

CONTENTS

COLUMNS

Oral Answers to Questions—	
*Starred Questions Nos. 1132 to 1141	. 13325—61
Short Notice Question No. 10.	. 13361—66
Written Answers to Questions—	
Starred Questions Nos. 1142 to 1151.	. 13366—72
Unstarred Questions Nos. 2626 to 2667 and 2669 to 2673	. 13372—400
Message from Rajya Sabha	. 13400—401
Committee on Government Assurances—	
First Report	. 13401
Re: Termination of suspension of Member	. 13407—09
Constitution (Sixteenth Amendment) Bill, as reported by Joint Committee—	
Motion to consider	. 13409—68
Shri A. K. Sen	. 13409—12
Shri H. N. Mukerjee	. 13413—22
Shri Khadilkar	. 13423—26
Shri Sezhiyan.	. 13426—40
Shri D. C. Sharma	. 13441—46
Shri Subbaraman	. 13446—49
Shri Narasimha Reddy	. 13449—54
Shrimati Lakshmikanthamma	. 13454—59
Shri Hari Vishnu Kamath	. 13459—68
Shri A. K. Sen	. 13468—76
Clauses 2 to 5 and 1	. 13479—501
Motion to pass	. 13501—04
Shri A. K. Sen	. 13501
Export (Quality Control and Inspection) Bill —	
Motion to consider	. 13505
Shri Manubhai Shah	. 13505—10, 13535
Shri Warior	. 13510—19
Shri V. B. Gandhi	. 13519—22
Shri A. C. Guha	. 13522—27
Shri Onkar Lal Berwa	. 13527—30
Shri Priya Gupta	. 13530—31
Shri Gauri Shanker Kakkar	. 13531—33
Shri Abdul Wahid	. 13533—34
Daily Digest.	. 13537—40

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

LOK SABHA

Thursday, May 2, 1963/
Vaisakha 12, 1885 (Saka).

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

राजस्थान-पाकिस्तान की सीमा पर तस्कर
व्यापार

+

{ श्री प० सा० बाबूपाल :
*११३२. { श्री हेम राज :
 { श्री नवल प्रभाकर :

क्या वित्त मंत्री यह बताने की कृपा
करेंगे कि :

(क) क्या राजस्थान-पाकिस्तान की सीमा
पर पाकिस्तानी तस्कर व्यापारियों तथा
भारतीय पुलिस के साथ हुई मुठभेड़ में तीन
तस्कर व्यापारी मारे गये थे ;

(ख) यदि हां, तो उनके पास से क्या
क्या सामान बरामद हुआ और वह कितने
मूल्य का है ;

(ग) क्या यह भी सच है कि एक
कुख्यात पाकिस्तानी तस्कर व्यापारी की
जेब में एक भारतीय नागरिक के नाम पत्र
मिला है, जो कि भूमि सीमा शुल्क विभाग
के अधिकारी के पास भेज दिया गया है ;
और

(घ) यदि हां, तो मामले में क्या कार्य-
वाही की गई है ?

533 (Ai) L.S.D.—1.

वित्त मंत्रालय में उपमंत्री (श्री ब० रा०
भगत) : (क) जी, हां। यह घटना
१६ फरवरी, १९६३ को हुई।

(ख) लगभग ५,००० रुपये कीमत
की ४ ११२ मन लौंग, ५० रुपये कीमत की
पुरानी हाथ-घड़ियां व हलके जेवर और ३
ऊंट पकड़े गये थे। बाद में ऊंट लगभग
१३०० रु० पर नीलाम कर दिये गये।

(ग) जी, हां।

(घ) जिस आदमी के नाम वह पत्र
लिखा गया है उसे राजस्थान पुलिस ने
भारत रक्षा नियमों (डिफेंस आफ इंडिया
रूल्स) के अधीन हिरासत में ले लिया है।
मामले की छानबीन की जा रही है।

[(a) Yes Sir. The incident took
place on the 18th February, 1963.

(b) 4½ maunds of cloves worth
about Rs. 5,000, some other articles
like old wrist watches, and petty
jewellery worth about Rs. 50 and 3
camels were seized. The camels were
afterwards auctioned for about Rs.
1300.

(c) Yes, Sir.

(d) The person to whom the said
letter is addressed has been detained
by the Rajasthan Police under the
Defence of India Rules. The case is
under investigation.]

श्री प० सा० बाबूपाल : क्या मैं जान
सकता हूँ कि अभी तक कितने
तस्कर व्यापारियों को भारत रक्षा कानून के

अन्तर्गत गिरफ्तार किया गया है और कितने ऐसे आदमी हैं जो अभी भी गिरफ्तार नहीं किये जा सके हैं ?

श्री ब० रा० भगत : इस केस के सिलसिले में पूछ रहे हैं या सारे केसिस के सिलसिले में ?

श्री प० सा० बारूपाल : गंगानगर और बीकानेर के बारे में ।

अध्यक्ष महोदय : इसी सवाल के सिलसिले में बता दिया जाए ।

श्री ब० रा० भगत : वह तो मैंने बता दिया है कि एक आदमी को हिरासत में लिया गया है ।

श्री प० सा० बारूपाल : क्या मैं जान सकता हूँ कि अभी तक कितने ऐसे तस्कर व्यापारी हैं जिनको भारत रक्षा कानून के अन्तर्गत गिरफ्तार नहीं किया जा सका है ?

अध्यक्ष महोदय : सारे कितने गिरफ्तार हुए हैं या कितने अभी नहीं हुए हैं, वह तो अब नहीं बताया जा सकता है ।

Shri C. K. Bhattacharyya : Is it a fact that since Independence up till now, goods worth Rs. 200 crores, mostly gold has been smuggled from Pakistan into Rajasthan through the western border?

Shri B. R. Bhagat : I do not have that figure since Independence just now. I do not think that figure may be correct on the very face of it. I can give the hon. Member the figures for 1961 and 1962 of smuggled goods seized. In the entire India-West Pakistan border, for 1961, the value of seizures is Rs. 15,15,000; in 1962 this is Rs. 20,61,000.

श्री शिव नारायण : ये जो तीन स्मगलर्ज मारे गए हैं, ये पाकिस्तानी हैं या हिन्दुस्तानी ?

श्री ब० रा० भगत : स्मगलर्ज सब पाकिस्तानी हैं ।

Shri D. C. Sharma : Is it not a fact that only 10 per cent of the cases of

smuggling is detected by the Government and the remaining 90 per cent remains undetected and if so, what is the approximate value of the things smuggled into India from Pakistan during 1962-63?

Shri B. R. Bhagat : What is undetected?

Mr. Speaker : How shall it be compared, what percentage it is?

Shri B. R. Bhagat : If we knew, we will catch them.

Shrimati Savitri Nigam : May I know if any gang has been located or found out which is very active in the India-Pakistan border, whether any clue has been found out to ascertain whether there are several gangs which are working?

Mr. Speaker : On this border?

Shrimati Savitri Nigam : Yes, Sir.

Shri B. R. Bhagat : Obviously, it is not the work of one person. There may be persons on this side and persons on the other side, making themselves into one or more gangs. We are in search of them. We have been able to detect many gangs.

Shri Sham Lal Saraf : This border having achieved a lot of notoriety, for gold smuggling in the past, may I know to what extent that smuggling has been stopped since the promulgation of the Gold Control Order?

Shri B. R. Bhagat : It is very difficult to say to what extent it has been stopped. But, from the machinery and the effective measures that we have taken, we can say that we have gone a long way in controlling this.

Shri Sham Lal Saraf : Have any cases been detected—cases of gold smuggling during these few months?

Shri B. R. Bhagat : This question does not relate to gold smuggling. I want a separate question for that.

श्री श्रीकारलाल बेरवा : सीमा पर जो तस्कर व्यापार होता है, उसकी रोकथाम

के लिये सरकार ने क्या उपाय किये हैं और क्या पाकिस्तान सरकार इस काम में सहायता दे रही है ?

श्री ब० रा० भगत : जहाँ तक भारत सरकार का सवाल है, हमने बहुत से स्टेप्स लिए हैं। हमारा रेवेन्यू इंटेलीजेंस अच्छा हो गया है और लैंड कस्टम बोर्डर पुलिस को हमने अख्तियार दिया है कि वह उन चीजों को पकड़ सकती हैं। खास तौर पर तस्क़र व्यापार को रोकने की कोशिश की गई है।

जहाँ तक पाकिस्तान सरकार का सवाल है, मैं तो उसका जवाब नहीं दे सकता हूँ मगर यह जाहिर है कि पाकिस्तान सरकार भी इसमें लगी है कि स्मगलिंग बन्द हो।

Indians Travelling Abroad

*1133. **Shri Vasudevan Nair:** Will the Minister of Finance be pleased to state:

(a) the trend in the number of people travelling abroad after enforcement of the rule that the Reserve Bank should also sanction all cases of foreign travel; and

(b) how the number compares with the number in the year previous to this enforcement?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). It is presumed that the hon. Member refers to Indians travelling abroad. The passage restrictions were imposed on 8th June, 1962 and it is too early to have an assessment about the trend in the number of persons going abroad.

Shri Vasudevan Nair: May I know whether Government are insisting that even people who are not in need of foreign exchange should get a clearance from the Reserve Bank, and if so, the reason or the logic behind this insistence?

Shrimati Tarkeshwari Sinha: Government do insist that they should also

take a travelling permit from the Reserve Bank, because most of the people, nearly 60 per cent of the people, previously that is, before this restriction came into operation, used to go without foreign exchange, and we found that it affected our foreign exchange position in two ways. One was that they used to take money from abroad and when they came back they used to reimburse the foreigners who used to come here. The other was that the remittances towards home from Indians abroad also fell down considerably. Therefore, these restrictions were imposed in order to secure the foreign exchange here.

Shri Vasudevan Nair: The Deputy Minister has stated that it is too early to make any clear assessment. But I only wanted to know the trend, that is, whether the number of people going abroad has come down because of this restriction.

Shrimati Tarkeshwari Sinha: The hon. Member wants a comparison. I would submit that in the past, the statistics were not kept so up-to-date as to really allow a comparison between the past figure and the present figure. Secondly, so far as the present figure is concerned, it will take at least a little more time. We have to give at least one year to the Reserve Bank to make a proper assessment of the persons going abroad, and it is not yet one year.

Shri Ramanathan Chettiar: May I know whether Government have fixed different rates with regard to hard currency area as compared to soft currency area, and if so, the rates that are fixed by the Reserve Bank in respect of foreign exchange that may be allowed for travel abroad?

Shrimati Tarkeshwari Sinha: If I remember rightly, I had answered this question before about the specific rates for the dollar area and the sterling area, or the hard currency area and the soft currency area. There is a difference in the rates between these two areas in the matter of

foreign exchange allotment. Also, the entertainment allowance that is allowed is also allowed at different rates for the dollar area and the non-dollar areas.

Shri Ramanathan Chettiar: I wanted to know the rates.

Shrimati Tarkeshwari Sinha: I do not remember the figures at present. I can give them to the hon. Member if he wants them. We have those figures available.

Shri Buta Singh: In spite of the fact that there are some restrictions imposed by Government in respect of persons going abroad, may I know how certain well-known persons in the country manage to go abroad whenever it suits them?

Shrimati Tarkeshwari Sinha: It is not possible. But, so far as the members of the airlines and the crew of the ship and the deck passengers between India, Burma, Ceylon, Malaya, Singapore, Pakistan, the Persian Gulf and East Africa are concerned, these passengers are allowed freely. There is no restriction so far as they are concerned. Also, travel between India and Pakistan is allowed. Similarly, passengers between Madras—Tiruchirappalli and Colombo are allowed. Therefore, some people who go and travel on these lines need not take permission from the Reserve Bank every time they go.

Shri Inder J. Malhotra: May I know whether Government are aware of the fact that these restrictions have had no effect on the usual or habitual travellers, only the common man is affected by these restrictions?

Shrimati Tarkeshwari Sinha: This is not a fact. Apart from these cases where free travel is allowed without permit from the Reserve Bank, I do not think that the hon. Member's presumption is correct.

आगरा में मुख कैसर केन्द्र

*११३४. { श्री विश्वनाथ पाण्डेय :
श्री श्यामलाल सराफ :

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आगरा में मुख कैसर का अन्तर्राष्ट्रीय केन्द्र खोला जायेगा ;

(ख) क्या विश्व स्वास्थ्य संगठन का एक दल इस सिलसिले में भारत आया था ; और

(ग) मामले में क्या निर्णय किया गया ?

स्वास्थ्य मंत्रालय में उपमंत्री (डा० ब० स० राजू) : (क) और (ख). जी हाँ ।

(ग) विश्व स्वास्थ्य संगठन ने एस० एन० मेडिकल कालेज, आगरा में ओरोफेरिजियल ट्यूमर्स की हिस्टो-पथोलॉजी का एक अन्तर्राष्ट्रीय संदर्भ-केन्द्र (इन्टरनेशनल रेफरेंस सेंटर) खोलने का प्रबन्ध कर लिया है ।

[(a) and (b). Yes, Sir.]

(c) The World Health Organisation have finalised arrangements for starting an International Reference Centre for the Histopathology of Oropharyngeal Tumours at the S.N. Medical College, Agra.]

श्री विश्वनाथ पाण्डेय : इस बर्ष क्या होगा ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) : इन्तजाम सब हो गया है । आरम्भ एक प्रकार से हो गया समझना चाहिये । इसके विकास में तो थोड़ा सा समय लगेगा । शुरू करने के सारे अरेंजमेंट्स पूरे हो गये हैं ।

Dr. Gaitonde: In view of the fact that the work done in Agra, Delhi and Bombay shows clearly that about 40-50 per cent of all cases of cancer are cases of cancer of the mouth, and in view also of the fact that one of the causes....

Mr. Speaker: The hon. Member should address the question to me; otherwise, the answer would also be addressed to him.

Dr. Gaitonde: In view also of the fact that one of the associated causes of cancer of the mouth is supposed to be chewing of tobacco, I would like to know what prophylactic action is taken by the Health Ministry in this respect?

Dr. D. S. Raju: It is an International Reference Centre where information will be collected from all over the world. It is mostly on a histopathology basis where a well-known pathologist Dr. Bahi is already there with equipment. That is why the centre has been located there. The statement made by the hon. Member will be taken into consideration.

Dr. Gaitonde: My question was different.

Mr. Speaker: That would be considered in the Centre.

Dr. Gaitonde: It has been already studied in India. There is no question of studying more. It has been studied more in India than anywhere else in the world because mouth cancer is prevalent only in India.

Mr. Speaker: He has given the information; it would be taken note of.

Shri Sham Lal Saraf: May I know if it is at the instance of the UN organisation or of the Government of India that the place for this hospital has been located at Agra, irrespective of the fact that there is already such an institution working at a brisk pace in Bombay, namely, the Cancer Research Institute, Bombay?

The Minister of Health (Dr. Sushila Nayar): It seems oropharyngeal

tumours are mostly prevalent in certain areas of Mainpuri and other areas which are catered for by the S. N. Medical College, Agra. As Dr. Gaitonde has said, because there is such high incidence of this disease here, and we have a very competent man in charge with all the necessary facilities, that is why the WHO has decided that this Centre should be located at Agra. They gave it to India on the understanding that we would locate it at Agra, and further they wanted an assurance that Dr. P. N. Bahi should be in charge of the Centre for a certain number of years.

Shri Bhagwat Jha Azad: What would be the percentage of the cost that India would have to bear for this project, and the cost if any, the UN organisation will have to bear?

Dr. D. S. Raju: So far as the India Government is concerned, there is no expense at all. It is borne by them. For the WHO, it costs \$4,000 every year for four or five years.

Shri Kapur Singh: May I know whether this heavy incidence of mouth cancer, about which the hon. Minister has informed the House, has something to do with the universally prevalent habit of pan and tobacco chewing in this area?

Dr. Sushila Nayar: It is suspected that the pan and tobacco habit may be inter-related with this. This Centre will study this point also in further detail.

श्री यशपाल सिंह : क्या मैं जान सकता हूँ कि कैंसर को दूर करने के लिये आयुर्वेद से कोई सहायता ली गई है ?

बा० सुशीला नायर : आयुर्वेद में कैंसर का न कोई इलाज है और न कैंसर के बारे में आयुर्वेद की किताबों में कुछ लिखा हुआ ही है ।

श्री सरजू पाण्डेय : क्या मैं जान सकता हूँ कि कैंसर की शुरू से रोकथाम करने के लिये सरकार किसी योजना पर विचार

कर रही है और क्या वह उसका प्रचार कर रही है ?

डा० सुशीला नायर : अभी तक कैंसर के बारे में दुनिया का ज्ञान अधूरा है। किस तरह से उसकी रोकथाम हो सकती है, इसका ज्ञान अधूरा है, अलग अलग प्रकार के कुछ कैंसरों की रोकथाम की थोड़ी सी योजनाएँ बनी हैं। उन पर भारत सरकार भी अमल कर रही है।

श्री त्यागी : यह जो पुरानी हिन्दुस्तान की कहावत है कि जो आदमी आम तौर से गाली देता है, उसके मुँह में कैंसर हो जाता है, यह भी क्या किसी मेडिकल साइंस से ताल्लुक रखता है ?

