karachi about 'Murder Plot against Sheikh Abdullah'; and

(b) if so, whether any reply has been received from the Pakistan Government?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) Yes, Sir. Our High Commission in Pakistan lodged a protest with the Pakistan Government regarding the publication of a report in 'Dawn', Karachi on April 14, 1964

under the banner headline "Murder plot against Abdullah."

(b) No, Sir.

शक्तिमान ट्रक

२७६७. श्रीमती जोहराबेन चावडा :
क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या शक्तिमान ट्रकों का निर्माण प्रारम्भ होने से अब तक कुछ ट्रक परीक्षण में खराब निकले और दुर्घटनाग्रस्त हुए ; और

(ख) यदि हाँ, तो उनमें क्या खराबियाँ थीं और दुर्घटनाओं के क्या कारण थे।

प्रतिरक्षा मंत्रालय में प्रतिरक्षा उत्पादन मंत्री (श्री रघुरामैया) : (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

गन कैरिज फैक्टरी, जबलपुर

२७६८. श्रीमती जोहराबेन चावडा :
क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जबलपुर स्थित गन कैरिज फैक्टरी में पिछले वर्षों में बिना पूर्व अनुमति के कुछ राइफलों अथवा बन्दूकों तैयार हुई ;

(ख) क्या उन्हें लागत व्यय से बहुत कम दाम में बेचा गया ; और

(ग) यदि हाँ, तो ऐसी राइफलों या बन्दूकों का संख्या क्या थी और वे किन के पास बेची गई ?

प्रतिरक्षा मंत्रालय में प्रतिरक्षा उत्पादन मंत्री (श्री रघुरामैया) : (क) जी नहीं। गन कैरिज फैक्टरी जबलपुर में राइफलों या बन्दूकों का निर्माण नहीं होता।

(ख) तथा (ग). प्रश्न नहीं उठते।

East Pakistani Hindu Girls in Middle East Countries

2799. { Shri Hari Vishnu Kamath:
Shri Hem Barua:
Shri Prakash Vir Shastri:
Shri Onkar Lal Berwa:
Shri P. R. Chakraverti:
Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Prime Minister be pleased to state:

(a) whether his attention has been drawn to a report published in the Amrita Bazar Patrika dated the 19th April, 1964 captioned "East Pakistan Hindu girls for Middle East harems";

(b) whether any inquiry has been made in the matter by contacting the said Dr. Arun Ganguly; and

(c) if so, with what result?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) to (c). Yes Sir, Dr. Arun Ganguly was contacted on the 21st April, 1964 and he gave out that he had come across the alleged abducted girl in Damascus in the summer of 1962, and that the girl concerned was now living the life of a prostitute. The Government are naturally not in a position to say whether the alleged information given to Dr. Ganguly is correct. The incident relates to a period well before the recent disturbances in East Pakistan and cannot, therefore, be said to be related to such disturbances.

Government have no reason to believe that there is any regular traffic in girls of the Minority Community from East Pakistan to West Asia.

Publication of Journals

2800. { Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of Information and Broadcasting be pleased to state:

(a) the names of the Ministries which publish journals at present;

(b) the number of journals published by each Ministry;

(c) the amount spent by each Ministry for publication of journals; and

(d) the total expenditure per annum for these journals?

The Minister of Information and Broadcasting (Shri Satya Narayan Sinha): (a) to (d). The information is being collected from the various Ministries and a statement will be laid on the Table of the House, in due course.

Trespassing by East Pakistani Rifles

2801. { Shri Onkar Lal Berwa:
Shri P. C. Borooah:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that a band of Pakistanis accompanied and aided by East Pakistan Riflemen trespassed into the Indian border village of Paglimar and raided it on the 19th April, 1964;

(b) if so, the extent of damage caused by the raiders; and

(c) Government's reaction thereto?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) On April 18, 1964, some 15/16 Pakistani nationals armed with fire arms and other lethal weapons trespassed into Indian territory at village Pagliguri, P. S. Sitalkuchi, District Cooch Behar (West Bengal) and raided the house of Indian national.

(b) The Pakistani miscreants decamped with cash, ornaments etc. valued at about Rs. 400.

(c) A protest has been lodged by the Deputy Commissioner, Cooch Behar, with the Deputy Commissioner Rangpur (East Pakistan), against the criminal activities of the Pakistani

miscreants. The matter is also being pursued by the Government of West Bengal, at the State level.

Army Ordnance Corps

2862. Shri P. C. Borooah: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that full service of the extra-temporary civilian staff of the Army Ordnance Corps for the period prior to 1st August, 1949 has not been taken into account while merging their services with that of the temporary civilian staff of that corps;

(b) if so, the reasons therefor; and

(c) whether there has been any change in the nature of the duties performed by them on the merger of the two categories and if so, what?

The Minister of Defence (Shri Y. B. Chavan): (a) Half the service rendered on Extra Temporary Establishment prior to 1st August 1949 has been taken into account for purposes of seniority, etc.

(b) and (c). The service rendered by these personnel prior to 1-8-1949 was in appointments which were sanctioned from month to month and from year to year and not in any regular Establishment. These employees were generally on daily rates of pay, which was usually higher than those payable to similar categories on the regular establishment. They were recruited on local basis and were not liable for transfer to any other Defence Installations. Originally no portion of the E.T.E. service rendered prior to 1-8-1949 was taken into account for purposes of determining seniority in the regular Establishment, etc. Such service was not considered to be equivalent in all respects to the service rendered on the regular Establishment. The distinction made is on account of difference in the terms and conditions of service and not in the nature of duties.

Employment Targets

2804. Shri Vishram Prasad: Will the Minister of Labour and Employment be pleased to state:

(a) the figures of the employment target by the end of the Third Plan period;

(b) whether employment is lagging behind; and

(c) if so, whether factors contributing thereto have been examined and if so, the nature thereof?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) The Third Plan employment target is 14 million jobs (10.5 million in non-agricultural occupations and 3.5 million in agriculture).

(b) and (c). Yes. As mentioned in the 'Third Plan Mid-Term Appraisal', some of the factors responsible for slow growth of employment opportunities are (a) set back in agriculture (b) spreading the execution of big plan projects over a period longer than contemplated in the Plan (c) smaller availabilities of materials and (d) generally slower pace of implementation of the plan.

Theft of Ammunition from Train

**2805. { Shri S. N. Chaturvedi;
Shri Onkar Lal Berwa:**

Will the Minister of Defence be pleased to state:

(a) whether any theft occurred in a parcel van carrying ammunition despatched by the military authorities from Deogarh to Siliguri on the 9th April, 1964;

(b) if so, the details thereof; and

(c) whether any clue of the culprits has been found?

The Minister of Defence (Shri Y. B. Chavan): (a) No theft of ammunition despatched to or by military authorities took place on the 9th April, 1964.

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

Radio Station in Bastar District

2806. **Shri Wadiwa:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that there is a scheme to set up Dandak Radio Station in Bastar District of Madhya Pradesh; and

(b) whether there is any proposal to shift this station to Koraput District in Orissa?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): (a) No, Sir.

(b) Does not arise.

Jawans in Operational Areas

2807. { **Shri Rajdeo Singh:**
Shri Balkrishna Singh:

Will the Minister of Defence be pleased to state what period a Jawan or an officer gets to be with his family after his return from the Field Area before he is again posted to an operational area?

The Minister of Defence (Shri Y. B. Chavan): The general policy is that Army personnel, whether individually or on a whole unit basis, should serve a tenure of three years in an operational area and three years in a peace/family station in rotation. However, it has not been possible to adhere to this policy in practice for operational reasons and the average stay of an individual in a peace/family station after return from a field area and before reposting to a field area is about two years.

Scholarships in Sainik Schools

2808. **Shri Rishang Keishing:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that one hundred scholarships have been created by the Central Government for the students of the Union Territories studying in Sainik Schools;

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(b) if so, the criteria being followed in the award of the scholarships;

(c) the Territory-wise number of scholarships awarded so far; and

(d) how far the scholarships are found adequate to meet the requirements of the Union Territories?

The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):

(a) Ministry of Home Affairs in consultation with the Ministry of External Affairs have instituted 150 scholarships for boys belonging to the Union Territories for their education in the Sainik Schools from the year 1964.

(b) Scholarships under the Central Government Scholarship Scheme instituted for the Union Territories are awarded on the merit-cum-means basis to boys who qualify for admission to Sainik Schools through the All-India Entrance Examination held by the Board of Governors, Sainik Schools. The Central Government Scholarship Scheme is re-produced below:—

Income	Rate of Scholarship	Amount of Scholarship and Clothing Allowance
Rs. per month		
0—500	Full scholarship plus clothing allowance.	Rs. 1900-p.a. plus Rs. 300/- for clothing allowance in the first year and Rs. 150/- in the subsequent years.
501—750	3/4 scholarship plus clothing allowance.	Rs. 1425 p. a. plus Rs. 300/- for clothing allowance in the first year and Rs. 150 in the subsequent years.
751—1000	Half scholarship.	Rs. 950/- per annum.
1001—1200	1/4 scholarship	Rs. 475/- per annum.

(c) 32 boys have been selected from the Union Territories to whom Ministry of Home Affairs Scholarship Scheme is applicable. Their distribution is as under:—

Delhi	23
Himachal Pradesh	2
Andamans & Nicobar Islands	3
Manipur	2
Pondicherry	2
Total	32

The names of 30 boys have been furnished to the Ministry of Home Affairs and names of two boys to the Ministry of External Affairs for the award of Central Government's Scholarships to these boys.

(d) No difficulty is envisaged in awarding scholarships to all boys coming from the various Union Territories who have been selected for admission and who qualify for a scholarship on the basis of the means test.

Labour Welfare Measures in Orissa

2809. Shri Mohan Nayak: Will the Minister of Labour and Employment be pleased to state:

(a) the amount of money which has been allocated in Orissa for implementing labour welfare measures during 1964-65; and

(b) the nature of various measures for which money has been allotted?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): In case the information wanted is about allocation from central funds, then the details are as follows:

(a) Rs. 8,41,050 by the Coal Mines Labour Welfare Fund & Rs. 3,50,000

by the Iron Ore Mines Labour Welfare Fund.

(b) Medical facilities, adult education, community centres, housing etc.

दिल्ली में टेलीविजन सेट

२८१०. श्रीमती जोहराबन चावडा : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में इस समय कितने टेलीविजन सेट हैं ; और

(ख) कुल सेटों में से कितने सार्वजनिक स्थानों पर हैं और कितने निजी बंगलों में ?

संसद-कार्य मंत्री (श्री सत्य नारायण सिंह): (क) और (ख). अब तक दिल्ली में कुल मिलाकर ५८८ टेलीविजन सेट लगाए गए हैं। इनका विवरण इस प्रकार है :—

(१) स्कूल और टेलीक्लबों में	४७३
(२) अन्य संस्थाओं में	७
(३) उच्च पदस्थ व्यक्तियों और बड़े अफसरों के पास	२२
(४) निजी (व्यापारी और घरेलू लाइसेंस वाले लोगों के पास)	८६
	५८८

लद्दाख के विस्थापित मुस्लिम परिवार

२८११. श्री प्रकाशवीर शास्त्री : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या तिब्बत में कुछ लद्दाखी अथवा वहाँ के विस्थापित मूल निवासी मुसलमान परिवार भारत और सिक्किम के कुछ भागों में बसाये गये हैं ; और

*to Matters of Urgent
Public Importance*

(ख) क्या सरकार ने उनके वस्तुस्थिति जानने का कुछ यत्न किया है और यदि हाँ, तो उसका क्या निष्कर्ष निकला ?

प्रधान मंत्री, वैदेशिक-कार्य मंत्री तथा अणुशक्ति मंत्री (श्री जवाहरलाल नेहरू) :

(क) एक लड़ाखीमूलक मुसलमान परिवार, जिसमें ६ सदस्य (माँ और आठ बच्चे) हैं, ३ अप्रैल १९६४ को लहामा से न्यूना पहुँचा। इस परिवार को फिर से खाने के सवाल पर विचार हो रहा है।

(ख) इन बातों का जांच पड़ताल हो रही है कि इस परिवार के भारत में आने का क्या कारण है।

Alleged Air Violation by Burmese Plane

2812. Shri Rishang Keishing: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that a fighter plane and a helicopter of Burma Air Force flew over Bongmal valley in Tengenoupal Sub-division of Manipur on the 25th March, 1964;

(b) whether on the same day about the same time about 700 hostile Nagas with 340 porters entered the area; and

(c) whether any protest has been lodged to the Government of Burma about the violation of Indian space?

The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan): (a) and (b). No, Sir.

(c) Does not arise.

Electronic Equipment for Defence

2813. Shrimati Renu Chakravartty: Will the Minister of Defence be pleased to state:

(a) whether the potentialities of utilising the strategic electronic and other equipment in E.M.C. Co. Ltd.,

Jessore Road, Dum Dum for defence production have been examined; and

(b) whether the Department of Defence Production is considering to utilise this factory for defence industries?

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): (a) and (b). The general policy regarding defence equipment is to supplement the manufacture of equipment in Government-owned factories to the extent possible by obtaining components etc. from civil trade.

Within the scope of the policy and on a survey of the facilities available at the E.M.C. Co. Ltd., Calcutta, some orders for supply of components for ammunition items have been placed on this firm.

12.14 hrs.

**CALLING ATTENTION TO
MATTERS OF URGENT PUBLIC
IMPORTANCE**

(i) BOMB EXPLOSION IN POONCH POWER HOUSE

Mr. Speaker: Shri Hathi will make a further statement and then I will allow questions.

The Minister of State in the Ministry of Home Affairs (Shri Hathi): An explosion took place in the early morning of the 29th April, 1964 at about 5.00 hrs. outside the Police Station at Mendhar which is about 3½ miles from the Cease-fire Line. Two bombs had been placed on the ramparts outside the Police Station, but only one of them exploded. The unexploded bomb consisting of about 1 lb. of plastic explosives, 9" long safety fuse, a time pencil and a detonator, was recovered from near the site and is under study by Army experts. It did not bear any marks to identify its place of origin. There was no loss of life, but six window panes in the Police Station were damaged. Five persons are under interrogation.

[Shri Hathi]

Another explosion took place at about 8.00 hrs. on the 30th April, 1964, near the Power House at Poonch. The explosive material was placed under the water pipes feeding water to the Power House at a distance of about 105 yards from the Power House. Three water pipes each 6 ft. long were damaged. Military experts were called in to inspect the site. Owing to the rush of water the debris had been washed away and no material was, therefore, available for inspection. The pipes were replaced and electric supply resumed after about 8 hours the same day. The case is under investigation and certain persons are being interrogated. The Power House is under police guard.

Shri S. M. Banerjee (Kanpur): From the statement of the hon. Minister it is clear that the number of such explosions is rising. Previously he had said that 72 incidents of explosions took place. Now the number has risen to 74. I would like to know what concrete steps have been taken to stop this sabotage by Pakistani spies, because their main targets are power houses, State Assemblies and other places of strategic importance. I want to know what steps have been taken to tighten up our security arrangements there in order to avoid a recurrence of such incidents?

Shri Hathi: The steps that are being taken, of course, are patrolling and guarding the strategic points, keeping a watch on the persons who appear to be of suspicious character, placing police guard at power houses and other places where there are pipes and checking up persons of doubtful character.

श्री श्रीकार लाल बेरवा (कोटा) : पाकिस्तान वालों ने पहले भी बेतर ड्रेन को काट कर पानी ले लिया था। जब भारत सरकार को यह जानकारी थी कि बेतर ड्रेन को काट कर फिर पानी ले लिया जायेगा,

तो क्या कारण है कि वहाँ पर ऐसा विशेष इन्तजाम नहीं किया गया कि पाकिस्तान वाले दोबारा ऐसा न कर सकें ?

श्री हाथी : यह ड्रेन को काट कर पानी लेने की बात नहीं थी। वहाँ पर सिक्यूरिटी का प्रबन्ध कर दिया गया है और गार्ड रख दिये गए हैं।

श्री बड़े (खायगोन) : क्या यह सच है कि इस में भी पाकिस्तान का हाथ था और पाकिस्तान के सैबोटेज की वजह से यह घटना हुई है ? क्या सेंटर की तरफ से वहाँ पर कोई स्पेशल पुलिस भेजी गई है ?

श्री हाथी : वहाँ पर पुलिस इन्वेस्टिगेशन कर रहा है। एक केस में पांच आदमियों और दूसरे केस में छः आदमियों का इन्टेलिगेंशन होगा।

श्री यशपाल सिंह (कैराना) : क्या सरकार बता सकती है कि पिछली दफा काश्मीर एसेम्बली में जिन लोगों ने बम फेंका था, जब उन को बगैर सजा दिए हुए छोड़ दिया गया और केस वापस ले लिया गया, तो क्या उन को माफ कर देने से इस तरह के वाक्यात और नहीं बढ़ेंगे ?

श्री हाथी : नहीं, मेरे ख्याल से किसी की सजा माफ नहीं की गई है।

Shri Hem Barua (Gauhati): In view of the fact that the State of Jammu and Kashmir has of late become a honey-comb of pro-Pakistani activities—open sabotage, explosions etc.—may I know why it is that the Union Government have not so far told the State Government categorically, specifically, clearly and in a brutal way, if necessary, to use some of its repressive laws—no State in India is armed with so many repressive laws as this State—like the Enemy Agents Ordinance, the Security Act, the Preventive Detention Act etc.? I want to

know why the Government have not told them like that. Has the Union Government abdicated its right to do that, although our national security is threatened—that is the most important thing.

Shri Hathi: There is no question of the Government of India having abdicated anything. The question of law and order is, as the hon. Member knows, primarily.....

Mr. Speaker: He wants to know whether the Central Government would advise the State Government to use the extraordinary powers that are vested with them.

Shri Hathi: The law and order problem is primarily the responsibility of the State Government. We hope they will take all the necessary steps.

Shri Hem Barua: I specifically pointed out that the State Government has certain measures—the Foreign Agents Ordinance, the Preventive Detention Act, the Security Act and others. When our national security is being threatened—it is the 74th time that this is happening in the State of Jammu and Kashmir—here is a Minister who wants to wash off the entire thing by saying that it is a law and order matter of the State and we do not have to do anything. This is negligence of duty.

Shri Nath Pai (Rajapur): Mr. Speaker, the relentless regularity with which these explosions are taking place clearly establishes the existence of a well organised espionage ring. The second point that is clear also is that these agents are nationals of this country. In view of these two facts, may I know, why is it proving so difficult for the Ministry, with all the powers it has, to track down the roots of these agents and smash them? I am sure the Government is not aware of the danger. He says special police are being posted near the police stations. That is not the point at all.

This espionage ring consists of Indian nationals.

Shri Hathi: Government are fully aware of this. They are taking the necessary steps. As I have mentioned, they are trying to find out the spies and keep a close watch over them and bring them to book. They are taking all necessary precautions.

Shri Nath Pai: May I only ask one more question? Is it not a fact that 90 per cent of these people are Indian nationals? Could we not track down even the Indian nationals? In the case of foreigners of course, they come across from the other side and you cannot anticipate them. But why can you not track down at least all those who are Indian nationals?

Shri Hathi: All those who have been suspected are arrested.

Shri Harish Chandra Mathur (Jalore): I am asking this question not from the viewpoint of law and order but from the viewpoint of national security. May I know whether Government have done any screening and, if so, what is the result of that screening? How many people connected with the spy-ring have been arrested and whether any blueprint has been prepared to protect the essential works?

Shri Hathi: As I have stated, the checking of infiltration is being done. Some people, about 24, have been arrested and a close watch is being kept on some others.

Shri Hem Barua: May I submit this is not a reply—some persons are arrested?

Mr. Speaker: He said 24 persons.

Shri Hem Barua: After the sabotage has taken place, our argument is: why can you not take adequate precautionary steps by which the State is made safe for people to live?

Mr. Speaker: Order, order. He can use his argument on some other occasion. Now Shri D. C. Sharma is not present. Shri P. C. Borooah is also not present. We will take up the next item.

(ii) SCUFFLE BETWEEN POLICE AND PUBLIC IN CONNECTION WITH AGITATION AGAINST RISE IN DTU BUS FARES.

Mr. Speaker: I have received notice of another calling attention notice. Because this is the end of the session, as a special case, I have allowed it. Shri Kapur Singh.

Shri S. M. Banerjee: Sir, we have tabled an adjournment motion.

Mr. Speaker: I have now called Shri Kapur Singh in regard to the calling attention notice.

Shri S. M. Banerjee: My adjournment motion is very important. People have been beaten when there were demonstrations. Why should we not get a chance to discuss it?

Mr. Speaker: Because I have disallowed it.

Shri S. M. Banerjee: It is true that you have disallowed it.

Mr. Speaker: So, a discussion would take place on the one I have admitted and not on the one that I have disallowed.

Shri S. M. Banerjee: My submission is this. Previously also, when there was an adjournment motion and a calling attention notice sometimes you used to allow the calling attention notice to be answered.

Mr. Speaker: Has he got the information that his adjournment motion has been disallowed?

Shri S. M. Banerjee: Yes, it is true.

Mr. Speaker: When it is true, he ought not to take it up here in this manner.

Shri S. M. Banerjee: In regard to that I want to point out....

Mr. Speaker: If he wants to argue on that, he can come to my chamber; not here. He will kindly resume his seat.

Shri S. M. Banerjee: Anything that happens in the capital is very important.

Mr. Speaker: Order, order. I have called Shri Kapur Singh.

Shri U. M. Trivedi (Mandsaur): Sir, on a point of information. Is the adjournment motion and the calling attention notice on the same subject?

Mr. Speaker: Both are on the same subject. I have allowed the calling attention notice and not the adjournment motion because there is no failure in this case.

Shri S. M. Banerjee: There is failure.

Mr. Speaker: Who should judge it?

Shri S. M. Banerjee: It is my view.

Mr. Speaker: Here it is my judgment that prevails, so far as this is concerned.

Shri S. M. Banerjee: That is true. But the question is whether there is failure or not.

Mr. Speaker: Order, order. They have their duty.

Shri S. M. Banerjee: To beat?

Mr. Speaker: Yes.

Shri S. M. Banerjee: You are giving your judgment.

Mr. Speaker: Order, order. That has to be decided by me.

Shri Bade: This judgment should not be given.

Mr. Speaker: I have not given any judgment. There would be an enquiry and the results would come. How can I say anything on that?

Shri Bade: But how can you say that they are doing their duty and therefore there was no failure?

Mr. Speaker: Order, order. I have already called Shri Kapur Singh.

श्री बागड़ी (हिसार) : इस सिलसिले में मैं भी अर्ज करना चाहता हूँ . . .

अध्यक्ष महोदय : इस वक्त नहीं सुन सकता हूँ । मैंने श्री कपूर सिंह को बुलाया है ।

श्री बागड़ी : ओरों की भी सुनी है आपने ।

अध्यक्ष महोदय : अब ओर मैं नहीं सुन सकता हूँ ।

Shri Kapur Singh (Ludhiana): I call the attention of the Minister of Home Affairs to the following matter of urgent public importance:

"The scuffle between the police and the public protesting against the rise in DTU bus fares in certain localities of Delhi on Sunday, the 3rd May 1964 resulting in serious injuries to about 50 persons."

Shri Hathi: This incident happened in Delhi yesterday. I am pained to find that the agitation has been taken up in a way in which it should not have been done.

Shrimati Renu Chakravartty (Barackpore): Why did you raise the bus fares?

Shri Hathi: I have not been able to come prepared because I was just now told about this notice. But because it is a local matter I have collected the information. The facts are that on the 3rd May 1964 at about 8.30 A.M. the Bharatiya Jan Sangh started an agitation near the Tilak Nagar bus stand in protest against the recent rise in DTU bus fares. Their declared programme was to send volunteers to squat in front of DTU buses in order to prevent them from plying. However, a mob of over 500 unruly elements of the area was soon attracted to the spot. This mob made an unprovoked attack on

two empty buses of the DTU parked near the Bus Stop, smashing their glass panes and deflating their tyres. The mob then proceeded along the Najafgarh Road swelling to over 3,000 on the way. At Titarpur Bus Stop they surrounded and attacked eight DTU buses and a Police Pick-up van. The DTU buses were badly damaged and rendered unfit to ply on the road. When a contingent of Policemen tried to prevent them, the mob hurled stones and brickbats (An Hon. Member: Wrong) at the Police party injuring 25 Policemen, including two officers. The Additional District Magistrate, who was present, declared the crowd to be an unlawful assembly when he failed to persuade it to refrain from these acts. They were then ordered to disperse. Since they continued to be violent, they had to use tear-gas. The crowd, however, pressed on towards Tilaknagar and attacked and damaged a DTU Recovery Van. They also tried to set fire to the van with a piece of cloth soaked in petrol but were foiled in their attempt by the Police who dispersed them.

An Hon. Member: He is wrong.

Shri Hathi: At about 1.30 P.M. a mob of about 200 persons again collected at the Tilaknagar Bus Stop. They pulled down two DTU cabins by the road-side which accommodated their maintenance depot and an enquiry office and set fire to their doors and other goods inside, including their records. A number of articles were looted including an electric fan and telephone apparatus.

Cases of rioting, damage to public property, arson and looting have been registered with the local police. About 50 arrests have been made so far.

Orders under section 144 Criminal Procedure Code banning meetings and processions for a period of seven days have been promulgated by the Additional District Magistrate covering the Police Stations of Punjabi

[Shri Hathi]

Bagh, Tilaknagar, Moti Nagar, Patel Nagar and Najafgarh.

Mr. Speaker: Shri Kapur Singh.

श्री बागड़ी : इसका तजुमा भी करवा दीजिये, फिर बाद में परवाना पड़ेगा।

अध्यक्ष महोदय : इतनी अंग्रेजी तों आप समझ सकते हैं और आपने समझ भी ली होगी।

Shri Kapur Singh: May I ask if there is any other method, except the Calcutta technique such as has been practised in this case, to impel our authorities to be reasonable in their dealings with the public?

Shri Hathi: What is the question, Sir?

Mr. Speaker: Is there any other technique, except the Calcutta technique as has been used in this case, to impel the authorities to be more reasonable or reasonable in their dealings with the public?

Shri Hathi: In fixing the bus fares?