श्री डा० ना० तिवारी : अभी माननीय मंत्री जी ने कहा कि आयुर्वेद की किताबों में इसके बारे में कोई बात लिखी हुई नहीं है। क्या मैं जान सकती हूँ कि इस विशेष बात का अन्वेषण करने का भी उन्होंने कभी कोई प्रयत्न किया, खुद उनको कुछ इसका ज्ञान है, या उन्होंने वैसे ही कह दिया ?

Mr. Speaker: He is arguing now.

श्री तुलशीदास जाधव : देश में जहाँ भी माउथ कैंसर होता है और उसका इन्तजाम वहाँ नहीं होता है तो क्या उसके लिये खास तौर से वर्ल्ड हेल्थ आर्गनाइजेशन के द्वारा कोई खास इन्तजाम करवाने के सम्बन्ध में विचार किया गया है ?

अध्यक्ष महोदय : यह सवाल तो सिर्फ आगरे के सम्बन्ध में है। कैंसर के बारे में सारी जगहों की बातें यहाँ नहीं आ सकतीं।

Shri R. S. Pandey: May I know whether mouth cancer is more common in India in comparison with other countries, and if it is due to smoking?

Mr. Speaker: That has already been asked.

श्री विभूति मिश्र : मैं जानना चाहता हूँ कि क्या सरकार की तरफ से अस्पतालों को कोई ऐसी हिदायत दी गई है कि कैंसर की बीमारी वालों की, जैसे कि और बीमारियों के सम्बन्ध में है, विशेष तौर से देख भाल की जाय और उसका मुफ्त इलाज किया जाये ?

अध्यक्ष महोदय : आप और अस्पतालों के लिये कह रहे हैं या कि आगरे के अस्पताल के लिये ?

श्री विभूति मिश्र : यहाँ के लिये तो कह ही रहा हूँ, लेकिन जैसे पटना है या मद्रास है उसके लिये भी पूछ रहा हूँ।

अध्यक्ष महोदय : यह प्रश्न केवल आगरे के सम्बन्ध में है।

श्री भक्त दर्शन : मैं जानना चाहता हूँ कि आखिर आगरे को ही इसके लिये विशेष तौर से क्यों छांटा गया है ?

अध्यक्ष महोदय : यह तो माननीय मंत्री महोदय बतला चुके हैं। माननीय सदस्य ने मुना नहीं।

श्री भक्त दर्शन : मैं जानना चाहता हूँ कि क्या इसके लिये वहाँ पहले से कोई व्यवस्था थी जिसको आगे बढ़ाये जाने का प्रबन्ध किया गया है ?

अध्यक्ष महोदय : माननीय मंत्री जी ने लम्बा चौड़ा बयान दिया कि क्यों आगरे को चुन लिया गया। शायद माननीय सदस्य उस वक्त सुन नहीं रहे थे।

Shri S. C. Samanta: Is it not a fact that medical science says that tobacco has nicotine and other poisons? May I know why chewing of pan comes in and whether medical science has anything to say about it?

Mr. Speaker: Now it is arguing the case.

Shrimati Savitri Nigam: May I know whether the Agra centre will be a treatment centre as well as a survey

centre, or it will be only a survey centre? If it is going to be a treatment centre, what would be the strength of the hospital as far as number of beds is concerned

Dr. Sushila Nayar: A certain amount of treatment is already being given. What is being added on particularly is research activities. Research activity is also there to some extent. It will be further intensified.

Mr. Speaker: Next Question. Cancer should not remain in our mouth so long!

Students Studying Abroad

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*1135. { **Shri Ulaka:**
 { **Shri Yajnik:**
 { **Shri Dhuleshwar Meena:**

Will the Minister of Finance be pleased to state:

(a) whether non-Matriculates, Undergraduates and Graduates are permitted to study abroad even though higher educational facilities are available in this country; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) Non-Matriculates are not allowed any foreign exchange for study abroad. Undergraduates are allowed foreign exchange for the study of technical subjects only and provided they have either obtained admission to a degree course abroad or for a diploma course in which case, they are required to have obtained not less than 50 per cent marks in India. For non-technical subjects, graduates who have obtained not less than 60 per cent marks in Bachelor's degree or 50 per cent marks in Master's degree are allowed foreign exchange for the study of approved subjects at limited number of institutions.

(b) Having regard to our developmental programmes and the increasing demand for trained and qualified

personnel, it is necessary to supplement the facilities available in the country with the education abroad of some of the students.

Shri Ulaka: May I know the total number of such students who have been given foreign exchange during last year, and the total amount of foreign exchange given to them during the same period?

Shrimati Tarkeshwari Sinha: If the hon. Member gives separate notice, I would be able to supply the information.

Shri Sonavane: May I know whether foreign exchange is granted to students who go on their own resources or only to those on Government basis?

Shrimati Tarkeshwari Sinha: In all cases foreign exchange is granted if it comes under the approved rules. The grant of foreign exchange for educational purposes is, there; they may go on Government sponsored basis or they may go from their own resources. If they want to go from their own resources or they get stipend or if they are working in some firm they may be sent for apprenticeship or training and then the firm pays for it.

Shri Ulaka: May I know the number of students who have been refused foreign exchange for education during 1962-63 and reasons therefor?

Shrimati Tarkeshwari Sinha: The hon. Member asked for the number of students going. It is connected with the other question and if the hon. Member wants detailed information I would be able to give it later on.

श्री ज्वा० प्र० ज्योतिषी : क्या मैं जान सकता हूँ कि इस मद में सरकार के गत वर्ष कितना रुपया फारिन एक्सचेंज का खर्च किया ?

श्रीमती तारकेश्वरी सिन्हा : मवाल तो दरअसल यह था कि कैसे लोगों को फारिन एक्सचेंज दिया जाता है। इसके बारे में

इस समय आंकड़े मेरे पास नहीं हैं। अगर जरूरत होगी तो पोछे दिये जा सकते हैं।

Shri C. K. Bhattacharyya: Has it come to the notice of the Government that the Reserve Bank at Calcutta had in certain cases allowed foreign exchange to fictitious persons who took it out for study abroad?

Shrimati Tarkeshwari Sinha: We have no information with the Government, but if it is brought to the notice of the Reserve Bank they would take proper action. In the past whenever such cases have occurred action was taken: if students going from here for a particular course of study change over to another course, the Reserve Bank takes proper action and sees that this does not happen and a penalty is put on them.

Shri Vasudevan Nair: The hon. Finance Minister said sometime back that only students who wish to take up higher studies and research in technical subjects are allowed to go abroad in view of the difficulty of foreign exchange. But from the answer given by the Deputy Minister it is gathered that even undergraduates and matriculates are allowed to go abroad for education. May I know which answer is correct? Has the policy changed recently?

Shrimati Tarkeshwari Sinha: The policy as it stands today has been stated by me in the original written answer. Our need for technical personnel is great and so we are following a liberal policy in regard to technical education.

Shri Kapur Singh: To what do the Government attribute the widespread desire of Indian students to go abroad for study despite the availability of similar educational facilities at home?

Shrimati Tarkeshwari Sinha: I have all sympathy with the desire of the hon. Member and others who want to go abroad but the limitation is only of the foreign exchange.

Mr. Speaker: The question is this: why is there this desire for all stu-

dents to go abroad if all these facilities are available here for the study of this subject?

Shrimati Tarkeshwari Sinha: I share his views.

Shri Priya Gupta: May I know if going abroad for studies includes the study of the technical or non-technical courses for which there is provision in India and may I also know whether apprenticeship is being allowed to anyone in courses for which there are facilities in India?

Shrimati Tarkeshwari Sinha: If a particular person has secured admission in some foreign institution or if he gets a stipend or a particular firm is training him, in that case foreign exchange not exceeding 50 per cent of the standard scale is allowed.

Shri Priya Gupta: Can it be a private study?

Shrimati Tarkeshwari Sinha: I do not understand what he means.

Shri Priya Gupta: Not being sent by Government or any institution.

Shrimati Tarkeshwari Sinha: If it comes under the approved course, foreign exchange is allowed.

Shri Priya Gupta: I want clarification from the hon. Minister.

Mr. Speaker: I am not allowing him.

Shri Ansar Harvani: Is the Government aware that young men and women from the rich families are studying art courses in Oxford and Cambridge and if so what was the source of their foreign exchange?

Shrimati Tarkeshwari Sinha: People can pursue art courses if they are graduates and get 60 per cent of the marks or if they have taken the Master's degree getting more than 50 per cent and if the art courses are in the approved list. If the hon.

Member means art, painting, architecture, etc. then for those courses no foreign exchange is allowed.

डा० गोविन्द दास: क्या इस बात का नियमों में ध्यान रखा गया है कि विदेशों में हम ऐसे ही विद्यार्थियों को जाने दें कि जिनको उनके विषय यहां नहीं पढ़ाए जा सकते और केवल उन्हीं विषयों के लिए विद्यार्थी, बाहर भेजे जायें जिनकी शिक्षा यहां नहीं है ?

श्रीमती तारकेश्वरी सिन्हा : जी हां ।

Shri P. G. Sen: Is it a fact that the students who are given scholarships by the Italian Government for short-term study of 3 months in Italy are denied foreign exchange even to the extent of incidental charges and passage?

Shrimati Tarkeshwari Sinha: I do not have the list of persons who are denied foreign exchange and on what criteria. I have stated the general principles following the rules and regulations. Only those people who come under the approved list are allowed foreign exchange. We also keep in view that for the courses for which facilities are available here, they are not allowed to go. For example, for FRCS and MRCP we are not allowing persons to go abroad.

Shri Tyagi: I want to make it quite sure from the hon. Minister. May I take it that no Indian student has been allowed during these years for study in Grammar Schools...

Shri Sonavane: The hon. Member is addressing the question to the Minister and not to the Chair.

Mr. Speaker: Objection is being taken that the hon. Member is addressing the questions to the Minister direct.

Shri Tyagi: I am sorry; her face was so attractive.

Mr. Speaker: Order, order. We all know Mr. Tyagi's feelings, but he should subdue them here.

Shri Tyagi: May I take it that no Indian student has been allowed during these few years to go to U.K. or other foreign countries for study in ordinary Grammar Schools or in Oxford and Cambridge Universities for postgraduate or graduate training?

Shrimati Tarkeshwari Sinha: The question is with regard to foreign exchange. No foreign exchange has been allowed.

Shri Bhagwat Jha Azad: The reason given for allowing technical students to go abroad is shortage of technical hands in the country. We want to know through most of the supplementaries why students in art subjects, for whom study facilities are available here, are allowed to go abroad and given foreign exchange, and technical hands are not being given foreign exchange.

Shrimati Tarkeshwari Sinha: Facilities available in India for technical training do not commensurate with the requirements of technically trained personnel. So, we do allow foreign exchange for technical training abroad, to fulfil the requirements of the Plan programmes.

D.V.C.

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{ **Shri P. R. Chakraverti:**
*1136. { **Shri Sidheshwar Prasad:**
 { **Shri Bhagwat Jha Azad:**

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the West Bengal Government have, in their representation to the Centre, emphasised that the wide gap between the objectives and achievements of the D.V.C., particularly in the field of irrigation, has changed the entire economic aspect of the project;

(b) whether the West Bengal Government have insisted on the reallocation of the cost of D.V.C. Dams and their maintenance charges among the three participating Governments in conformity with realities; and

(c) the steps taken to settle the dispute?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) The State Government did not agree with the allocation of the cost of the D.V.C. Dams to the three main objects as worked out by the Corporation. They have observed that due to inadequacy of storage in the existing reservoirs to meet fully the requirements of irrigation, both *kharif* and *rabi*, Navigation and flood control as designed, the economic aspect of the D.V.C. scheme had changed.

(b) The Government of West Bengal have not agreed to the allocation of the cost of the D.V.C. Dams worked out by the D.V.C. on the basis of storage capacity earmarked for different purposes.

(c) The matter is under arbitration before an arbitrator appointed for the purpose under section 49 of the D.V.C. Act, 1948.

Shri P. R. Chakraverti: In view of the fact that the actual irrigation was only about 6.5 lakh acres as against the target of 9.73 lakh acres as noted in the report of the Ministry, may I know how the Government proposes to persuade the West Bengal Government to accept the responsibility of operation and maintenance of the barrage and irrigation systems?

Shri Alagesan: Sir, it is true that the irrigation at present is for 6.5 lakh acres as against 9.73 lakh acres. The rest of the irrigation can be achieved by digging proper water courses and also feed channels. The DVC and the West Bengal Government have agreed to dig the water courses and field channels in a co-ordinated manner. We had offered some years ago that the barrage and the irrigation system can be taken over by the West Bengal Government. We have been pursuing it. I have had talks with the West Bengal Ministers also on this subject. They are considering it and I think we will be able to come to a decision soon.

Shri P. R. Chakraverti: In view of the fact that the operation and maintenance wing of the electricity department of the DVC has been transferred to Maithon in the interest of operational efficiency, may I know when the proposed transfer of the headquarters to Maithon in the district of Dhanbad will be given effect to and whether the delay is caused because of the dispute or some other cause?

Shri Alagesan: I have answered this question on several occasions on the floor of the House. It has been agreed to in principle. It means a lot of money being spent on buildings etc. It will be done in stages.

Shri Siddheswar Prasad: The hon. Minister stated that the matter is before arbitration. May I know whether he will be able to tell us the terms of reference?

Shri Alagesan: As I said, the DVC worked out the allocation of cost between the three subjects: irrigation, power and flood control. This allocation was not accepted by the two State Governments of Bihar and West Bengal and therefore they have gone in for arbitration against this decision.

Shri Siddheswar Prasad: What are the terms of reference?

Shri Alagesan: The various parties will put forward their case and the arbitrator will decide. The terms of reference are, broadly, to decide how the allocations are to be made. The present allocation made by the DVC has been objected to by both Bihar and West Bengal Governments.

Shri Bhagwat Jha Azad: Since the State Governments of Bihar and West Bengal cannot be forced to pay for the things which are not there—the achievement falling short of expectation—could we know whether the Central Government is taking up the matter to assess how far the achievements will be there now in the DVC?

Shri Alagesan: It is not very correct to say that the DVC has fallen short of achievement. As I said, instead of 9.73 lakh acres 6.5 lakh acres have been irrigated. In several irrigation schemes the full potential is not utilised; it is reached only over a period of years. The same thing is happening in the DVC. The power part of it is going on all right. It is true that we have not created enough flood control capacity in the various dams of DVC and they cannot the entire flood. To that extent there may be shortfall.

Shri Bibhuti Mishra: The hon. Minister, Shri T. T. Krishnamachari, in his statement said that the working of the DVC dam is not satisfactory. What is the opinion of the Government?

Mr. Speaker: It cannot be answered here.

Shri Bhagwat Jha Azad: The hon. Minister is present. What has the Government to say about it.

Mr. Speaker: Order, order.

श्री विभूति मिश्र : अध्यक्ष महोदय, इस समय श्री ति० त० कृष्णमाचारी यहाँ बैठे हुए हैं। उन्होंने कहा था कि इसका काम सन्तोषप्रद नहीं है और डी० वी० सी० में उनकी राय में कहीं कहीं खराबियाँ हैं, अब सरकार को इस बारे में जवाब देना चाहिए कि वास्तविक स्थिति क्या है ? हम मेम्बर्स लोग इसके बारे में पूरी तरह जानना चाहते हैं कि आखिर इस बारे में क्या सही स्थिति है ?

अध्यक्ष महोदय : जिस शकल में आप सवाल करते हैं उसमें वह ग्लेज़ नहीं हो सकता है। माननीय सदस्य ने बताया कि एक दफा एक मिनिस्टर ने इसके बारे में एक राय दी थी तो अब आपकी क्या राय है, अब मैं इसको कैसे ग्लेज़ करूँ ?

श्री विभूति मिश्र: दो मिनिस्टर्स दो तरह की बात करें तो क्या यह जरूरी नहीं है कि सरकार द्वारा उसके बारे में सही स्थिति क्या है यह हाउस को बतलाई जाय ? यह हाउस एक सोवरन बॉडी है और आप उसके अध्यक्ष हैं। इसको सफाई होनी चाहिए कि कौन आदमी ठीक कहता है और कौन गलत कहता है।

अध्यक्ष महोदय : जरूर होना चाहिए, यह मैं भी चाहता हूँ मगर शकल इसकी दूसरी होनी चाहिए।

Shri D. N. Tiwary: May I know whether Government has taken note of the statement of Shri T. T. Krishnamachari and considered the matter. I want to know the decision of Government in this matter.

Mr. Speaker: He wants to know whether a decision has been taken after taking note of the opinion expressed by Shri T. T. Krishnamachari.

Shri Alagesan: If it is meant that we should always try to improve matters, certainly, we will do it.

Shri K. N. Tiwary: May I know the percentage of water and power utilised by Bihar and West Bengal Governments respectively and the financial burdens borne by the respective governments and the Centre?

Shri Alagesan: I cannot give the exact figures now. I want notice.