Mr. Speaker: Yes.

Shri Hathi: This decision was taken by the Delhi Corporation. If they have any grievance, they have other constitutional methods..... (Interruption).

Shri Nath Pai: He does not know the Calcutta technique.

Shri Kapur Singh: The Ministers never answer our questions; they always go off at a tangent.

Mr. Speaker: He is not referring, I suppose, to the rise in the fares; he is referring to what might be called, the excesses or force used by the Police in this case. Is that the Calcutta technique?

Some Hon. Members: No, Sir.

Mr. Speaker: Then, I have not understood it.

Shri Kapur Singh: The Calcutta technique is that whenever the public are of the opinion that the authorities are not being reasonable, instead of arguing, they take action such as was taken supposedly by the Jan Sangh.

Shri Nath Pai: Burning a couple of trams.

Mr. Speaker: I am sorry, I did not follow it. Now, he might answer it.

Shri Hathi: I said in the beginning that it was unfortunate that this technique should have been resorted to. That is unfortunate; they should not have done so.

Shri H. P. Chatterjee (Nabadwip): Why give a special name to the technique?

Shrimati Renu Chakravartty: Because Shri Basanti got a beating in Calcutta.

Shri U. M. Trivedi: On a point of information, Sir. I had also signed the adjournment motion. I want only one information and nothing more.

Mr. Speaker: Later.

श्री यशपाल सिंह : क्या यह सही है कि तमाम वर्कर्स गिरफ्तार कर लिये गये थे, और जिस वक्त यह दुर्घटना घटी उस वक्त जनसंघ का कोई आदमी वहां मौजूद नहीं था। कोई अनडिजायरेबल एलिमेंट ऐसा था जिस ने जनसंघ को बदनाम करने के लिये यह दुर्घटना की।

श्री हाथी : यह बदनाम करने की बात नहीं है। जनसंघ ने यह प्रोग्राम बनाया था। उनकी इत्तला २ तारीख को मिल गई थी। जो लोग वहां पर थे वे उन के आदमी थे।

Shri A. N. Vidyalkar (Hoshliarpur): Is it a fact that while organising these disturbances, the Jan Sangh took all the young men and children from their shakhas that they held in the morning for this particular purpose?

श्री श्रींकार लाल बेरवा । उन्होंने लाठी प्रहार किया, अशु गंस छोड़ी, पत्थर फेंके । तो या तो किसी मैजिस्ट्रेट ने इस के लिये आर्डर दिया होगा या किसी गवर्नेक्टर ने दिया होगा, मैं जानना चाहता हूँ कि किस ने आर्डर दिया । पुलिस मैनों ने ऐसा कैसे किया ।

अध्यक्ष महोदय : अगर आप मंत्री महोदय का जवाब सुनते तो यह सवाल ही पैदा न होता। मैजिस्ट्रेट ने भीड़ को अनलाफुल करार दिया। मैजिस्ट्रेट वहां मौजूद था। जब अनलाफुल करार देने के बाद वह लोग नहीं हटे तो उन्होंने अश्व गैस को चलाया। सब कुछ वाद में हुआ। लेकिन आप ने सुना ही नहीं।

श्री श्रींकार लाल बेरवा : वाद में नहीं, आते ही लाठी प्रहार किया और अश्व गैस छोड़ी। उन्हें तितर बितर करने के लिये कोई कार्रवाई नहीं का गई।

श्री बड़े : मंत्री महोदय ने अभी जो कहा है वह एजेंजरेटड है। उस में बहुत सी बातें गलत हैं। ताहम मैं पूछना चाहता हूँ कि क्या यह ठीक है कि वहां मि० मल्होत्रा और उन के साथ दूसरे बीस लोग आप थे जो इन्जार हुए हैं। और उस के बाद साव आउट आफ कंट्रोल हुई है।

श्री हाथी : जो बात मेरे ध्यान में है वह मैंने हाउस के सामने पेश किया है और उस में यह बात नहीं है।

अध्यक्ष महोदय : एक एक आदमी के लिये कैसे कहा जा सकता है।

श्री हुकुम चन्द कछवाय : मैं जानना चाहता हूँ कि क्या यह बात सही है कि पिछले वर्ष भी जब किराया बढ़ाया गया था तो दिल्ली की जनता में बड़ा असन्तोष था, अब फिर किराया बढ़ा है तो भी काफी असन्तोष फैला है। जो असन्तोष फैला हुआ है उस को खत्म करने के लिये किराया कम होना चाहिये। इस मांग का लेकर दिल्ली की जनता ने प्रदर्शन किया और उन पर लाठी चार्ज हुआ। क्या यह बात सही है कि चौधरी बहा-प्रकाश के आर्डर से लाठी चार्ज हुआ।

श्री हाथी : लाठी चार्ज हुआ ही नहीं है।

अध्यक्ष महोदय : कौन सी बात उठा कर चले और कहां चले गए।

श्री हुकुम चन्द कछवाय : क्या किराया कम होने वाला है।

अध्यक्ष महोदय : चौधरी बहाप्रकाश हिन्दुस्तान से बाहर कहीं फिर रहे हैं।

श्री हुकुम चन्द कछवाय : मेरे प्रश्न का उत्तर दिलाया जाये। यह जो किराया बढ़ाया गया है तो क्या हर साल किराया बढ़ाने की योजना है।

अध्यक्ष महोदय : माननीय सदस्य को संचना चाहिये कि एक म्यूनिसिपल कारपोरेशन है। हमने उन्हें अन्वयार दिया है कुछ करने का। वह इन्डेपेंडेंट हैं। उन्होंने किराया बढ़ाया है। यदि उनके अहंते विचार किया है। हम उन से इतका न भी करते हैं ता भी यहाँ नवान कैसे उठ सका है। जो म्यूनिसिपल कारपोरेशन है यह उनके सावने का बात है।

श्री हुकुम चन्द कछवाय : मेरा कहना है कि दिल्ली की प्रजा बिगड़ रही है किराया बढ़ाने से। ता किराया कम करने का सरकार का विचार है।

अध्यक्ष महोदय : इनकी मानाय सदस्य किसी और शवल में लायें। या हम इस तरह से किराया कम नहीं कर सकते।

श्री रामसेवक यादव (बाणकी) : मंत्री महोदय ने अभी बालाया कि लाठी प्रहार के फलस्वरूप कुछ लोग जखमी हुए। मैं जानना चाहता हूँ कि जखमी लोगों की संख्या कितनी है और उनको किस तरह की चोटें आई हैं, भयंकर या मामूली।

श्री हाथी : २५ पुलिस वाले जखमी हुए हैं।

एक माननीय सदस्य : पुलिस वाले नहीं, दूसरे लोग (Interruptions)

श्री राम सेवक यादव : अध्यक्ष महोदय, मेरा प्रश्न यह है कि जो लोग बड़े हुए किरायों के खिलाफ प्रदर्शन कर रहे थे उन पर लाठी प्रहार हुआ उनके फनम्बरूप कितने लोगों का चोट आई और किस प्रकार की। भंगकर या मामूली।

श्री हाथी : मेरे ख्याल से लाठी चार्ज हुआ ही नहीं। (Interruptions)

अध्यक्ष महोदय : क्या पुलिस के अलावा भी कोई ऐसा आदमी है जो प्रदर्शन कर रहे थे और जल्मी हुए हैं। अगर हुए हैं तो कितने।

श्री हाथी : मुझे इतना नहीं है। (Interruptions)

अध्यक्ष महोदय : आप मुझे दूसरों को भी बुलाने देंगे या नहीं।

श्री रामसेवक यादव : यह तो अपना जवाब है। (Interruptions)

श्री श्रींकार लाल बेरवा : यह तो टालने वाला जवाब है। (Interruptions)

अध्यक्ष महोदय : ऐसे तो नहीं चलेगा कि जब एक सवाल हो जाये और मैं दूसरे मेम्बर का बुलाऊं तो भी लोग बोलते चले जायें।

श्री बड़े : पेपर्स में आया है।

अध्यक्ष महोदय : पेपर की बिना पर हम क्या कर सकते हैं।

श्री हुकम चन्द कछवाय : मैंने खुद जा कर देखा है घटना को। इसकी सही

इतना देना चाहिये मंत्री महोदय को यह पर।

अध्यक्ष महोदय : तो माननीय सदस्य को चाहिये कि वे लिख कर भेजें कि यह गलत बात कही जा रही है।

श्री श्रींकार लाल बेरवा : जवाब को टाला जा रहा है किसी तरह से। सूचना नहीं दी जा रही है। (Interruptions)

अध्यक्ष महोदय : अगर आप बात सुनना चाहते तो मैं कार्रवाई बन्द कर दूंगा। अगर आप ठीक तरह नहीं चलना चाहते हैं तो

श्री हुकम चन्द कछवाय : अंतरंग मित्रता चाहिये।

अध्यक्ष महोदय : नहीं मिल सकता। अगर आप की नसल तो नहीं हो सकती तो मैं नहीं दिलवा सकता। अगर एक एक माननीय सदस्य धीरे धीरे से चलेंगे तो काम चल सकता है नहीं तो मैं कार्रवाई नहीं चला सकता।

श्री बागड़ी : अध्यक्ष महोदय, चलाना तो आप का ही है।

Mr. Speaker: Now, Shri Bagri.

Shri C. K. Bhattacharyya (Raiganj): May I make just one observation?

Mr. Speaker: No. I have not called the hon. Member. He may resume his seat. I have called Shri Bagri.

श्री बागड़ी : दिल्ली में बुरी घटना घटी और आम शहरी जब इस जनतांत्रिक देश में अपनी मांग को शान्तिमय ढंग से रख सकते हैं, और उनको अपना संविधान इसका अधिकार देना है, उसके नाते से उन्होंने जो अपनी मांग रखी उसके लिये उन्होंने पहले से नोटिस दे दिया था, उसके बावजूद भी, अगर यह बात मान भी ली जाये सरकार की कि उन्होंने ज्यादाती

[श्री बागड़ी]

की है, सरकार उस का शांतिमय ढंग से रोक न सकी या उस पर काबू नहीं पा सकी, तो इसका मतलब यह हुआ कि अमन चैन जो है दिलो का वह इस तरीका का है जिस पर सरकार काबू नहीं पा सकती।

अध्यक्ष महोदय : कोई सवाल भी आवेगा, यह लेकर तो हों गया।

श्री बागड़ी : इसकी तह में यह है कि दिल्ली के अन्दर जो किराए के आधार पर जनता में नाराजगी पैदा हो गयी है यह लाठी से नहीं दबायी जा सकती। मैं जानना चाहता हूँ कि क्या सरकार विचार कर रही है कि जनता और कारपोरेशन के मध्य बीच बचाव करा दे और कारपोरेशन को सलाह दे कि इस सवाल को फिर से सोच कर कोई शांति का रास्ता निकाले।

अध्यक्ष महोदय : यह तो सुझाव है।

श्री बागड़ी : मैंने पूछा है कि क्या सरकार सोच रही है

अध्यक्ष महोदय : नहीं सोच रही है, तो अब आपका सुझाव आ गया, अब सोचेंगी। आप बैठ जाए।

श्री बागड़ी : *

Mr. Speaker: This will not go on record.

श्री बागड़ी : *

Shri H. N. Mukerjee (Calcutta Central): In view of there being no legislature for the Delhi region, and it being the responsibility of the Central Government for happenings in Delhi, and in view of the fact that this kind of incident which has been consequent upon the rise in bus fares, the kind of thing which has been done repeatedly in the recent past, has led to this kind of happenings where a number of citizens as well as police-

men are injured—it is a very serious matter—I wish to know from Government what tangible steps are being sought to be taken immediately in order to see not only that the threat to peace is overcome but also that the injustice involved in the increase of bus fares, which has been felt so strongly by an extremely conformist and obedient population that they have taken to this kind of method, is eliminated as soon as ever that is possible.

Shri Hathi: At present, there is a machinery for determining the rates of fares for DTU buses, others etc. As regards the DTU, first it is for the Corporation to decide. After they take a decision, it goes to the State Transport Authority which sees whether the fares are reasonable or not. It is after that Authority approves that these fares are increased.

Shrimati Renu Chakravartty: Does not the Government feel responsible for checking this spiral of rising prices in a situation when the Government does not even give an adequate dearness allowance to its own employees, and the employees are directly affected by these rising prices and therefore, the Central Government is directly involved?

Shri Hathi: I do not think that is a case for this agitation, to stop the bus services, and other things.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order. Who is ultimately responsible for the Delhi Administration—this Government or somebody else?

Mr. Speaker: So far as the fares are concerned, the Delhi Administration is independent.

Shri Vasudevan Nair rose—

Shri Nath Pai: The Delhi Administration is under the Home Ministry.

Shri U. M. Trivedi: Although *prima facie*, it appears that the DTU and the Delhi Corporation are responsible for fixing rates, the ultimate responsibility for this state of affairs, which has resulted on account of the raising of the fares, is that of the Home Ministry, that is to say, the Government of India. Is it not in the fitness of things that in view of the incident that has taken place where, according to the Government, some police constables have been injured and according to the public, 57 persons have been injured....

Mr. Speaker: He is arguing a law point. This is not a law court.

Shri U. M. Trivedi: I will stop it. I would like to know whether the Government has now made up its mind to look into this state of affairs and prevent the raising of these fares.

Shri C. K. Bhattacharya rose—

Mr. Speaker: His name is not there.

Shri U. M. Trivedi: There is no answer to my question.

Mr. Speaker: He has made a suggestion. It is for him to consider it.

Shri U. M. Trivedi: What has he to say?

Mr. Speaker: Papers to be laid on the Table.

12.45 hrs.

PAPERS LAID ON THE TABLE

STATEMENTS ON ASSURANCES, PROMISES AND UNDERTAKINGS

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): Sir, on behalf of Shri Satya Narayan Sinha, I beg to lay on the Table the following statements showing the action taken by the government on various assurances, promises and undertakings given by the Ministers during the various sessions shown shown against each:—

(i) Supplementary Statement No. 1.	Seventh Session 1964. (Third Lok Sabha).	Lok 141
(ii) Supplementary Statement No. IV	Sixth Session, 1963. (Third Lok Sabha).	Lok
(iii) Supplementary Statement No. VI	Fifth Session, 1963 (Third Lok Sabha).	Lok
(iv) Supplementary Statement No. X	Fourth Session, 1963 (Third Lok Sabha).	Lok
(v) Supplementary Statement No. XIII	Third Session, 1962-63 (Third Lok Sabha),	Lok
(vi) Supplementary Statement No. XVI	Second Session, 1962 (Third Lok Sabha).	Lok
(vii) Supplementary Statement No. XIX).	First Session, 1962 (Third Lok Sabha)	Lok
(viii) Supplementary Statement No. XIV.	Fourteenth Session, 1961 (Second Lok Sabha).	Lok
(ix) Supplementary Statement No. XVII.	Twelfth Session, 1960 (Second Lok Sabha).	Lok

[Placed in Library. Set No. LT-2837| 2837/64 to LT-2845|64).

12.45½ hrs.

(2) The Appropriation (No. 2) Bill, 1964.

PRESIDENT'S ASSENT TO BILLS

Secretary: Sir, I lay on the Table the following Two Bills passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 23rd March, 1964:—

(1) The Finance Bill, 1964.

12.46 hrs.

LEAVE OF ABSENCE

Mr. Speaker: The Committee on Absence of Members from the Sittings of the House in their Ninth Report have recommended that leave of absence be granted to the following members for the periods indicated against each:

(1) Shri Biren Dutta	6th March to 3rd May, 1964 (Seventh Session).
(2) Shri Dasaratha Deb	9th April to 6th May, 1964 (Seventh Session).
(3) Shri Y. Eswara Reddy	10th February to 7th April, 1964 (Seventh Session).
(4) Shri R. Kanakasabai	26th March to 6th May, 1964 (Seventh Session).
(5) Shri Mohammad Tahir	12th March to 6th May, 1964 (Seventh Session).
(6) Shri Ram Ratan Gupta	10th February to 8th April, 1964 (Seventh Session).
(7) Dr. G. S. Malkote	12th March to 28th March, 1964 (Seventh Session).
(8) Shri F. P. Gaekwad	4th April to 20th April, 1964 (Seventh Session).
(9) Shri A. Jayaraman	10th February to 8th April, 1964 (Seventh Session).
(10) Shri Muzaffar Husain	14th February to 12th April, 1964 (Seventh Session).
(11) Shri Vijayasinhara Ramrao Daffe	8th April to 1st May, 1964 (Seventh Session).
(12) Chodhury Brahm Perkash	16th April to 6th May, 1964 (Seventh Session).
(13) Shri Kashi Nath Pandey	21st April to 6th May, 1964 (Seventh Session).
(14) Shri Shree Narayan Das	13th April to 6th May, 1964 (Seventh Session).

I take it that the House agrees with the recommendations of the Committee.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of information only. While I agree that the leave asked for should be granted by the House, in view of the fact that our good friend here, Shri Shree Narayan Das—item 14 in the list—is reported to have met with an accident, could some details be given whether this was a serious accident or not?

Mr. Speaker: Could the Chairman tell us?

Shri Khadilkar (Khed): I have no information.

Mr. Speaker: I will make enquiries and find out.

I take it that the House agrees with the recommendations of the Committee.

Some Hon. Members: Yes, yes.

Mr. Speaker: The members will be informed accordingly.

12.47 hrs.

PAYMENT OF WAGES (AMENDMENT) BILL*

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): On behalf of Shri D. Sanjivayya, I beg to move for leave to introduce a Bill further to amend the Payment of Wages Act, 1936.

Shri N. Sreekantan Nair (Quilon): A copy of the Bill has not been placed on the Table. It is also to be taken up this session. So a direction may be given.

Shri S. M. Banerjee (Kanpur): You remember, Sir, that a question was put to Shri Mehr Chand Khanna in regard to house building loans not being given to some government employees only because the same amount cannot be deducted due to a restriction under this Act. The hon. Minister told us that an amendment is being brought forward. This is a very minor amendment. It may be passed within an hour. Otherwise, 3,000 or 4,000 government employees, whose applications have been pending, will suffer.

Mr. Speaker: The Minister of Parliamentary Affairs is not here. I will ask him.

The question is:

"That leave be granted to introduce a Bill further to amend the Payment of Wages Act, 1936".

The motion was adopted.

Shri C. R. Pattabhi Raman: I introduce the Bill.

12.48 hrs.

EAST PUNJAB AYURVEDIC AND UNANI PRACTITIONERS (DELHI AMENDMENT) Bill—contd.

Mr. Speaker: Further consideration of the following motion moved by

Dr. D. S. Raju on the 1st May 1964, namely:—

"That the Bill further to amend the East Punjab Ayurvedic and Unani Practitioners' Act, 1949, as in force in the Union territory of Delhi, be taken into consideration".

Shri S. M. Banerjee may continue his speech.

Shri S. M. Banerjee (Kanpur): Last time, I was saying something about the Hamdard Dawakhana and other Ayurvedic institutions.

While moving for consideration of the Bill, on Friday, the Minister said that it would meet the various demands of the students of the Tibbia College. I am told, and most probably it has come out in the papers, that a meeting was held of the Delhi State Ayurvedic Congress and they said that they oppose this Bill on the ground that this would not meet the demands of the Tibbia College students.

The demand of the Tibbia College students, in pursuance of which they built up their agitation—and you remember that they were mercilessly beaten by the Delhi police, and it was because of the intervention of the hon. Minister and the Deputy Minister that the agitation was withdrawn—was that the Tibbia College should be affiliated to Delhi University, like the Ayurvedic College of Banaras, Agra and other places. I do not know why Government is unable to affiliate this college to Delhi University. If it is a question of standards, the standards of this college can be raised and brought on a par with Delhi University. I am sure the hon. Minister will kindly give a second thought to this Bill and see that the Tibbia College is also affiliated with Delhi University.

The other day I said something about the functioning of Hamdard

*Published in the Gazette of India, Extraordinary, Part II, section 2, dated 4-5-64.

[Shri S. M. Banerjee]

Dawakhana. They demanded a piece of land in Tughlakabad. The hon. Deputy Minister knows very well, better than me, the amount of service done by this institution both in the matter of research and in supply of medicines.

Then I mentioned about Ayurvedic institutions like the Shakti Aushadhalaya, on whom certain restrictions have been placed. Alcohol was being used by them, and excise duty has been put on that. They went to the court of law, and some decision was given, but even in the face of that decision, that restriction is still there, with the result that the prices have gone up, and they have almost stopped manufacturing certain very good medicines and tonics which were quite good for health.

Coming back to the provisions of the Bill, the new section 31A, reads:

"(1) The Chief Commissioner may, by notification in the Official Gazette, constitute an Examining Body to be known as "The examining Body for Ayurvedic and Unani Systems of Medicine, Delhi, for the purpose of holding qualifying examinations and examinations prior to qualifying examinations and prescribing the course of study and training for such examinations and other related matters."

The Board is also headed by the Chief Commissioner, and it is the Chief Commissioner who will nominate the members of the Examining Body. It is a peculiar thing. I have never heard of such a thing before. How can he nominate. The head of the Board is the Chief Commissioner. There should be some difference between the members of the Board or the Chairman of the Board and the body which is responsible for conducting examinations.

It further says:

"(2) The Examining Body shall be a body corporate with the name

aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property and to contract, and by the said name sue and be sued.

(3) The Examining Body shall consist of the following seven members, to be nominated by the Chief Commissioner, . . ."

I object to this vehemently. Why should it be left to the Chief Commissioner to nominate members? After all, it is not the Chief Commissioner but either the Deputy Minister of Health or somebody in the Health Ministry who should decide who are the best persons for conducting these examinations in Unani and Ayurveda. Otherwise, the Examination Board will be nothing. All the favourites will be brought in as examiners, and it will depend on the sweet will and discretion of the Chief Commissioner to bring men of his choice. I do not impute any motive, I have the highest regard for the present Chief Commissioner. The persons to be nominated are:

- "(a) one member to represent the Ministry of the Central Government dealing with Health;
- (b) one member to represent the Medical and Health Department of the Administration of Delhi;
- (c) one member who shall be a Professor of Modern Medicine or of Ayurvedic or Unani System of Medicine as the Chief Commissioner may determine;
- (d) one member who shall be a Professor of Ayurvedic System of Medicine;
- (e) one member who shall be a Professor of Unani System of Medicine;
- (f) a practitioner of repute of the Ayurvedic System of Medicine;

(g) a practitioner of repute of the Unani System of Medicine;"

Why should be nominations left to the Chief Commissioner? There should be some difference between the Board as it is constituted and the body responsible for conducting the examinations. I hope the hon. Minister will kindly take note of it and try either to justify this with logic and reason, or bring an amendment to this, so that the same Board in a different form is not responsible for conducting the examinations.

When we talk of Unani and Ayurveda, naturally there is a feeling in the country that they are contrary to Homoeopathy and Allopathy. I come from a family of Allopaths, we had always faith in Allopathy. We were quite allergic to Homoeopathy and we thought only Allopathy was scientific. I am not a student of science, but because I was interested in the other sciences of medicine, Ayurveda and Unani. I read their literature, and I think they are better than Allopathy. The extension or development of these systems deserve attention and they can only be expanded and developed if proper encouragement is given by Government.

In our country it is a peculiar thing, a tragedy that in Madhya Pradesh Homoeopathy certificates are accepted for all purposes just like Allopathy, while in U.P. Homoeopathy certificates are not accepted, but certificates from Hakims and Vaidas are accepted. There is no uniformity in the matter of giving certificates either to Government employees or others who want to avail of this.

Summing up my points, my first point is that at present, for registration a Hakim or an Ayurvedic practitioner has to get a character certificate or a certificate to the effect that the particular Hakim has been practising Hikmat, from a Member of the Legislative Assembly or a Member of Parliament. Even yesterday, when I was in Kanpur, I had to certify

two or three persons. I know them, they have been practising for the last five years. This is the most unfortunate thing in this country that a Member of Parliament has become a versatile genius or a walking encyclopaedia or a jyotishi; he must know everything in the constituency. We certify to the best of our knowledge, but this should not be done. Such certificates should not be accepted, but a certificate from a known Ayurvedic institution or from a Hakim or Vaid who is in the regular books of Hakims and Vaidas should be accepted.

Secondly, proper encouragement should be given to Hamdard Dwakhana and other known institutions like the Sadhana Aushadhalaya who can conduct research, but because of want of money are unable to do so.

Thirdly, I hope Government will take adequate steps to avoid corruption or favouritism even in the matter of registration.

Fourthly, there is no reason why Government should deny affiliation of the Tibbia College with Delhi University. It has been done in Banaras, Agra and other places, and I am sure this view of mine will be supported by the Members of this House who supported at the time the Tibbia College students were lathi charged, and a compromise or understanding was reached that their demand would be readily and genuinely redressed.

Shri U. M. Trivedi (Mandsaur): When I rise to speak at this consideration stage of this Bill, I feel that on the one side are the two very noble-hearted, good, hard-working Ministers and I cannot straightaway accuse them of *mala fides*, but when I read this Bill I cannot refrain from saying that this Bill is not the work of a gentleman. There is surely some mischievous element behind it, which has brought about this Bill. It is a novel study for me at least. With some standing as a constitutional lawyer, I stand here and say that there is not a single Bill in the whole world

[Shri U. M. Trivedi]

on the statute book anywhere, where two bodies corporate, each independent of the other, are created by one Bill. The Unani Board is one body corporate with a separate seal, with a right to sue and be sued. And by the provisions of section 31A which is now being added, a new body corporate is being created, and without reading the pros and cons of it, why this great hurry about rushing through this Bill? If he can sit with me across a table, I can point out to him twenty different difficulties in this Bill. It will create litigation and nothing else; it will not serve the purpose for which the Bill is rushed through. **Why is it pushed through?** In the opening speech the hon. Minister says that this Bill has been introduced primarily to meet the demands of the students of the Tibbia College for better recognition of the diploma that they work for. It is the real object? The *Statement of Objects and Reasons* says:

"Experience over all these years has shown that this arrangement is not satisfactory.

What is the arrangement?—The dual function of registering Vaid and Hakim and holding qualifying and preparatory examinations. So, what is the object in view?

"It is, therefore, proposed to entrust the functions of holding examinations and prescribing courses to a separate examining body leaving the board with the task of registration, recognition of institutions and other related matters."

13 hrs.

Here is a letter which has been sent; certificate of posting has been obtained from the post office. All the certificates are there. The students have sent their applications; they do not want any other examining body; they want this board to continue. In that case, whom does the Government want to satisfy? Is it the whim of

certain bureaucrat or of some mischievous person? Before the incident took place at the time of the agitation, I received telephone calls after telephone calls: yet I did not go to witness this agitation of the so-called students, students who are mere failures and who never wanted to pass examinations. But there were other students who wanted that the examination should be carried on. But this agitation brought about a position where the Government was frightened beyond its wits and they fell into the trap of this Bill which was laid for them. The Board which was the controlling body had been persuaded to hold back the examinations. Now, is there anything to show in this statement that at anytime the Board had failed to discharge its duties? Even if it had been so, the Chief Commissioner had full powers under section 30 to take away the powers of the Board or suspend the powers of the Board. On the contrary I have got a copy of a letter written by the Government wherein a good certificate has been given to the Board. In a note submitted by Mr. R. K. Baweja, Secretary Delhi Administration to Mr. M. K. Kutty, Deputy Secretary, Ministry of Health, New Delhi, he says:

"I do not think, that it shall be possible for us to establish any excess, failure or abuse on the part of Board in order to attract the applicability of section 31"

When the conditions are studied, you will find that any honest man working will not establish any excess or any failure on the part of the Board to attract the applicability of section 31 which reads as follows:

"If at any time it shall appear to the Chief Commissioner that the Board has failed to exercise or has exceeded or abused any of the powers conferred upon it by or under this part, the Chief Commissioner may, if it considers such

failure, excess or abuse to be of a serious character, notify the particulars thereof to the Board and if the Board fails to remedy such default, excess or abuse, within such time as the Chief Commissioner may fix in this behalf, the Chief Commissioner may dissolve the Board

This condition has not arisen. Why should not the Board examine the students who learn under that Board which teaches them the books prescribed. They are being told that there would be another examining body, which is to be nominated by the Chief Commissioner? What is the method of nomination? Is there any element of election in it? Are they to be brought from one place and another place and put there for the purpose of conducting examinations?

If the hon. Minister cares to look into the law, he will find that even this will not do because at another place in the law itself, it is provided that such an examining body cannot act unless it is recommended to be constituted by the Board. Yet today such a body is being created which will have perpetual succession and a common seal, etc.

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): If I may interrupt the hon. Member, perhaps he does not know that in most of the States there are separate examining bodies; this is not a new innovation.

Shri U. M. Trivedi: As far as I know, I say this. My knowledge merely comes from the Universities. With my experience of universities which conduct examinations, I have never come across any provision in any University Act where an examining body is different from and independent of the University. If you have not found anything wrong with the present board, what is the need for departing from a practice which you have been following for the

last fifteen years? The East Punjab Ayurvedic and Unani Practitioners' Act came into force in Delhi in 1949. For fifteen years this Board has been in existence conducting examinations, etc. What has been wrong with those examinations or with this board? If there is something wrong with it certainly I hold no prief for them. This letter shows that there is absolutely no fault which can be laid at the door of the Board. May I place it on the Table of the House, Sir?

Mr. Speaker: He can if he wants to.

Shri U. M. Trivedi: I lay it on the Table of the House [Placed in Library. see no. LT-2866-64]. The students do not want to have a separate examining body. There is absolutely no justification for saying that there should be a separate examining body. Therefore, I feel that the amendments which I have moved only as an alternative, must be taken into full consideration. There should not be any hurry to rush through this Bill. The examinations have been postponed, and even by passing this Bill, you will not be able to conduct the examinations. The difficulties are very many. Simply because there would be a plethora of petitions against you, compelling the Government, by writ of mandamus, that the particular examinations should be held, why do you want to fall into this pitfall of conducting examinations?

As I said in the beginning—I will repeat it again—in my opinion, the hon. Minister—both of them—are good; they are honest; they are not moved by any consideration, but it appears that whosoever has sponsored this Bill, whosoever has drafted this Bill, and whosoever wants to rush through this Bill, has not done the right thing. I was surprised when this Bill was introduced because when I read through the business of the House as given in the agenda, I calculated that this Bill could not have come in, but I find that suddenly it is put through on the 29th here, it is on the anvil of the House and then

[Shri U. M. Trivedi]

immediately on the 4th, today, it has come up. Why has the necessity arisen at all for rushing through this Bill? Therefore, I feel that all the aspects of drafting have not been realised by those who have tried to put this Bill through; it will create difficulties for them for all time to come.

Then the other thing is, why is the Chief Commissioner being given this power to appoint an examining body. Is he such an expert? Is he a person who is so omniscient as to know everything about medicine—Unani medicine, Ayurvedic medicine, who are good Ayurvedic doctors and who are good hakims and who are good vaidys and who are persons of repute? He will simply choose them and he will be able to appoint them. How is it that such power is being given and the power is being taken away from the persons who are experts in doing it? Therefore, I will say, let the hon. Minister examine this aspect; it is not too late for him to examine it. Section 31A(1) is a section which will make corruption possible or feasible and it will not satisfy the candidates who take the examinations, and it will not be possible to satisfy the examinees. Sub-clause (3) of this clause provides for one member to represent the Ministry of the Central Government dealing with Health. Is there any qualification to be attached to that gentleman? None. Nothing at least in the law. Then, "one member to represent the Medical and Health Department of the Administration of Delhi." Who shall represent it? Will it be a clerk or a superintendent or a Section Officer who will represent the Administration? Nothing is indicated. Then, one member who shall be a Professor of Ayurvedic System of Medicine, or of Modern Medicine or Unani System of Medicine as the Chief Commissioner may determine." The determining power is again there. The Chief Commissioner may appoint only an allopathic doctor to the examining body. Then, "one member

who shall be a Professor of Ayurvedic System of Medicine." From where? From Madras or Calcutta or Bombay? Nothing to indicate it is there. Then, "one member who shall be a Professor of Unani System of Medicine." From where? Again, "a practitioner of repute of the Ayurvedic System of Medicine." What is this repute business? Does it mean those who give mere advertisements—"You take such and such medicine and you will have no children—Kaviraj so and so"? Will such advertisements do for having a practitioner of repute? Then "a practitioner of repute of the Unani System of Medicine." So, these powers that are being given to appoint the members to this examining body are likely to create more mischief than offer any remedy or relief which is being sought or for the state of affairs which are desired to be remedied. I very humbly submit to the hon. Minister to consider my suggestion. I do not know whether he will take courage in both his hands and come round and say that he will withdraw the Bill. Yet, I will ask, I will persuade him to realise that he should not rush through this Bill. I hope he will examine the legal aspects there and also the moral aspects thereof.

If he goes through the provisions, he will find that his amendments become superfluous when in the main Act there is already section 31 which empowers the Chief Commissioner to dissolve the Board if the Board fails to exercise or has exceeded or abused any of the powers. You are not going to do that, and you have not done that. If you have not done that, why should there be this overlapping provision such as section 31A for having a new examining body? What about the moral undertaking that you had given to the students who joined the college, who studied in the college, who have undergone the study of medicine according to the course of study prescribed for them? Having come to the end of their study, they

are being told, 'you will not be examined.' Therefore, you have already caused a loss of six months' time which you will never be able to rectify, and in many cases, the future of some of the boys who were studious and who wanted to study well and pass has been marred. What is the justification for pushing through such a measure as this?

Then, the last aspect which struck me as the most ridiculous is this. The total grant that has been made to this Board up-to-date was only Rs. 20,000. And now, in the Financial Memorandum, it is stated that the Government is going to contribute Rs. 30,000 to this examining body itself. So, the total amount comes to Rs. 50,000. Is it out of very charitable desire that this money is being spent? Why was this money not spent earlier? Why had the necessity to spend it not arisen all these years when the Board was working? The Board was starved, and the Board was not given sufficient funds to carry on with the things which they wanted to, and then suddenly, one fine morning, the agitation starts. It is this agitation, and it is the yielding to the agitation which is a very bad precedent. We are known all over the world to be persons who always yield to goondas. But let us not at home yield to goondas. We have yielded to goondas in the foreign countries, but at least at home, let us not yield to them. It is those people who created mischief and they want to reap the benefit of this mischief, and they want to take advantage of your kindness or goodness, to the detriment of those who were studious, to the detriment of those who wanted to study and pass their examinations.

In the end, I will say that the Government will do well to study the implications of this Bill. The Bill they have presented is full of defects, full of drafting errors and full of inconsistencies, apart from the fact that there is no legal justification, no moral justification and no financial

justification for the Bill. I request the hon. Minister to withdraw this Bill.

Shri A. T. Sarma (Chattapur): Mr. Speaker, Sir, from the statement given by the hon. Deputy Minister of Health, it seems that this Bill has come as a consequence of the hunger strike in the Tibbia College; to remedy the grievances, this Bill has been drafted. But really if you look to the section and clauses of the Bill, you will find that it does not fulfil the demand of the hunger-strikers. Their demand was for two things: to raise their status, and to affiliate their institution to a university, say the Delhi University. First of all, regarding the status of the Tibbia College, we do not know how far it is appreciated by the other States. It was their grievance that their degree is not recognised by other States. So, to get their degree recognised, some sort of institution must be established. Simply by providing an examining body, this cannot be achieved. The degree awarded by the examining body may not be recognised by other States.

There is no standardisation of the Ayurvedic education in India at all. Unless we have a standardised equilibrium in the ayurvedic education, nothing can satisfy them. So, to have standardised education, we must establish some institution or university. There is a demand for the establishment of an ayurvedic university. So, unless we establish a university for all the States to standardise the ayurvedic or unani education, we cannot fulfil the demands of the students. Besides, there is no standardisation at all in all the States. The standard in one State varies from the standard in another. Here it is a course for four years and in another State it is for 5 or 6 years. Even in the curriculum, there is a vast difference. Some include allopathy to the extent of 50 per cent and some to the extent of 60 or 70 per cent. Some have pure ayurvedic system. How can there be standardisation of edu-

[Shri A. T. Sarma]

cation unless we have some institution for that? By this Bill, the Ministry is not in a position to satisfy the students. So, I suggest that the Ministry may take steps to establish an ayurveda university to have standardised education throughout India, so that the demands of the students would be fulfilled thereby.

13.22 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Simply by establishing a university, the standard would not be enhanced. We do not know what happens in the Tibbia College. In the third Plan, there is a provision of Rs. 10 crores. But till now only Rs. 33 lakhs have been spent in three years. So, if the Health Ministry is sincere about improving ayurvedic system, let it establish a full-fledged ayurvedic university. Let Tibbia College be turned into a university with a full-fledged teaching section and an all-fledged indoor hospital. That also should be considered along with the demands of the students. I think if out of the provision of Rs. 10 crores, the Tibbia College is turned into a full-fledged institution on the lines of the All-India Institute of Medical Sciences, the demands of the students would be fulfilled to some extent. That is my first humble suggestion and I hope the Health Ministry would consider this question favourably and try to turn the Tibbia College into an all-India institution of ayurveda and unani sciences and establish university of its own to have standardised education throughout India.

Let me examine the provisions of this Bill. At present we have a representative board, represented by the 2000 vaidas of the Union Territory of Delhi. Now the Bill has been so drafted as to take out the power of that board, which is a representative one, and assign the same power to a nominated board consisting of 7 members. It is called the examining

body. As a member of the Board of Studies, the Academic Council. The Syndicate and the Senate of both Utkal and Andhra Universities, I say that there is vast difference between an examining body and an examination board. There are two functions: One is the prescription of textbooks, which is assigned to the Board of Studies. The second is the conducting of examinations, which is assigned to the examination board. Now the Bill seeks to establish an examining body, which is authorised to handle both the functions, namely, prescription of textbooks and holding of examinations. So, there is vast difference between an examining body and an examination board. The examination board may have both function, but the function of the examining body is confined to conduct of examinations only. Unless we specifically mention that this body will have the power to prescribe textbooks, nothing can be done for that. Generally this examination function is kept confidential in all the institutions. But we have a Bill for which there is no ground at all. Generally professors who teach a subject are not allowed to set question papers in any university. But here that power has been given to the teaching staff. This examining body will have 7 members, out of whom a Professor of Modern Medicine or of Ayurvedic or Unani System of Medicine, a Professor of Ayurvedic System of Medicine and a Professor of Unani System of Medicine shall be members.

Dr. D. S. Raju: This examining body will appoint a panel of examiners—about 30 or 40—who will set the papers.

Shri A. T. Sarma: It does not appear like that from the wording of the Bill. If the examining body is free from the function of setting question papers and valuing the answer papers, then I have no objection. But that is not mentioned in this Bill. I have no objection to an examining body of this type if it does not set

papers and value the answer-books; I will appreciate it. But it must be mentioned in the Bill itself. From the wording of the Bill, it appears that it will conduct the examination, prescribe the text-books, set the question papers and also value the answer books. That is most objectionable. Nobody will appreciate it. The Minister must specifically mention that it will be free from setting question papers and valuing answer-books. Then I welcome the Bill.

Another objection I have is against the nomination. Nowadays we have a fully representative body. We are depriving that body from discharging these functions and we are having a nominated body consisting of 7 members only, who are not concerned with the subject at all. One will be nominated by the Chief Commissioner. I do not know what will be his qualifications or administrative capacity or experience. Out of the remaining six, one will be from the Health Ministry and another from the Health Department of the Delhi Administration. The other three are professors. Generally, to get our degrees and diplomas recognised, we have persons from outside our jurisdiction. Even in the universities they appoint examiners, especially in the medical department, from outside. Not a single man is appointed from the university itself. That is the experience. Here we are having people from our own jurisdiction. By entrusting them with this power, there may be corruption in this matter. Such a method should not, therefore, be adopted.

The hon. Deputy Minister has said that this body will be free from conducting examinations, setting question papers and valuing answer books. If that is the case, I have no objection and I support the Bill. If this body will be free from conducting examinations, setting question papers and valuing answer books and if our sincere aim is to have a university for expansion of ayurvedic and unani education, I have no objection and I support the Bill.

Shrimati Rajyalaxmi (Aurangabad):
Mr. Deputy-Speaker, Sir, I wish to say a few words on the East Punjab Ayurvedic and Unani Practitioners' (Delhi Amendment) Bill.

India is a vast country with a population of 440 million. Our country is under-developed and still, though two Plans have already been completed and the Third Plan is half way through, nearly 78 per cent of the people are illiterate. Our people in general, and the rural population in particular, are arthodox; and they have certain strong beliefs and convictions which it is not very easy to do away with.

Before the introduction of the modern system of medicine, our people, in a way, were less healthier and more diseased as compared to the incidence now. They knew nothing beyond the ayurvedic and unani system of medicines. These people continue to hold belief in the indigenous system and are not attracted very much to the modern system. This is specially true in the case of our rural population. Moreover, I am convinced myself that our indigenous medicines are safer to prescribe even by less qualified people as compared to the modern system in which case a slightly wrong prescription can do incalculable harm. In the case of our indigenous medicines, if they do not react positively, at least this much is sure they would not cause any harm to the patient. Cure of an ailment is possible to some extent if the patient has a belief in the doctor and the medicine, because it has a great psychological effect. Our people believe in the indigenous medicines and hence they are not likely to react positively as compared to the modern medicines. Moreover, in the face of our depleted economy, it is feasible to have more dispensaries of indigenous medicines as compared to the modern medicines where you need huge expenditure.

Keeping all this in view, Sir, I am constrained to point out that the

[Shrimati Rajyalaxami]

Government has not done much in the development of our indigenous system of medicines. In the Third Plan, against the total outlay of Rs. 341.80 crores for public health, only Rs. 9.82 crores have been assigned for the indigenous system of medicine. Very discouraging indeed. And, see the actual expenditure in the first year of the Third Plan. Only Rs. 0.89 crores. I fail to understand what is preventing the Government from giving more incentives to our own system of medicine by way of researches, more hospitals, more colleges for training doctors etc.

I, therefore, rise to support this Bill as it contemplates giving additional facilities for the development of our system of medicine in the Union Territories. Sir, I must suggest to the hon. Health Minister that every effort should be made to develop the ayurvedic and unani systems. At least a balanced allocation should be made in favour of the indigenous system as compared to the modern system of medicine. Up till now the indigenous system has been getting a step-motherly treatment at the hands of our own Government.

We cannot forget our culture overnight. I dare say that our culture is involved in our system of medicine. We must preserve it at any cost. Moreover, it is in the interest of our teeming millions.

Shri A. N. Vidyalkar (Hoshiarpur): Mr. Deputy-Speaker, to me, this Bill appears to provide conclusive proof that the Government of India, especially the Ministry of Health, so far as the indigenous system of medicine is concerned, is examining the problems related to it in a very perfunctory manner. The Bill, it appears to me, has been drafted and presented under certain pressures. The whole concept of education of ayurvedic and unani system of medicines has been ignored or is

not clear to the Ministry. After all, we should first know what is our attitude to the indigenous system of medicine. We should know what we want, what place we want to give to this system.

Here, Sir, we are setting up a Board. That will prescribe the courses of study, control examinations, prescribe qualifications and all that. Practically, the future of this entire system of ayurvedic and unani system of medicine has been left to this Board. It is left to this Board to decide what researches would be made, what attitude the students would adopt and all that. In the present scientific atmosphere, it appears that the Ministry thinks that ayurvedic and unani system of medicine can live an isolation and in a stagnant condition. They cannot grow. If a system remains isolated from the modern scientific atmosphere, it cannot grow, it cannot make any progress. Those who love the system, those who have some regard for the system, they consider that some researches should be made, modern scientific methods should be adopted and the modern scientific atmosphere should be imported into these institutions.

What are we doing here? The university is the seat where the modern research is to be conducted. This Board has been set up to practically detach these ayurvedic and unani systems from the university atmosphere and keep them absolutely isolated from the modern system of medicine. Therefore, first of all, we are fundamentally concerned with the aims and objects. What is our aim? What is our concept of indigenous system of medicine?

I, therefore, think that it requires a lot of re-consideration and re-examination. We should first clarify our concept. Therefore, in the present form, I agree with one or two hon. friends who preceded me, that this

Bill should not be rushed through. We should know, before passing this Bill, what our aims are. What is our objective? If we want this system to grow, some kind of scientific method should be imported. Either the institutions that are imparting training should be affiliated to a university and the university should be given charge of training or a separate university for the indigenous system of medicine should be created and there all arrangements should be made for further research. For the last 15 or 16 years after independence we have set up no institution worth the name for scientific study and research of these systems of medicine. I feel that this education should not be entrusted to a separate board, as the Deputy Minister has just now suggested, under the Chief Commissioner of Delhi. If that is done, who will lay down the standards in other places? Perhaps, no one has considered that aspect of the matter.

There should be certain standardisation, certain uniformity of teaching courses and qualifications. How can the board set up by the Chief Commissioner of Delhi ensure uniformity of standards all over India? In other areas some other courses would be adopted and different qualifications would be prescribed. In this Bill there is no provision for any kind of standardisation or for any system of integrated courses.

I do not think it is fair that the indigenous system of medicine should be absolutely isolated from modern methods of research and modern systems of medicine. Since all the systems deal with the human body, the medical systems are not absolutely separate. Therefore, research in different systems cannot be separated into water-tight compartments. Otherwise, these systems will remain in isolation, they will be stagnant and there will be no progress. If we want all the systems to progress, we must have regard and respect for all the systems.

Though our Vaidas and Hakkims go on prescribing the old medicines, they do not adopt any system for proving the efficacy of these medicines. They do not know how the medicines affect the body. We are ignoring all that in the present Bill. I do not know whether the Minister in charge of this Bill believes in these systems of medicine and has some regard for them and feels "these are systems which have remained in India and practised for thousands of years, let us apply modern research methods and see how far these systems are good and how far they can make a contribution to the scientific knowledge" or simply because of pressure of public opinion he wants to give some recognition in some corner to these systems. In my opinion, that broad concept is absolutely absent and they have brought forward a kind of routine Bill in order to satisfy some agitation or some pressure here or there. This Bill has been brought forward only in order to satisfy those elements that are pressurising this Ministry.

We are expected to pass this Bill somehow or other. But I feel that unless we are clear as to what is the concept behind it, what is the idea behind it, what are the aims and objects and what place government wants to give to these systems, it is very difficult for this House to decide whether to pass this Bill or not. Now the entire education of these two systems is sought to be placed in charge of a small body under the Chief Commissioner of Delhi. As this subject requires further consideration, I would request the Minister to re-examine it in the broader perspective.

Dr. U. Misra (Jamshedpur): Mr. Deputy-Speaker, Sir, the limited object that has been mentioned in this Bill or stated by the hon. Deputy Minister, namely, satisfying certain sections of the students of Unani and Ayurved, will not be served by this Bill, not to speak of the larger public

[Dr. U. Misra]

interest. Even now, a considerable number of our people depend upon *unani* or *ayurved* systems of medicine. In spite of our colleges of modern systems of medicine, these two systems are still popular with our people. The scientific content of these systems has not yet been destroyed. But, because of lack of official patronisation, they continued to suffer from inferiority complex. For example, during the British days, there were two types of doctors—licentiates and graduates. The licentiates were meant to serve the natives and the graduates were meant to assist the old IMS people. This inferiority complex went on for some time, there was agitation on the part of the licentiates to have one standard or type of doctors and that was done.

Now, even though this Bill is meant to satisfy a certain section of the disgruntled students, it will not serve the purpose because the examining body which is contemplated here, being a nominated body with hand-picked persons from the Health Ministry and professors or ayurvedic practitioners, will not be competent enough to set up a standard course or examine and certify people to be entrusted with the life of our people. So, in my opinion, what is necessary is to make this a proper recognised system co-ordinated with the other modern systems of medicine.

Instead of hurriedly passing such a Bill, we should withdraw it. I feel that a proper Bill should be brought forward after consideration of all aspects. Let there be co-ordination of *unani* and *ayurved* with the modern systems of medicine and let the primary part of the teaching be done in the medical colleges.

Shri Sham Lal Saraf (Nominated—Jammu and Kashmir): Would that not create confusion? Would it not be better to have separate education for them?

Dr. U. Misra: The teaching of the primary portion like anatomy, Physiology and the primary sciences should be common irrespective of whether it is *ayurved*, *unani* or the modern system. If there is co-ordination of all systems of medical education and the primary part is commonly taught to all the students and then bifurcated, either to modern system or *unani* or *ayurved*, the inferiority complex from which the ayurvedic vaidas and unani practitioners are now suffering will be eliminated. They will get proper scientific training and after that, that is, in the clinical part, they may practise either in the modern system of medicine or in Ayurvedic or Unani system. My suggestion is that those who have got proper knowledge of Sanskrit can go after the primary education in medical science, that is, after the second year, to the Ayurvedic side and those who have got proper knowledge in the other language in which Unani books are available may go to that side. So, a proper system of co-ordination should be there; otherwise, this examining body will not enhance the quality of the doctors practising in Ayurvedic or Unani system.

Then, what is the guarantee that this will be accepted in other colleges when different standards exist in different States? So, it is only to satisfy a section of the people who agitated or to have control so that such agitations do not arise. Bills should not be brought forward with this limited vision.

I have nothing more to add and I suggest that this should be withdrawn and a proper Bill for education in Unani and Ayurvedic medicine should be drafted afterwards after considering all these things.