Dr. Ranen Sen: May I know whether there is shortfall of production of thermal electricity and irrigation potential in DVC? May I also know whether it is a fact that of the three participants of DVC, the West Bengal Government has to pay most in regard to the functioning of DVC?

Shri Alagesan: All these have been done with reference to certain principles on the basis of which allocation of costs is made. The flood control part has to be borne entirely

by the West Bengal Government and also most of the irrigation part. The power part is being shared by all the three governments. It is being done as per the principles laid down in the Act itself.

Shri Hem Barua: In view of the fact that lack of planning and administrative inefficiency are the basic causes, as pointed out by the Public Accounts Committee, for the failure of DVC, may I know whether Government have visualized any organizational change, as in the case of Hindustan Steel?

Shri Alagesan: I cannot accept the hypothesis on which the hon. Member proceeds that the DVC has failed in its objective.

Shri Hem Barua: That is what the Public Accounts Committee has said.

Shri Alagesan: DVC has tried to live up to its purpose, as much as it can.

Sub-Soil Water in Nimri

*1137. **Shri R. G. Dubey:** Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) whether it is a fact that sub-soil water in Nimri was about three feet below ground when the construction work of houses under the Low Income Group Housing Scheme was started;

(b) whether it is a fact that on account of the sub-soil water 648 houses in Nimri are in danger; and

(c) if so, the steps Government are taking to prevent the damage and danger to houses and lives of people living there?

The Deputy Minister in the Ministry of Works, Housing and Rehabilitation (Shri P. S. Naskar): (a) Delhi Administration have advanced a loan of Rs. 32 lakhs to the Delhi Municipal Corporation for the construction of houses at Nimri under the Low Income Group Housing Scheme. It is understood that when the foundations

for the houses were laid by the Corporation in 1961, the sub-soil water at the site was more than 3 feet below ground level.

(b) and (c). The level of the sub-soil water in the Nimri area is high but the Corporation's scheme provides for proper drainage and the diversion of an existing irrigation channel with a view to bringing down the level of the sub-soil water. There is no danger to the houses. The houses are nearing completion.

Shri R. G. Dubey: May I know whether any trial boring has taken place before the site was selected for construction?

Shri P. S. Naskar: I think the Delhi Municipal Corporation, which is executing the scheme, took all the possible measures.

Shri R. G. Dubey: Does it mean that despite the fact that sub-soil water in that area was very high, which will mean very much enhanced cost of construction, the experts advised the selection of this site?

Shri P. S. Naskar: I do not know that, but the Corporation have informed us that there is no danger to these houses on account of the sub-soil water.

Shri D. C. Sharma: The problem of sub-soil water does not concern only Nimri. It concerns the whole of Delhi.

Mr. Speaker: This question is in regard to Nimri.

Shri D. C. Sharma: I was saying that the incidence of sub-soil water does not concern only Nimri.

Mr. Speaker: I was saying that this question relates to Nimri.

श्री प्रकाशवीर शास्त्री: क्या मैं जान सकता हूँ कि नीमड़ी और उसके आस पास के क्षेत्रों में जो इस से लगती हुई कौलिनियाँ हैं, उनकी जमीन में पानी का स्तर कुछ ऊपर आ गया है, यदि हाँ, तो क्या सरकार ने इस सम्बन्ध में कुछ जानकारी ली थी ?

निर्माण, आवास और पुनर्वास मंत्री
(श्री मेहर चन्द खन्ना): हमें इस का कोई
इत्म नहीं है।

Plant for Iodisation of Salt

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*1138. { Dr. L. M. Singhvi;
Shri Ram Harkh Yadav;
Shri D. C. Sharma:

Will the Minister of Health be
pleased to state:

(a) whether it is a fact that the
UNICEF is collaborating with the
Government of India for setting up
a plant for the iodisation of salt, and

(b) if so, the capital outlay for
the plant and targeted production of
the plant?

The Deputy Minister in the Minis-
try of Health (Dr. D. S. Raju): (a)
and (b). In accordance with an agree-
ment between the Government of
India and the UNICEF the latter
have already supplied free of
cost an iodisation plant with a capa-
city of processing 1600 metric tons
of salt per year which has been in-
stalled at Sambhar Lake and has
commenced operation from the mid-
dle of November, 1962. A capital ex-
penditure amounting to Rs. 5,14,340
has been incurred by the Govern-
ment of India on the construction of
a building to house the plant and
for laying of rail tracks etc.

Dr. L. M. Singhvi: By which date
is this plant likely to be commissioned?

Dr. D. S. Raju: It has already been
commissioned. It is already working.

Dr. L. M. Singhvi: I would like to
know the extent of UNICEF's contri-
bution to the plant and its propor-
tion to the total capital outlay on the
plant and whether this aid was for
expansion or for laying a plant afresh?

Dr. D. S. Raju: As I have said, the
whole expenditure on the plant has
been borne by the UNICEF. Only the
expenditure on the construction of a

building, laying rail tracks, etc., is
borne by the Government.

Dr. L. M. Singhvi: What is the ex-
tent, and what is the proportion?

(No answer was given).

Mr. Speaker: Shri D. C. Sharma.

Shri D. C. Sharma: To what use
will the product of this plant be put
and may I know whether there is suffi-
cient market in this country?

The Minister of Health (Dr. Sushila
Nayar): Goitre is a condition which
is very widely prevalent in this coun-
try all along the 1,500 miles of the
sub-Himalayan belt and about 15½
million people are affected by this
condition. Iodised salt is the treat-
ment for this condition. We are sup-
plying the iodised salt free of cost
and we want to reach these people as
early as possible.

Shri S. N. Chaturvedi: What is the
estimated consumption of salt in these
areas where the people are affected by
goitre and to what extent will the de-
mand for this salt—be met by this
plant?

Dr. D. S. Raju: This plant is sup-
posed to produce about 16,000 tons
of iodised salt. That will be able to
cover a population of four and a half
million.

Shri Bhagwat Jha Azad: May I
know whether the plant is producing
at present to its full capacity and, if
not, by what time it is likely to reach
its targeted production?

Dr. D. S. Raju: The target is 16,000
tons. It is now producing 12,000 tons.

Mr. Speaker: When will it pro-
duce to its full capacity?

Dr. D. S. Raju: Before long.

श्री काशी राम गुप्त : इस आइओडाइज्ड
नमक के वितरण का क्या तरीका होगा ?

डा० सुशीला नायर : तरीका यह है
कि जिन एरियाज में गायटर प्रिवेलेंट

है, वहां पर साल्ट कमिश्नर के साथ यह इन्तजाम किया गया है कि यही नमक वहां भेजा जायेगा। स्वाद में कोई फर्क नहीं है। जनता दूसरे नमक की जगह इस नमक को इस्तेमाल करे।

Shri Kapur Singh: May I know whether there are any indications that iodine deficiency is a common symptom in malnutrition diseases in large areas of this country apart from the Himalayan tracts?

Dr. Sushila Nayar: The highest incidence is in the sub-Himalayan belt. There are some districts of Bihar, Punjab and Uttar Pradesh where we are concentrating. In Punjab, Gurdaspur district is the worst affected area, and we are concentrating on all these areas.

Shri Hem Raj: May I now whether the iodised salt springs, wherever they exist, will be taken care of and will be used for this purpose?

Dr. Sushila Nayar: There are no natural springs of iodised salt to the best of our knowledge and information. A special plant has been put up. One has been installed, and one more is to be installed at Sambhar lake. We hope to instal two more at Khar-goda in Gujarat to supply the needs of the affected population.

Smallpox in Delhi

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*1139. { **Shri Yashpal Singh:**
Shri Bishanchander Seth:
Dr. L. M. Singhvi:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that deaths due to small-pox in the capital are increasing since July, 1962; and

(b) if so, the measures Government are taking or propose to take in the matter?

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): (a)

and (b). A statement giving the requisite information is laid on the table of the House. [placed in the Library, see No. LT-1275/63.]

श्री यशपाल सिंह : क्या सरकार ने इस बात का पता लगाया है कि क्या कारण था कि दिल्ली में तो चेचक का इतना अधिक प्रकोप हुआ और आस-पास के इलाके बचे रहे ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) : यह बात तो गलत है कि आस-पास के इलाके बचे हुए हैं। आस-पास के इलाकों में दिल्ली से बहुत ज्यादा केसिज हुए हैं। दिल्ली में जो केसिज हुए हैं, वे अधिकतर आस-पास के जिलों से आए हुए लोगों के हैं।

श्री यशपाल सिंह : मैं यह जानना चाहता हूं कि जिन लोगों ने चेचक का टीका लगवाने से इन्कार किया, उनके खिलाफ क्या कार्यवाही की गई है ?

डा० सुशीला नायर दिल्ली में प्राइमरी वैक्सीनेशन कम्पलसरी है और जिन्होंने इन्कार किया है, उनको फाइन किया गया है। कानून के मुताबिक तो उनको जेलखाना भी हो सकता है, लेकिन अभी समझाने की कोशिश हो रही है और फाइन किया गया है।

Dr. L. M. Singhvi: Is it realised by the Government that the main problem in controlling the disease of smallpox is lack of co-ordination? What have the Government done to secure co-ordination between the different agencies who are responsible for the implementation of the eradication programme and whether the Government have thought it necessary to introduce legislation in order to make this a Central subject?

Dr. Sushila Nayar: Co-ordination is very necessary. The Government of India has given assistance to the State Governments to appoint special staff. The understanding with the State

Governments is that whichever districts are taken up for the eradication programme, all the staff there, whether under the municipality or under the district board, will be pooled with the special staff to be recruited for the eradication programme and will work as one unit. It has not been considered necessary to have a Central legislation on the subject as yet. Various State Governments have invoked the Epidemic Diseases Act and, if necessary, action can also be taken under the Defence of India rules.

श्री श्रीकारलाल बेरवा : श्रीमन्, मैं यह जानना चाहता हूँ कि चेचक का टीका सब लोगों को लगाने की दिशा में कितनी प्रगति हुई है ?

डा० सुशीला नायर : मेरे पास इस वक्त इसके आंकड़े नहीं हैं, लेकिन करोड़ों लोगों को टीके लग चुके हैं ।

श्री भक्त दर्शन : श्रीमन्, इस विवरण से मालूम पड़ता है कि फरवरी से आगे चेचक से मरने वालों की संख्या में बढ़ोतरी हुई है । मैं यह जानना चाहता हूँ कि जब इतना प्रयत्न किया जा रहा है, तो फिर इतनी असफलता क्यों हो रही है । क्या इसकी जांच की गई है ।

डा० सुशीला नायर : मैंने पिछले साल एपिडेमिक यीअर की बात की थी । हकीकत यह है कि उसकी बिना पर इस वक्त ज्यादा केसिज होने वाले थे । उनकी आशंका पहले से थी । जैसा कि मैंने निवेदन किया है, आस-पास के जिलों में से, दूसरी स्टेट्स में से, बहुत केसिज यहां पर आ रहे हैं । तो भी हमने एक विशेषज्ञ कमेटी, स्पेशलिस्ट्स कमेटी, नियुक्त की है, जो पापुलेशन में से यह देखने के लिए रेंडम सैम्पल ले रही है कि हकीकत में यह स्मालपाक्स के केसिज बाहर से आए हुए लोग हैं, या उनकी कोई और वजह है ।

Shri P. Venkatasubbaiah : May I know whether the attention of the hon. Minister has been drawn to the

fact that in spite of vaccination and re-vaccination, small-pox is still on the increase and that there is something defective in the vaccine?

Dr. Sushila Nayar : That was true of Madras. We tested their vaccine and found that it was most ineffective. Steps are being taken to rectify that.

श्रीमती बसंत कुमारी : मैं यह जानना चाहती हूँ कि चेचक से किस देश में ज्यादा आदमी मरते हैं ?

डा० सुशीला नायर : हिन्दुस्तान ऐसा देश है, जिसमें सारी दुनिया से ज्यादा आदमी चेचक से मरते हैं ।

श्री श्रीकारलाल बेरवा : श्रीमन्, सब से ज्यादा

अध्यक्ष महोदय : माननीय सदस्या का तो मैंने लिहाज किया है कि उन्होंने बगैर पूछे सवाल किया, लेकिन बेरवा साहब को भी यह टैम्पेशन कैसे हो गया ?

Shri Sonavane : May I know the percentage of small-pox cases among children who have not been vaccinated and among those who have been vaccinated?

Dr. Sushila Nayar : The highest number is among those who have not been vaccinated and the second highest is among those who were vaccinated many years ago and who have not been re-vaccinated.

Shri Balakrishnan : From the statement it seems that the death rates are increasing month by month. I want to know whether it is because precautionary action was taken late or is it because vaccination has been taken very late?

Dr. Sushila Nayar : There are cases where vaccination has been given late. The patient was already incubating the disease. The disease took place within 2 or 3 days of the vaccination, before immunity could develop. For

the rest, as I said earlier, we are investigating to see from where these cases are coming from.

Hirakud Dam Project

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- *1140. { **Shri P. K. Ghosh:**
Shri Y. N. Singha:
Dr. Kohor:
Shri Mahananda:
Shri Yashpal Singh:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether full amount of compensation claimed by people whose lands were submerged in the construction of Hirakud Dam has been paid; and

(b) whether the rate of compensation has all through been uniform?

The Parliamentary Secretary to the Ministry of Irrigation and Power (Shri S. A. Mehdi): (a) and (b). Information is being collected from the State Government and will be laid on the Table of the House in due course.

Shri P. K. Ghosh: May I know if the State Governments have been asked to furnish the number of reference cases made by the public against the valuation made by the Land Acquisition officer—the number of persons who have gone to court?

Shri S. A. Mehdi: I have not got the number of cases in which references have been made.

Shri P. K. Ghosh: May I know if the State Governments have been asked to furnish the number of cases?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): We shall ask for that number, if the hon. Member wants that. We do not have that information.

श्री बूटा सिंह: हीराकुड डैम की वजह से जो बहुत से लोग बेघरबार हुए हैं, डिस्प्लेस्ड हुए हैं, उन में से बहुत से मजदूर और खास कर उन में से भी बहुत से हरिजन हैं जिनको अभी तक भी बसाया नहीं गया है,

जो अभी भी बेघरबार हैं और जिनके लिए सरकार ने कुछ नहीं किया है। मैं जानना चाहता हूँ कि क्या उनके लिए कुछ किया जा रहा है ?

Shri S. A. Mehdi: I have not been able to follow the question.

Mr. Speaker: Most of those that have been displaced are from the backward classes or Harijan people. What has been done to rehabilitate them?

Shri Alagesan: A huge amount of compensation has been paid and they have been resettled. The information that we do not have is, what exactly was the amount claimed for submergence, what was paid and what is the balance. We do not have that information.

श्री तुलशी दास जाधव: जिनकी जमीन इस डैम में आ गई है, उनको दूसरी जमीन देने का इन्तजाम क्या सरकार ने किया है ?

श्री सै० प्र० मेहदी : जिन लोगों की जमीन इसमें दी गई है उनको कम्पेंसेशन देने का इन्तजाम है ।

अध्यक्ष महोदय : जमीन के बदले जमीन देने का कोई इन्तजाम किया है ?

श्री सै० प्र० मेहदी : हम लोगों को इसकी इत्तिला नहीं है ।

Shri P. K. Ghosh: May I know by what time the hon. Minister expects to get the information from the State and by what time the Ministry proposes to clear up all compensation?

Shri S. A. Mehdi: There are a few cases under dispute. Some have been decided by arbitration, and in some others the parties have not come to take compensation. Other are still in court. It is expected that the decision will be made in a year or so. If the parties do not come to take compensation, we cannot say how long it will take.

Family Planning

*1141. **Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) whether an expert committee has been set up to evaluate the work done in the field of family planning under the Chairmanship of the Deputy Health Minister and to chalk out the programme for the Fourth Plan period;

(b) if so, the constitution of the committee and its terms of reference; and

(c) whether the report of the Committee would be laid on the table?

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): (a) Yes, Sir.

(b) The following is the proposed Constitution of the Committee:—

It is a long list of 20 names. Would you permit me to read that?

Mr. Speaker: That may be laid on the Table of the House.

The list laid on the Table is as under:

Chairman

1. Dr. D. S. Raju, Deputy Minister for Health, Government of India.

Pro-Chairman

2. Shrimati Dhanvanthi Rama Rau, President, International Planned Parenthood Federation.

3. Dr. Shrimati Soundaram Ramchandran, Deputy Minister for Education, Government of India.

Members

4. One representative of the Government of Maharashtra.

5. One representative of the Government of Uttar Pradesh.

6. Smt. Avabai B. Wadia, President, Family Planning Association of India.

7. Smt. Renuka Ray, M.P.

8. Shri Thirumal Rao, M.P.

9. Professor P. C. Mahalanobis, Chairman, Expert Committee on Communication Action Research.

10. Dr. V. K. R. V. Rao, Chairman, Demographic Advisory Committee.

11. Dr. V. R. Khanolkar, Chairman, Advisory Committee on Scientific Aspect of Family Planning of the I.C.M.R.

12. Shri R. K. Ramadhyani, Secretary, Ministry of Health, or his representative.

13. A representative of the Planning Commission.

14. A representative of Ministry of Community Development, Panchayat Raj and Cooperation.

15. A representative of Ministry of Commerce and Industry.

16. A representative of Ministry of Information & Broadcasting.

17. Shri Ashok Mitra, Registrar General.

18. A representative of Council of Scientific and Industrial Research.

19. Shri K. R. Nair, Central Statistical Organization.

20. Lieut.-Colonel B. L. Raina, Member-Secretary.

The concurrence of the members of Ministries concerned, Department of Parliamentary Affairs in respect of members of Parliament is being obtained.