श्री जगदेव सिंह सिद्धान्ती (झज्जर) :
माननीय उपाध्यक्ष महोदय, सब से पहले
मैं आयुर्वेद और यूनानी विविद्या कालेज
के बारे में यह निवेदन करना चाहता हूँ कि

भारतीय स्वतन्त्रता युद्ध के एक बहुत बड़े सेनानी, हकीम अजमल खां, की यह पवित्र स्मृति है। उन्होंने इस कालेज को स्थापित किया था और इस संस्था ने देश को बड़े अच्छे अच्छे वैद्य और यूनानी हकीम दिये हैं। इसलिए इस कालेज की रक्षा करना भारत सरकार का पवित्र कर्त्तव्य है। अच्छा तो यह है कि चाहे तो किसी पृथक बोर्ड के द्वारा और चाहे दिल्ली विश्वविद्यालय के द्वारा इसकी परीक्षाएँ स्वीकृत की जायें और विद्यार्थियों को जो प्रमाणपत्र मिलें, वे भारतवर्ष के सब राज्यों में मान्य हों।

इस सम्बन्ध में मैं निवेदन करना चाहता हूँ कि आयुर्वेद की औषधियाँ और यूनानी चिकित्सा-प्रणाली की दवायें बहुत सरती हैं। इसलिए गाँवों में भी उनका अच्छी प्रकार से प्रचार किया जा सकता है। जो निधन व्यक्ति है, ये दवायें और औषधियाँ उन को मुफ्त भी वितरित की जा सकती हैं।

यह ठीक है कि विदेशी चिकित्सा-प्रणाली में गुण है। मुझे इससे कोई इन्कार नहीं है। परन्तु यह प्रणाली बहुत महंगी और खर्चीली है। डाक्टर लोगों का ध्येय भी बहुत भारी है। अगर हम उनकी फीस को छोड़ भी दें, तो भी इस प्रणाली की औषधियों पर बहुत खर्च करना पड़ता है, जिसको कोई कोई व्यक्ति ही बर्दाश्त कर सकता है, हर एक नहीं कर सकता है।

माननीय स्वास्थ्य उपमंत्री बड़े सहृदय सज्जन हैं। मैं उनसे निवेदन करना चाहता हूँ कि आयुर्वेद और यूनानी चिकित्सा-प्रणालियों को प्रोत्साहन देने से भारतवर्ष की गरीब जनता को बड़ा लाभ होगा। केवल दिल्ली में ही नहीं, बल्कि अन्य राज्यों में भी इनका प्रचार बढ़ाया जाये। दिल्ली के चारों ओर जो राज्य हैं : पंजाब, हिमाचल प्रदेश, उत्तर प्रदेश और राजस्थान, उन में

अब भी इनका बड़ा अच्छा प्रचार है। इन क्षेत्रों में जड़ी-बूटियाँ भी सुलभ हो सकती हैं, जिन से अच्छी से अच्छी औषधियाँ तैयार की जा सकती हैं।

मैं आपको बताना चाहता हूँ कि गुरुकुल कांगड़ी फार्मोसी एक प्रसिद्ध संस्था है, जहाँ देशी पद्धति में औषधियाँ तैयार की जाती हैं। उन औषधियों का परीक्षण किया जा चुका है और वे सारे भारतवर्ष में प्रयुक्त की जाती हैं। अन्य संस्थाओं की औषधियों की अपेक्षा वे सस्ती भी हैं। इसलिए वे देश की साधारण गरीब जनता तक पहुँचाई जा सकती हैं। ऐसी अवस्था में सरकार को भी इस संस्था को सहायता देनी चाहिए, ताकि वह और ऊँचे पैमाने पर दवाइयाँ तैयार करे और उनको देश के गाँव-गाँव में भेजा जा सके। इस संस्था का उल्लेख करने में केवल उदाहरण देना ही मेरा प्रयोजन है। मैं कोई उसका एजेंट नहीं हूँ। सही बात कहना मेरा कर्त्तव्य है।

गुरुकुल कांगड़ी में एक आयुर्वेदिक कालेज भी चल रहा है, जिस में विद्यार्थी आयुर्वेद की शिक्षा प्राप्त करते हैं और उन को "आयुर्वेदालंकार" की उपाधि दी जाती है, जो कि मान्यता-प्राप्त है। कुछ यूनिवर्सिटियों ने उसको मान्यता दी हुई है। भारत सरकार को भी उसको मान्यता देनी चाहिए और उस आयुर्वेदिक कालेज को अधिक से अधिक प्रोत्साहन देना चाहिए।

मैं माननीय स्वास्थ्य उपमंत्री की सेवा में यह निवेदन करना चाहता हूँ कि ऐसा नहीं है कि आयुर्वेद में शल्य-चिकित्सा नहीं है। आयुर्वेद में भी शल्य-चिकित्सा है। अगर हमारे प्राचीन ग्रन्थों और आयुर्वेद के ग्रन्थों का अध्ययन किया जाये, तो पता चलता है कि अश्विनी कुमार जो वैद्य थे, उन्होंने सिर की खोपड़ी को चीर कर फिर से सी दिया

[श्री जगदेव सिंह सिद्धान्ती]

था। विष्णुला भी एक बड़ी ऊंची कोटि की बैठा थी और वह भी हड्डियों को सीने में प्रवीण थी। आयुर्वेद में जहां आयुर्वेद की अच्छी अच्छी पद्धतियों का वर्णन है, वहां हड्डियों को सीने का भी बड़ा अच्छा वर्णन पाया जाता है। हमारे देश में यह विद्या उपलब्ध रही है।

भगवान की बड़ी अपार दया है कि जिस क्षेत्र में जो रोग होता है, उसकी औषधि भी वहीं पाई जाती है। हमारे देश में कई स्थानों पर सांप बहुत होते हैं, परन्तु सांप काटने की औषधि भी वहांही मुलभ होती है। मैं आपको एक छोटा सा उदाहरण देना चाहता हूं कि बलैनी थाने के एक मुसलमान थानेदार ने एक सिपाही को गोश्त लेने के लिए मेरठ भेजा। वह सिपाही उस गोश्त को कपड़े में बांध कर ले गया। रास्ते में एक नदी आई। उस सिपाही ने उस गोश्त को कुछ घास में लपेट कर रख दिया और गाँचादि के लिए चला गया। आकर देखा कि जो मांस के टुकड़े थे, वे जुड़ कर एक हो गए। जब वह थाने में पहुँचा, तो थानेदार ने कहा कि मैंने तुम्हें कहा था कि गोश्त के टुकड़े करवा लेना। सिपाही ने कहा कि मैंने टुकड़े करवा लिये थे और वे इस प्रकार जुड़ कर एक हो गए। मेरे कहने का तात्पर्य यह है कि हमारे यहाँ इस प्रकार का घास फूस मिलता है, जो कि मुर्दा मांस को भी एक कर देता है।

हम पढ़ते हैं कि महाभारत के युद्ध में सायंकाल तक भयंकर युद्ध होता था और बड़े आघात किये जाते थे—हाथ, पांव और सिर आदि पर बड़े घाव होते थे। परन्तु रात्रि के समय वंछ लोग उनकी चिकित्सा करते थे और प्रातः काल वे लोग फिर युद्ध के लिए तैयार हो जाते थे।

इस सम्बन्ध में मेरा बल विशेषतया इसी बात पर है कि आयुर्वेद और युनानी

चिकित्सा-प्रणालियों को प्रोत्साहन देने से निधनों को बड़ा लाभ होगा और हमारे राष्ट्र की शक्ति बढ़ेगी।

जिस बात से मैंने प्रारम्भ किया था, उसी को कह कर मैं समाप्त करता हूँ। यह तिब्बिया कालेज हमारे राष्ट्र के स्वतन्त्रता-संग्राम के सेनानी, स्वर्गीय हकीम अजमल खाँ, की पवित्र स्मृति है। इस लिए इस को पूरा प्रोत्साहन दिया जाना चाहिए। इसकी परीक्षाओं को दिल्ली विश्वविद्यालय की ओर से मान्यता दी जाये और विद्यार्थियों को जो प्रमाण पत्र दिये जायें, उन को देश के सब राज्यों में मान्यता प्राप्त हो। उन लोगों को गांवों की छोटी डिस्पेंसरीज में नियुक्त किया जाये और आयुर्वेद और तिब्ब की दृष्टि से उनको पहला स्थान दिया जाये।

Shri Chandrabhan Singh (Bilaspur): Mr. Deputy-Speaker, Sir, the discussion which has gone on has been very amusing. Those who have taken part in the discussion have more or less projected their whole viewpoints, but the real matter which is under discussion has not been touched upon by any one of them.

One thing has become quite clear that every hon. Member is very careful and very anxious that Ayurvedic-Sidh, Unani and Tibbi system must come to their own place. There is no doubt about it. So far Ayurveda, Unani and Tibbi have not come to their own place. That has been the complaint—and a common complaint—against the Government by everybody everywhere.

14 hrs.

Not one hon. Member has, so far, brought out the method by which Ayurvedic, Unani and Tibbi can be brought to their own proper place. I feel that we have lost the very important point about this. Now, how can Unani, Tibbi and Ayurveda come

to their own places? So far, every province, every institution and every individual has developed these systems in their own manner. After the old *rishis*, Charaka, Susrut, Bagbhatta, Nagarjuna, Sukmai and Hakim Ajmal Khan, the system has not made any real advancement. While medical science has advanced very very fast, these systems have remained as they were. What has happened is this. If a student wants to take to medical profession, his first choice is to take to, so called, allopathy. If he does not succeed in allopathy, he then takes to veterinary science and if he does not succeed there, he take to Ayurveda or Unani or Tibbi or even homoeopathy. That is the present pattern. The hon. Deputy Health Minister mentioned that the cause for bringing this change was the propaganda made out by the Tibbia College students last year. He probably knows that such propaganda is not only in Tibbia College here but it is all over the country. There are examples of that in Lucknow, Banaras, Agra and so many other places. There, the students have gone on strike where the State Governments have evolved formula of the integrated system of medicine. All this has been going on all these years. So far, I am sorry to say that no one has brought out a real advancement in these sciences. To my mind, the proposed amendment will not serve our problem. The Deputy Health Minister was kind enough to say that it will solve the problem to some extent. But I feel that it will not solve the problem.

There was a meeting of the Delhi State Ayurvedic Congress in Delhi itself. They met yesterday and decided that this amendment will not solve their problem. The *Times of India* news item this morning records that the demand of these students is to facilitate affiliation to and recognition of the Tibbia College by the University of Delhi. Now, how can this be done by these amendments? There are only three methods. Let there be

an all-India body like that of the Medical Council of India. That all-India body will be representative of Ayurveda and Unani and it will lay down the various methods of admissions, courses, teaching, researches and all that. Every system or Every college or every institution which represents the system can apply to that body and that body will send inspectors and after the inspection is done, then only it will be recognised. That is one method. The second method is to have in the University an examining body, a faculty of Ayurveda and Tibbi. What has happened in Lucknow? In Lucknow, as it is very well-known, there was the integrated system of medicine, that is, in the first and second year, the student used to learn, more or less, anatomy and physiology and in the third, fourth and fifth year, he learned, what they called, the combined system. And the result was the award of B.M.B.S. degree by the University. That too was a miserable failure there. Now, the Lucknow University has, what is called, Sudh Ayurved and awards the degree of Ayurvedacharyas. The same thing happened in Banaras. You know that in Banaras University there was a great hue and cry and the students of Banaras Ayurvedic College were responsible for making a lot of trouble for appointment of a Principal and that the trouble was so serious that ultimately a Principal was selected who was a nominee of the students and that happened to be Dr. Udupa. Dr. Udupa was so tactful that he actually converted the whole Ayurveda College into a Medical College under the name of College of Medical Science with sprinkling of Ayurveda here and there. Now, you must have read in papers that the Ayurveda College in Banaras is being attached to Sanskrit University of Banaras. All that shows that there is a lot of trouble in the country. This has happened in the Tibbia College in Delhi itself. I suggest that let there be a faculty of Indian system of Medicine in the University of Delhi itself. Let there be

[Shri Chandrabhan Singh]

a faculty and that faculty will lay down the rules and regulations, the types of courses and training, appointment of teachers and their qualifications and the students who are to be selected and all that. Let that be done by the University. Then and then alone the students' demand will be met and that of the public at large. Everybody complains that the Government is not giving proper place to the Ayurvedic physicians or the Unani physicians, that their pay scales are less and all the rest of it. What is all this about? Remember one thing more that the training and teaching programme is entirely different. If you want Ayurveda people to come up, they must go through a good training and course. I can tell you one thing more. Ayurveda had a much greater advancement in time gone by. Now Ayurveda has not made much progress. If you want Ayurveda to come to its own place, it must be given a skeleton of modern medicine. When I say this, I mean that the anatomy, physiology, pharmacology and pathology must be on most modern lines. On this skeleton you can build Ayurvedic medicine, Tibbi medicine, and all that. That will become a modernised system of Indian medicine. I feel certain that the time will come when it will be a modern system of medicine in this country. It will be modern in the sense that all the best in the pharmacology of Ayurveda or Tibbi or even homeopathy will be combined in one Indian pharmacopoeia of medicine. That pharmacopoeia will be common and utilised by every student of medicine everywhere.

So, there are these points which must be kept in mind while considering this. First of all, you should think of forming an all-India body. That is a very important point. 17 years have passed and there is a lot of complaint in this country and the Government must think about it. The Health Minister should be bold enough

and take a stand for starting an all-India body on the lines of the Medical Council of India. That is very important. Immediately what can be done is that the students of Tibbia and other colleges here can claim for a faculty of Indian System of Medicine in the University of Delhi. That faculty will lay down the rules and regulations and will decide who will be admitted, what should be the method of teaching and training, what should be the method of examination and all that. Then only our purpose will be served. The slipshod manner in which the Deputy Health Minister has brought forward this Bill will not serve our purpose. On these grounds, I feel he will look into the matter and I suggest let him take two months more and bring in a new scheme, a new Bill, in which all these points are incorporated. As it is, this is a very defective Bill. I oppose this Bill on these fundamental grounds. I hope he will look into the matter and help the cause of Ayurveda and Tibbi by thinking aloud and bringing all these points in the Bill.

श्री बागड़ी (हिंसा) : इस बिल के जो आर्जेंट्स एंड रीजंस हैं, उनको पढ़ने से पता चलता है कि जो पुरानी बाड़ी थी जो रजिस्टर करती थी और इम्तहान भी लेती थी अब उस की जगह एक ऐसी बाड़ी बनाई जायगी जोकि इम्तहान लिया करेगी। मैं अर्ज करना चाहता हूँ कि पुरानी बाड़ी जो इम्तहान लेती थी और रजिस्टर भी करती थी उससे इस काम को क्यों छीना जा रहा है, इस बीच में कौन सी कठिनाइयाँ दृष्टिगोचर हुई हैं कि इस नई बाड़ी की आवश्यकता महसूस होने लग गई है, क्यों उस बाड़ी से इम्तहान लेने के काम को छीन करके इस नई बाड़ी को दिया जा रहा है, क्यों इस नई बाड़ी को स्थापित करने की आवश्यकता महसूस हो गई है? क्या इस की वजह यह है कि जो पुरानी बाड़ी थी, जो

पुराना बोर्ड था उसकी क्वालिफिकेशन्ज घट गई हैं और नई क्वालिफिकेशन्ज के लोगों को उस में नामजद किया जायगा, नए तजुबों के लोगों को इसमें नामजद किया जायगा ? अगर ऐसी बात है तो चीफ कमिशनर साहब को जो नामजदगी के अधिकार दिये गये हैं तो वह तो आयुर्वेद के बड़े भारी माहिर् होंगे, या हेल्थ मिनिस्टर साहब होंगे । तभीम जो बाडी होगी वह नामजद बाडी होगी । इसका साफ मतलब तो यह है कि जो लोग उन लोगों को नामजद करेंगे जोकि इस बाडी में होंगे वे उन लोगों को करेंगे जोकि उनके अपने होंगे, जिन के ऊपर उन्हें कुछ नवाजिश करनी होगी, जिन को उन्हें खुश करना होगा और इस सब का नतीजा यह होगा कि अष्टाचार और अधिक चलेगा और ज्यादा बढ़ जायेगा । जो बोर्ड अभी चल रहा है, उस के अन्दर कोई कठिनाई पैदा नहीं हुई है, कोई रुकावटें उसके रास्ते में नहीं आई हैं, इस वास्ते कोई आधार नहीं है कि रजिस्ट्रेशन का काम तथा इम्तहान लेने का काम उसके पास ही न रहे । पंद्रह बीस हजार का जो फिजूल का खर्चा है, उस को नहीं बढ़ाया जाना चाहिये । गो यह रकम सरकार के आगे बहुत कम है, लेकिन यह एक तरीका बन जाता है जब इस तरह से जनता के पैसे का फिजूल और बिना मतलब के काम के लिये खर्च किया जाता है । हमेशा यह कांशिश की जाती है कि किसी भी चीज को ले कर उस में कोई नुकता निकाल कर, कोई नई स्कीम बना कर, पांच सात आदमियों को काम मिल जाये भले ही उस में १५, २० हजार रुपयों का दुर्ुपयोग हो जाय ।

दूसरी बात मैं यह कहना चाहता हूं कि जो भारत देश है इस में चाहे अलोपैथिक हो चाहे होमियोपैथिक हो, उन पद्धतियों की जो दवायें हैं जो डाक्टर हैं उन की सुविधा केवल १ या २ प्रतिशत लोगों को मिलती है । अगर सब हिन्दुस्तान के बीमार लोग एक साथ हर एक तरह की दवा को इस्तेमाल

करना चाहें, तो १ या २ प्रतिशत से अधिक लोगों को वह नहीं मिल सकती । किसी किस्म की दवायें और डाक्टर आज पूरी तरह से हिन्दुस्तान की जनता तक नहीं पहुंच सके हैं । यही एक मोटा कारण है कि हिन्दुस्तान के अन्दर आयुर्वेद भी अच्छी तरह से नहीं फैला । जब यह चला था तब चारों तरफ केवल महलों में ही फैल कर रह गया । यह जंगलों और गांवों के अन्दर नहीं पहुंचा । जितने बड़े बड़े वैद्य आदि हुए वे भी महलों के ही अन्दर हुए । यही बात आज की जो साइंटिफिक पद्धतियां हैं उन पर भी लागू होती है । जो बड़े-बड़े लोग हैं, मंत्री आदि हैं, उन्हीं तक यह खबर काटती रहती है । अधिकतर ये शहरी क्षेत्रों में चलती हैं । ग्रामों तक यह नहीं पहुंची है । यही बुनियादी कारण है कि इन की तरक्की नहीं हो सकती । हां, मिशनरियों की माफत हरिजनों आदि के बीच में नया विज्ञान थोड़ा बहुत भले ही पहुंच गया हां देहातों के अन्दर नहीं तो भारत में, जोकि आयुर्वेद का घर है, कोई पद्धति तरक्की नहीं कर सकी । मेरा निवेदन है कि इस का विस्तार जंगलों और दलित लोगों के बीच में ज्यादा होना चाहिये । इस बात के लिये जरूरी है कि सिर्फ आयुर्वेद या यूनानी ही नहीं बल्कि हर विभ्रम की दवायों को जानने वालों और डाक्टरों को उत्साहित किया जाये । अभी तक डोरा गंडा ही इतना अधिक चल रहा है जिस का कोई ठिकाना नहीं है । अभी उसी से लोगों को फुसंत नहीं मिली है । इस देश के अन्दर करीब ७० हजार लोग अलोपैथिक के डाक्टर या उस को जानने वाले लोग हैं, चाहे वे लोग डाक्टरों के पास काम करने वाले हों या किसी और जगह पर । दिल्ली के अन्दर भी ६ या ७ हजार आदमी ऐसे हैं जो इस तरह से काम करते हैं । उन को भी सुविधा देने का कोई तरीका तलाश करना चाहिये आ हालांकि उन का भी लोगों के साथ सम्पर्क है, शायद मंत्री महंदाय से भी मिलेंगे और मिल भी चुके हैं, लेकिन अलग अलग नहीं, बल्कि सारी पद्धतियों के बारे में, चाहे वह

[श्री बागड़ी]

अलोपैथिक हों, चाहे होमियोपैथिक हो, चाहे वैद्यक हो, एक ढंग से सोच कर के कि किस तरीके से देश की तमाम जनता को दवाई मिले और रोग से मुक्ति मिले, काम करना चाहिये। मुना है कि कोई माडल बिल भी आने वाला है। मैं चाहूंगा कि सभी लोगों को हर तरीके की सुविधा दी जाये।

Shri Sham Lal Saraf: I have heard two speeches from two venerable doctors, particularly from Shri Chandrabhan Singh and from my other hon. friend, both of whom are practitioners of the allopathic system of medicine. I am very happy for the first time to see allopathic doctors lending so much of support to Ayurveda.

In spite of the fact that we have been free for the last seventeen years, Ayurvedic education, Unani education and also the treatment under both these systems of medicine are yet to find a place side by side with the modern systems of treatment. Ever since I have come to this Parliament I have on many an occasion raised by feeble voice in favour of giving a suitable place to these two systems of medicine. In spite of the fact that to start with, although two doctors were in charge of the Health Ministry, the treatment given to these two systems was not very encouraging, I am glad to say that now the attention given by both of them is very encouraging. I congratulate them very much on their having realised the gravity of the situation and coming forward with measures whereby they are trying to help both these systems of medicine.

So far as this Bill is concerned, I feel that it is not a practical measure. When all of us are agreed that the Unani and Ayurvedic systems of medicine should receive proper treatment at all hands and should get their proper place in the country, I feel that this is not the way how the administration is to be run. As far as the Chief Commissioner or, for the matter of that, any administrative offi-

cer is concerned, he is very much overburdened with a number of other executive matters. So leaving technical matters, more particularly a matter that concerns the health of the nation and that concerns the Ayurvedic and Unani systems, in his hands will not help in properly implementing the provisions of this measure the hon. Minister has placed before us.

Besides what my other hon. friends have said about Ayurvedic and Unani education and the need to give a proper shape and place to both these systems,—my hon. friend Shri Chandrabhan Singh has ably made this point—I would say that this Bill should be withdrawn, and a body should be created to deal with these two systems of medicine on the pattern on which a body exists for the allopathic system of medicine.

For instance, now, it is left to the Chief Commissioner—whoever he may be; he may be a very big man otherwise—to select a person.

Dr. D. S. Raju: He is our representative. The Chief Commissioner is the representative of the Government of India and the Ministry of Health. He acts under our advice and guidance.

Shri Sham Lal Saraf: I realise that But I may tell you what actually happens. Some of these people have worked with me also sometimes, and they would only have to do what I used to din into their ears, and they would have no choice of their own.

Actually, a system should be so evolved whereby the technical men and the experts who can really help and guide and contribute to the main cause should get the opportunity of helping to achieve the desired end, or the desired objective for which this Bill has been placed before us.

From experience, I can say that our executive officers, particularly the deputy commissioner and the com-

Bill

missioner, have a hundred and one jobs to do. They have a number of irons in the fire at the same time; their duties are absolutely of a varied nature already. If they could be left alone to do those duties and if they were able to do well those duties themselves, then I would say that they would have done a good job for the country, and especially for the down-trodden and the poor. Therefore, I would submit that to entrust the work of organising medical aid and education under the Ayurvedic and Unani systems of medicines to these officers would not help us very much. Therefore, I would suggest that first of all a selected and elected board of experts should be set up on the lines suggested here, but let it be an autonomous board or some autonomous authority and let the Ministries of Health at the Centre and in the States deal directly with that body and get things done.

Personally, I do not agree to the argument put forward by the hon. Minister that the Chief Commissioner is the Central Government's representative. That may be technically correct, but the question here is one of laying down the policies and carrying out the policies. Therefore, I would ask why the Ministry should not have taken up this work themselves, to lay down rules and regulations on the same pattern as for the allopathic system of medicine in the country. If they could do that, that would help these systems very much, and that would help in giving a proper place to these two systems. That is the pious and sacred wish of everybody in this House.

Therefore, I would submit that this Bill should be withdrawn, and a new Bill should be brought forward which would be more helpful in serving the purpose which is in view.

With these words, I hope that the hon. Minister will give full attention to the points that I have raised.

Mr. Deputy-Speaker: What time would the hon. Minister require for the reply?

Dr. D. S. Raju: About 20 to 25 minutes.

Shri Gauri Shankar Kakkar (Fatehpur): I also would like to speak.

Mr. Deputy-Speaker: We have to finish with this Bill, including the clause-by-clause consideration and the amendments, by 3.30 p.m.

Dr. M. S. Aney (Nagpur): This Bill has been brought forward for a limited purpose. In the Statement of Objects and Reasons, it has been stated:

"Expereince over all these years has shown that this arrangement is not satisfactory. It is, therefore, proposed to entrust the functions of holding examinations and prescribing courses to a separate Examining Body leaving the Board with the task of registration, recognition of institutions and other related matters."

This means that there is already a body which is in charge of this work of Ayurvedic education etc. in the Union Territory of Delhi, and it has been doing its work. But, for some reasons, Government feel that its functions should be bifurcated, and the board should deal with registration, recognition of institutions etc. only, while the functions of holding examinations and prescribing courses etc. should be entrusted to a separate examining body who will examine the boys and award them diplomas etc. These two duties are now done by one and the same board. It is stated that certain complaints have been received about the working of the Board. I do not know what the nature of those complaints are. My hon. friend, Shri U. M. Trivedi, said something about that, agitation of the students and so on.

The point is this. There is an Act under which this old body has come into existence. In that there is a section which entitled the Chief Commissioner to use the power of dissolv-

[Dr. M. S. Aney]

ing the Board even if its working has been found by him to be not conducted on proper or satisfactory lines. In the relevant section are listed various defects which, according to him, should be the main grounds for passing the order of dissolution. Before coming to this House with a Bill of this kind, it was necessary, in my opinion, for Government to see whether the Chief Minister has not used these powers for dissolving the Board or taking other action as is contemplated under that section, and if not why he has not done so. I say this because then Government would have been in a better position to plead that there is no other way out. But to rob this Board of some of its function and create another Board and entrust it with those functions is a process under which you are creating two bodies instead of one, the old body which is not proper. Yet this is what is envisaged under the proposed section 31-A.

I have got nothing to say about the Chief Commissioner's impartiality or competence in the matter of selection of members of this Board. But in my opinion, the procedure followed in this matter should be something like that in the case of a university. In the University, they run the colleges, train the boys, set the curriculum and also examine them. All the work is done by the same body. It is only proper that this should be so because those who set the curriculum and train the boys should be the persons who should examine them at the end of the year and decide whether they have received sufficient training or not and can or cannot be considered fit for the conferment of diplomas and degrees. Those who have got nothing to do with the educational system, the training of students and so on should not have anything to do with the work of education at all. To ask six or seven other persons, each in charge of a subject to examine these boys and decide is, in my opinion, a dangerous thing from the point

of view of the boys. This work should be done by those who are experts in their own subjects in which the boys are trained. Whether they belong to that particular institution or not is another matter. But the Board should be given the power to appoint a board of examiners, making their own choice, instead of taking this power away from the Board and vesting it in a new Board.

Coming to the Chief Commissioner, what will he do? He will have to consult his Secretary or somebody else. Although the Chief Commissioner is a knowledgeable person, he is a very busy man; as Shri Saraf said, he has to attend to a number of things. That being so, he will not be in a position to make the choice of those members himself. He will depend upon other persons who may have their own way of making selections. Thus it may be that the Board as constituted may not command any confidence.

I do not know what were the complaints as a result of which there was agitation. I am one of those who are of the opinion that in matters connected with teaching, the students have no right to say that and agitate that they should not be examined in a particular subject or by a particular officer. I do not like that kind of indiscipline. I will not tolerate it.

Only this morning I received a representation by certain persons, I found that there were a number of boys trained in these institutions who were in favour of the old Board continuing to do this work. I am told there are about 6 or 7 persons who are members of the Board who are entrusted with the work.

The mechanism suggested here, of creating a new examining body and investing the power of constituting the Board solely with the Chief Commissioner, who will carry on this institution unaided even by members, is not a very good thing. There will be no co-ordination

between the two bodies. They may carry on their work in a spirit of rivalry and that will destroy co-ordination of work and create troubles also.

There are other points touched by other friends. No doubt in the old days when countries were separated from one another by long distances and there was the barrier of mountains and seas, in different parts of the world knowledge in various branches grew and developed in its own way. There used to be a western science of medicine, a western science of astronomy, a western science of chemistry and so on. Similarly, there was an eastern science in these matters. Now because of the availability of communicating with one another, exchanging ideas and comparing developments in various parts, there have been many common factors evolved. From this it is possible to evolve a new system incorporating all the good points of the various systems. This sort of thing was not possible in old days. But now it is. We are living in a new world.