The terms of reference of the Committee are to:

(i) review the family planning programme;

(ii) evaluate the work done in the field of family planning;

(iii) suggest measures for inclusion in the Fourth Five Year Plan.

(c) The report of the Committee would be laid on the table of the Lok Sabha in due course.

Shri D. C. Sharma: May I know what are the exact terms of reference and whether the report will deal only with the fourth plan or it will go to the follow-up process after that plan period?

Dr. D. S. Raju: The terms of reference are: Review of family planning programme, evaluation of work that has been done already during the two plan periods and to suggest measures for inclusion in the Fourth plan.

Shri D. C. Sharma: What is the result of the evaluation of the work already? Is it not a fact that the work is almost equal to zero?

Dr. D. S. Raju: No, Sir. It is not correct.

श्री यशपाल सिंह : परिवार नियोजन फेल हो गया है, जितना फैमिली प्लानिंग बढ़ा जितना कंट्रोल बढ़ा, उतनी ही आबादी भी बढ़ती गई। ऐसी सूरत में क्या सरकार के लिए यह उचित न होगा कि वह इस करोड़ों रुपये की धनराशि को रोक कर सैल्फ कंट्रोल के प्रचार में लगाये ?

अध्यक्ष महोदय : श्री सरजू पाण्डेय :

श्री यशपाल सिंह: श्रीमन्, मेरे सवाल का जवाब हीं मिला है।

अध्यक्ष महोदय : पहले तो आपने यह एंज्युम कर लिया कि यह फेल हो गया है। दूसरे आपने सजेशन दी कि करोड़ों को बचा कर दूसरे काम में लगाया जाए . . .

श्री यशपाल सिंह : सैल्फ-कंट्रोल में लगाया जाये जैसा कि गांधी जी ने कहा है।

अध्यक्ष महोदय : आर्डर , आर्डर।

श्री सरजू पाण्डेय : परिवार नियोजन योजना के लागू होने के बाद से देश के बच्चों की पैदाइश पर क्या प्रभाव पड़ा है ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) : देश की आबादी तो बढ़ी है, बढ़ रही है। लेकिन उसका कारण यह नहीं है कि परिवार

नियोजन चल रहा है। लेकिन मृत्यु संख्या बहुत कम हो गई है स्वास्थ्य को योजनाओं के कारण से। अगर परिवार नियोजन न होता तो आबादी इससे भी ज्यादा बढ़ती। एक दो जगहों पर जहाँ पर खास स्टडी की गई है वहाँ पर यह पता चला है कि १६ परसेंट प्रीर १८ परसेंट रिडक्शन बर्थ रेट में हुआ है।

Shri Hem Barua: May I know whether the attention of the hon. Minister has been drawn to a recent statement made by the Planning Minister Shri Nanda to the effect that the rhythm method has not come up to the expectations, and, therefore, the suggestion made by him was for a balancing of all approaches, moral and material, and if so, whether Government have taken any steps in this direction as suggested by the Planning Minister?

Dr. Sushila Nayar: The Planning Minister only made a statement of the practice that is being followed in the country at present.

Shri P. R. Patel: May I know whether any survey has been made as to how far this scheme is implemented by Members of Parliament who have their ideals of society?

Dr. Gaitonde: May I know whether it is a fact that the contraceptives, instead of being prepared by the Health Ministry are being prepared by the Atomic Energy Commission?

Dr. Sushila Nayar: I do not know if contraceptives are being prepared by the Atomic Energy Commission, but I do know that the production of contraceptives and all other drugs is controlled by the Commerce and Industry Ministry and not by the Health Ministry.

Shri Bhagwat Jha Azad: In spite of the fact that the people even in the distant villages are over-prepared for family planning, is it a fact that whatever little amount is allocated for this

is not being spent even according to schedule?

Dr. Sushila Nayar: That is not correct. The truth of the matter is that during the last one year, our total expenditure which indicates effort was more than the total during the five years of the Second Plan. And I also wish to say that three-fourths of all our effort at family planning is in the rural areas.

श्री प्रकाशवीर शास्त्री : क्या स्वास्थ्य मंत्राणी जी ने यह जानने का भी यत्न किया है कि देश में कुछ इस प्रकार के भी धार्मिक संगठन हैं जिन के प्रचारक विधिवत इस प्रकार का आंदोलन कर रहे हैं कि परिवार नियोजन हमारी धार्मिक परम्पराओं के विपरीत है, यदि हां, तो उसके निराकरण के लिये क्या यत्न किया जा रहा है ?

डा० सुशीला नायर : सिखाय कैथोलिक धर्म के किराी ने, एक धर्म के रूप में परिवार नियोजन का विरोध नहीं किया है। धर्म की स्वतंत्रता हमारे देश में कायम है और कायम रहेगी, लेकिन मैं यह कहना चाहती हूँ कि बहुत से उन धर्मों के लोग भी, जिन के धर्मों के नेता परिवार नियोजन विरोध करते हैं, क्रैमिलो प्लानिंग प्रैक्टिसिस्ट को हस्तग्राह्य करते हैं।

Shri Man Singh P. Patel: In view of the urgency of the problem

Mr. Speaker: Whether the problem is urgent or not, his desire to put this question was very urgent.

Shri Man Singh P. Patel: In view of the urgency of the problem, may I know whether Government have considered the question of imposing an additional tax on parents who have more than three children?

Dr. Sushila Nayar: It is a suggestion for action.

SHORT NOTICE QUESTION

12 hrs.

Drinking Water Supply Board

10. **Dr. L. M. Singhai:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that Government of India has set up a Drinking Water Supply Board to expedite the implementation of rural water supply scheme; and

(b) if so, whether a statement will be laid on the Table showing the personnel, tenure and functions of the Board as well as the estimated expenditure on its functioning and the total resources made available for the purpose?

The Minister of Health (Dr. Sushila Nayar): (a) Yes, Sir.

(b) At present the subject of rural water supply is being dealt with by different agencies, viz., the Ministry of Health under the National Water Supply and Sanitation Programme (Rural), Planning Commission under Local Development Works Programme, the Ministry of Community Development and Cooperation under the C.D. Programme and the Ministry of Home Affairs under the Programme of Welfare of Backward Classes. The State Governments are the implementing authorities. The speedy implementation of the projects depends upon close liaison and cooperation between the State Governments and the various Ministries which sanction the projects and also a measure of coordination of the various schemes. To achieve this end, the Government of India have set up a Drinking Water Board.

The composition of the Board is as follows:—

1. Shri Balwantray Mehta	Chairman
2. Dr. K. L. Rao, M.P.	Member
3. Shri R. Morarka, M.P.	Member
4. Shri G. Mukharji, Joint Secretary, Ministry of Health	Member
5. Shri S. Rajagopalan, Deputy Director General (PHF)	Member
6. Shri B. S. Srikantia, Deputy Secretary, Ministry of Health	Member-Secretary

2. The Board will visit States as necessary and may co-opt suitable members from the appropriate State Governments when their specific problems are discussed.

3. The terms of reference are:—

- (i) to discuss with the State Governments the measures for processing their rural water supply schemes with a view to overcoming difficulties of procedure and administrative handicaps and to suggest appropriate machinery for their implementation;
- (ii) to provide liaison between the State Governments and the Central Government with regard to the implementation of the rural water supply schemes;
- (iii) to advise the Central Government regarding action to be taken by them; and
- (iv) to do all such things as may be possible and necessary to assist the expeditious implementation of rural water supply schemes, especially in the scarcity and difficult areas.

The Board may also take up similar work relating to urban water supply with the approval of the Central Government at a later stage.

No specific tenure of the Board has been fixed. The expenditure on the functioning of the Board is estimated to be about Rs. 2,800 per month on pay and allowances in addition to some expenditure on T.A. and D.A. which will depend upon the place and frequency of meetings of the Board.

No resources have been specially placed at the disposal of the Board as it is not an implementing agency but only an advisory body.

Dr. L. M. Singhvi: We have been told in the statement read out to us that a multitude of Ministries is involved in the work of making drinking water available to villages. Our

greatest need is co-ordination and, therefore, I would like to know whether for securing co-ordination this Board will function as a supervisory body or as a sanctioning authority also or merely as an advisory body to the Government?

Dr. Sushila Nayar: It is an advisory body, but the advice is likely to be accepted in all cases. It will remove bottlenecks and expedite the sanctions, implementation etc., of the schemes.

Dr. L. M. Singhvi: Our concern has been very great particularly because there was a Report of a Committee on Rural Water Supply earlier. What has happened to the recommendations of that Committee, to what extent have those recommendations been implemented and may I know whether in view of the recommendations made by the Committee, more resources are being made available for drinking water supply to all rural areas of the country?

Dr. Sushila Nayar: Very little work has been done for implementation of the Committee's Report referred to by the hon. Member. The Report was passed on to the various State Governments. This Board is expected to stimulate and expedite the implementation of some of those recommendations also. Further, we expect that as soon as we have exhausted whatever resources there are at our disposal, it may be possible to have some funds made available from the Planning Commission. But at the present moment, even if the money was available, there are so many bottlenecks in the form of non-availability of pipes, pumps, filters and various other difficulties which have got to be overcome before the schemes can really make headway.

Shri P. Venkatasubbaiah: May I know whether this Committee is competent to recommend *suo motu* some of the feasible schemes that it directly receives?

Dr. Sushila Nayar: They can certainly make such recommendations as they consider fit.

Shri Tyagi: Did the hon. Minister get this scheme, this omnibus scheme, sanctioned by the Cabinet? Has the Cabinet actually considered and sanctioned this scheme? With so many Ministries coming in and doing all-India work, I am afraid it will act only as a contraceptive against water supply.

Dr. Sushila Nayar: The hon Member's fears are completely unfounded.

Mr. Speaker: He is still under the shadow of family planning?

Dr. Sushila Nayar: This Board is a Board within the Health Ministry. This Board has not brought together all the various Ministries. There is a separate committee that has been established for co-ordination purposes. This Board will go to the State Governments, study the problem in each case and see that their difficulties are removed and expeditious implementation is effected by the different agencies.

Shri Tyagi: The States know their business all right.

श्री भक्त वरुण : इस बोर्ड के बारे में बतलाया गया है कि यह बोर्ड केन्द्रीय सरकार और राज्य सरकारों के बीच में एक कड़ी का काम करेगा। मैं जानना चाहता हूँ कि क्या इसके निर्माण के संबंध में राज्य सरकारों से परामर्श कर लिया गया था, और क्या सब ने इस में सहयोग देने का आश्वासन दिया है ?

डा० सुशीला नायर : राज्य सरकारों ने पूरे हृदय से इसका स्वागत किया है।

श्री बड़े : वाटर सप्लाय कमेटी की रिपोर्ट तीन साल से पड़ी हुई है। इस की कुछ

रिकमेंडेशन आई है। अब तक इस पर विचार करने में विलम्ब क्यों लगा ?

डा० सुशीला नायर : उस कमेटी के जो बहुत से मुझाव थे उन पर राज्य सरकारों को अमल करना था। राज्य सरकारों के पास उन को भेज दिया गया था। अनेक कारणों से वे बहुत ज्यादा काम उस संबंध में नहीं कर सकीं।

WRITTEN ANSWERS TO QUESTIONS

Nationalised Indian Banks in Burma

*1142. **Shri P. C. Borooah:** Will the Minister of Finance be pleased to state:

(a) whether Government of Burma has since permitted the nationalised Indian Banks in Burma to transfer their original capital back to India;

(b) if so, to how many Banks and how many are yet to be permitted to do so; and

(c) the total capital involved?

The Deputy Minister in the Minister of Finance (Shri B. R. Bhagat): (a) and (b). Two of the five Indian banks, which had branches in Burma, have been granted permission to repatriate their head office funds amounting to Rs. 5 lakhs in each case. The question, so far as it relates to the other three banks, is still pending.

(c) The funds which were remitted to the branches in Burma by the head offices in India, in accordance with the provisions of the Union Bank of Burma Act, amounted to Rs. 25 lakhs. A sum of Rs. 15 lakhs out of this amount still remains to be reimbursed. In addition to this sum, assets or funds belonging to or due to the head offices in India under various heads of account will also have to be repatriated, but it is not possible at this stage to estimate precisely the actual amounts which may be involved.

School Health Committee

*1143. { Shri Ulaka:
Shri D. C. Sharma:
Shri Dhuleshwar Meena:

Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 471 on the 20th August, 1962 and state:

(a) whether the recommendations made by the School Health Committee have since been examined;

(b) if so, the results thereof; and

(c) the decision of Government on the recommendations?

The Minister of Health (Dr. Sushila Nayyar): (a) Yes, Sir.

(b) and (c). A statement given the requisite information is laid on the Table of the House. [Placed in the Library. See No. LT-1277/63].

Kolar Gold Mines

*1144. **Shri A. K. Gopalan:** Will the Minister of Finance be pleased to state:

(a) whether Government propose to take measures to bring down the cost of production of gold in Kolar Gold Mines; and

(b) if so, the nature of measures proposed to be taken in this connection?

The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat): (a) Yes, Sir.

(b) The various measures under consideration are:—

- (1) to step up the production of gold;
- (2) to effect economies in the various processes of producing gold;
- (3) to centralise services such as workshops, stores etc. and
- (4) to improve the present techniques.

Intensive exploration work in Kolar Gold Fields area is also being undertaken to locate potential ore reserves; since availability of large quantities of high grade ore is a major factor in high grade ore is a major factor in keeping down the cost of production.

दिल्ली में पानी की कमी

*११४५. { श्री भक्त दर्शन :
श्री राम हरब यादव :
श्री प्रकाशवीर शास्त्री :
श्री काशीराम गुप्त :

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली तथा नई दिल्ली के कई क्षेत्रों में पानी की अत्यधिक कमी अनुभव की जा रही है ;

(ख) क्या यह भी सच है कि फ़तेह नगर, दिल्ली के प्रेम नगर क्षेत्र में १५, १६, और १७ अप्रैल, १९६३ को तुलों में एक बूंद भी पानी नहीं आया ;

(ग) यदि हाँ, तो इसके क्या कारण हैं ; और

(घ) स्थिति में सुधार करने के लिये क्या व्यवस्था की जा रही है ?

स्वास्थ्य मंत्री (डा० मुक्तिदास जीयर्स) :
(क) जी हाँ ।

(ख) जल प्रदाय पूरी तौर पर बन्द नहीं किया गया था बल्कि इन दिनों पानी का दबाव कम था ।

(ग) मूलतः प्रेम नगर दो जलाशयों अर्थात् शादीपुर और औद्योगिक क्षेत्र से जुड़ा हुआ था परन्तु दिल्ली कुम्भ योजना को राहत देने के लिये शादीपुर जलाशय से प्रयोगात्मक रूप में कनेक्शन काट दिया गया था और प्रयोग पूर्ण होने पर नगर निगम ने दोनों क्षेत्रों को राहत देने के लिये इस और से एक छोटा सा कनेक्शन फिर दे दिया ।

(घ) स्लूइस वाल्व के विनियमन तथा पानी देने के समय को सीमित करके राहत दी जा रही है।

Discharge of Filthy Water by Sugar Mills

*1146. { Shri Vishwa Nath Pandey:
Shri Balgovind Verma:

Will the Minister of Health be pleased to state:

(a) whether Government are aware that the filthy water discharged by the Sugar Mills affects the health of the public; and

(b) if so, the steps Government are considering to take in order to remove this nuisance?

The Minister of Health (Dr. Sushila Nayar): (a) Wastes and effluents from the Sugar Mills will affect the public health if, without being properly treated, they are discharged near inhabited localities or drained into rivers or ponds which are put to use by human beings.

(b) State Governments and local bodies can take action to prevent or stop the nuisance under various Factory Acts or Municipal Bye-laws. The Ministry of Food and Agriculture have evolved a process for treatment of Sugar factory effluents at the National Sugar Institute, Kanpur, for adoption by the Sugar Mills. The Government of India in the Ministry of Health constituted a Committee in July, 1962 for the purpose of drawing up a draft enactment dealing with water pollution from domestic and industrial wastes. The report of the Committee is awaited.

राज्य विद्युत बोर्डों के अध्यक्षों का सम्मेलन

*११४७. { श्री भक्त वर्मान :
श्री सिद्धेश्वर प्रसाद :

क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अप्रैल, १९६३ के पहले सप्ताह में नई दिल्ली में राज्य विद्युत

बोर्डों के अध्यक्षों का सम्मेलन बुलाया गया था ;

(ख) यदि हां, तो सम्मेलन में क्या निर्णय किये गये अथवा सिफारिशों की गई ; और

(ग) उन निर्णयों तथा सिफारिशों पर क्या कार्यवाही की जा रही है ?

सिंचाई और विद्युत मंत्रालय में राज्य-मंत्री (श्री अल्लगेशन) : (क) जी, हां।

(ख) मुख्य सुझावों का विवरण सभा हल पर रखा गया है। [पुस्तकालय में रखा गया, देखिये संख्या एल. टी-१२७८/६३]

(ग) इन सुझावों की जांच की जा रही है और इन पर राज्य सरकारों के साथ सलाह करके विचार किया जायेगा।

Improved Water Supply Plan

{ Shri P. R. Chakravarti:
*1148. { Dr. L. M. Singhvi:
Shri N. R. Laskar:
Shri Onkarlal Berwa:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that two Russian Scientists who visited Delhi, Bombay and Nagpur to study the water supply problems of these cities, have made specific suggestions to take sufficient protection measures at the water intake points;

(b) whether Government have taken any steps to prevent water from pollution by sewage at the Okhla Water Works in Delhi; and

(c) whether there is any scheme to solve the problems with international collaboration on the lines indicated by these scientists?

The Minister of Health (Dr. Sushila Nayar): (a) In Delhi the Russian Scientists suggested that intake points should be protected against pollution.

In Bombay and Nagpur no specific suggestions were made.

(b) Yes, Sir. The Sullage and Sewage flowing in the storm water nullas are being deviated into outfall sewers. Out of thirteen storm water nullas, nine have already been tapped by the Corporation.

(c) No, Sir.

Ceiling on Consumption of Water and Electricity by Ministers

*1149. **Dr. L. M. Singhvi:** Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) whether it is a fact that the Union Cabinet Ministers have decided upon a ceiling of Rs. 250 per month on the consumption of water and electricity at their residences;

(b) if so, from what date; and

(c) whether similar ceilings have been decided upon for consumption of water and electricity at the residences of Ministers of State and Deputy Ministers in the Union Government?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) and (c). Ministers have decided to impose a voluntary ceiling of Rs. 200 per month upon themselves for the consumption of electricity and water at their residences.

(b) From the 1st April, 1963.

All India Water Grid

*1150. { **Shri P. C. Borooah:**
Shri Rameshwar Tantia:
Shri N. R. Laskar:
Shri P. Venkatasubbaiah:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government have of late had under consideration a scheme for linking the major rivers of the country to form an All India grid;

(b) if so, the details of the scheme; and

(c) the tentative decision, if any, taken in the matter?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) No specific scheme for linking the major rivers of the country to form an All-India Grid is under consideration.

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

Permanent Indus Commission

*1151. **Shri P. C. Borooah:** Will the Minister of Irrigation and Power be pleased to state:

(a) the main subjects discussed at the recent meeting of the permanent Indus Commission held at New Delhi; and

(b) the decisions taken at the said meeting?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). The Permanent Indus Commission, during its recent meeting held in New Delhi from 20th to 26th April 1963, finalised its Annual Report for the year ended on 31st March 1963. A copy of this Report will be laid on the Table of the House shortly.

Loans from National Credit Funds

2626. **Shri Ulaka:** Will the Minister of Finance be pleased to state:

(a) the extent of loans and advances granted by the Reserve Bank of India out of National Credit (long term operations) Fund so far since 1st July, 1962;

(b) how much of it has been paid to the State Governments and how much of it has been given to the Orissa Government during the same period; and

(c) how much has been paid to the Co-operative Banks?

The Minister of Finance (Shri Morarji Desai): (a) Loans amounting to Rs. 10.90 crores were sanctioned to the State Governments and the State

Cooperative banks from the Long-term Operations Fund between the 1st July, 1962 and the 31st March, 1963 and a sum of Rs. 6.06 crores was drawn during this period.

(b) Loans amounting to Rs. 4.94 crores were sanctioned to the State Governments out of the sum of Rs. 10.90 crores mentioned above and almost the entire amount was drawn by the Governments concerned. The amount sanctioned in favour of the Orissa Government was Rs. 12,91,500 and the entire amount was disbursed to that Government.

(c) The amounts sanctioned to and drawn by the State Cooperative Banks were Rs. 5.96 crores and Rs. 1.12 crores respectively. A sum of Rs. 51.01 lakhs was sanctioned in favour of the Orissa State Cooperative Bank, but was not drawn or utilised.

Central Excise Department Quarters at Cuttack and Rayagada

2627. **Shri Ulaka:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1638 on the 25th August, 1962 and state the latest progress so far made with regard to the construction of residential quarters at Cuttack and Rayagada for the non-gazetted staff of Central Excise Department in Orissa?

The Minister of Finance (Shri Morarji Desai): Tenders have been called for the work at Cuttack whereas the construction work at Rayagada has been deferred for the time being in view of Emergency.

State Bank Branches in Orissa

2628. **Shri Ulaka:** Will the Minister of Finance be pleased to state the number of branches of State Bank opened in Orissa so far since 1st July, 1955 and their locations?

The Minister of Finance (Shri Morarji Desai): The State Bank of

India has opened 28 branches in Orissa between the 1st July, 1955 and 31st March, 1963 at the following centres:

1. Puri
2. Baripada
3. Sundargarh
4. Dhenkanal
5. Bolangir (Patna)
6. Khurda
7. Keonjhar
8. Chatrapur
9. Bhubaneswar
10. Bhawanipatna
11. Rayagada
12. Bargarh
13. Jeypore
14. Koraput
15. Titlagarh
16. Parlakimedi
17. Angul
18. Bhanjanagar
19. Bhadrak
20. Kendrapara
21. Jajpur
22. Rourkela
23. Talcher
24. Phulbani
25. Nawapara
26. Aska
27. Nayagarh
28. Kaptipada (Rairangpur).

Nursing Home Charges

2629. { **Shri Ulaka:**
Shri Dhuleshwar Meena:

Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 1090 on the 20th August, 1962 and state:

(a) whether the question of reducing the rates of the Nursing Homes in the Hospitals managed by the Central Government has since been considered; and

(b) if so, the decision taken in the matter?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The question of revising the rules for the Nursing Home and Special Wards of the Willingdon Hospital is still under

consideration. There is no Nursing Home in the Safdarjang Hospital.

Cost of Living Index in Delhi

2630. { Shri Dhuleshwar Meena:
Shri Ulaka:

Will the Minister of Finance be pleased to state:

(a) whether the cost of living index in Delhi is rising;

(b) if so, the nature of the rise during 1962-63; and

(c) the main reason for this rise in cost of living index?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The consumer price index for Delhi (1960-100) was 106 in March 1962; it went up to 110 by August 1962 but came down again to 107 by December 1962. In March 1963 the index was 108. Over the year 1962-63, therefore, the index has increased by two points.

(c) The rise has been due to the rise in prices of pulses, meat, fish and eggs, condiments and spices, as also due to the increase in prices of commodities like kerosene, soap, tobacco, etc., following the Budget proposals and the increase in railway fares from July 1962.

Extension of Income Tax Act to Goa

2631. Dr. Sarojini Mahishi: Will the Minister of Finance be pleased to state:

(a) whether the Income Tax Act and the Wealth Tax Act will be extended to Goa, Daman, Diu, Dadra, Nagar Haveli and Pondicherry; and

(b) if so, from when?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The Income-tax Act, 1961, the Wealth tax Act, 1957 and other Central direct taxes enactments have been brought into force in the Union territories of Goa, Daman and Diu, Dadra and Nagar Haveli and Pondicherry with effect from 1-4-1963 through a Regu-

lation promulgated by the President under Article 240 of the Constitution.

Inter-State Sales Tax

2632. Shri R. N. Reddy: Will the Minister of Finance be pleased to state:

(a) whether Government are aware that in Inter-State Sales Tax most of the C Forms are collected through banks;

(b) whether Government are also aware that a large number of C Form obtained by Delhi merchants from out-station merchants, who are registered, are being rejected by Delhi Sales Tax Authorities on minor clerical omissions or mistakes in filling the C Forms;

(c) whether it is a fact that this sort of harassment is only confined to Delhi; and

(d) what is the policy of Government in this respect and whether Government will frame a uniform policy for all the States?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) and (c). 'C' forms are liable to be rejected in Delhi or in any other State if the form, or any corrections in the entries made therein, are unsigned or when it does not give full particulars relating to (i) the registration certificate of the purchasing dealer or (ii) the bill/cash memo and the amount for which the goods covered by the 'C' form are purchased.

In spite of this position, opportunity is almost invariably being given to the dealers by the Delhi Sales Tax Administration to remove these defects.

(d) On account of concessional levy attracted by the production of form 'C', proper verification thereof is necessary.

In view of what has been stated under (b) and (c) above, no further action by the Government in this regard is called for.

Central Sales Tax

2633. **Shri R. N. Reddy:** Will the Minister of Finance be pleased to state:

(a) whether Government are aware that in Inter-State trade the buyer who is registered dealer has to pay 1 per cent Central Sales Tax to a seller in addition to the C Forms;

(b) whether Government are also aware that there is a malpractice prevailing in the country amongst certain registered dealers who get the goods on 1 per cent Central Sales Tax but do not deliver C Form subsequently or the balance of Central Sales Tax and thereby cause great losses to the seller merchants; and

(c) what steps Government contemplate to take to safeguard the interest of seller merchants

The Minister of Finance (Shri Morarji Desai): (a) The Central Sales Tax Act, 1956 imposes a liability on the seller to pay tax at the concessional rate of 2% on inter-State sales of goods to a registered dealer, if the selling dealer produces a declaration in form 'C' from the purchasing dealer. Depending upon their terms of contract, the seller can reimburse himself from the purchaser with the amount of tax payable by him on his sale.

(b) and (c). The supply of forms 'C' by the buyer to the seller, or payment of balance of Central sales tax, would depend on the normal business dealings and the terms of the contract between the two parties, and the Government do not propose to interfere in this regard.

Central Sales Tax

2634. **Shri R. N. Reddy:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that in West Bengal State a C Form issued by a merchant in Inter-State sales covers the purchases for one year whereas in

other States it is valid for the particular quarter only;

(b) if so, whether Government will clarify the different Government policies in different States in regard to the Central Sales Tax;

(c) whether Government propose to frame uniform rules for all the States; and

(d) if not, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) Where a supplier sends goods in instalments in respect of a bulk order placed on him, Government of West Bengal accept one 'C' form for all the supplies made against that order. In similar circumstances, the Government of Madras also accept one form for supplies made in one financial year. The other States generally permit one form being submitted for supplies made in a quarter.

(b) The administration of Central sales tax has been delegated to the sales tax authorities of the States who generally exercise the same powers and adopt the same procedures in regard to Central sales tax also as are applicable under the general sales tax laws of the respective States.

(c) and (d). In view of the position as explained in the reply to part (b) of the question, the Government do not propose to frame uniform rules for all the States.

Multipurpose River Valley and Power Projects

2635. { **Shri Subodh Hansda:**
Shri M. L. Dwivedi:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that there is a proposal for standardisation in preparation of Multipurpose river valley and power projects; and

(b) if so, whether this proposal has been accepted by the experts of the country?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). Because of wide diversity in the hydraulic conditions and other limitations, complete standardization in the preparation of multi-purpose river valley and hydro power projects is difficult. A certain degree of standardization however, is being achieved in respect of thermal power stations.

Small Savings

2636. { Shri Bhagwat Jha Azad:
 { Shri Bhakt Darshan:
 { Shri Daljit Singh:
 { Shri P. R. Chakraverti:
 { Shrimati Jamunadevi:
 { Shri Maheswar Naik:
 { Shri Rama Chandra Mallick:

Will the Minister of Finance be pleased to state:

(a) whether total target for small savings in the Third Plan period is progressing according to year-to-year target.

(b) if so, the collections through small savings up-to-date since the beginning of the Third Plan; and

(c) the amounts collected through sale of (i) National Defence Certificates, (ii) Defence Deposit Certificates and (iii) Premium Prize Bonds during 1962-63, separately for each State?

The Minister of Finance (Shri Morarji Desai): (a) No yearwise targets have been fixed, but the resources for the Plan assume net collections of Rs. 600 crores through small savings.

(b) The total net collections during the first two years of the Plan amount to Rs. 169 crores approximately.

(c) Separate State-wise figures for 1962-63 are not yet available.

Out-of-Turn Allotment

2637. **Shrimati Savitri Nigam:** Will the Minister of Works, Housing and Rehabilitation be pleased to refer to the reply given to Starred Question No. 546 on the 22nd August, 1962 and

state the number of houses allotted during the last 3 months according to the out of turn allotment list?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): 62, on the basis of medical priority recommended by the Directorate General of Health Services.

Milk Powder from UNICEF

2638. **Shri Ravindra Varma:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that a truck engaged by the Central Medical Stores to transport a consignment of 15,000 lbs. of milk powder received from the UNICEF for distribution in Murshidabad was reported "missing"; and

(b) if so, the action taken to trace the truck and the consignment of milk powder?

The Minister of Health (Dr. Sushila Nayar): (a) Yes. The truck was engaged by the West Bengal Government Central Medical Store Depot.

(b) Action has been taken by the State Government against the concerned Transport Company by freezing their security deposit and withholding payment of bills pending enquiry. The police investigations have not yet been completed.

Defence Production in Private Sector

2639. **Shri Maheswar Naik:** Will the Minister of Finance be pleased to state:

(a) whether the Reserve Bank of India has now provided credit facilities for the purpose of promoting defence production in private sector;

(b) the total provision of credit thus available; and

(c) the fields of production which will be covered by these facilities and the kinds of material expected to be produced through them?

The Minister of Finance (Shri Morarji Desai): (a) Yes.

(b) The quotas within which scheduled banks can normally borrow from the Reserve Bank, as determined in respect of the quarter ending June 1963, amount to Rs. 66.39 crores. The additional borrowing limits sanctioned to some of the scheduled banks for the current busy season are of the order of Rs. 82 crores. Over and above these sums, additional limits to the extent of Rs. 38.93 crores have been sanctioned to a few banks for a temporary period of one or two months.

(c) The additional borrowing limits have been sanctioned to the banks mainly for meeting the requirements of concerns engaged in the production of essential goods for defence or for essential civil consumption or for the promotion of exports.

Soyabeens for Protein Needs

2640. **Dr. L. M. Singhvi:** Will the Minister of Health be pleased to state:

(a) whether Government are continuing to sponsor the idea for using more and more of soyabeens for supplying the protein needs; and

(b) if so, the steps taken by Government to develop and popularise soyabeens as a major dietetic ingredient in India?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The Government of India have no proposal for using increasing quantities of Soyabeens as the cultivation of Soyabean is very limited and oilseeds such as groundnuts and kharif pulses which are rich and popular sources of protein are readily available. The past experience with Soyabean also shows that it has not become popular as human food in this country on account of its peculiar flavour.

Travel Agency

2641. **Shri Sham Lal Saraf:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that an exchange racket of International

Foreign Exchange has been unearthed recently, with a Travel Agency in Bombay; and

(b) if so, the name of that Travel Agency and whether this Travel Agency operates in Foreign Countries as well?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The staff of the Enforcement Directorate searched the premises of Messrs. Aero Agencies Private Ltd., a travel agency in Bombay, and the residences of its sales representative and his associate on the 15th January, 1963, and the premises of Messrs. Hirup Travel Service, another travel agency in Bombay, on the 28th March, 1963. Certain documents were seized in the course of these searches. The cases are under investigation. Government have no information whether these two travel agencies operate in foreign countries.

पाकिस्तान में बह कर चले गये लकड़ी के स्लीपर

{ श्री श्रीकार लाल बेरवा :
२६४२. { श्री कछवाय :
{ श्री बूटा सिंह :

क्या सिंचाई और विद्युत मंत्री २१ मार्च, १९६३ के तारांकित प्रश्न संख्या ५३३ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाकिस्तान उन लकड़ी के स्लीपर, की कीमत देने को राजी हो गया है जो हाल में बह कर उसके राज्यक्षेत्र में चले गये थे ;

(ख) यदि हां, तो उन स्लीपरों की कीमत कितनी है ; और

(ग) यह रुपया कब तक प्राप्त हो जाने की आशा है ?

सिंचाई और विद्युत मंत्रालय में राज्य-मंत्री (श्री प्रलंगेशन): (क) २१ मार्च, १९६३

सक नदियों से पाकिस्तान को बह गई लकड़ी
 नीलामी द्वारा एतदर्थ निपटान के संबंध
 में प्रक्रिया अभी भी रथार्थ सिध कमीशन
 द्वारा विचाराधीन है।

(ख) और (ग) प्रश्न नहीं उठता।

Empire of India Life Assurance Co., Ltd.

2643. Shri Morarka: Will the Minister of Finance be pleased to state:

(a) the total amount of fees paid by the Administrator for the Empire of India Life Assurance Company Limited in the prosecution launched against Lala Shankerlal and others; and

(b) the names of the persons with the amounts paid to each of them, separately?

The Minister of Finance (Shri Morarji Desai): (a) Rs. 62,686.