Therefore, I want that every system should be given a proper chance. Some arrangement must be made to bring all these systems together, because after all, what are these various systems of medicine for? They are for the health, happiness and welfare of man, to prolong his life, to make him more happy and comfortable. 'Ayurveda' means the science of life. All these systems which are prevalent in our country should be allowed to grow in their own way, making proper arrangements for training and so on. But there should be one common institution where research could be carried on, comparisons between different systems made, assimilation and absorption are done and a system evolved which will have the good points of all, a common system for the promotion of the health of all in this country. That will be a big thing to be done. I am sure that if those allopathic doctors who are truly interested in

this work are careful and try to evolve a system like that, an experiment of that kind is likely to be successful. But that is a matter for a big programme which so far as the present Bill is concerned is not contemplated.

I hope the Ministry will have some concrete ideal before it and when it comes before the House next time will come with some kind of a scheme which shall aim at a co-ordination of this kind to be evolved, a common science of medicine for the sake of the country which shall embody in it the best points from all, and therefore there will be one science in this way. But that is a matter to grow and evolve. But that ideal should be kept before themselves by the Ministry of Health, in my opinion.

So far as the present Bill is concerned, I am not satisfied with the change that is made. Probably it may not serve the purpose for which it has been brought. But I leave it to the hon. Minister to think over the matter, and if he finds that it is not satisfactory, he may withdraw it, and bring a better Bill which will work better.

Mr. Deputy-Speaker: Shri Gauri Shankar Kakkar. Five minutes.

Shri Gauri Shankar Kakkar: Mr. Deputy-Speaker, Sir, once for all the Health Ministry has finally to make up its mind whether they are sincere in encouraging these unani and ayurvedic systems of medicine in the country at all.

Keeping in view the majority of persons getting cheap treatment under the ayurvedic and unani systems of medicine and side by side keeping in view the budgetary allotment to these systems of medicine....

Mr. Deputy-Speaker: Order, order.

Shri Gauri Shankar Kakkar: it is manifest that the Government of India is simply playing with the ayur-

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vedic and unani systems of medicine and meting out a step-motherly treatment to them. I wonder why up to this time, when the health of every citizen in the country is a primary matter, in peace period and more especially in war period, the Government has not yet made up its mind to encourage these two systems which are very beneficial to the common man as they are cheaper in comparison to the allopathic system of medicine. I wonder why there are different systems and there are different regulations and rules with regard to the ayurvedic system of teaching in different States. Why should the Government of India not come forward to have a common board, as is the case with the allopathic system of medicine, so that the ayurvedic and unani systems of medicine may be governed by the same board and so that there may be a universal course and there may be a scientific approach everywhere. I find that in U.P. they are actually playing with the ayurvedic and unani systems of medicine. Applications are invited for registration and the only requirement is this. If two practising Vaid or Hakims certify that a person has been dealing in the ayurvedic or unani system of medicine for the last seven or eight years, he gets registered. In this manner so many persons are getting registration, and these persons are springing up. There is absolutely no scientific approach.

I am very sorry to say that even after seventeen years of independence our Government, and the Health Ministry especially, has totally ignored the indigenous systems of medicine, ayurveda and unani. I wonder why the Government should not come forward to explore the resources. There should be a scientific classification and research of these systems of medicine. There should be a common board, and the whole thing should be reorganised, and the Health Ministry should assess as to what percentage of the citizens are actually being administered under these two systems

of medicine and what are the basic reasons why these systems are cheaper in comparison to allopathy.

With regard to this Bill I have to make only one comment. I wonder, even the Government of India is committing the same mistake which is being committed by the State Government. I mean to say, the district officer or the collector is thought to be a panacea for all ills. It is presumed that a district officer or a district commissioner, whatever he may be at the district level, he is expected to be well versed in medicine and all other things! I wonder how in this case the commissioner has been authorised to supervise the body. What sort of knowledge can he have of these systems of medicine?

I would submit that this is a misconceived attempt on the part of the Health Ministry, and I repeat that after the whole assessment and reorganisation the Health Ministry should come forward with a comprehensive Bill which has to give sincere encouragement to these indigenous systems of medicine, namely, ayurveda and unani, and they should for God's sake discontinue playing with these systems while still saying that they are encouraging them, whereas they are doing absolutely nothing of that kind but meting out a step-motherly treatment to them.

Mr. Deputy-Speaker: Shri D. C. Sharma. Five minutes.

Shri D. C. Sharma (Gurdaspur): I want ten minutes.

Mr. Deputy-Speaker: Dr. Sarojini Mahishi.

Dr. Sarojini Mahishi (Dharwar North): **Mr. Deputy-Speaker,** Sir, in reply to an Unstarred Question regarding her reaction with reference to the progress of medicine and research therein in the USSR, the hon. Minister of Health said that much attention is being paid towards herbal me-

dicines and towards the development of ayurveda in USSR. I was really surprised to note that, because in our country which is the source of all these ayurvedic medicines, much attention is not being paid by the Government even after our getting independence. I was therefore rather surprised that USSR is paying so much attention to the development of ayurvedic medicine.

Anyway, out of Rs. 10 crores earmarked for the progress and development of indigenous medicines during the Third Five Year Plan, only a very small amount has been utilised for this purpose which shows that the amount has not been utilised in the way it ought to have been utilised, and the full amount has not been utilised, the result of which is that people in this country are deprived of such of the medical facilities which they could have got if the whole amount had been utilised.

Last year the House passed a particular Bill, the East Punjab Ayurvedic and Unani Practitioners (Amendment) Bill which extended the period of registration to such of the unani and ayurvedic practitioners who had no qualifications but who wanted to get themselves registered but who could not do so during the particular period due to some misfortune. This is how it was described. What I mean is that bit by bit this piece of legislation in the field of ayurveda and unani is being introduced in this House, and the whole thing is a heterogeneous mass and not a homogenous mass.

Today this particular Bill deals with the constitution of an examining body. If the Minister has got the intention of giving better facilities to the students of a particular college and giving better recognition to the examinations that are held by such of the institutions, I do not think that this Bill will be able to fulfil this particular object in view. It has been mentioned in the Statement of Objects and Reasons to this Bill:

'It is, therefore, proposed to en-

trust the functions of holding examinations and prescribing courses to a separate Examining Body leaving the Board with the task of registration, recognition of institutions and other related matters".

This particular examining body, as can be seen from this particular provision, has to deal with prescribing courses of study and training for such examinations and other related matters, "for the purpose of holding qualifying examinations and examinations prior to qualifying examinations and prescribing the courses of study and training for such examinations and other related matters".

Prescribing courses may include the duties of the board of studies also. The hon. Minister was kind enough to mention: here is a distinction with the separate body which functions as board of studies, and this is only an examining body—which means it deals with the administrative part of it and does nothing else.

I am not advocating the cause of the original Board, but if the original Board could function well conduct examinations and also do the administrative work, what was the necessity of creating this particular examining body. The name Examining Body gives a misleading conception. Anyway, the Chief Commissioner has been entrusted with the duty of framing the rules and he can, by notification, constitute this Examining Body, the members of which will be nominated, as contrasted with the representative character of the original body which did all these things. A body representing the different institutions of Ayurveda and Unani and other indigenous systems in the country has got more importance as contrasted with this particular body which is only nominated.

As Dr. Aney pointed out, we need not doubt the *bona fides* of the Chief Commissioner in this respect, but anyway it gives greater scope for undesirable things, and I am rather

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doubtful whether the pious intention with which this Bill is being passed will be achieved.

If this Examining Body is to do only administrative work, it is not at all necessary. If it is only the intention of the Ministry to please some sections of the society, and if it is only for that purpose this is being constituted, I do not know how far all sections will be pleased with this provision. The Bill ought to have been more comprehensive, more exhaustive. As one of the hon. Members pointed out, the Ministry could have constituted a Council on the model of the Indian Medical Council for Ayurveda. As matters stand now, with reference to Ayurveda there is no such Council, no Drug Research Institute, no particular pharmacopoeia. This integrated course is also bringing all sorts of misunderstandings in its wake. It is giving greater scope for prejudices with reference to Ayurveda also. At one stage we say that the integrated course is not useful; at another stage we say there must be some assimilation, the student of Ayurveda must also be taught some good things of Allopathic medicine.

Of course, nobody is worried by what system the patient is cured, so long as he is cured. So, medicine, whether brought from animal, mineral or herbal sources, must be according to a particular pharmacopoeia, and proper research should be carried out. Ayurveda had once deep roots in this country, and it should again take deep root. The ancient Sanskrit texts of Ayurveda cannot be read and understood in the present period, and a lot of research can be undertaken therein. I hope Government will pay more attention to this, utilise the whole amount sanctioned for research, and also sanction more amount for this purpose and encourage the indigenous systems of medicine for which India

has really got a fascination, and which can be cheaper and serve the people in a better way.

14.43 hrs.

RE: MISTAKEN ENTRY OF RAJYA SABHA MEMBER INTO LOK SABHA

Shri Gauri Shankar Kakkar (Fatehpur): I want to raise a question. When I was speaking, some intruder entered this House, I am informed. I want to ask how he entered this House and was here. I am confident he was not a Member of the Lok Sabha. It is a case of an offence, and I would invite your attention to go into that matter and see who that gentleman was who entered the House. When I was speaking, he was standing in front of me.

Mr. Deputy-Speaker: I will make enquiries.

श्री प्रकाशवीर शास्त्री (बिजनौर) : मैं आप को अपनी जानकारी के आधार पर बताना चाहता हूँ कि उन को देख कर मैं कुछ आश्चर्य में था। मैं समझा कि भद्रास से जो नये सदस्य आए हैं, शायद वह हैं। वाद में लावी में घुसने पर पता चला कि उन का नाम श्री अजमल खाँ है और वह राज्य सभा के मेम्बर हैं। वह यहाँ आए और दस, पंद्रह मिनट बैठ कर चले गए। क्या लोक सभा का काम इतनी असावधानी से चल रहा है कि कोई बाहर का आदमी यहाँ पर आए और चला जाये ?

Shri U. M. Trivedi (Mandsaur): It is a matter of privilege.

Mr. Deputy-Speaker: I will ask the office to make enquiries.

Shri Bade (Khargone): He was standing in front of Mr. Gauri Shankar Kakkar.

Mr. Deputy-Speaker: I thought he was a Member of this House.

14.45 hrs.

**EAST PUNJAB AYURVEDIC AND
 UNANI PRACTITIONERS' (DELHI
 AMENDMENT) BILL—contd.**

Dr. D. S. Raju: I would like to thank hon. Members for expressing their views so frankly and so freely, but I must confess there is some confusion in their minds. It might be due to their not paying enough attention to the clauses of the Bill or my inability to put the facts before them very clearly. I may explain some of the points.

First of all, I may refer to Shri Trivedi's comments. There is a terrible confusion in the hon. Member's mind about the functions of a university and a registering council. Universities are academic bodies, they are only concerned with the standards of examinations, and registration is done by the State Councils. That is so far as the modern system of medicine and their respective universities are concerned, but we are now dealing with the Ayurveda and Unani systems. The universities have nothing to do with them, except one or two which have faculties for Ayurveda and Unani. They have got their Boards, State Boards, which are concerned with registration of the qualified Vaidyas and Hakims. It is not a new innovation. The functions of the Board have already been separated long ago in many States. There is an examining body, or academic council which deals with the examinations. Even in Punjab, as late as August, 1963, they separated the functions of examination and registration.

The scope of the Bill is very limited. It only applies to Ayurveda and Unani systems of medicine, and only applies to the State of Delhi. But most of the hon. Members have covered a wide field and suggested improvements to the Indigenous systems of Medicine. I appreciate their viewpoint, and also agree that the

systems need much more encouragement and development. There is no dispute about that.

Why did we come forward with this separation of the functions of the Board of Indian Medicines, Delhi? It is not, as some Members have said, under duress or any compulsion or because of the fact of any strike that we have resorted to this amending Bill. It is true that some strikes have taken place, a lot of confusion has arisen. The students struck work, they did not go to the college, the Tibbia college was closed for a couple of months, and so examinations had to be postponed. After some time, at the intervention of myself and the Mayor of Delhi and a few representatives, we discussed the matter with the students, they agreed to abide by our advice; we told them we would consider all reasonable demands, and they agreed to attend the college. But they attended college for a few days and then they again struck work. When the college reopened, out of 603 students none attended, not even one single student attended, although they were told that examinations could be held for those who wished. Therefore, the fact falsifies the impression given to Shri Trivedi. It is true that there are some students who subsequently said that they did not like the new Board, that they would like the old Board to continue, but our information is that very few of them are really anxious to take examinations under the old Board.

Shri U. M. Trivedi: Now you have got a list of more than 200.

Dr. D. S. Raju: The other list came to 550 or 600. Out of those who wanted no change, why did not a single student attend the classes when they were given the choice.

But the decisions which we have taken are not as a result of duress or anything like that. We wanted to study the question, we have studied it,

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and this problem was discussed. In the presence of the Home Minister, the Mayor of Delhi, the Chief Commissioner and Health Minister, this was discussed at great length, and ultimately we have decided to separate the functions of this Board.

As I have said, there are lots of complaints from the students. They have got to be investigated. At one stage they made a list of complaints, but on examination it was found that there was no *prima facie* case, because the complaints were vague. So, we rejected the allegations. We told the students that if there were specific complaints, they would be investigated, not otherwise. Subsequently, they have given a list of specific complaints against the Board, and they are being investigated now. Several hon. Members said that the powers of the Chief Commissioner were arbitrary. Now, how are the seven people who are to constitute the examining body going to be selected? One would be the representative of the Health Ministry—one of our very topmost experts on indigenous systems of medicine, adviser to the Health Ministry.... (Interruptions.)

Shri U. M. Trivedi: That is a matter of detail.

Dr. D. S. Raju: He is not going to be a clerk or a section officer. It is absurd; he could not be a clerk.

Shri U. M. Trivedi: Absurdity is in the law; I do not say that you will act absurdly.

Dr. D. S. Raju: Thank you. The Director of Medical Services of the Delhi Administration will be one of the members; he is an expert in that line. The rest are very reputed people. One is an ayurvedic professor, a reputed professor; another a very reputed unani professor; one very noted representative, who would be a private practitioner of ayurveda and one, an equally noted unani private practi-

tioner. Now, this board consisting of seven persons will be constituted under the authority of the Chief Commissioner. Who is he? He is the representative of the Government of India and acts under our direction and guidance.

Shri Sham Lal Saraf: Why burden him with this additional work?

Dr. D. S. Raju: He is not overburdened; he can still cope with this amount of work. There are quite a few subjects and this Board will appoint a panel of examiners, one external examiner and one internal, for each subject. Roughly the total number of examiners will be 38 for ayurveda; 34 for unani. They will examine the students. The examining body will also prescribe syllabus, standards and courses. To a large extent they will be under the proper guidance of the experts in the respective fields.

Shri D. S. Patil (Yeotmal): Many States have accepted the diplomas but Maharashtra has not accepted. May I know why?

Dr. D. S. Raju: There are certain rules and regulations for reciprocal recognition; they send their representatives to the university or college and they study the courses available, teaching facilities, the standards, etc. and then they give reciprocal recognition. We are also trying to get it and probably they may accept it.

Some hon. Members said that this Bill does not satisfy the requirements of all the students. They wanted recognition from the Delhi University. But it is an autonomous body and we could not compel that body to recognise the Tibbia College.

They wanted a few other conditions to be satisfied: improvement of college and hospital renovation of the hostel, abolition of the night classes, etc. All those have been accepted and implemented. As I said we have no control over affiliation with Delhi University.

The students have also said that their status should be improved. That is a question to be decided by the Central Council of Health. It is an all India problem and there are 30,000 integrated doctors in the country practising today. It will have to be decided at the all India level. But the State Governments themselves can take up this question and give them the status which they deserve, and to employ them in their dispensaries, hospitals, etc. I was informed that in U.P. the Government has accepted the integrated doctors to be absorbed into provincial medical service as Class II employees.

Some Members ask: why don't you give adequate attention to ayurveda? We are trying to do our best. Both my senior colleague and myself practise the modern system of medicine but as scientists we keep an open mind and wherever and whenever we find some good theory or method or practice or approach, we would like to encourage that. After all ayurveda was closely interwoven with our civilisation and culture; it was also a scientific system. Unfortunately, due to historical and other reasons, it has fallen under a debris; we would like to clear the debris but it could not be done in a day. There is no standard in ayurveda. The text-books, the syllabus, standards, etc. of ayurveda vary from State to State; the ayurvedic pharmacopoeia is not completed. We are doing our best to encourage it but it will take some time before some tangible results to come out.

Mr Banerjee referred to Hamdard Dawakhana although it is not quite relevant to the Bill. I agree with him that it is doing good and humanitarian service; it is not only a commercial institution. They treat about 300-400 patients every day with unani drugs. I had occasion to visit this dawakhana also; I was impressed with the work. They applied for three plots of lands—about 200 acres of land for their herbarium on the Tuglakabad Road. That

land happens to fall in the green belt area of Delhi Administration. The Delhi Administration could not accede to that request. They requested them to purchase it from the owners; they are free to do so. They need a second plot of 35 acres for their factory and another 90 acres for the institute on history of medicine. The Delhi Administration have fixed a price of Rs. 36,000 per acre and Rs. 5 per acre as ground rent. The Hamdard management want the price to be reduced and it is a question of mutual adjustment and negotiation and I hope it will be settled favourably.

Mr. Banerjee also referred to MPs, MLAs being requested to give certificates about the practitioners of ayurveda, unani medicines before they are registered. Actually, there are three categories of ayurvedic and unani practitioners: firstly, qualified doctors such as BAIM, GCIM, DMIS, etc. legally qualified doctors coming under category A; there is no difficulty about them. They are registered under part I. Then there is the second category doctors, who have the second category of doctors, who have ten years' experience and who can prove to the satisfaction of the registrar that they have practised for ten years and then they are also entitled to be registered in part II of the Act. These two categories are of registered practitioners; they are covered by the Act.

15 hrs.

Then there is a third category, that is, those who are not either qualified or had ten years' experience, but those who were at least practising at the time of the Gazette notification. If they can prove to the satisfaction of the Registrar that they were practising at the moment, they are entitled to be enlisted. Now, I have mentioned the three types or categories of Ayurvedic or Unani practitioners. It is probably this last group of doctors who out of

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respect for the MPs and MLAs requested them to give them certificates. They are not authorised to give certificates, as Shri S. M. Banerjee said, but they can give conduct certificates. Probably, that is the reason why these doctors approached the MPs for conduct certificates. That might help the Registrar.

Dr. Mahadeva Prasad (Maharajganj): A certificate to the effect that they have been practising for so many years.

Dr. D. S. Raju: That will not be valid. As a conduct certificate, it will be valid. But the Registrar must be satisfied that they had been practising at that moment. They may be petty, very small practitioners eking out their humble livelihood. We do not want to prosecute them. Otherwise, they will be hard hit. We do not like to punish them. So, this provision of the law was made, namely, of having three categories. If they contravene the provisions of the law, they will be fined. If they are not registered or enlisted, they will be fined Rs. 200 for the first offence and Rs. 500 for the second offence.

I think I have covered almost all the points raised by the hon. Members. I hope they will give consent for the Bill being passed.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the East Punjab Ayurvedic and Unani Practitioners' Act, 1949, as in force in the Union Territory of Delhi, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up clause-by-clause consideration. There are no amendments to clauses 2 to 6. The question is:

"That clauses 2 to 6 stand part of the Bill."

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 7—(Amendment of section 30).

Shri U. M. Trivedi: I beg to move:

(i) Page 2, line 25,—

after "may" insert—

"on the recommendation of the Board and" (1)

(ii) Page 2,—

omit lines 29 to 31. (2).

(iii) Page 2, line 35,—

add at the end—

"as hithertofores". (3)

I will only say this: that the hon. Minister may kindly look into these amendments. These are verbal amendments which are of a nature which will help the Administration. Under clause 30, sub-clause (b) says:

"The Examination Body may, with the previous sanction of the Chief Commissioner, make regulations for:—

the courses of study for training and qualifying examinations including the course of training and examinations prior to qualifying examinations;"

Will it be possible, in view of the present law, to make such a recommendation? The constitution of the examining body can be under the recommendations of the Board. If it is not with the recommendation of the Board, can this examining body do it only by the previous sanction of the Chief Commissioner? It will come in conflict with the law as it stands. That aspect has to be considered. That is why, "the courses of study for training and qualifying examinations including the course of training and examinations prior to qualifying examinations" should require re-thinking. I do not know how far the hon. Minister has looked into my amendments.

Then sub-clause (e) says:

"the conditions under which students shall be admitted to the diploma, licence or certificate course and to the qualifying and prior examinations;"

In other words, if this is not amended, this will take away all the powers of the Board; the Board will have absolutely no power.

Dr. D. S. Raju: It will be a registering body and deal with ethics and conduct. That is the function of most of the State Councils. They are only registering bodies, not anything else. It is happening all over the country.

Shri U. M. Trivedi: My whole difficulty is this. If today I point out to you how this can come into conflict with the law, you will be surprised to find that this will not work. I do not know. There has been no motion to refer the Bill to Select Committee. No time had been given, and the Bill is now on the anvil. If you read the provisions that already exist in the Act, you will find that this can come into conflict with those provisions. That is all.

Dr. D. S. Raju: Both these functions are so far being done by the Board of Indian Medicine. We are only separating the functions and making the work lighter for the Board. I do not see any difficulty and I do not know why the hon. Member is not able to appreciate my point of view.

Mr. Deputy-Speaker: Does he press them to the vote?

Shri U. M. Trivedi: No, Sir.

Amendments Nos. 1 to 3 were, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8—(Insertion of new section 31A).

Shri U. M. Trivedi: I beg to move:

(i) Page 3, lines 19 to 21,—

for "and prescribing the courses of study and training for such examinations and other related matters",

substitute—

"but shall not prescribe the courses of study and training for such examinations" (4)

(ii) Page 3,—

omit lines 22 to 25, (5)

(iii) Page 3, line 27,—

omit "to be nominated by the Chief Commissioner". (6).

(iv) Page 3, line 29,—

add at the end—

"to be nominated by the Chief Commissioner". (7).

(v) Page 3, line 31,—

add at the end—

"to be nominated by the Chief Commissioner". (8).

(vi) Page 3,—

omit lines 32 to 34. (9).

(vii) Page 3, line 36,—

add at the end—

"from an institution recognised by the Board and on the recommendation of the Board". (10).

(viii) Page 3, line 38,—

add at the end—

"from an institution recognised by the Board and on the recommendation of the Board". (11)

(ix) Page 3,—

for lines 39 and 40, substitute—

"(f) the President of the Board;" (12).

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(x) Page 4,—

for lines 1 and 2, substitute—

“(g) two members of the Board elected by the Board by ballot;” (13)

(xi) Page 4, lines 3 and 4,—

for “the Chief Commissioner shall nominate one of the members to be the Chairman of the Examining Body”, substitute—

“the President of the Board shall be the Chairman of the Examining Body” (14)

(xii) Page 4,—

for lines 32 to 37, substitute—

“(9) The Registrar of the Board shall act as secretary of the Body.” (15)

(xiii) Page 5,—

omit lines 1 to 3. (16).

I am suggesting the deletion of clause 8(2):

“The Examining Body shall be a body corporate with the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property and to contract, and shall by the said name sue and be sued”.

This comes into conflict with the general provisions of the law; that body corporate can be created by a law as it is. This law itself has created the Board of Ayurvedic and Unani Systems of Medicine, a body corporate, and that is in the law in which you are making this amendment. In other words, two body corporates are being created by the same law. Let there be an examining body; let it not be a body corporate under the same law. It will come into conflict with the provisions of the law and it will be very difficult to have two corporate bodies or body corporates, under the same law. That is why I suggest

that “the examining body shall be a body corporate” should be taken away. It should not be a corporate body in itself. It should be a body secondary to the Unani Board, and when you say that it will be on the recommendation of the Board that the people will have to be appointed, that the courses of study will be by the Board and the expenditure will have to be by the Board, how can a second body, a body corporate, remain? I therefore say that this portion should be deleted.

Then it says that the examining body shall consist of seven members to be nominated by the Chief Commissioner. I would suggest that the words “to be nominated by the Chief Commissioner” should go. Why I am suggesting this is for the following reason. It is quite true that the hon. Minister has just now said that they are going to appoint the learned men and so on. But even if they are learned men, the absurdity of the law is there, in the sense that you do not put any limitation as to who is going to appoint the men. The qualification of the men is not also mentioned. What is mentioned is, “one member to represent the Ministry of the Central Government dealing with Health”. You do not say that that member should be a qualified man, or a man of Unani medicine and so on. You have not provided any qualification for him. That is why I went to the other extreme of saying that you will appoint a Section Officer. What prevents you from appointing him? Of course, in your generosity, in your wisdom, in your prudence, you may not appoint him. But it becomes an absolutely absurd law if the qualification is not prescribed. That is why I suggest that this must be circumscribed. The law itself must not be vague and indefinite; it must be certain and must be available for the interpretation of every prudent man. That is why I suggest there must be some limitation to be put upon who is to be appointed.

III

Clause (c) says:

"one member who shall be a Professor of Modern Medicine or of Ayurvedic or Unani System of Medicine as the Chief Commissioner may determine;"

After having appointed two men under (a) and (b) of your choice, why should there be a Professor of Modern Medicine or of Ayurvedic or Unani System of Medicine? Why is such a wide window being provided? After all, this examining body is being created for ayurvedic and unani systems of medicine. If you have already appointed an allopathic man under (a) and also under (b), if you appoint a third allopathic man under (c), it will go into the hands of those who have no knowledge of ayurveda and unani systems. Why leave it in the hands of such persons? It is quite true that with the very liberal attitude that the present Ministers have got in these affairs, things may not come to that. But you are leaving it open for anybody to exercise it in such a manner as to create trouble for the future. That is why I say that this law is not proper.

Clause (f) says:

"a practitioner of repute of the Ayurvedic System of Medicine."

I remember a man who was practising ayurveda. I used to be a tutor at his house for some of his children. He used to admit to me that he had studied only up to the second standard and he did not know how to write his own name. He used to earn Rs. 4000 to Rs. 5000. That man was a man of repute, but he was useless for all practical purpose. It was his luck probably which made him earn such huge sums. In India we have got people who are always attracted by those who can put up a big show and who do not care for the inherent value of a man. That is why I say, instead of saying a person of repute, you may say, a man holding qualifications of this nature. That must be the thing.