(b) Shri K. J. Khandalawala Rs. 40,028

M/s. Tayabji Dayabhai and Co. (Shri P. V. Pakvasa) Rs. 22,658

Liquidators for Empire of India Life Assurance Company

2644. Shri Morarka: Will the Minister of Finance be pleased to state:

(a) when the liquidators for the Empire of India Life Assurance Company were appointed;

(b) the total amount spent so far on these liquidators;

(c) the names of the liquidators; and

(d) when the liquidation proceedings are likely to be completed?

The Minister of Finance (Shri Morarji Desai): (a) No Liquidator was appointed for Empire of India Life Assurance Co.

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

चुंगी अधिकारियों द्वारा भारत-नेपाल सीमा पर तिब्बती ऊन का रोका जाना

२६४५. श्री भक्त दर्शन : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत नेपाल सीमा पर स्थित नीतनवा (जिला गोरखपुर) में तिब्बती ऊन से लदे हुए कई ट्रक चुंगी अधिकारियों द्वारा रोक लिये गये हैं यद्यपि वाणिज्य तथा उद्योग मन्त्रालय ने उन ऊन के आयात के लिए परमिट दे दिया था ;

(ख) यदि हां, तो ऐसा किन परिस्थितियों में हुआ है ; और

(ग) इस समस्या को किन प्रकार हल किया जा रहा है ?

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) और (ख) नेपाल से आई० टी० सी० (आयात व्यापार नियन्त्रण) लाइसेंस के आधार पर मंगाये गये तिब्बती ऊन से लदे पांच ट्रक नीतनवा की सीमा चौकी पर रोक लिये गये थे, क्योंकि उन एक अनधिकृत मार्ग से, और लाइसेंस की मान्यता की अवधि समाप्त होने के बाद लाया गया था।

(ग) अब यह ऊन बिना किसी जुमाने या दण्ड के छोड़ दिया गया है।

Unauthorised Cultivation of Tobacco

2646. Shri Daji: Will the Minister of Finance be pleased to state:

(a) the number of cases of unauthorised cultivation of tobacco which came to light during 1962-63 in district Kangra (Punjab), tehsil-wise;

(b) the penalty imposed in each case; and

(c) whether the cases referred to in part (a) above include the cases in which persons, already brought to book during the last five years in similar cases, were involved?

The Minister of Finance (Shri Morarji Desai): (a) 3 cases of unauthorised cultivation of tobacco pertaining to tehsil Dera Gopipur only in the District of Kangra came to light during 1962-63.

(b) A penalty of Rs. 10/- each was imposed in two cases and one case was dropped.

(c) No Sir.

Filaria Eradication in Andhra Pradesh

2647. Shri D. B. Raju: Will the Minister of Health be pleased to state:

(a) whether the Central Government have prepared a scheme for eradication of Filaria in Andhra Pradesh during 1963-64; and

(b) if so, the details thereof?

The Minister for Health (Dr. Sushila Nayar): (a) and (b). No scheme has yet been prepared for eradication of filaria in Andhra Pradesh or any other State in India. The National Filaria Control Programme, however, is in operation since 1955. It is estimated that a population of about 4 million is at risk to filariasis in Andhra Pradesh. Under National Filaria Control Programme, 3 survey units, and 2 control units have been established in the State. The Central Government have been providing assistance by way of material and equipment, insecticides, larvicides etc. to the State Government.

The assistance provided in terms of money is as follows:

Year	Rs. (in lakhs)
1955-56	2.37
1956-57	4.56
1957-58	4.43
1958-59	1.72
1959-60	1.27
1960-61	8.18
1961-62	0.06
1962-63	1.62
(estimated)	18.21

Under the proposed reorganisation of the National Filaria Control Programme, the Central Government have decided to establish a Filariasis Training Centre at Rajahmundry in Andhra Pradesh during 1963-64.

Distribution of Krishna and Godavari Waters

**2648. { Shri D. C. Sharma:
Shri M. Rampure:**

Will the Minister of Irrigation and Power be pleased to state:

(a) whether a Deputation from Maharashtra placed the case of Maharashtra regarding the distribution of Krishna-Godavari waters before him; and

(b) if so, the reaction of the Government thereto?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) Yes.

(b) The matter is still under consideration of the Government.

Micro-Hydel Sets

2649. Shri Hem Raj: Will the Minister of Irrigation and Power be pleased to state:

(a) the places where Micro-Hydel sets have been installed during 1962-63;

(b) the capacity of each one of them; and

(c) the area which they will serve?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). The installation of one Micro Hydel Set of 15 KW has been completed at Bharnour in Chamba district of Himachal Pradesh.

(c) This will supply electricity to Bharnour.

Monkey and Rat Menace in North and South Avenues, New Delhi

2650. Shri G. Mohanty: Will the Minister of Health be pleased to state:

(a) whether it is a fact that a fairly large number of Members of Parliament are harassed now-a-days by monkeys and rates in their quarters at North and South Avenues, New Delhi; and

(b) if so, the steps taken by Government to root out this nuisance?

The Minister for Health (Dr. Sushila Nayar): (a) No complaints of monkey or rat nuisance have been received from Members of Parliament except a report regarding monkey nuisance from Shri Nawab Singh Chauhan in July, 1962, which was attended to promptly. Monkeys were scared away as desired.

(b) Expert monkey catchers are needed to remove the nuisance but in spite of best efforts, the New Delhi Municipal Committee have not been able to secure the services of expert monkey catchers. At present only scaring is resorted to.

As regards rat nuisance immediate steps are taken by the New Delhi Municipal Committee to destroy rats by baiting and trapping whenever any complaint is received.

New Medical Colleges

2651. Shri Ram Harkh Yadav: Will the Minister of Health be pleased to state:

(a) whether it is a fact that Government propose to start 80 new medical colleges in the country by the end of the Third Five Year Plan and 90 more by the end of the Fourth Five Year Plan;

(b) if so, the quota of U.P. in these colleges; and

(c) the States' contribution in the venture?

The Minister for Health (Dr. Sushila Nayar): (a) No. 18 new medical colleges are proposed to be opened during the Third Five Year Plan period. In regard to Fourth Five Year Plan period, the question has not been taken up;

(b) Out of 18 new medical colleges, 4 colleges were proposed to be opened in Uttar Pradesh, three of which have since been opened at Aligarh, Varanasi and Allahabad.

(c) The scheme for the establishment of medical colleges and the expansion of the existing ones is a Centrally aided scheme. The pattern of Central assistance is as follows:—

Non-recurring.

(i) 75% for equipment: Subject to a ceiling of Rs. 22,500 per admission.

(ii) 75% for building: Subject to a ceiling of Rs. 37,500 per admission.

Recurring.

50%

Subject to a ceiling of Rs. 4,000 per admission.

Highpowered Flood Control Board for Assam

2652. Shri P. C. Borooah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it has of late been decided to set up a high-powered Flood Control Board for Assam and

(b) if so, the precise constitution and functions of the Board?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) and (b). With a view to controlling and coordinating the various short-term and long-term flood control measures in Assam, the Government of Assam have, on the suggestion of the Government of India, agreed to set up a high-powered Flood Control Board for Assam. The constitution and functions of the Board have yet to be finalised by the State Government.

Foreign Exchange for Students

2653. Shri Yajnik: Will the Minister of Finance be pleased to state:

(a) the amount of foreign exchange that has been spent on Indian students studying abroad country-wise during the last three years;

(b) if any efforts are made to economise the foreign exchange spent for the purpose; and

(c) the new rules that are made for restricting the grant of foreign exchange to students studying abroad?

The Minister of Finance (Shri Morarji Desai): (a) to (c). The statistics of foreign exchange released for education abroad, and the restrictions imposed in order to economise the foreign exchange are given in the statement laid on the table of the House, [Placed in the Library. See No. LT-1279/63].

Excise Offices in States has not been implemented in Kerala; and

(b) if so, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) The integrated pattern has been introduced in certain Central Excise Collectorates as an experimental measure. In the light of the experience gained, it is being extended to other Central Excise Collectorates. A proposal to introduce the integrated pattern in Kerala is already receiving attention and it is being examined, with particular reference to the conditions of Central Excise work in that State, in what manner the pattern should be introduced there so as to yield the maximum results from the stand-point of administrative efficiency and economy in the cost of administration.

फील्ड चैनल का निर्माण

२६५४. श्री योगेन्द्र झा : क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने फील्ड चैनल बनाने का निर्णय किया है ;

(ख) १९६३-६४ में कितने मील लम्बी फील्ड चैनल बनाई जायगी ; और

(ग) उपलब्ध पानी के पूर्ण उपयोग के लिए कितने मील की फील्ड चैनल बनाने की जरूरत है ?

सिंचाई और विद्युत मंत्रालय में राज्य मंत्री (श्री अल्लगेशन) : (क) से (ग). अपेक्षित जानकारी एकत्रित की जा रही है और सभा की मेज पर रख दी जाएगी ।

Integrated Central Excise Offices

2655. Shri Imbichibava: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the proposal to set up Integrated Central 533(Ai) LSD—3.

पालना

२६५६. श्री वे० शि० पाटिल : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पालने में झूलने का बच्चे के शारीरिक और मानसिक स्वास्थ्य पर बुरा प्रभाव पड़ता है ;

(ख) क्या सरकार ने विशेषज्ञों द्वारा इन तथ्यों की जांच कराई है ; और

(ग) सरकार ने जनता को उसकी जानकारी कराने के लिये क्या प्रयत्न किये हैं ?

स्वास्थ्य मंत्री (डा० मुशीला नायर) : (क) सरकार को ऐसी कोई जानकारी नहीं है जिससे यह पता चले कि पालने में झूलने का बच्चे के शारीरिक और मानसिक स्वास्थ्य पर बुरा असर पड़ता है ।

(ख) सरकार ने ऐसी कोई जांच नहीं कराई है ।

(ग) यह प्रश्न नहीं उठता ।

ग्वालियर में सोना पकड़ा जाना

२६५७. श्री श्रीकारलाल बेरवा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ग्वालियर में १५ अप्रैल, १९६२ को एक बिजली के पंखे में छिपाया हुआ १५ तोले सोना बरामद किया गया था;

(ख) यदि हाँ, तो क्या यह सोना बाहर ले जाया जा रहा था; और

(ग) संबंधित व्यक्तियों के विरुद्ध क्या कार्रवाई की गई ?

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) जी नहीं।

(ख) और (ग). यह सबाल पैदा ही नहीं होता।

Judicial Powers for Estates Officer

2658. Shri Kashi Ram Gupta: Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) whether it is a fact that in accordance with the provisions of Public Premises Eviction Act, an Estates Officer has been given some judicial powers to decide the eviction cases between the Land and Development Officer, Delhi and his lessees;

(b) if so, whether it is a fact that this Officer is paid by the Land and Development Officer, Delhi and is directly under his control; and

(c) if so, how the interests of the individual lessees are safeguarded?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) The Public Premises (Eviction of Unauthorised Occupants) Act provides for the appointment of an Estate Officer with powers to decide eviction cases. This Estate Officer deals with cases between the Land and Development Officer, Delhi and his lessees in a judicial manner

and appeals against his orders lie to the District Judge.

(b) and (c). The Estate Officer is paid from the budget of the Land and Development Office. The fact that he is attached to the Office of the Land and Development Officer, Delhi does not prejudice the interests of these unauthorised persons whose cases are dealt with by him because of the judicial nature of the proceedings and because they can always appeal to the District Judge.

Senior Engineering Officers of C.B.I.P.

2659. Shri D. D. Mantri: Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 815 on 10th April, 1963 and state:

(a) the number of senior Engineering Officers of Central Board of Irrigation and Power who have joined commercial firms after getting permission from the Ministry during the last five years and on what terms and conditions;

(b) whether an upto date list will be laid on the Table; and

(c) how many among these are stationed at Delhi?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) None so far. The engineering officers serving in the Central Board of Irrigation & Power are either direct employees of the Board or are on deputation to the Board from the State/Central Government. While officers on deputation have to revert back to the parent department on obtaining permission of the Government concerned before joining commercial firms, the Board is competent to accord such permission in the case of officers directly recruited by the Board.

(b) Does not arise.

(c) Does not arise.

Senior Officers Joining Commercial Concerns

2660. Shri D. D. Mantri: Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 815 on 10th April, 1963 and state:

(a) the number of Senior Officers of Central Board of Revenue, Income Tax and Indian Revenue Service who have joined commercial concerns after getting permission from Government during the last five years; and what terms and conditions;

(b) whether an upto date list will be laid on the Table; and

(c) who among these are stationed in Delhi?

The Minister of Finance (Shri Morarji Desai): (a) Presumably by senior officers, the Hon'ble Member is referring to retired Class I Officers. If this be so, during the years 1958 to 1962 twenty-nine officers were given permission to join commercial concerns. It may, however, be added that permission of Government is not necessary, after two years of retirement of an officer, for taking up commercial employment.

(b) and (c). A statement is laid on the Table of the House. [Placed in the Library. See No. LT-1280/63].

Kolar Gold Mining Undertakings

2661. Shri A. K. Gopalan: Will the Minister of Finance be pleased to state:

(a) whether there is any managing board at present to run the Kolar Gold Mining Undertakings; and

(b) if so, the personnel of the board?

The Minister of Finance (Shri Morarji Desai): (a) Yes; Sir.

(b) The Board of Management, Kolar Gold Mining Undertakings consists of:

- | | |
|--|---------------|
| 1. Shri Morarji R. Desai, Finance Minister. | Chairman |
| 2. Shri Bali Ram Bhagat, Deputy Minister of Finance | Vice-Chairman |
| 3. Shri M.R. Yardi, Joint Secretary, Ministry of Finance (Department of Economic Affairs) | Member |
| 4. Shri S. S. Shiralkar, Joint Secretary, Ministry of Finance (Department of Expenditure) | Member |
| 5. Shri N. N. Kashyap, Joint Secretary, Ministry of Mines and Fuel | Member |
| 6. Shri N.N. Chatterjee, Joint Secretary, Ministry of Labour & Employment | Member |
| 7. Shri K. Narayanaswamy, Chief Secretary to the Government of Mysore | Member |
| 8. Shri S. Nanjundiah, Deputy Commissioner, Kolar District, Mysore | Member |
| 9. Shri F. N. Choudhary, Representative of the Consulting Engineers, M/s. John Taylor & Sons | Member |
| 10. Shri M.H. Parthasarathy, Managing Director, Kolar Gold Mining Undertakings | Member |

Kolar Gold Field

2662. Shri A. K. Gopalan: Will the Minister of Finance be pleased to state:

(a) the number of consultant engineers in Kolar Gold Field at present;

(b) how many of them are foreigners; and

(c) the salary and other emoluments given to them at present?

The Minister of Finance (Shri Morarji Desai): (a) No individuals are engaged as Consulting Engineers. M/s. John Taylor & Sons, London are the Consulting Engineers of the Kolar Gold Mining Undertakings and they have two Resident Representatives in Kolar Gold Field.

(b) Does not arise.

(c) M/s. John Taylor & Sons are paid a fee of Rs. 4 lakhs per annum. In addition, a cash allowance of Rs. 325 per month is paid to each of their two Resident Representatives in the Field in respect of living quarters, for the maintenance of servants and towards cost of petrol and oil for the motor cars.

Kolar Gold Field Hospital

2663. **Shri A. K. Gopalan:** Will the Minister of Finance be pleased to state:

(a) the progress so far made in the construction of an out patient ward in the Kolar Gold Field Hospital;

(b) the estimated cost of construction; and

(c) the amount so far spent?

The Minister of Finance (Shri Morarji Desai): (a) The construction of the out patient ward has yet to be taken up.

(b) Rs. 5 lakhs.

(c) Nil.

Kolar Gold Mines

2664. **Shri A. K. Gopalan:** Will the Minister of Finance be pleased to state:

(a) the present *per capita* production of a worker in the Kolar Gold Mines.

(b) the *per capita* cost of production; and

(c) the average monthly income of a worker, a supervisor and an officer in the Kolar Gold Mines at present?

The Minister of Finance (Shri Morarji Desai): (a) 3.1 Metric Tonnes of ore per employee per month.

(b) *Per capita* cost of production per month is Rs. 262.

(c) Worker Rs. 124 p.m.,

Supervisor Rs. 269 p.m.

Officer Rs. 1171 p.m.

Anti-Sea Erosion Projects in Kerala

2665. { **Shri Vasudevan Nair:**
Shri Warior:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether the State Government of Kerala have requested for additional help from the Centre in 1962-63 for anti-sea erosion projects;

(b) if so, the details thereof; and

(c) the decision of the Central Government in this matter?

The Minister of State in the Ministry of Irrigation and Power (Shri Alagesan): (a) to (c). Against an allocation for financial assistance of Rs. 80 lakhs for flood control and anti-sea erosion schemes of Kerala State for 1962-63, a request for a loan of Rs. 112.55 lakhs was received in January, 1963. The loans actually sanctioned for 1962-63, however, had to be limited to the budgeted provision of Rs. 80 lakhs.

कोटा में अफीम की खेती

२६६६. **श्री श्रीकारलाल बेरवा :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह भल है कि कोटा (राजस्थान) के कुछ भागों में अफीम की बड़े पैमाने पर खेती होती है ;

(ख) यदि हां, तो उसकी उपज बढ़ाने के लिये क्या कदम उठाए गए हैं ; और

(ग) उपज बढ़ाने के लिये तीसरी योजना में कितनी राशि मंजूर की गई है ?