There must be something to indicate that he is a qualified man recognised by the Board of Unani Medicine. Unless that is done, this will create an absurdity in itself.

Actually I may tell the Minister that I am not actuated by any desire to obstruct this measure at all. Studying it as a lawyer, even now I am not satisfied with the way this Bill has been drafted. If he can agree with me, well and good. Otherwise, I do not wish to press it.

Dr. D. S. Raju: Regarding sub-clause (c) which says:

"One member who shall be a Professor of Modern Medicine..",

the word 'Modern Medicine' has been used because the system is still an integrated system. The whole thing is still in a nebulous state. As long as this batch stays in the college, until it completes the course, one Professor of Modern Medicine must be there. That is why that term has been put there. As soon as the integrated system has been removed, the other people, namely, Professor of Ayurvedic System and Professor of Unani System will remain there.

The hon. Member has taken objection to the word "repute". I think it has got a very wide coverage, which may be interpreted in many ways. I can assure the hon. Member that it will be used in a very sensible manner which will benefit the examining body.

Regarding the legal aspects, I do not wish to cross swords with the hon. Member, who is an expert constitutional lawyer. I would only assure him that we have gone into this question thoroughly and there is no conflict between these two Acts. So, I would request the hon. Member not to press his amendments.

Mr. Deputy-Speaker: Does he want to press his amendments?

Shri U. M. Trivedi: No, Sir.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his amendments?

Some Hon. Members: Yes.

Mr. Deputy-Speaker: The amendments are withdrawn by leave.

Amendments Nos. 4 to 16 were, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9, Clause 1, the Enacting Formula and the Title were added to the Bill.

Dr. D. S. Raju: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15.16 hrs.

DELHI (DELEGATION OF POWERS) BILL

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): Sir, I beg to move*.

"That the Bill to provide for the delegation of certain powers vested in the Administrator of the Union Territory of Delhi, be taken into consideration."

This is a simple Bill which seeks to delegate certain appellate and revenue powers exercised by the Chief Commissioner to other authorities such as the Chief Secretary and the District Judge. The Chief Commissioner exercises these powers in a number of cases including the five mentioned in the schedule to the annexures, namely, Punjab Land

Revenue Act, U.P. Land Revenue Act, The Bengal Sales Tax Act—all these three Acts as extended to Delhi—Delhi Land Revenue Act and Slum Areas (Improvement and Clearance) Act.

The Chief Commissioner has on an average to hear about 400 such appeals and revisions in a year. As the Chief Commissioner has other administrative duties to perform, he does not have sufficient time to attend to these appeals and revisions, with the result that disposal of these appeals get delayed.

It has, therefore, been thought necessary to delegate the powers to other officers so that they might lighten the burden of the Chief Commissioner.

Under the Land Revenue enactments, the Chief Commissioner exercises certain appellate powers over the orders of the Deputy Commissioner and therefore, the Chief Secretary is sought to be authorised with these appellate powers.

In regard to the Bengal Sales Tax Act, he exercises appellate powers over the orders of the Commissioner of Sales Tax. It has been decided on principle to set up a Sales Tax Appellate Tribunal in Delhi, consisting of the District Judge. That will need separate legislation. Meanwhile the authority is being delegated to the District Judge to hear appeals from the orders of the Sales Tax Commissioner.

As regard the Slum Areas (Improvement and Clearance) Act, the Chief Commissioner exercises appellate powers over the orders of the "competent authority" staying execution of decrees of eviction passed by the Civil Court. So far as Delhi is concerned this authority is exercised by the Commissioner of Delhi Municipal Corporation. While exercising

*Moved with the recommendation of the President.

these powers, namely, staying of decrees of eviction from civil courts, the competent authority is mainly guided by the fact whether such eviction would cause harassment or severe hardship to the slum tenants. Thus he functions here more in the nature of an administrative authority than a purely judicial authority.

In the Slum Areas (Improvement and Clearance) Amendment Bill which is also before the Parliament and being sponsored by the Ministry of Works and Housing, it was provided that these powers should be exercised by the District Judge according to the Joint Select Committee's report on that amending Bill.

This matter was discussed in the last meeting of the Delhi Advisory Committee of the Home Minister and it was unanimously decided that these powers of staying eviction should not vest in a judicial officer, but with an administrative authority because the judicial officer would be handicapped by the judgment passed by the higher civil courts. Accordingly the matter was discussed with the Works and Housing Ministry and the Minister, Works and Housing agreed to have the provisions in their Bill also amended so that instead of the "District Judge" the "Chief Secretary" would be the appellate authority. The question was raised whether parallel provisions are necessary both in the Delhi Delegation of Powers Bill and the Slum Clearance (Amending) Bill. The delegation in the latter Bill is also prospective and so cannot cover appeals now pending with the Chief Commissioner, Delhi. In our Bill, the Chief Commissioner is empowered (a) to transfer all pending Bills to the Chief Secretary and (b) where he considers it necessary to withdraw any case from the file of the Chief Secretary and dispose it of himself.

We have also provided that these appellate powers may also be exercised by any other officer notified by the Delhi Government, if considered necessary.

Shri Gauri Shankar Kakkar (Fatehpur) Mr. Deputy-Speaker, Sir, it is really a very short Bill, but I fail to understand one thing. In the Statement of Objects and Reasons it is mentioned that the Chief Commissioner has been over-burdened with work and he has to dispose of 400 appeals or revisions in a year. That would mean, just to lighten the work of the Chief Commissioner this provision has been made.

I have got my objection to this Bill on two grounds. If the Chief Commissioner is over-worked, how can it be expected that the Chief Secretary has time to dispose of these appeals. At least in the Delhi Territory, under the Government of India, there should be a sincere attempt to separate the judiciary from the executive. How can the Chief Secretary be termed or called in an official manner an officer entertaining appeals and revisions? It has been provided in the Schedule that the Chief Secretary has the delegated power of the Chief Commissioner. Only in one case I find that the District Judge has been given the delegated power of the Chief Commissioner. Therefore, my first objection is that on the very basis given in the Statement of Objects and Reasons, that the Chief Commissioner cannot afford to dispose of at the rate of 400 appeals in a year because he has to look to other things also, the position of the Chief Secretary is much more over-burdened with work than the Chief Commissioner. How can he be expected to be able to do justice in the disposal of these appeals and revisions? Of course, as I said, it is a very small provision, but it is a fundamental duty that once for all, when the policy of the Government has been that there should be separation of judiciary from the executive, a judicial officer is provided.

I fail to understand why in this Bill under 3(1) it has been said:

"Any power, authority or jurisdiction or any duty which the Administrator may exercise or discharge by or under the provisions

[Shri Gauri Shankar Kakkar]

of any enactment mentioned in column 1 of the Schedule may be exercised or discharged also—

(a) by any officer or authority mentioned in relation thereto in column 2 of the said Schedule;”

I think this clause should not have been there. Sub-clause (b) says:

“by such other officer or authority as may be specified in this behalf by the Central Government by notification in the Official Gazette.”

I welcome this. Once the powers are delegated, I find no reason why they should go to the Chief Secretary. There should be an officer, as is mentioned in sub-clause (b).

Again, in the Financial Memorandum it is said that if the work is being pursued by the Chief Secretary and the District Judge there would not be any additional financial burden and it would be there only in case a new officer is appointed.

In the end I have only to submit that at least the Government of India, while making such measures, should once for all make a definite provision that there is a separate judiciary and a separate executive and the appellate or revisional powers are entrusted with such officers who are really judicial officers in name, in designation and in work as well. How can a Chief Secretary be termed as a judicial officer? If at all the Chief Commissioner is over-burdened with work and if at all any measure is required to delegate powers, it should be delegated to an officer appointed by the Central Government as provided under 3(b). I have very serious objection to this delegation of powers to the Chief Secretary as provided in the Schedule.

With these words Sir, I oppose the Bill in its present form.

Shri U. M. Trivedi (Mandsaur):
Mr. Deputy-Speaker, Sir, this piece of

legislation, on the face of it, appears to be innocuous, but in the end it will prove to be very mischievous. I find in clause (2) the word “District Judge” means the District Judge, Delhi, and includes an Additional District Judge Delhi. Why has the Government not thought it fit to delegate these powers of the Administrator to the District Judge by providing for it in the Schedule and has burdened the Chief Secretary with the powers of appellate court?

15.28 hrs.

[SHRI SONAVANE in the Chair]

Sir, I have gone through the Punjab Land Revenue Act, the United Provinces Land Revenue Act, the Bengal Finance Act, The Delhi Land Revenue Act and the Slum Areas Act. In each case judicial functions will have to be exercised. In none of these cases it can be said that those judicial functions of determining impartially the particular provisions should be vested in merely an executive authority.

If you look at the provisions of the Punjab Land Revenue Act, under section 13 it provides:

“(i) when an original order is confirmed on first appeal, a further appeal shall not lie;

(ii) when any such order is modified or reversed on appeal by the Collector, the order made by the Commissioner on further appeal, if any, to him shall be final.”

Under section 16 it says:

“(1) The Financial Commissioner may at any time call for the record of any case pending before, or disposed of by, any Revenue Officer subordinate to him.

(2) The Commissioner or Collector may call for the record of any case pending before, or disposed of by, any Revenue Officer under his control.”

In both these cases, under sections 13 and 16, I find that judicial determination has got to be made.

Similarly, in the United Provinces Land Revenue Act it is said:

"(1) Appeals shall lie under this Act as follows:—

(b) to the Commissioner from orders passed by Assistant Collector or Tahsildar;"

In the Bengal Finance Act also similar provisions exist. Under Chapter VI of the Delhi Land Revenue Act also it is said that an appeal shall lie to the Chief Commissioner from orders passed by the Deputy Commissioner, Additional Collector, Settlement Officer or Record Officer. It is the appeals which are put here. If appeals are to be heard, I fail to understand why a judicial determination is not to be made and only an executive determination is to be made. Are we ourselves, sitting here as the august body and making laws for the whole of India, to suggest that we have no faith in the judicial determination to be made by our judicial officers, who have got some protection in regard to their appointment under the Constitution itself? The district judges are protected and even their appointments are suggested in the Constitution. Also, ultimately many of the district judges rise to the Bench and become judges of High Courts. Are we here to suggest that we cannot put faith in them or are we funky of their judicial outlook? Is it suggested by the government that these judicial officers will cause trouble to the government? I should say that better take that risk and give a chance to the poor man who has got to make an appeal of getting it judicially and honestly determined. Why do we keep a man in the hands of the executive where we have seen that, however good an executive officer may be, he always looks to the government for the favours that he is likely to get. If he is dependent for his future career upon the good wishes of the

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government and not upon the merit that he possesses, certainly justice cannot be done by him. Therefore, when there is an opportunity, when we are making this law, when the doors are quite open today, when clause (2) provides that you could delegate this power to the district judge or an additional district judge, why not create a new post of district judge or additional district judge having the same powers in the territory of Delhi and invest him with powers or delegate to him powers which you want to delegate to the Chief Secretary under this Bill? If in one instance you can delegate the power to the district judge or additional district judge, why cannot that be done in the case of the other four laws?

Therefore, I say it is high time that the Government makes up its mind, rises high above, puts faith in the district judge, puts faith in the judiciary. People have already got some faith in the judiciary. Let the people be satisfied with the hope that government also reposes faith in the judiciary. Let the judiciary determine the right between government and a private person. No harm would be done by this. On the contrary, you will rise high in the eye of the public. It will be to your advantage if you repose confidence in the judiciary. They are not very much different except they are so trained, they are so detached in outlook that they are able to do justice between the mighty and the low. Let that principle be accepted and if at all delegation is necessary, let that delegation be to the district judge rather than to the Chief Secretary.

Shri L. N. Mishra: Mr. Chairman, Shri Trivedi raised the question of separation of the judiciary from the executive. I think this Bill has nothing to do with that question, which is a broader question. Here the question is limited to delegating some powers on behalf of the Chief Commissioner to the district judges and the Chief Secretary. As I have said

[Shri L. N. Mishra]

earlier, this has mainly to do with revenue matters, and revenue matters are dealt with by revenue collectors. Therefore, the Chief Secretary has been put as the appellate authority.

As regards sales tax appellate tribunal, there is a district judge. Then, regarding the delegation of power by the Chief Commissioner to the Chief Secretary, I may inform the hon. Members that there is already a provision to delegate the powers to other authorities as and when necessary. Therefore, there should not be any fear on that account also.

Shrimati Renu Chakravartty (Barackpore): But he has not replied to one point. The Administrator can even withdraw and dispose of by himself any appeal in revision. That is to say, he can do almost anything. He may delegate his powers to anybody he likes and he may withdraw them when he likes.

Shri K. C. Sharma (Sardhana): It is implied.

Shrimati Renu Chakravartty: He can do anything, whether it is slum clearance or any other subject. He becomes all in all.

Shri L. N. Mishra: Even at the moment he is all in all. This Bill provides for the delegation of powers to other authorities. At the moment, the Chief Commissioner has got much bigger powers in the sense he cannot delegate any power. Now, after this Bill is passed, he will be delegating his powers to some other authority also. There should not be any apprehension on that score.

श्री श्रीकारलाल बोरवा (कोटा) :

श्रीमन्, हाउस में क्वोरम नहीं है। पहले क्वोरम होना चाहिए।

Mr. Chairman: The bell is being rung... Now there is quorum. The question is:

"That the Bill to provide for the delegation of certain powers vested in the Administrator of

the Union territory of Delhi be taken into consideration."

The motion was adopted.

Mr. Chairman: The question is:

"That clauses 2 and 3 and the Schedule stand part of the Bill".

The motion was adopted.

Clauses 2 and 3 and the Schedule were added to the Bill.

Clause 1.—(Short title and extent)

Shri L. N. Mishra: I beg to move:

Page 1, line 4,—

for "1963" substitute 1964" (2).

Mr. Chairman: The question is:

Page 1, line 4,—

for "1963" substitute "1964".

The motion was adopted.

Mr. Chairman: The question is:

"That clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made:

Page 1, line 1,—

for "Fourteenth" substitute
"Fifteenth" (1).

(Shri L. N. Mishra).

Mr. Chairman: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

Shri L. N. Mishra: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Chairman: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

12.42 hrs.

DRUGS AND COSMETICS (AMENDMENT) BILL

Mr. Chairman: Dr. Sushila Nayar.

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): Mr. Chairman, Sir . . .

Shri U. M. Trivedi (Mandsaur): On a point of order, Sir. How is this Bill being moved for consideration? There is no certificate attached to it. This requires a certificate from the President. Where is that certificate?

Mr. Chairman: A certificate has been issued by the President and it has been embodied in Bulletin—Part II dated Saturday, the 2nd May. It reads:—

"Copy of letter No. F. 1-10/63-D, dated the 29th April, 1964 from Dr. Sushila Nayar, Minister of Health to the Secretary, Lok Sabha.

The President having been informed of the subject matter of the Drugs and Cosmetics (Amendment) Bill, 1964, as passed by the Rajya Sabha recommends under article 117(3) of the Constitution the consideration of the said Bill in the Lok Sabha."

Shri U. M. Trivedi: I would like to know why this certificate was not attached to the Bill itself. Under the rules it requires to be attached to the Bill. Why was it not attached?

Shri Sinhasan Singh (Gorakhpur): I wish to raise another point of order. My point of order is not about the President's recommendation for the consideration of the Bill, but my point of order is about the Bill's introduc-

tion and passage in the Rajya Sabha. Under article 117(1) read with articles 109 and 110, this Bill, which is here as passed by Rajya Sabha, should not have been introduced there. Article 109, clause (1) specifically lays down:—

"A Money Bill shall not be introduced in the Council of States."

Therefore there is no question of their considering and passing it. Article 109, clause (1) definitely lays down that Money Bills shall not be introduced there, but it has been introduced there. So, my basic objection is that this Bill which is a Money Bill could not have been introduced in the Rajya Sabha and could not have been passed there.

Shri U. M. Trivedi: That is all right. This is not a Money Bill. But was there a certificate for the Council of States under article 117(3) and why was the certificate not attached to the Bill itself?

15.45 hrs.

[**MR. SPEAKER** in the Chair]

Shri Sinhasan Singh: Sir, I was raising my point of order and the question that I have raised is, perhaps, being explained to you. There are certain Bills which relate to money matters and this Bill, the Drugs and Cosmetics (Amendment) Bill, 1964, as passed by Rajya Sabha, which is here could not have been introduced there in view of article 117(1), read with articles 109 and 110, of the Constitution. Article 109(1) reads:

"A Money Bill shall not be introduced in the Council of States."

What is a Money Bill? A long definition of a Money Bill is given in article 110. It goes on to enumerate several kinds of Bills which will be construed to be Money Bills. In the present Bill clause 5 and other clauses relate to the appointment of the Board of Directors and inspectors

[Shri U. M. Trivedi]

which will entail drawing upon the Consolidated Fund of India or withdrawing money from there. Therefore, this is a Money Bill as laid down in article 110(1) (c) which says:

"the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund;"

Then, sub-clause (g) of the same clause says:

"any matter incidental to any of the matters specified in sub-clauses (a) to (f)."

Please mark the word 'incidental'. If even incidentally any of the sub-clauses (a) to (f) are covered, no such Bill could be introduced in the Council of States.

Article 117(1) specifically lays down:

"A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States:"

Again, here also, this fact is reiterated, namely, that any Bill making any such provision shall not be introduced in the Council of States. Here also a Money Bill has been defined in clause (2)—this is only an exception—

"A Bill or amendment shall not be deemed to make provision for any of the matters aforesaid by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered, or by reason that it provides for the imposition, abolition, re-

mission, alteration or regulation of any tax by any local authority or body for local purposes."

Then, clause (3) is about the consideration and passing of Bills. That also cannot be done without the previous sanction of the President. This point was raised here, namely, that it does not have the recommendation of the President and now it has been stated that it is here; so, I am not raising that point.

Mr. Speaker: We have got the recommendation under article 117(3).

Shri Sinhasan Singh: You have got the recommendation for consideration here. Originally, the Bill was introduced in the Rajya Sabha. My point is, it could not be introduced there. Even the President could not permit introduction there. My point is not that here it cannot be considered. My point is, at the initial stage when the Bill was introduced in the Rajya Sabha....

Mr. Speaker: He means to say that it is a Money Bill falling under sub-clauses (a) to (f) of article 110. This is his contention. But Mr. Trivedi says, it falls under sub-clause (3) of article 117. Mr. Sinhasan Singh does not agree with him. His contention is that it falls under article 117(1) and that it is a Money Bill. Now, what particular sub-clause of article 110 does he refer to? There are sub-clauses (a) to (f) in article 110.

Shri Sinhasan Singh: I refer you to article 110.

Mr. Speaker: Under which sub-clause?

Shri Sinhasan Singh: Article 110 is a very wide article.

Mr. Speaker: He might refer to the particular sub-clause.

Shri Sinhasan Singh: Sub-clause (c) of article 110 says:

"the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund;"

Mr. Speaker: Now, he must also pay his attention to article 110(1), which says:

"For the purpose of this Chapter, a Bill shall be deemed to be a Money Bill if it contains *only* . . .

—the most important word here is
'only'—

"...provisions dealing with all or any of the following matters...."

If it contains any other provisions also, then the things become different. So far as this Bill is concerned, it has many other provisions also.

Shri Sinhasan Singh: It has. But then, Sir, you look to the sub-clause (g) which says:

"any matter incidental to any of the matters...."

Mr. Speaker: That means just connected with them, not any other thing.

Shri Sinhasan Singh: If it was not a Money Bill, the President's sanction would not have been necessary. The very fact that the President's sanction is necessary here at the consideration stage....

Mr. Speaker: There are two recommendations and they are distinct, one is under article 117(1) if it is a Money Bill and the other is under article 117(3) when it is not a Money Bill.

Dr. D. S. Raju: I am entirely in your hands. This is a legal and constitutional point. I am entirely in your hands.

Mr. Speaker: Not in my hands.

Shri Nambiar (Tirucherapalli): If the House so desires, he will get it passed.

Shri Morarka (Jhunjhunu): It is a constitutional point.

Mr. Speaker: Mr. Sinhasan Singh has raised it earlier also. He believes in that contention of his. But I cannot agree there. If it were a Money Bill, then, of course, his objection was quite all right. But this is not a Money Bill in the definition that is given there from (a) to (f) of article 110. It falls under article 117(3). The effect of it might be the expenditure from the Consolidated Fund of India. But it does not *only* provide for the withdrawal or for taxation or other things that are described there. We have got here, for consideration and passing, the recommendation under article 117(3). We have got it all right. Therefore, I feel that we can proceed with it.

Shri U. M. Trivedi: You have said that we have got the recommendation. It has been read out also. What I say is this that in each of these Bills—several are here before me even today—a certain recommendation is with the Bill. But in this particular instance, I do not know why this recommendation is not there with the Bill.

Mr. Speaker: It is an omission, of course. It ought to be there. It ought to be printed on the Bill. I agree with the hon. Member. I hope in future it will be kept in mind. It ought to be on the Bill. The recommendation should be printed with it.

Shri S. M. Banerjee (Kanpur): Has it been obtained?

Mr. Speaker: It has been obtained.

I am told that when it has been passed by one House, then it comes separately and that it cannot be printed on the Bill. When it is passed by one House and it is transmitted to the other House, then a separate recommendation comes.

Shri U. M. Trivedi: In that case even, the recommendation ought to have been communicated to the House.

Mr. Speaker: It has to come separately.

Shri U. M. Trivedi: Even if it is separate, it ought to have been communicated to the House.

Mr. Speaker: We will see whether it is possible to print it again. But ordinarily, when it is passed by one House, we do not have it printed again unless there are great many changes made. Because it is not printed again, that recommendation also cannot be printed. Now, we can proceed with it.

Dr. D. S. Raju: I beg to move:

"That the Bill further to amend the Drugs and Cosmetics Act, 1940, as passed by Rajya Sabha, be taken into consideration."

Mr. Speaker, Sir, The Drugs and Cosmetics (Amendment) Bill, 1964, as passed by the Rajya Sabha is now before the Members of this honourable House. The Drugs and Cosmetics Act, 1940, as it exists, does not apply to the drugs of indigenous system of medicine, namely . . . Unani and Ayurveda. Now, Sir, this amending Bill which has gone through the Select Committee and which has been recommended by the Select Committee has made certain amendments so as to bring the drugs of Ayurveda and Unani under the purview of this Act. The reason is this. The manufacture of Ayurvedic medicines has become a major industry. So far, Ayurvedic and Unani drugs were manufactured by *vaids* and

hakims for their own patients. It used to be on a small scale. Now, since it has become a major industry, millions of patients are using these drugs and so naturally it is necessary that Government should exercise the greatest care and take precautions so as to safeguard and protect the health of the people.

Sir, it has been brought to our notice several times, on several occasions, that most of these modern drugs, such as asperin, sulpha drugs and acromycine and other drugs are mixed with Ayurvedic drugs and sold as Ayurvedic medicines or distributed as Ayurvedic medicines so much so they are not protected or covered by the Drugs and Cosmetics Act. In this way, they escape. That is a very dangerous thing. Also, according to the Udupa Committee, most of the Ayurvedic drugs which should contain some very valuable ingredients such as gold, arsenic, copper, saffron and musk etc. actually do not contain them. It has even been reported that gold which goes into some preparations like *makaradwaja* and other things is taken out of it, and so, what goes out is only *makaradwaja* minus gold. These are the things which have been brought to our notice. So, it became imperative that we should bring forward this amending Bill before this House.

16 hrs.

Shri S. M. Banerjee: Are we getting pure gold in *makaradwaja* at least?

Shri Sham Lal Saraf (Nominated—Jammu and Kashmir): 14 carat.

Mr. Speaker: Is the hon. Minister likely to take some more time?

At 4 p.m., we have to take up another discussion.

Dr. D. S. Raju: If you could give me five or ten minutes more, I can introduce the Bill for consideration.

Shri S. M. Banerjee: Let him continue tomorrow. If the hon. Minister

wants to take ten minutes more, that should not be deducted from the half-an-hour allotted for the half-an-hour discussion to be raised by me. If the hon. Minister takes ten minutes, then Shri Harish Chandra Mathur would get one hour for the discussion that he wants to raise, which would mean that my half-an-hour discussion would start at 5.10 p.m. So, either the House may sit up to 5.40 p.m. today, or the hon. Minister may continue tomorrow.

Mr. Speaker: The hon. Minister may continue his speech tomorrow.

16.02 hrs.

DISCUSSION RE: INDIAN REPATRIATES FROM NEWLY INDEPENDENT COUNTRIES OF AFRICA

Shri Harish Chandra Mathur (Jalore): I beg to raise the discussion standing in my name, on the question of the Indian repatriates from the newly independent countries of Africa. I hope the House has got a full conception of the magnitude of the problem.

We have more than 3 lakhs of Indians and persons of Indian origin in these newly independent East African countries. Even in Zanzibar, we have got about 18,000 persons of Indian origin; 350 of them are Indian nationals. In Tanganyika we have got about 87,000 Indians, that is, persons of Indian origin; 5,000 are Indian nationals. In Kenya, we have got more than 1,80,000; about 7,650 of them are Indian nationals.

When we speak of the Indian repatriates, we speak with a certain background. To a person like me it is almost inconceivable why there should be conditions in which Indians should feel compelled to leave a country which they have adopted, to leave a country where they have gone and settled and contributed a considerable lot. India's association with the African countries in their free-

*Repatriates from newly
Independent Countries
of Africa*

[Shri Harish Chandra Mathur]

dom fight and in securing social justice has deep roots and is of a unique nature. The Father of the Nation, the man of the century, got stirred and inspired by conditions in Africa and gave inspiration and leadership to that country first and only secondly to this country. Our interest in African people, their welfare, prosperity and progress is of an abiding nature, and we feel so much at one with them in their sentiments, feelings and aspirations. India blazed the trail of the fight for freedom against colonialism. Even today, in Africa, if there is anything which stirs the people, it is that feeling of the fight against colonialism. Naturally, there was a tremendous goodwill and respect for India and her leaders in that continent. But it appears that there has been a great corrosion in that goodwill and fraternal feeling. Government owe an explanation to this country and to this House as to why that is so, and what the factors which are responsible for this corrosion in the goodwill which had been generated through the joint effort of this entire country and her leadership and by the assistance and sympathy and support which was unhesitatingly and unqualifiedly given to that great country and to the people of that great country, are. Will the hon. Minister deny the fact that there has been a corrosion? Is it not due to a lack of understanding on the part of Government to keep the fire on and to maintain public relations in such a manner as they ought to be maintained? Government owe a satisfactory answer and explanation to this House on this subject.

Have Government not taken Africa for granted? We are fully aware that other countries which had hardly any goodwill and which were hardly known in African countries, such as China and Pakistan are very active with their propaganda and cultivating the people there at all different levels, but we who had that tremendous goodwill have not been

able to maintain that, leave alone the question of further cultivating and trying to understand their problems and trying to understand the problems of the Indians who have settled there.

It is in this context that I am speaking. A large number of people had to leave those countries. What has happened in Zanzibar? There, it was the High Commissioner for the United Kingdom, who helped all the nationals who were whites, whether they were the British or the Germans or the French, but the Indians were given a cold shoulder, and there was no arrangement from our side to take good care of the people there and to give them solace and security. Our representative in that country, namely, the Indian High Commissioner there, had stated on February 24th, that there were about 400 Indians destitute in Zanzibar. They approached him for a free passage from that country. Why is it that those conditions were there? They wanted certain relaxations, but there was nobody to look after them.

It is in this context that I wish to refer to the speech made by the hon. Minister of State in the Ministry of External Affairs here almost at the same time. Shrimati Lakshmi Menon, Minister of State in the Ministry of External Affairs, put the blame for the difficulties of overseas Indians on those Indians themselves. She has said that the ordinary Indian in pursuit of wealth is not progressive and is completely devoid of any feeling that free India had generated those Indians abroad still think in terms of the antiquated customs and practices that prevailed in India years ago causing a great concern to the Government; and she went castigating the people there and saying that they were responsible for their own difficulties.

I cannot recall any instance in the history of the world where a Minister or a high official in great authority had talked about his own people.

or about the citizens of his own country or about the people of his own country in such terms; instead of trying to help them, instead of trying to give them proper advice and instead of trying to have some diplomatic activity in those countries where those Indians are and instead of trying to see that their difficulties are resolved, our Minister makes this self-righteous speech in a bravado spirit which the Prime Minister condemns so much when somebody else speaks with that; anyway, this is the attitude which the Minister of State in the Ministry of External Affairs has taken, and I take strong exception to the manner in which she has treated this problem and made some generalisations and remarks. She has not tried to help those Indians who are there. She has only tried to complicate the problem, and she has only created more difficulties.

We are entitled to know what steps the Government of India have taken in those countries, what steps they have taken to cultivate the relationship and to understand the difficulties of those people. There are hundreds of people who are in service, and there are thousands of people who are in the trade. Whether they are feeling secure or not, whether they are having the same and equal rights of citizenship there or not, whether they are being discriminated against or not are the vital questions which are exercising our minds and about which we are feeling concerned. The law and order situation in certain parts of those countries is such that even people who are devoted to those countries do not feel secure. It was for the Government of India to tell those people, and to tell us and also to take up with the Heads of those States or with the people in authority there, the difficulties which the Indians who have settled there and who are now the nationals of those countries are facing, what the law and order situation is, whether they feel safe or not, whether they are being given a

treatment of equality or whether they are being discriminated against.

I am not one who would like that everybody from there should come over here. But we must definitely see that the climate and the conditions are created in those countries for them to continue peacefully there. This should not at all be difficult in view of the very friendly relationship which we have with those countries.

She also said that these Indians who have settled there have not identified themselves with those countries. It is really unfortunate that such a statement should have been made. It is common knowledge with most of us that those people who have settled there, who had money, have helped most of the political leaders who are now at the helm of affairs; they helped them not only with money but in more than one way. Instead of bringing those things out, such sort of statements may create difficulties for the more than 3 lakh people who are settled there.

It should also be understood that there were no organised political parties there which the Indians could have joined. There were certain parties which were underground. A party like the Mau Mau—they could not have joined it. Still, in more than one way, the Indians had in every respect identified themselves with the aspirations of those people, as this country and the people of this great country have identified themselves with the great aspirations of the African countries. Even today, it is almost a passion, that whenever we talk of Africa, we feel as if we are members of one family. This is particularly so in the case of Africa. But unfortunately the position today is deteriorating. It is a failure of the External Affairs Ministry at the diplomatic level. Those people who are at the high level live in ivory towers there. They do not mix with the people. They do not mix

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with the people at the cutting level, at the ground level. We have not got good public relations at the lower level. Even the delegation of MPs which had gone there very recently and toured those East African countries have conveyed to me such sort of feelings.

Unfortunately, my hon. friend who has to reply to this debate happens to be junior to the person whom I am criticising and so he will be left with no alternative but just to support what she had said. I wish it would have been better if the senior Minister had been here and if he had been able to take a broader view of the entire situation and try to understand the difficulties instead of trying to justify the mistake that they have made and what they have done in this matter.

17.14 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Let us understand the situation. When the Indians had gone there, it was all one commonwealth there. The genesis, the background and the history should also be taken into consideration. I agree that the people who had gone there had not gone as missionaries. That is quite true. But they had a great spirit of adventurousness, a greater spirit of adventurousness than the Minister who criticised them at least. They have contributed to the welfare and well-being of the people of those countries. I hope this will be realised and proper treatment will be meted out to them.

In the end, my request is two-fold. First, we should take it up at the diplomatic level. We must strengthen our relations there and we must strengthen our public relations at the lowest level. We must try to create conditions there to see that our people in those countries feel safe. There is no reason why any man who has settled there would like to get uprooted and come over here. So I do

wish that they will take it up at the diplomatic level and see that there is equality of treatment, that they feel secure, that there is no law and order problem for them.

I am glad that the hon. Minister has come at the right time, though he is a little late, because my whole submission was that it is no use justifying the bravado spirit in which she has made these castigating remarks, most uncalled for remarks, most unfortunate remarks against our people, something unknown in the history of any country—such a statement made by any person in authority and responsibility. I do hope now they will strengthen their Missions there, they will take it up at the diplomatic level with the heads of departments to see that the life and property of the people who are settled there are safe, and they continue there. I wish they will also try to understand the difficulties of those people who want to come away from there, and create certain facilities which they demand, so that they may feel that they have a place to come to.

About repatriation. I do not know what has been done. I was told that certain steps had been taken, but we would like to be enlightened, and those people should be assured that it is our desire, it is our policy, that they should settle down there; they should give prosperity to that country and prosperity to themselves, and they must give the fullest support to the aspirations of these emerging countries. But those people who, under certain circumstances, under compulsion, have to come here should be afforded all the facilities for repatriation.

Shri Iqbal Singh (Ferozepur): I fully agree with what Shri Mathur has said. The plight of the Indians in Africa, particularly the East African countries, should not be made more complicated by statements like

that made by the Minister of State for External Affairs. It is regrettable that these feelings have been generated there. Whether freedom has been achieved or there is upheaval in those countries, we should also try to adjust ourselves to that, and not give a hasty opinion which will not solve any problem, which does not help anybody.

Apart from that, even more Indians are coming from Burma. If people of Indian origin in the East African countries have played a large part in their fight for independence, Indians in Burma have played no less a part in the fight for the freedom of Burma and India, but now 80,000 persons are coming from there. And what is the reply of the Ministry? It is that it is the creation of the Indians themselves. I submit that the whole context should be reviewed. There should be some re-thinking in the External Affairs Ministry, particularly because these people can be helpful, they are helpful. At the time of Chinese aggression, they rose to the occasion. In East Africa and elsewhere they played their part, and played it well. So, we should not make such statements about the people living in these countries and doing useful work not only for the betterment and independence of those countries but for this country also. Every businessman living in East Africa is not the type depicted in the statement. So, this type of statement, especially from the Ministry of External Affairs, and that is a sensitive Ministry, should not come, that is my submission.

Secondly, whatever the difficulty, we should try to solve it through the External Affairs Ministry, but most people in the Ministry do not take a liberal view of things, or a sympathetic view. That is the main problem and difficulty. This is the last subject which our diplomats abroad generally touch; they think this is the most unimportant subject. That should not be so. Whatever their difficulties we should try to solve them.

In that statement, the Minister has said that they should not be allowed to bring the money. If they are not

allowed to bring the money, if they are not shown any sympathy, where should they go? The Government of India should take a more liberal view of the situation in which Indians in East Africa and Burma find themselves. Steps should be taken so that they feel that those in the mother country take a sympathetic interest in their welfare.

Shri Indrajit Gupta (Calcutta South West): Mr. Deputy-Speaker, I am very glad that Mr. Mathur has introduced this motion which relates to a very important subject now and which is likely to assume even more importance in the coming days. I am one with Mr. Mathur when he says that it is the duty of the Government to render all possible assistance and facilities to those Indian settlers in these African countries who either wish to come away now to India for whatever reasons it may be or who are compelled by certain circumstances to come away. I agree that the Government has done very little and certainly the attitude of the Government deserves to be criticised for not being sympathetic enough in that direction. I also hold no brief whatsoever for the statement of the hon. Minister of State which had been referred to here. I feel inclined to agree that being a Minister that sort of a public statement should have been avoided and it was not very helpful in the circumstances.

But having said that, I am afraid that I cannot agree entirely with the approach which my hon. friends Mr. Mathur and Mr. Iqbal Singh have taken. Some amount of sentiment and emotionalism may tend to obscure our vision of this problem correctly. It is one thing to talk about the attitude that those countries have towards India but that should not necessarily be equated with the attitude towards Indian settlers in those countries. This matter has to be viewed in its correct and historical perspective and for this reason it is of utmost importance that the relations of this country with those developing

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nascent nations of Africa are not impaired or harmed in any way; that is of much bigger interest for our country than any other thing . . . (*Interruptions*).

Shri U. M. Trivedi (Mandsaur): When they are driven out. . . .

Shri Indrajit Gupta: If they are driven out on grounds of racial discrimination or as a result of the development of any unhealthy, chauvinistic, anti-Indian practices there, I would certainly be the first to condemn those countries.

Shri U. M. Trivedi: But what else is it?

Shri Indrajit Gupta: I know that all these sentiments of emotionalism can be worked up from below. . . . (*Interruptions*.) Facts are bitter sometimes. I am not yielding.

Shri U. M. Trivedi: I would like to know. You are an hon. Member of this House. We would like to know from you what is the difference between the emotional feelings that we express and the emotional feelings which they express? Do they not drive them out?

Shri Indrajit Gupta: Have you finished?

Shri U. M. Trivedi: Go ahead.

Shri Indrajit Gupta: Sometimes it is good not to indulge so much in self-righteousness but to adopt a self-critical attitude; it will do us good. There are three reasons, they are facts. I am not blaming anybody but they are facts. I do say that there is nothing wrong in Indian settlers having gone there to do business. But the fact remains that on the eve of independence of these East African countries the way in which the African population has seen these settlers was, what may be called as if they were the 'haves' while they were themselves the 'have-nots'; they have amassed

quite a lot of wealth. I am not blaming them for this wealth but that is how facts existed . . . (*Interruptions*.)

Shri Harish Chandra Mathur: What about order there and security for them?

Shri Indrajit Gupta: That is a different question and I am coming to that. Therefore, economically those countries were very backward, undeveloped, poverty-stricken, and much less mature than India was on the eve of her independence. Even we prided ourselves; in the early years and the first flush of independence we were very much exercised over the question of Indianisation of services; we wanted to Indianise everything that we can. It is a healthy national sentiment. Sometimes we could not proceed. . . . (*Interruptions*.) In Africa almost the entire business had gone into the hands of not only Indians but other Asians also, and that did produce a certain reaction. I do not say that justifies driving people out. There were also a large number of Asians and Indians in the civil services; they were in Government jobs. Who does not know that when Uganda was on the eve of her independence, a large number of these Asians and Indians submitted their resignations *en masse*, and what were the issues at dispute? The issues were whether they will be able to preserve those service facilities and privileges which they had shared with the British at the time of the British raj in those countries; the overseas leave facilities, special housing conditions and special allowances which they had enjoyed at that time they were certainly in danger of being withdrawn. Because the new Governments in Africa had said that though they were not going to practise any racial discrimination, between Africans and non-Africans, nevertheless, they wanted these people to accept the similar type of conditions which the Africans were going to have, whereas they were standing for the continuance of the privileges which

they had earlier got during the British regime. And rightly or wrongly, whoever has followed these things knows that this action in Uganda which was followed by mass resignations by about 1,400 other officials, belonging to the African Common Services Association, was interpreted in Africa as a sort of an act of pressure, of political blackmail. It is very unfortunate, but it is a fact. I agree with Shri Mathur that our Government, by other means,—representation at the proper quarters and by keeping themselves more alert and more informed and acquainted with the developments that were happening there—could have taken up many things. Perhaps even informally, they could have represented many matters, which they failed to do. But these things did take place.

Though Shri Mathur says that Indians in all these countries have played a part in the freedom movement of these countries—I agree—one cannot lump all the Indians together and all the Asian settlers there together. The poorer sections, I think, have certainly played a creditable role and they have always identified themselves with the poorer Africans but there is a section there, economically better off, who have become a sort of local leaders. When I criticise the Government, I equally criticise the local Indian leadership there,—leaders, mind you, and I am not condemning Indians. Shri Mathur mentioned the Mau Maus. It is a fact that when the British suppression movement against the Mau Mau was going on, a small, handful of the upper class Indians there who locally called themselves the leaders of the Indian community, had gone round to the British authorities begging them to allow Indians to be recruited into the security forces which was suppressing the Mau Mau. It is a fact that the mass of the Indian settlers there probably disassociated themselves from this thing.

Shri Harish Chandra Mathur: We are talking about the masses. (*Inter-ruption*).

Shri Indrajit Gupta: Secondly, in Uganda, when the Kabaka of Buganda was restored to his throne, it was a day of great rejoicing throughout Africa, but we know that when the Kabaka of Buganda went back from exile and was restored to the throne and when he was driving through the city, which was decorated with flags and banners—all the population was out rejoicing and celebrating—I have only newspapers reports to go by—it seems the Indian community was conspicuous by its absence at these celebrations.

Such things have happened. Therefore, I would say in the first flush of independence, we should be patient about it and we should not condemn outright all these African countries as though they are following a deliberate, anti-Indian racial policy. I do not believe that that is so.

An Hon. Member: Condemn the Government.

Shri Indrajit Gupta: Yes; I am also condemning the Government. I think the Government should have been much more alert. But I could not follow, and I am confused at one thing. How are they to intervene in matters affecting the people who are not Indian citizens? How will they deal with people who have either become citizens of those countries or who, by the thousands, have applied for British citizenship? On the eve of independence, all these have queued up, applying for British citizenship papers, not for Indian citizenship or the citizenship of those countries. How is our Government to intervene directly? They can do something indirectly—I agree—which they do not do.

Shri Harish Chandra Mathur: It may also be a diplomatic failure.

Shri Indrajit Gupta: It may be. I do not hold any brief for the Government. For example, I think these things can be dealt with in a much broader perspective. There are Afri-

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can students who stay in our country. If all of us together make an effort to have closer relationship with them and remove their complaints also, that would help also the relationship in Africa towards Indians and so on.

There are so many things which need to be done. But I think that those Indians who are wanting to come back to this country, for whatever reason it may be, or who have been compelled by some economic circumstances to leave, should be provided with all possible facilities of repatriation and given all facilities to bring away whatever money they have earned. I am told in many cases, they cannot. The Government should do everything for providing transit facilities, for allowing them some relaxation of the normal customs regulations and all those things. These things should certainly be done.

In conclusion, I agree that Mrs. Menon, being a Minister, need not go round the country making public statements like this. Especially at that juncture, I think it was inadvisable.

Mr. Deputy-Speaker: How long would the Minister take to reply?

Some Hon. Members rose—

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): About 15 minutes.

Mr. Deputy-Speaker: Under the rule, those who have given previous notice only can speak. I have not received any previous intimation except from Mr. D. C. Sharma.

Shri Sham Lal Saraf (Jammu and Kashmir): Sir, while the debate is on, certain questions are raised and they should be clarified. Mr. Gupta has raised certain points, which must be clarified.

Mr. Deputy-Speaker: Shri D. C. Sharma.

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker, Sir, one of the mistakes that our Ministry of External Affairs makes is that it creates artificial walls of isolation between Indian nationals and persons of Indian origin. I think for legalistic and other purposes, this may be useful and necessary and may be taken to be valid. But I must say that from the broad angle of Indian nationhood, from the broad perspective of our country, this kind of distinction is working the greatest harm to our country here and is doing the greatest damage to our countrymen abroad, whether they are our nationals or whether they are settled somewhere else. Therefore, the Ministry of External Affairs should take upon itself the principle that any person of Indian birth who was born in India, is one of their charges. The degree may be different in the case of those who are Indian national and those who are nationals of some other country. But they should first of all realise that it is their duty to be the guardians of all persons who are born Indians, whether they are our nationals or not. That is the first mistake that our Government is making.

When I go to other countries, say, America, I find persons of German origin, Irish origin, French origin and other origins in America and they make friends, fraternise and become popular with the persons who are there. They do not make a distinction as we do in our country.

Shri Shinkre (Marmagao): They are Americans first.

Shri D. C. Sharma: Secondly, diplomacy consists in making a bad situation tolerable, in making a good situation better and in making a desperate situation acceptable. I think judged by these standards, our Indian diplomacy so far as our missions ab-

road are concerned, has utterly failed. I ask one question from the people who are in our missions abroad: How many times do they visit Indian visitors? They follow the old British tradition of aloofness from the people there and the result is, if you go to any country where Indians are settled, they will tell you that they keep aloof. I do not want to mention the name of the country. I had been to some countries and this is the complaint I have heard from the Indians who are there. Mind you, most of them are Indian nationals. They keep themselves aloof and apart; they think they are the elite of the world and they do not want to mix with others.

The third point I want to make is this, that taking for granted that we have been making money, as my hon. friend said—who does not make money—and that we have not been identifying ourself with the freedom struggle of those countries, I only want to say that by and large the Indians in Africa, to whom my hon. friend, Shri Mathur, referred, have been a force for good in that country. I say this with due sense of responsibility. They have built up the business in that country. They have built schools in that country. They have done everything that any human being can do. They have had very good relations with the people of that country. There was only one country which was the eye-sore of Indians—South Africa. That country had been like that for a pretty long time. They had good relations before India became free. What has happened to that now, I ask respectfully of the Ministry of External Affairs. The Indians there were happy before India became free. The Indians in Kanya in Uganda, in Tanganyika, in Zanzibar and other places were doing well. If they are exploiters now they were exploiters at that time also. But they were doing very well then. Their relations with the people of those countries were happy. They were considered to be very good fellows. What has happened now to those very persons who were in the good books of the nationals of those countries? How is it

that they have turned out to be persons who are not desirable?

Sir, the answer is this. Our country, our External Affairs Ministry and our Missions have not taken good care of them. If our country had taken proper care of them, I think they would have been as happy as they were before India became independent. The fact of the matter is, they are neglected now. The High Commissioners at that time from the United Kingdom used to look after them in a much better way than what our High Commissioners, Ambassadors, Envoys and our Consuls do now. Therefore, the whole trouble has arisen from the fact that we are not so solicitous of their welfare as we should have been.

Then I come to my last point. The fact of the matter is that we have to project an image of India whether through our missions or through our External Affairs Ministry. What image has been presented by the Minister of State in the Ministry of External Affairs. I heard the other day the Deputy Minister saying that they are sitting on the fence, they neither become Indian nationals nor do they become something else. What image of Indians are we presenting here on the floor of this House; not through Shri Mathur or somebody else, but through the Minister of State in the Ministry of External Affairs and through the Deputy Minister? We are presenting them an image of India as if those persons are not wanted by us, they are a drag on us, they have been driven out by us and they are not a part and parcel of us. But the image that we should present to every country in the world is that every Indian, even if he has accepted some other nationality, is rooted in the culture, in the soil and in the traditions of India, and that he is our brother. Somebody spoke about China. In China there are two Chinas—thank God there is only one India—the Kuomintang China and the other Mao China. But when they go abroad they say that they are Chinese and

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they look after each other. But here India is one and it will continue to be one. Even then our External Affairs Ministry does not look upon them as the true sons of the soil, as the true sons of India, as those persons to defend whom, to safeguard whose interests is our duty. I think this has got to be done, as otherwise our name will be in the mud all over the world and we would not be able to hold our head high when we go outside India.

Shri Sham Lal Saraf: I thank Shri Mathur for bringing this very vital question before the House for discussion, for it gives us an opportunity of considering the conditions of our brethren living in different parts of the world. How have they gone to those countries? During the last quarter of the last century thousands of our men and women have left for Africa, South East Asia and other countries. So far as Canada and America are concerned, they are well-settled and we have nothing to worry about them. As far as other countries are concerned, they have gone there firstly as labourers to build and construct things for them. Then they have gone there as farmers and a number of wonderful farms have sprung up in those countries. They have also gone there as skilled and semi-skilled labourers and they have built many good factories. Then, many people have gone there as traders and built good trade relationship with those countries. So, my submission is that these people went to those countries to help them progress industrially or otherwise and they have contributed their share.

Here we must remember one important thing. Irrespective of the part of the world in which they are living, as long as they are Indians, it is the duty and responsibility of our government to help and protect them. Here I will quote one instance. In 1947 when Kashmir was raided by Pakistan, there were a few hundred Britishers living in Kashmir. The moment the trouble started, aeroplanes came right from England to

evacuate every man, women and child and their property. Everybody was evacuated in no time and every property which was movable was saved. Naturally, all those people felt very much elated and happy.

Therefore, my submission is, this is not a matter which can be taken in a light-hearted fashion. It is a responsibility which Government cannot shirk. All Indians, irrespective of where they are staying, are our brothers and their protection should be our responsibility. I would feel insulted if my brother or sister is insulted anywhere in any part of the world. But have we taken up that question in that spirit? No, we have not done it.

Sometime back, I think it was last month, I asked a question about the Indians in Zanzibar. They have not been evacuated by anybody in spite of the fact that they were in the same British Commonwealth. The Indians who have settled there have undergone a number of insults and what not; they have suffered a lot of losses as well. Since they were holding British passports, the Britishers should have seen that they are evacuated. When I asked a question to the Ministry of External Affairs whether this has been brought to their notice and what action they have taken the reply was that since those Indians have gone there on British passports, they are not our responsibility. I will humbly submit that I do not at all agree with that approach. I would ask every Indian who is true to his soil, true to his motherland, to see that Indians, who are our brothers and sisters, wherever they are, are not humiliated or insulted by the countries concerned. We should not stand on technicalities.

What is the position today? I will not repeat the sentiments expressed by my hon. friend, though I certainly agree with them. In Burma business and commerce has been nationalised. Hundreds of thousands of Indians have been thrown out of employment. People who owned big business houses,

big factories and what not have been thrown out of employment or livelihood. Now they are destitutes. What is the duty that we have to perform?

I would say that our government must take up the responsibility of looking after them. Those who would like to come back to India must be evacuated. Of course, those who would like to continue there can do so. Others, should be evacuated without any loss of time. Then, funds should be made available to them, long term loans repayable in easy instalments so that they are again able to settle in life. Otherwise, they should not be left there in the lurch. That will discredit us internationally and I do not know what it might bring to our nation as a whole.

Therefore my submission is that this is a very right occasion when this matter has been brought before the House, the Government must satisfy not only us but they have to satisfy the whole country. They must satisfy everybody with regard to the care that our Government take for our fellow brethren who are living in far-off corners, specially when they have come to be placed in the present circumstances. I hope, we will get a very satisfactory reply from the Government.

Shri Dinesh Singh: Mr. Deputy Speaker, Sir, to be able to look at this question of the people of Indian origin abroad we have to go back a little into history. My hon. friend, Shri Mathur, and some other hon. Members have already referred to some aspects of this history.

It was about 100 years ago that people first went to East Africa and South Africa to work there. We have had contacts with this part of the world as with South-East Asia and West Asia. It is much older and it goes back actually into the folklore and mythology, but these people about whom we are discussing today went out of this country roughly 100 years ago. They went to Uganda about 80
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or 90 years ago when they built the railroad there. They performed a very difficult task. They built the railroad; they opened out the country and with them went some people who helped to build the trade in that country.

With your permission, Sir, I might read out a small paragraph from the East African Royal Commission of 1953-55. It says:—

“Indeed, the remarkable tenacity and courage of Indian traders had been mainly responsible for stimulating the wants of the indigenous people even in the remotest areas by opening to them a shop-window on the modern world and for collecting for sale elsewhere whatever small surpluses are available for disposal.”

This is their activity.

It is not restricted only to the economic field. In political life they took a very active part. The House knows that the Father of our Nation himself started his political movement in Africa and later on many people took very active part in the political movement in that part of the world. After the end of the First World War the Indian community was the first to press for the common voting roll which became the main demand of the African people till they became independent.

Therefore we see that the people of Indian origin who went to Africa have played a very important role in the development of the country and in its political life. But we have also to bear in mind that while some of them were playing very important roles, there were many who were not interested very much in what was happening in the country. That was partly because they were occupied in their own business and partly because they still maintained close connections with India. This led to a certain amount of separation and isolation

[Shri Dinesh Singh]

between the people of Indian origin and the Africans living there.

At the time that they went from here India was beginning to be ruled by the British and they went there conditioned that the same ruler was ruling India as was ruling East Africa and they accepted this position as also the position that was, to some extent, deliberately created by the ruling power of keeping the people of Indian origin separate from the Africans. It is not that the Indians themselves remained separate, but there was an incentive for them to remain separate because the property qualifications and others were such that Indians received certain favoured treatment as compared to the Africans. In any city one would see a European area, with it an Indian area and that the Africans were not allowed to live in the city at all. They had their locations outside the city. So, having gone with a certain amount of background here of accepting a foreign ruler, they accepted the position there readily and tended to fall in the trap and remained separate to some extent with the local people. This is the genesis, the basis, from where we move forward.