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) जी हां ।

(ख) अफीम की खेती, दवाओं और वैज्ञानिक कामों के लिए, इसकी अन्तर्-राष्ट्रीय मांग के आधार पर की जाती है ।

(ग) यह मद आयोजना में शामिल नहीं है।

रूसी डाक्टर द्वारा हृदय का आपरेशन

२६६७. श्री श्रीकार लाल बेरवा : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रूस के एक डाक्टर श्री बी० बी० पेट्रोवस्की ने हाल में दिल्ली में भारतीय डाक्टरों के समक्ष हृदय के एक जटिल आपरेशन का प्रदर्शन किया था; और

(ख) यदि हाँ, तो उन्होंने अन्य कौन से रोगों के बारे में हमारे डाक्टरों को विस्तृत जानकारी दी ?

स्वास्थ्य मंत्री (डा० सुशीला नायर):

(क) और (ख). जी हाँ। प्रोफेसर पेट्रोवस्की ने १७ अप्रैल, १९६३ को सफदरजंग अस्पताल में एक रोगी का माइट्रल स्टेनोसिस विय आरीक्यूलर फाइब्रिलेशन का आपरेशन किया। यह आपरेशन जटिल नहीं है। उन्होंने सफदरजंग अस्पताल में डाक्टरों को कोशिश भाषण नहीं दिया।

Diversion of Funds for Housing

2669. { Shri Hari Vishnu Kamath.
Shri Yashpal Singh:

Will the Minister of Works, Housing and Rehabilitation be pleased to refer to the reply given to Starred Question No. 922 on the 18th April, 1963 and state:

(a) whether allocations for housing schemes have been diverted by any State or States to other projects;

(b) if so, by which State or States; and

(c) to what projects or purposes?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) to (c). Enquiries are

being made from the State Governments and the information when received will be placed on the table of the House.

Delhi Kennel Club

2670. Shri P. C. Borooah: Will the Minister of Health be pleased to state:

(a) whether the Delhi Kennel Club has appealed to Government to help the club in setting up a training centre for "Seeing eye dogs" for the blind;

(b) if so, whether the club has sent in any detailed scheme for the purpose; and

(c) Government's reaction to this appeal?

The Minister of Health (Dr. Sus-hila Nayar): (a) No such request has been received by the Ministry of Health.

(b) and (c). Question does not arise.

Central Excise Inspectors

2671. Shri Ram Sewak Yadav: Will the Minister of Finance be pleased to state:

(a) the total number of vacancies which occurred under Allahabad Collectorate during 1962 for the posts of Central Excise Inspectors;

(b) the total number of vacancies filled up during 1962;

(c) the number of priority category candidates out of the panel of 1962 offered appointments as Inspectors during 1962;

(d) the number of retrenched employees of Rehabilitation Department absorbed in these posts; and

(e) if not, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) 21.

(b) 18.

(c) Nil.

(d) Nil.

(e) The priority category candidates, including the retrenched employees of the Rehabilitation Department, are eligible to be considered for appointment only against the direct recruitment quota. 3 vacancies were available for direct recruits and the same were filled by appointment of Scheduled Caste candidates as the posts were reserved for them.

भारत में नेत्र दान

२६७२. श्री श्रीकारलाल बेरवा :

स्वास्थ्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत में अनेक व्यक्तियों ने अपने नेत्र दान किये हैं; और

(ख) यदि हाँ, तो गत तीन वर्षों में कितने व्यक्तियों ने अपने नेत्र दान किये हैं ?

स्वास्थ्य मन्त्री (डा० सुशीला नायर) :

(क) और (ख). सूचना एकत्र की जा रही है और यथा-समय सभा-पटल पर रख दी जायेगी।

Income of Companies

2673. **Shri H. N. Mukerjee:** Will the Minister of Finance be pleased to state:

(a) the total assessed income of companies in India from 1953-54 to 1961-62 to be shown year-wise;

(b) the total amount of tax paid including tax on dividends to shareholders from year to year; and

(c) the total income of the said companies after tax payment year-wise?

The Minister of Finance (Shri Morarji Desai): (a) to (c). The required information is given in the statements laid on the Table of the House [Placed in the Library, see No. LT-1261/63].

12.07 hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Wednesday, the 24th April, 1963, adopted the following motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate seven members from the Rajya Sabha to the Public Accounts Committee for the period commencing on the 1st May, 1963 and ending on the 30th April, 1964:—

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate seven members from the Rajya Sabha to associate with the Committee on Public Accounts of the Lok Sabha for the period commencing on the 1st May, 1963 and ending on the 30th April, 1964 and do proceed to elect, in such manner as the Chairman may direct, seven members from among the members of the House to serve on the said Committee."

2. I am further to inform the Lok Sabha that at the sitting of the Rajya Sabha held on Wednesday, the 1st May, 1963, the Chairman declared the following members of the Rajya

Sabha to be duly elected to the said Committee:—

- (1) Shrimati K. Bharathi;
- (2) Shri Nawab Singh Chauhan;
- (3) Shrimati Maya Devi Chetry;
- (4) Shri B. D. Khobaragade;
- (5) Shri Danyabhai V. Patel;
- (6) Shri B. D. Patil; and
- (7) Shri Sadiq Ali.

COMMITTEE ON GOVERNMENT ASSURANCES

FIRST REPORT

Shri Balakrishnan (Koilpatti): I beg to present the First Report of the Committee on Government Assurances.

12.08 hrs.

TERMINATION OF SUSPENSION OF MEMBER—Contd.

Mr. Speaker: Further consideration of the following motion moved by Shri Ramchandra Vithal Bade on the 1st May, 1963, namely:—

"That the order of suspension made against Shri Hukam Chand Kachwai by resolution of this House adopted on the 13th April, 1963, be terminated."

Shri Kapur Singh (Ludhiana): May I rise to support this motion?

I support this motion on three grounds. The first ground is that the Mover of the Motion has formally expressed the regret of the whole party, the group to which the suspended Member belongs, over what happened that day.

The second ground is that the Member concerned himself, immediately after the unfortunate incident, came to you in the Chamber and not

only expressed his regret, but also admitted that he felt that what he had done was wrong, and that he did it under excitement of the moment and not in any premeditated manner.

The third ground on which I support this motion is that in his letter to you, which he has written after a lapse of some time and after calm consideration of the whole affair, he has reiterated his previous position that he acted in unpremeditated excitement and that on a reconsideration of the matter he is genuinely sorry about it.

Now, the question will arise whether either these grounds together or the letter of the Member which is now before the House, constitute sufficient amends for revoking the displeasure which the House has inflicted upon him.

In the letter which the hon. Member has written to you, the crucial phrase is *mujhe khed hai*. We have to see whether this phrase makes sufficient amends or not for accepting the motion which is before the House. This phrase *mujhe khed hai*, if it is properly and logically analysed, means three things. It may mean that after dispassionately and carefully examining the whole matter I have come to the conclusion that I acted wrongly, and further, I publicly admit the error of action. It is a form of apology. Another interpretation is: after a great deal of dispassionate reconsideration of my conduct I have come to the conclusion that I acted wrongly but I do not owe any apology to anyone. That position also might be taken. There is a third interpretation: I have now gone over what I did that day; I admit that what I did was wrong and I also concede that an apology is due but I am reluctant to make an apology not because an apology is not due but because the demand for apology seems to stem out of extraneous considerations to which I am not prepared to submit. As far as I can see these are the three interpretations of this phrase.

Mr. Speaker: It is very uncertain whether he had all these things in his mind.

Shri Kapur Singh: We have no other alternative but to examine and to scrutinise as to what it logically means. If it is the third position it means that he admits what he has done is wrong and he also admits that an apology is due but that he is not prepared to offer this apology. Then, it may implicate two further propositions: one is: I am too proud to offer an apology: there are psychological and personal reasons for it.

Shri Bade: Sir, my submission is that if the House is to divide on this issue, I am even prepared to withdraw my motion: I want a unanimous resolution.

Shri Kapur Singh: Let me finish.

Mr. Speaker: No long speeches are needed now.

Shri Kapur Singh: Without this analysis the House will not be able to arrive at a proper decision.

Mr. Speaker: But the analysis should not take such a long time.

Shri Kapur Singh: Or, he might mean I will not offer an apology not on account of any psychological reasons but because I believe that this demand springs out of some extraneous considerations which have implications that have nothing to do directly with this occurrence. This is a complete and logical analysis of the position.

Now the question is whether in this case an expressed apology apart from what he has already said is needed and required, whether the demand for expressed apology amounts to an extension and refinement of the statement which he has already made, namely, *mujhe khed hai*, or does it amount to a material difference? My submission before the House is that what he has already stated, namely, *mujhe khed hai*, expresses implicitly an apology an explicit expression of which would merely constitute an

extension of it and not a different addition to it and therefore I say that the insistence on expression of apology neither adds to the grace nor to the dignity of the House, for, it would detract from the spontaneity of the offending Member's regrets and would assume the form of a tribute levied under coercion. I recommend that the motion be adopted.

Shri Khadlikar (Khed): Mr. Speaker, I do not want to go into the analysis based on psychology or pathology of the man concerned because on that day his behaviour, as this House would realise, was most reprehensible. He spoke in a frantic and hysterical manner, and shouted certain things in a most filthy language. (*Interruption*). I have heard him.

Shri Surendranath Dwivedy (Kendrapara): There is nothing in the record to that effect. We were all present here. (*Interruption*).

Some Hon. Member rose—

Mr. Speaker: Order, order. Hon. Members will please resume their seats. All hon. Members were here. What they themselves heard, observed or concluded, they have a right to say.

Shri Nath Pai (Rajapur): But how could he say things which were never said?

Shri Surendranath Dwivedy: There was nothing in the record.

Mr. Speaker: That of course might be his conclusion and inference from the conduct of the hon. Member. Let him say what he has to say.

Shri Surendranath Dwivedy: Has he heard the words?

Shri Nath Pai: That the hon. Member was gesticulating in a manner which was not conducive to raising the standard of Parliamentary dignity is accepted by all, and it has been condemned, I think, by no less than the highest guardian of Parliamentary

decorum, that is, the Speaker of the House. If such words were used or not, the only authority to which we can refer should be obviously the proceedings of the House. I do not know how the hon. Member there says this. I am not defending the action of the Member the other day, because we take the strongest objection to the way he gesticulated. Those of us who are sitting in proximity to the Speaker did not hear those words, and so, I do not know how Shri Khadilkar, who is sitting at such a distance managed to hear them. I thought he had only glasses. I do not know if he has a special hearing aid also!

Shri Khadilkar: Let me finish.

Mr. Speaker: I am not going to express any opinion one way or the other, because I also cannot say exactly what words were actually uttered by him or what the actual words were. But I must say, at the same time, that the way that he behaved, the gesticulations that he made—(Interruptions),—order, order. If I am not allowed to proceed,—and when he uttered words in that tone, when there were 15 or 20 voices which were being uttered simultaneously, it was not possible for every Member or perhaps any Member just to follow what exactly was being said. But he was saying something. Can Shri Nath Pai tell me what he had said?

Shri Nath Pai: I think he said in his very raucous voice, समापति जी यह क्या हो रहा है, बाहर चलिये। I think he said the words: प्रधान मंत्री जी यह क्या हो रहा है। He said it with such a passion that it could hardly amount to any articulation. I heard that sentence. But I did not hear. (Interruption). I do not want to be treated as authority.

Shri Khadilkar: I would put it as violent gestures. I will modify it.

Mr. Speaker: Shri Bade says that if the opinion is divided, then he would like to withdraw his motion. Is the opinion divided?

Shri Nath Pai: No, no.

Some Hon. Members: Yes.

Shri Bade: I may be allowed to withdraw the motion.

Shri Nath Pai: In these matters, there is this accepted convention; as Shri H. N. Mukerjee yesterday pointed out; this is one of the occasions on which I found myself in complete agreement with him. That is, the Leader of the House gives a lead and if the Leader of the House also is of the opinion that in spite of the apology tendered by the Member immediately after the incident and the apology tendered on behalf of the party to which he belongs—by Shri Bade—it is not sufficient to mitigate the offence committed, then only we shall think about giving permission. We would like to hear the Leader of the House. There is a convention.

Shri C. K. Bhattacharyya (Raiganj): Has any apology been tendered?

प्रत्यक्ष महोदय : उन्होंने कहा है — जो कुछ मैंने उत्तेजना में कहा उसके लिये मुझे खेद है।

Shri Bhagwat Jha Azad: The apology is not there. (Interruption).

Mr. Speaker: It is an apology according to the interpretation put by some hon. Members on this side, though Shri Kapur Singh has only analysed it logically and in some other manner; he has given us this analysis of the whole thing. But the real question before us is that after reiterating what he had said and describing that he had not abused anybody, behaving in that manner and accusing the correspondents of the newspapers, that the reports are false and unjustified, he has said .. (Interruptions).

Shri Surendranath Dwivedy: The words in his letter are: "I cannot use abusive language against anybody. I am sorry for what I did that day in excitement. . . ."

अध्यक्ष महोदय : मैंने भी तो यही कहा । जो माननीय सदस्य कह रहे हैं वही मैंने हिन्दी में कहा है, हो सकता है कि तरजुमा ठीक न हो । जो लफ्ज उन्होंने लिखे वह यही हैं कि-उत्तेजना में मैंने जो कुछ कहा उसके लिये मुझे खेद है । ये लफ्ज हाउस के सामने हैं, हाउस यह देखे कि यह सफ़ीशेंट एपलाजी है या नहीं ।

मैंने कल भी कहा था । मैं सरदार क़ूर सिंह की इनफ़ारमेशन के लिये फिर बतला देना चाहता हूँ कि जब उन के लीडर साहब यानी मि० त्रिवेदी मेरे पास आये थे उन से मैंने साफ़ तौर पर यह कहा था :—

The House would require that there should be an unconditional apology, because it has occurred once before also. But in spite of that request of mine, probably the Leader could not secure that or he had no time to get it; I do not know what happened afterwards.

Some Hon. Members: Shri Bade has said it.

Mr. Speaker: Should it come from Mr. Bade or from Mr. Trivedi or from Mr. Dwivedy, it is for the hon. Members to decide. . .

Shri Surendranath Dwivedy: The party has given it.

Mr. Speaker: It is not a question of the party. The behaviour that he displayed was such that probably it would be impossible for any party leader or anybody else to control him if he gets into that temper again. If the House decides that it is enough, I have no objection. What the hon. Prime Minister like to say anything?

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): The issue. . . .

Shri A. P. Jain (Tumkur): We may be allowed to express ourselves before the Prime Minister is called.

Shri Joachim Alva (Kanara): The hon. Leader of the House should not be embarrassed.

Shri Jawaharlal Nehru: The issue, which is a fairly simple one, although a very regrettable one, has been put on a somewhat metaphysical basis by one of the hon. Members opposite and he has tried to analyse what certain words mean. He might have gone on further and suggested a psycho-analytical treatment of the case; that would have been quite suitable, I think, because what was observed that day required some such treatment. But the issue is a simple one. The behaviour was, as admitted by everybody in the House, most regrettable and most objectionable. The normal rule of the House is that if an hon. Member against whom such action is taken by the House apologises, then the House may take a lenient view of it. But when it comes to this question as to whether the words used are adequate apology or not, I do not think this is a matter to be considered by the full House analysing each word. You are the guardian of the House, Sir, and I am quite content to abide by your decision, adding this that I feel very strongly about the hon. Member's behaviour that day, but I do not think that it would be right for us to appear to be vindictive. It is for you, therefore, to decide. I would suggest that the House may leave the matter in your hands; you can speak to the hon. Member and decide accordingly.

Some Hon. Members: Yes.

Shri Tyagi (Dehra Dun): I would submit. . . .

Mr. Speaker: Instead of further proceeding with this, it might be left to me and the hon. Member.

Some Hon. Members: Yes.

Shri Tyagi: I only wanted to say that the words—whatever is said in excitement.

“खेद” के माने हाउस में साफ तरीके से नहीं आये हैं। खेद के माने अफसोस के हैं, रिप्रेट के हैं और पश्चाताप के मिले हुये हैं। खेद के माने एक तरीके से एपोलोजी के भी होते हैं।

Shri A. K. Gopalan (Kasergod): When the matter has been decided, what is the use of his speaking now?

अध्यक्ष महोदय : हाउस की मंशा यही है कि मैं उन से मिल कर अपने आप फंसजा कर लूं।

12.25 hrs.

CONSTITUTION (SIXTEENTH AMENDMENT) BILL, 1963

Mr. Speaker: We may now proceed with the next item on the Order Paper—Bills for consideration and passing. The hon. Law Minister may move his motion for consideration of the Constitution (Sixteenth Amendment) Bill, 1963. This has been allotted 3 hours. So far as general discussion is concerned, we will have a division on the motion for consideration at 3:00 P.M.