Afterwards, Sir, when India became independent, the question came as to what was to happen to the people of Indian origin settled in different parts of the world which was still being ruled by the United Kingdom because till then they had the common citizenship, the British citizenship. And the question arose as to what was to happen to them. I would recall to you the clear statement that the Prime Minister made in this regard. He said:

"Our policy in regard to Indians in Africa or indeed in any part of the world has been repeatedly and clearly stated. We have left it to the Indians abroad whether they are to continue to remain Indian nationals or to adopt the nationality of whichever country

they live in. It is entirely for them to decide. If they remain Indian nationals, then all that they can claim abroad is favourable alien treatment. If they adopt the nationality of the country they live in, they should associate themselves as closely as possible with the interest of the people of the country they have adopted and never make it appear to function in any way that they become an exploiting agency there."

This was the clear statement made by the Prime Minister, if you like, an advice given to the people of Indian origin who live abroad.

Shri Hanumanthalya (Bangalore City): May we know what was the exploitation which Indians were doing? Please explain that point. Let us know what was the exploitation that the Indians were carrying on.

Shri Dimesh Singh: I do not think it will be very desirable for me to go into the details.

Shri Hanumanthalya: You are taking umbrage under that phrase. We want to know what was the exploitation taking place there.

Shri Indrajit Gupta: Ask the Africans.

Shri Dinesh Singh: Any trading community in that respect is an exploiting agency.

Shri Hanumanthalya: Have we driven out the British firms and the German firms from here? Have we driven out all the foreign trading firms in India because they are trading in this country? We must be able to get there what we practise here.

Shrimati Renu Chakravartty (Barrackpore): We should.

Shri Indrajit Gupta: You are protecting them. That is why they are here.

Shri Dinesh Singh: To my mind, they are equally an exploiting agency.

As I was saying, the position that they had at that time was to choose whether they wanted to retain the British citizenship that they had or wanted to adopt the Indian citizenship or the citizenship of the country that would in due course come to them after independence. A number of them adopted Indian citizenship and became Indian nationals for whom we were fully responsible. The bulk of them decided to retain the British nationality and they were to be governed by the laws that were then to be framed by the British Government and subsequently by the Governments of the countries that became independent. In this process, as and when these countries became independent, they offered them the nationality of these countries with certain time limitations for them to decide whether they want to become the nationals of those countries or not. Quite a number of them accepted the nationality and became the nationals of those countries and are now enjoying full and equal citizenship rights along with the people of African origin there. Quite a large number of them are still hesitating because they still have the period to choose, at least in Kenya and Uganda. This has created a certain amount of difficulty.

Just now my hon. friend Prof. D. C. Sharma—I do not know if he is here or not; I think, he is not here—mentioned. . . .

An Hon. Member: He is coming.

Shri Dinesh Singh: I am glad he has come. He mentioned that it was our responsibility to look after the people of Indian origin whatever their nationality may be. This is a kind of a talk that, I would submit, creates all the difficulty. The people who have accepted the citizenship of a country have to behave as the nationals of the country in which they live; they may be people of Indian origin; they may be emotionally and socially very much in tune with us,

but they have to function in the interests of the countries which they have now adopted. No country would like to have amongst its citizens people who owe their allegiance to another country.

My hon. friend Shri D. C. Sharma gave an example from the USA where he mentioned that people of different origin had settled down and had become nationals and were yet retaining contacts with their countries. Perhaps, they were cultural contacts; I do not know. But he must also appreciate that within his own lifetime there have been two World Wars in which people who had gone from a certain country in Europe had taken active part in fighting that country on behalf of the USA. It is a position that no country will accept that their own nationals look to another country for allegiance. This is a position in which there can be no compromise.

The people have got to make up their minds themselves and make up finally, because if they do not do it, then they jeopardise the position of those who have taken up that nationality and are willing to live in equality with the people there.

There is also a charge that our diplomatic missions have not functioned fully, and that they have not helped in the integration of these people. I do not know; there may be some specific complaints here and there. I cannot speak for all of them. But by and large, I would submit that the people in our Missions in Africa, especially in East Africa, have had to perform a very difficult task, because they had to give a certain amount of advice to the people of Indian origin, when they came to them; they also had to bear in mind the interests of the people of Indian origin there and to try to explain to them that their interests lay in making a clear choice and to take a position where none could start accusations against them. I think that by and large, they have acquitted themselves very well. It is a matter of great credit for us

from
Independent Countries
of Africa

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that the people of our Missions living in those countries, sometimes, during difficulties, have never been accused by the Governments or by any other interested party, of doing anything which has not been in the interests of India, in the interests of the people of Indian origin, and also in the interests of the countries to which they have been accredited.

But I do agree that it is to some extent our duty to help in the integration of people of Indian origin in those countries. As regards people who have become our citizens, as I have mentioned earlier, we are making every effort for their security, for them to come away here, and we are also providing the facilities. But as regards those people who are still hesitating, I would repeat the same advice that the Prime Minister had given, namely that they must make up their minds finally. If they want to become Indian citizens, our citizenship laws are open, and according to the citizenship laws, they are welcome to become Indian citizens, and we shall do our best to help them. Those who wish to stay on there and continue the trade and live there must make up their minds finally, adopt the nationality of those countries and face the future boldly. No community can afford to live in this hesitation. We have minorities; other countries have also minorities; but minorities must face the future bravely. They must take up a position, and they must ask for their equality and the guarantees that they have. If, as suggested by some hon. Members, they look to India to provide them with all those opportunities, they will never integrate with that country, and they will never be able to settle down there and they will never be able to win the confidence of the people there.

Regarding the facilities, may I mention very briefly what we are giving? Two matters were referred to in this connection. One was about providing transport for those people to come

back to India and arranging for the goods that they were to bring. We already have from East Africa at the moment three services per month, which carry roughly 800 to 1200 passengers. Till the end of this month, they have a waiting list of roughly 800 passengers.

17 hrs.

We are arranging for another ship to ply six more sailings till about the end of August with a capacity for about 600 passengers in each sailing. This will be able to take care of any backlog that there may be.

Regarding the facilities for their coming here, clear instructions have been issued to the Customs by the Ministry of Finance to allow them facilities. Under the Transfer of Residence Rules, they can bring all their money in. There is no difficulty. They can bring in all their personal effects. They can also bring in under certain restrictions, that is, about payment of customs duties etc. stocks in trade, machinery, industrial apparatus, merchandise, motor cars, motor cycles and all other possessions that they have. Every possible facility has been given and, by and large, we have heard only praise from those people who are coming.

The State Governments are also willing to give them facilities that they give to Indian nationals regarding establishment of small scale and village industries, taking loan for any large industrial enterprise and so on, if they so wish.

Therefore, I would submit that there has been no failure on the part of Government in either helping the people of Indian origin in these countries, people who have become Indian nationals in those countries, or in helping those who wish to come away, both in respect transport and all facilities to come back here.

I would like to conclude only with this brief remark, that these people

are passing through great difficulties. It is a period of transition in these countries as it was in our own country. There is the question of Africanisation. As my hon. friend, Shri Gupta, had said, we were also anxious to have Indianisation at the time of our independence. But all these things can be settled if we tackle the problem carefully, discuss it with them and not bring emotion in it, because it is the most dangerous thing that can happen—to link it up emotionally, in which we treat all of them as Indians and more or less make it impossible for them to stay.

17.02 hrs.

REVISION OF DEARNESS ALLOWANCE*

Mr. Deputy-Speaker: Before we begin the half-an-hour discussion, I would ask the hon. Finance Minister to make a statement for two or three minutes to help the discussion.

The Minister of Finance (Shri T. T. Krishnamachari): In order to facilitate the discussion, I may state that the question of revising the rates of dearness allowance admissible to Central Government employees as a result of the average for 12 months of the working class consumer price index reaching the figure of 135 in the month of January 1964, is already under the consideration of the Government in accordance with the recommendation of the Second Pay Commission on the point which is accepted by Government. I hope to be able to announce Government's decision in the matter in about a week's time. The revised rates will have effect from the 1st February 1964. The price index for the month of January being available only in the third week of March, we were not able to deal with it earlier.

I might also add that the figure of average price index registered a sudden rise as a result of the change in the indices for the cities of Bombay and Ahmedabad on the reports of the

Committees set up by the Governments of Maharashtra and Gujarat. This has raised the index figure by two points. Otherwise, perhaps the effect would not have come in the month of January, as it has in the present case.

Shri S. M. Banerjee (Kanpur): I am really surprised to hear this announcement. I thought that the announcement would contain a declaration about the enhanced dearness allowance. Probably the Finance Minister thought that an impression might go round the country that he would be making some announcement because of this discussion. I shall not try to score a victory or point over this matter.

A question was put by me on the 30th April, to which the hon. Deputy Minister replied:

"At the moment, it is being finalised and the hon. Member will know very soon the decision taken in the matter".

I am happy that the hon. Finance Minister, realising the growing discontent among the Central Government employees has come out in this House with a statement that an announcement will be made within a week.

Shrimati Renu Chakravartty (Barackpore): After Parliament adjourns.

Shri S. M. Banerjee: I would have liked him to make a statement tomorrow or the day after on the floor of the House. Anyhow, even after the figure of 135 was reached in February, 1964, his approach to the problem was just like that of moody Hamlet, to revise or not to revise, but today he has been able to make up his mind, and some revision is likely to take place just after a week.

Shri U. M. Trivedi (Mandsaur): Just after a week, or just after two days?

Shri S. M. Banerjee: To help the Finance Minister to take a decision, I will try to impress upon him what should be the quantum or the correct basis in arriving at a correct decision.

[Shri S. M. Banerjee]

Today, when I initiate this debate on dearness allowance, I have before me a clear picture how 22 lakhs of Central Government employees are groaning with anger and meaning with frustration because of Government's failure to control or check the prices. Not only the Central Government employees, but the bank employees, insurance employees and all others working people of this country, whose backbone has been completely broken by the high prices, are agitated, and they want a 20 per cent increase in basic wage as an interim relief.

The main reason which led to the unfortunate strike of the Central Government employees in 1960 was the refusal of the Government to neutralise the rising cost of living by dearness allowance or to have a rational formula that would provide timely and automatically full neutralisation of rise in the cost of living.

The First Pay Commission formula was acceptable to the Government employees, but the Second Pay Commission formula which was not accepted, for which there was a strike in July, 1960, was thrust on the Central Government employees by bringing an ordinance, putting 17,000 Central Government employees behind the bars, suspending about 27,000 and terminating the services of so many. But the conditions of even that recommendation of the Second Pay Commission, which was not liked by the Central Government employees, to justify an increase in dearness allowance, were fulfilled in 1961, but what happened? In 1961, only Rs. 5 and Rs. 10 were given to the Central Government employees. The Confederation of the Central Government Employees and its constituent units wanted the whole question to be referred to arbitration because the Second Pay Commission recommendation has not given a clear formula, or the quantum of rise in the dearness allowance when the conditions laid down by it had been fulfilled. So,

again from 1-7-1963 another increase was made of Rs. 2, Rs. 5 and Rs. 10. What we wanted was that up to Rs. 125 full neutralisation should have been given right from 1st November, 1961. If it was a part of the full neutralisation according to the Finance Minister, then these amounts of Rs. 2, Rs. 5 and Rs. 10 should have been given from 1st November, 1961 instead of from 1-7-1963.

Even according to the adverse recommendations of the Second Pay Commission, the average of 125 points was reached in November, 1961, and the employees have been deprived of their arrears for 21 long months by a stroke of the pen. We have been writing letters to the Finance Minister clarifying the position, but there was no answer to this. If there was to be neutralisation up to 125 points, I am afraid that should have been done in all seriousness and earnestness from 1-11-1961. The Central Government employees should have got arrears of Rs. 2, 5 and 10 from 1-11-1961 and not from 1-7-1963.

Shri U. M. Trivedi: How long are we sitting?

Mr. Deputy-Speaker: This is half-an-hour discussion.

Shri U. M. Trivedi: There is no quorum.

Shri Nambiar (Tiruchirapalli): For half-an-hour discussion it is not necessary.

Shri U. M. Trivedi: Why not? There are hardly 29 Members.

Mr. Deputy-Speaker: Quorum is necessary.

Shri Nambiar: The hon. Speaker has called all these Members to the various committees which are meeting and therefore, many are attending it.

Mr. Deputy-Speaker: When quorum is challenged, I have to take the count. There is no quorum now. Let the Bell be rung—now there is quorum. He may continue.

Shri S. M. Banerjee: It is found that the average of all-India consumer price index has crossed 135 points in February 1964 even though 135 points were physically reached in July 1963. The employees are suffering an erosion of more than ten per cent of the wages which are already below the minimum level. There is no reason why the Government should still hesitate to grant full neutralisation upto 135 points retrospectively. My point is this. Neutralisation upto 125 points must be done from 1-11-1961 and whatever amount was paid, Rs. 2, 5, 10 should be paid retrospectively from 1-11-1961. The full neutralisation upto 135 points should also be done retrospectively with effect from 1-7-1963.

There is another point about the rectification of all-India consumer price index. The decision of the experts to revise the price indices of Bombay, Ahmedabad, etc. has clearly established a *prima facie* case for examining the All India Consumer price index and its components of the 27 centres. It is stated that the findings of these committees are not being implemented correctly by the Government. The expert committees of Bombay and Ahmedabad had corrected the index of 1960. But the All India consumer Price index is being corrected from current months.

I thought that I should raise these issues here and impress upon the Finance Minister that another Rs. 2 or Rs. 3 may not be given. According to my calculation, the minimum rise of dearness allowance should have been Rs. 10. I do not know what is going to be circulation of the Finance Minister but it should be a minimum of Rs. 10. Government has miserably failed to bring down the prices. If dearness allowance is not increased, I think there will be more frustration among the Central Government employees. This may result in an all-India agitation. So, it is better, I thought, that before the Finance Minister gives his reply, I should speak on these points.

Apart from this announcement which he has made—which is good—I request that he should kindly tell us something, give his mind to us, as to what is going to be the quantum of dearness allowance and how it is going to be calculated, because there is no sound basis on which the dearness allowance can be calculated. When we discuss the question of dearness allowance, I would also like to know from the Finance Minister whether he is going to increase the ceiling from Rs. 400 to Rs. 1,000, because a question was asked in the other House where it seems that the Finance Minister—I speak subject to correction—that this matter was also receiving consideration. I would like to know from him whether the ceiling is likely to be raised from Rs. 400 to Rs. 1000.

Then, another question which I would like to put here is the question of raising the dearness allowance of pensioners. Assurances after assurances in this House were given that pensioners will also be given dearness allowance. I am told that they were given only Rs. 20 subject to the limit of 320. Even on that, I do not know whether orders have been issued or not. I would like to know from the Finance Minister what he is doing about pensioners and whether their dearness allowance is going to be raised.

With these words, I would request the hon. Finance Minister to tell us to tell this House, whether a sound basis is going to be evolved for the future also, so that the Central Government employees are not required to agitate for suggesting let there be a common accepted formula by which dearness allowance can be raised, whenever the prices go up or the Index figure shoots up. I hope the Finance Minister will definitely tell us the quantum of dearness allowance which is in his mind.

I have given a sound basis, namely, that there should be full neutralisation up to 125, and that is the formula which is acceptable to the Central Government employees; not only to them but to the working people of the country as a whole.

Shri Nath Pai (Rajapur): Mr. Deputy Speaker, Sir, may I avail myself of this opportunity of welcoming the statement which the Finance Minister has made though a little belatedly. I do not know whether he thought it fit to make the statement to take away the wind out of the sail of this debate. He is a very great tactician in that he has already made a statement which we wanted him to make, I welcome the statement, but I would like to put a few questions nonetheless.

Mr. Deputy Speaker: Only one question.

Shri Nath Pai: We are among those people who have been agitating on this problem for a long period, and so I request that the rules should not be so rigidly applied. You know how seriously we feel on this matter. I would like to know what is going to be the formula that is going to be applied. If he can give an indication, that will relieve much anxiety in the minds of the employees and their unions. I would like to know whether he is aware that some of the things he is trying to do are being watered down by the fight the unsuccessful fight, he is waging against the rise in Prices.

It is no use telling us that in a developing economy the prices invariably rise. I think he knows that UAR is also considered a developing country. It is to the credit of the UAR—I do not admire everything that is done there—and does he know that during the past ten years in the UAR, the price of bread has been the same that the overall index so far as the living cost index in the basic commodities is concerned, has gone down as against the performance in this country, and that there is a gradual depreciation of the living standard of the employees of the Government here because of the failure of the Government to hold the priceline?

Therefore, apart from giving these reliefs, may I also know whether it is under contemplation to give such benefits like hospitalisation, grain benefits—which was earlier indicated in a private talk of his—cheap grain

shops subsidised by the Government? and finally, I would like to know from him—this question was raised by my hon. friend Shri Banerjee also—whether the Government is thinking of giving some relief—I do not like to use that expression with regard to any section of our countrymen—to those unfortunate pensioners. I would like to cite the evidence of his colleague in the Government of Maharashtra, Mr. Barve, who admitted in reply to a question that there are pensioners whose pension in the case of some of the former employees of Deccan State is the unspeakable figure of 8 annas and in other cases Rs. 1.75 nP. May I know whether he is thinking of any comprehensive scheme whereby, not only by giving this DA, but by other socially-oriented measures, he tries to stabilise the standard of living, if not increase it?

Shri Nambiar (Tiruchirapalli): In view of the fact that the prices have gone up so high during the last two years, may I know whether the question of paying the arrears of DA with retrospect effect at least from 1st April, 1962 will be considered? May I also know whether the question of linking DA with the cost of living increase on an automatic basis, on the basis of a formula, will be considered, so that whatever is granted by way of an increase from time to time need not be deprived of by a sudden increase in prices in the market, so that the increase may be automatic and the employees may get the benefit without the market or businessmen knowing what increase is being given? Will the Government consider that aspect as well?

Shri Daji (Indore): I want to know whether the arrangement that the Finance Minister is contemplating will be such an arrangement that it will also apply in future, so that every time there is an increase of 10 points, this question of agitation may not arise and whether they will evolve a method which can be applicable in all such cases. Secondly, may I know whether the Government will also in-

clude in their consideration correcting of the anomaly of educational allowance which is paid to the children when the children are away from the parents, but not when they are living with them? Will Government also announce this correction next week?

Shri T. T. Krishnamachari: On the basic question of prices, I have really no difference of opinion with the hon. Member. I completely agree with him that the question of prices running away is something which has to be tackled. My difficulty is that while the other agencies of Government, notably the State Governments, are in agreement on the general principle, on the question of action I find it difficult to get them to go with it. I feel, about this question of prices rising, about which Mr. Nath Pai pointed out, the step being taken in UAR is something that we cannot postulate.

Hon. Members must realise that any increase that is given, even as a partial neutralisation, would mean anything like Rs. 20 crores or more. That means an additional burden on the tax-payer. When we are trying to, sort of, get Rs. 3 crores here or Rs. 4 crores there in order to minimise the gap in the budget, this continuous increase in Government's commitments seems inevitable if things that are now governing obtain for all the time. On that issue I am completely at one with the hon. Members. But I do hope that Members of Parliament, all of them, irrespective of a party affiliations, realise that we have to sit down and put pressure on those concerned, so that the spiral of price increase must stop. Secondly, the people who take advantage of any increase to these low-paid people to raise their prices should also be dealt with. On these matters, there can be no difference of opinion whatsoever.

In regard to what we have to do as a matter fact, I would not say, as Shri Nath Pai mentioned, it is a matter which I am sympathetic about. No. As a matter of fact I sense the sufferings of people the lower income

groups not only the government servants but also the other fixed income groups whose position is that notwithstanding the rises in their salaries or emoluments, adequate or inadequate they might be more than compensated by these increase in prices, increase in house rents, increase even in transport and so on.

What shall we do about it? I have been for quite some time engaged in this task as to how we could afford some kind of solace or mitigation in suffering by indirect methods instead of direct method of increase so that the shopkeeper would not take it. That is our main trouble. We have been thinking of what we can do to bring benefits like security benefits, health benefits etc, which would help them. We are also thinking of other benefits some of which have been catalogued by hon. Members. But we have to work with other Ministries and also with the Planning Commission. So the social objective in regard to our ultimate plan is something which we cannot miss, and it is a question of reconciling two claims.

As I have said in my Budget Speech notwithstanding the fact that we must progress faster and resources must be found for a bigger plan, we cannot ignore the social objectives that we have in mind, namely, that the people who are living on marginal and sub-marginal levels need a considerable amount of assistance to raise them up to levels which would be satisfactory.

I may assure my hon. friend that there is no question of any fighting against them in regard to who is going to get the credit. Of course, hon. Members may raise these discussions and Government may not respond. So when I made the statement I really wanted hon. Members to sort of, pinpoint what they wanted to say instead of going into the whole question. It is not intended to score a debating point at all. I wish I had been able to complete my work and get the appro-

[Shri T. T. Krishnamachari]

val of my colleagues in the Cabinet and place it before the house before it rises. It is not possible. I cannot get a Cabinet meeting before Thursday and it is only after the House rises that I shall be able to get a decision of the Cabinet on this question. The Finance Minister is certainly not a free agent on these matters.

Shri Nath Pai: On these matters the Cabinet will accept what you recommend. Yet, I agree, the formality has to be gone through.

Shri T. T. Krishnamachari: Some of the paying departments are a little difficult. I am not saying they are not as sensitive to what is happening around but still when their own particular department has to bear the brunt the trouble comes.

The quantum of increase, as I said is a matter which is under consideration. My hon. friend raised this question of people below Rs. 1000 and said that they should be compensated with regard to the increase. Well, I can assure him that it will be a little too much even for me, but we are trying to see if we cannot raise the limit to some extent, and that investigation is going on.

One factor I would like to mention. I do not want hon. Members to get away with the feeling that I have accepted everything. In regard to full neutralisation the Government are, in one sense guided by the recommendations of the Second Pay Commission. Even that has not recommended full neutralisation because the cost of full neutralisation is considerable. I cannot assure hon. Members here that we can adopt full neutralisation now.

Shri Nath Pai: They have left it to you discretion.

Shri T. T. Krishnamachari: The point again is this. On the question of delays, I can certainly tell the hon. Members that I do not want to be, sort of, goaded, into doing a particular

action. This is a matter which we have been considering. Even after the last increase, unsatisfactory as it may be, a committee of officials has been sitting and discussing this matter, to see whether we cannot give in-built concessions which may reduce the cost of living so that we need not add the dearness allowance, but we have not been able to come to a conclusion merely because everybody does not think the same way. I think in one way; others don't. Maybe, others are right and I am wrong. I do not lay any claim for being omnipotent in this matter.

So, I can assure hon. Members that so long as I am here, I need not be goaded into taking any action. If the figures rise to that particular point, we will take whatever action is possible and appropriate according to the circumstances of the case. As I said in that short statement that I made, it might be, as I was looking into these figures from November, December, January onwards very possibly the need for action might not have arisen until probably April but for the change in the working of the indices by Bombay and Ahmedabad, which have raised it by two points, so far as we are concerned. There is nothing wrong about it, but I am offering that by way of explanation why we have not been a little alert, may be probably a month earlier. We had these figures, as I said, only towards the end of March and that is where the delay comes. It is not my intention to delay anything; whatever we have to give, we must give.

Shri S. M. Banerjee: Are you going to announce it next Monday?

Shri T. T. Krishnamachari: I think I will try, while I would not make it a promise.

Then, Shri Nath Pai asked some other question. As I said, full neutralisation is not possible, but we will do it to the extent we can. The Pay Commission has given us a formula. Well, I may say, I wish we could agree, like the UAR, I wish I could give, at least one foodgrain not only

to Central Government servants but to the State Government servants and compel the employers also to fall in line so that at least one foodgrain would be fully subsidised. It is a matter which we are investigating. I do not know if we would be successful. Personally, I am in favour of it, but the mechanics of it is something which we have to study a little more.

A mention was made of pensioners. We did something to the low-paid pensioners last year. I know it is quite low and I do not say it is very satisfactory from my point of view. My only difficulty in this matter is not the disinclination on my part to help a section of the community which is undoubtedly needy but my inability to find adequate resources without impinging on something which is part of the Plan. That is my difficulty. Therefore, I cannot give any promise. But it is a matter which I will certainly bear in mind.

On the other point which is mentioned, we are really thinking in terms of what we could do in other directions. Somebody mentioned about educational allowance. Others also mentioned something more or less on the same lines. I think we will be able to do something about it and it would not be a very heavy burden because most of the States are coming forward with free education up to a particular point. So, that is a thing which we could do.

I also wish I could say something in regard to the journey to work. I was not very happy when I saw about this agitation on increase in fares. It seems a conspiracy of forces which is not merely hurting this class of people who cannot be hurt but is also hurting the government in finding additional resources. So that, I need some sympathy from hon. Members opposite because this question of finding resources is not easy; it gets increasingly difficult. While I should certainly accept responsibility to look after the lot of the low-income group of people, there is a limit to the gov-

ernment raising resources which cannot altogether be ignored.

Lastly, I would like to assure hon. Members that I have been benefited by the remarks of hon. Members. I am very grateful for the manner in which they put down the case. As Shri Banerjee pointed out at the outset, we want guidance a sort of line of action. I have carefully noted the remarks of hon. Members and to the extent it is possible I would like to accommodate all that has been said, but there are very serious limitations to the range of possibility, so far as the finance is concerned.

17.34 hrs.

MISTAKEN ENTRY BY RAJYA SABHA MEMBER INTO LOK SABHA

Mr. Deputy-Speaker: Earlier in the day a non-Member came to the House a question was raised and I promised to look into the matter.

Shri Hari Vishnu Kamath (Hosangabad): You mean a stranger?

Mr. Deputy-Speaker: Yes. The Speaker has received the following letter:

"I am a newly nominated Member to the Rajya Sabha. This afternoon, I entered the Lok Sabha Hall by mistake, thinking that it was Rajya Sabha. No sooner than I realised my mistake, I came out of the House for which I sincerely apologize."

An hon. Member: What is the name of the Member?

Mr. Deputy-Speaker: Shri M. Ajmal Khan. In view of this letter, I think the matter should be treated as closed.

Some hon. Members: Yes.

17.35 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, May 5, 1964/Vaisakha 15, 1886 (Saka).