The Minister of Law (Shri A. K. Sen): Mr. Speaker, Sir, I beg to move:

“That the Bill further to amend the Constitution of India, as reported by the Joint Committee, be taken into consideration.”

Sir, this Bill was introduced on the recommendation of the National Integration Committee which was set up with Shri C. P. Ramaswami Aiyar as the Chairman who in the report recommended that article 19 of the Constitution should be amended so as to make it possible for the State to impose restrictions for the purpose of

preventing all activities designed to have further disintegration of the country and to make it impossible for parties to make secession from India or disintegration of India election programmes or issues. For this purpose, Sir, the Bill seeks to give power to the Government to impose restrictions by amending suitably article 19.

Article 19(2) and 19(4) do not give power to the Parliament to impose restrictions for the purpose of securing the sovereignty and integrity of India, and we seek to add these words in article 19 clauses (2), (3) and (4) words in article 19 clauses (2), (3) and (4) of the Constitution. This is absolutely necessary because the existing words do not cover a power designed to curb activities which seek to challenge the sovereignty and integrity of India as some parties have recently sought to do—not only they sought to do but to make them election issues on which elections have been fought and the most narrow and parochial sentiments and emotions have been roused and people have been called upon to vote on these issues.

Hereafter, Sir, it is designed to bring into operation strict laws which will penalise all such activities. Further than that, in deference to the recommendations of the same committee, we are making it absolutely obligatory for all candidates who seek election either to the local legislatures or to Parliament to subscribe to oaths before elections pledging themselves to uphold the sovereignty and integrity of India. The form of the oath as amended after the Bill becomes law is shown in clause 5 of the Bill, and this will also have a salutary effect on a candidate who has pledged himself to uphold the sovereignty and integrity of India not to make disintegration and secession an election issue.

As I said, Sir, when it was referred to the Joint Committee, it should be passed without any division whatsoever because I cannot conceive of

[Shri A. K. Sen]

any reasonable objection to a candidate can do, the least that a member local legislature or to the Parliament subscribing to an oath pledging himself to uphold the sovereignty and integrity of India. This is an elementary duty, the least that a candidate can do, the least that a member of either the local legislature or Parliament can do, and this is the least duty that he owes to this country to which he belongs.

It is unfortunate that at a time when we are facing the most major threat in our history since independence, we should have to contend with such activities and have to ask for powers to deal with such activities. Yet, it becomes all the more necessary that these powers should be taken to see that the integrity and security of the country are not capable of being threatened by anyone who chooses to make these narrow issues either election issues or issues of a local or regional character. I should, therefore, humbly appeal that, at least for the purpose of showing the united will of the country and the united will of this House the entire country must stand pledged permanently to the sacred duty of upholding the integrity and sovereignty of India and pledging itself ruthlessly to deal with all activities which seek to threaten the very foundation of our freedom, integrity and unity. It is only by such united voice that we are capable of expressing that in my submission we shall be able to carry the entire country with us. Therefore, I humbly submit that this motion be accepted and the Bill be passed without any dissenting vote.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Constitution of India, as reported by the Joint Committee, be taken into consideration."

There is an amendment by Shri Sezhiyan. Is he moving it?

Shri Sezhiyan: Yes.

Mr. Speaker: He may move it. If he wants to speak in favour of it, that also he may do now.

Shri A. K. Sen: An amendment to the Bill is not admissible now.

Mr. Speaker: Under rule 109, at any stage of a Bill, a member can move that the further discussion on the Bill be adjourned. That is the motion given notice of.

Shri A. K. Sen: But it cannot be an amendment to the Bill.

Shri Sezhiyan (Perambalur): I beg to move:

"That the Debate on the Constitution (Sixteenth Amendment) Bill, 1963, be adjourned."

The object of this amendment is to ask for adjournment of the consideration of this Bill. In view of the present emergency, we suggest that the House might defer consideration of this Bill. There is no urgency or need for the hasty passing of such a Bill with far-reaching consequences, curtailing the fundamental rights of the people. If there is any danger now to the integrity and sovereignty of the country, if at all it is there, it is only external and not internal. Therefore, our view is that the Bill need not have been taken up, it need not be discussed now and it may be postponed for a future date, if at all it is required. I will speak on the Bill later.

Mr. Speaker: I will straightway put it to the vote of the House.

The question is:

"That the Debate on the Constitution (Sixteenth Amendment) Bill, 1963, be adjourned."

The motion was negatived.

Shri H. N. Mukerjee (Calcutta Central): Mr. Speaker, there can be no question that the sovereignty and the integrity of our country are such things that it is the bounden obligation of every single citizen to sustain and uphold them and, from that point of view, as far as this Bill is concerned, we have accorded at an earlier stage, and also in the Joint Committee, our general support to the measures adumbrated. But we have just now heard a proposal that discussion on this matter might conceivably have been postponed and even though the House has rejected that proposition, I would like, in all humility, to make certain submissions where certain misgivings in my mind in regard to this Bill would be expressed.

I am sure that everybody will agree that there were other methods, methods other than amending the Constitution, which perhaps we could have adopted in order successfully to fight the forces of disintegration in this country. If there is in this country, unfortunately, a sizable section of public opinion which even talks openly in terms of the desirability of the secession of a particular area from the rest of India then that is a misfortune which has to be tackled in ways different from mere legislation. I do not say that legislation is unnecessary altogether, but apart from legislation, there are other methods or other ways of working among our people so that this apparent threat to the integrity of our country can really and truly be met.

Apart from that—I will come back to this argument a little later—I find that there are certain legalistic difficulties which would be the result of this legislation. I would like to draw the attention of the hon. Law Minister to a pamphlet entitled “A critical study of the Constitution (Amendment) Bill” by a senior Research Officer of the Indian Law Institute where from a purely technical point of view certain objections have been raised and

I am drawing the Government's attention to some of these aspects.

In this pamphlet it is pointed out by this Research Officer of the Indian Law Institute that already in this country our courts have found it difficult to apply concepts, like public interest, public order, security of State etc. in the context of reviewing the restrictions placed on fundamental rights and even though in regard to these concepts our courts can find assistance from the comparative jurisprudence of other countries, like the United States or the United Kingdom, this Bill is now bringing into the picture expressions, like sovereignty and integrity, which have not yet been employed and therefore—I am quoting the words of Shri Narayan Rao, who is the Research Officer concerned—

“...which have not yet been tested, anywhere in the context of curtailing the liberties of the people.”

He adds:—

“It is, therefore, for consideration whether it is proper to subject the liberties of the people with expressions like ‘sovereignty’ and ‘integrity’ which are at once elusive and indefinite and carrying with them, at the same time, a wide and varying coverage.”

This is a legalistic argument, but since the law is of a particular nature, I proffer this advice to the hon. Minister that he might have this aspect of the Bill considered.

This Bill also has certain features which can be called somewhat inelegant. Our hon. friend, Shri Kamath, has drawn attention to some of these inelegant features. For instance members of legislatures are being asked to take an oath or to make an affirmation. That might be all right; I am not objecting to it. But, at the same time, even before a man is contesting the elections he is being asked to

[Shri H. N. Mukerjee]

take an oath or to make an affirmation. It is rather unusual to prescribe oath-taking or the making of an affirmation as a pre-requisite for eligibility to contest the elections. As Shri Kamath has suggested, without worrying over a constitutional amendment, a very minor change could have been made in the Representation of the People Act so that the candidates for election to legislatures and that sort of thing would be obligated to make a statement on the lines envisaged in this Bill. Here is a double process of oath taking or affirmation making. I do not know what special gains are expected from this kind of thing. The same results could be achieved by an oath being taken or an affirmation being made when one enters the legislature or any other kind of office and this duplication can very well be saved if it is thought necessary through the mechanism of the Representation of the People Act.

There was also another point which was brought up earlier when this Bill was under discussion. These political difficulties are rather intriguing. We are having certain international transactions at the present moment which relate to the territorial integrity of India. I do not know what our friend the Minister of Railways has been saying and doing in the course of his conversations with the Pakistan Government. I do not know what he said in his party meeting. But, I suppose the Prime Minister, after a few days,—I do not know when,—is going to make a statement about what is being done on behalf of our country in regard to this matter of Indo-Pakistan discussions. Quite apart from the merits of the matter, let us look at the legal aspect involved. There is no question that certain international transactions are going on which would affect the territorial position, territorial integrity of India: no doubt about it. The papers go so far as to make certain prognostications. Yesterday,

in the Statesman, there was a report that—

"The Americans would be happy to see the idea of 'a special status' for Kashmir—involving condominium over or, internationalisation of the whole or a part of Jammu and Kashmir—fill the vacuum left by the discussion on a political solution. But, although the British team would also be keen on it, the Indian side is not."

I am not saying anything about what he has said, because I do not know. But I take it that the Indian Government is not going to give away any part of Indian territory. That is another matter. There is no doubt that certain discussions are going on. What is going to happen? This Bill, for instance, is amending the Constitution so that it would be impossible even to have a Constitution Amendment Bill to cede any Indian territory to a foreign country without committing breach of the oath itself. This is being pointed out in this pamphlet to which I made reference a little while ago, the pamphlet by Shri Narayan Rao, Senior Research Officer, The Indian Law Institute, where he makes the point very specifically. He says—I am quoting his words:

"Once a Minister takes an oath to uphold the integrity of India, he cannot move a constitution amendment Bill to cede any part of Indian territory to a foreign country, nor can Members legally support it, without doing violence to their oath clause. It is no argument to say that when it relates to a constitution amendment, the oath does not stand in the way. If such an argument is acceptable, then the agitation to amend the constitution to release a part of the Indian territory from its present fold is also defensible, for suggestions to amend the Constitution, are certainly not the

monopoly of the Government; they can as well be made by any persons."

What is happening about the Indo-Pakistan negotiations, we do not know. But, it might conceivably involve some diminution or some alteration in the territorial integrity of this country. We have accepted, our Government has accepted the Colombo proposals. According to this particular lawyer, this Bill, if it is passed into law, would equally stand in the way of implementing the Colombo proposals. In the case of the Beru Bari matter, we discovered that the Government had thought in the beginning that sovereignty presupposes the capacity on the part of the sovereign state like ours to give away a part of our own territory. As a layman practically, I suppose most of us would be agreeable to that point of view. But, then, the Supreme Court somehow happened to intervene and there had to be a Constitutional amendment.

Here, again, some legal students are pointing out that we cannot have a constitutional amendment in the conceivable future if we have this oath or affirmation already incorporated in our Constitution and anything in the matter of giving effect to any of the international transactions which relates to territorial re-distribution would not be possible. It is not my head-ache. It is the Government's head-ache. It is for the Government to decide how far this kind of a difficulty can be circumvented.

The main reason, however, why we support the idea of this Bill is this: I have said at the very outset that no words are necessary to stress the idea that the sovereignty and integrity of our country have to be upheld. We support this Bill because we have noticed in certain parts of our country a tendency on the part of sizeable sections of our people to veer over to the idea of secession from the mother country. That is a

most disastrous thing. But, how are we going to set about it? Are we going to use the baton of the law in order to keep all our people contented within the ambit of our State system? The party known as the D.M.K. is so much in the picture. How are we going to tackle this problem? My submission is, it is not by legislation though it may be necessary, but by sympathy, by understanding and by action commensurate with such sympathy and understanding. We have to make efforts at a level where law cannot reach. Long years ago we read the lines of Alexander Pope:

"How small a part of all that human hearts endure

The part that laws or Kings can cause or cure?"

There are so many things which could be done, not by means of the law—it is not by means of legislation, executive action, coercive force, application of sanctions behind the State apparatus, but by human sympathy, by understanding and approach to the problems which are thrown up by the conditions of our country.

Only the other day we passed a Bill on the official languages of our country. We have seen how certain incendiary proceedings have already been launched and all that. How are we going to tackle it? Are we going just to say, we have got the law in regard to the official language, everybody has to say yes to it? We cannot proceed in that fashion in a community where people have their own rights.

The south of our country, particularly Tamil Nadu is as much a part of the north as the north is of the south. Without the two together, India ceases to be. I do not know why we do not recall to ourselves so many things which should be told over and over again in the north as

[Shri H. N. Mukerjee]

well as in the south in order to emphasise the unity of our country. In the Vishnu Purana which was recorded in the 4th century A.D., we have a sloka:

उत्तरं यत् समुद्रस्य
हिमाद्रेश्चैव दक्षिणं
वर्षम् तद् भारतं नाम
भारती यत्र सन्ततिः

North of the sea and south of Himalayas is the country called Bharata Varsha which is the place where the children of Bharata live. That was the conception of Bharata Varsha. From time to time, the balance between the north and the south has been disturbed. There is a lovely legend in the south about the sage Agastya. It is said that on the occasion of the marriage of Siva with Parvati, there was such an immense concourse of gods and sages in the Himalayan region that the balance of the Universe was likely to be upset and in order to redress the balance the great sage Agastya was sent to the south. That was how the balance was actually redressed. From time to time, the political, economic and cultural balance of our country is perhaps in danger of being upset and something has to be done in order to satisfy the south as well as the north so that the balance of our country is not upset. The other day, I was very happy to hear my hon. friend Shri Sham Lal Saraf say that when he offered puja every day, he invoked the rivers which belonged not only to the north but also to the south:

गङ्गे च यमुने चैव गोदवरि सरस्वति
नर्मदे सिन्धो कावेरि, जलेस्मिन् सन्निधि
कुरु ।

This is how we think of our country, a country which is linked together by rivers, mountains, and holy places which are distributed all over the land. What would be the culture of India if the great southern Acharyas

had not made their contribution: Sankaracharya, Madhavacharya, Vallabhacharya, Sayanacharya, Ramanujacharya. Without them where would we be? I read somewhere that Siva is a gift of the south to the north. There are the great saivite saints of the south, known as Nayanars, among them Manikkavachakar, some of whose writings some of us have read from time to time. I have seen a reference in the Padma Purana which says that the idea of *Shuddha Bhakti*, devotion to a personal deity, came from the south and then it travelled via Maharashtra to the Gangetic doab near Mathura. The great *Bhakti* movement of this country, in the north and in the south, from Nanak to the southern saints, from Jnyaneswar to Chaitanya, the tremendous movement of this country is linked together one with the other. Where would we be if we keep the south out or if we keep the north out?

I was reading the other day the Kural written by the great Tiruvalluvar, one of the gems of creation, something which was written for the whole of India, for the whole of mankind. I read the translation by Dr. Pope, and in the introduction, Dr. Pope had said that Tiruvalluvar must have been subjected to some Christian influence or perhaps he would not have made this universal appeal. I do not know about that, but the Kural is a gem. Here was something which come from the south, but it is permeated through and through with what can be called the Indian spirit. There is no getting away from it.

I read also in the Parliament Library the other day Shri Rajagopalachari's translation into English of the *Kamban Ramayana*. I have so many differences with Rajaji and on some occasions, I try to have a dig at my hon. friend Professor Ranga who is not here, because of his leader Rajaji. I hope Rajaji devotes his attention more to that kind of cultural work that he

has done so wonderfully. But, in any case, I read the *Kamban Ramayana*, rather portions of it, and I could find how the southern sirit finds effulgent expression through that kind of thing.

Then, of course, as Indians, surely our philosophy of which we are so proud, has been so largely contributed to by the great southern *acharyas*. Then, again, in regard to our arts and architecture, if we go to Tanjore and Gangaikonda cholauram, or Kanchi or Chidambaram or Madurai or Tiruchirapalli, what do we feel? We feel proud of our Indianness, an Indianness which transcends mere Indianness and encompasses the world.

That is why I have a feeling that if only the southern people would be content with the idea that in the north there is not a sort of superiority complex about them, if only the southern people knew that the earlier neglect of the south regions by the British imperialist Government, in this country is going to be rectified and proper amends made by the free Government of new India, if only the southern people realised that in the new India, the Tamils as well as the Punjabis would have the same kind of rights in order to go forward, if only today in the south and the north and the east and the west, there is a feeling that we are joined in a common endeavour to build a new India of our dreams, then all this talk of secession and that sort of thing would melt into nothingness. When the sun rises, all the mist vanishes, and when the sun of real patriotism rise in our country, all this mist and miasma would be completely a thing of the past.

But, how are we going to fight it? Are we going to fight it by legislation? Are we going to fight it by showing the bludgeon? Are we going to tell our people that they have to do certain things, take certain oaths or make some affirmations, or be punished? Are we going to kill people? If we have to live together, we are members of one another; we hang together.

ther; if we do not live and fight and work together, we shall have to die together.

This country is ours, this country which stretches from the Himalayas to the sea is a country to which we have promised all our devotion. That promise cannot be made stronger by a few more oaths and affirmations made obligatory by the Constitution. That promise is something which emanates from the heart. That is why I tell the Government of the day,—and also appeal to the people of the south—to touch their hearts and move them in such a way that the south will drop the idea of secession altogether, and I am sure they would do it, if approached properly. There is no reason on earth, no reason which can possibly appeal to the human mind which can justify the idea of the secession of any part of our country. All this talk about the possibility of southern secession seems to me like so much moonshine and nonsense, but so much is made of it because of the political ineptitude of Government, because of the failure of economic planning to do away with regional disparities altogether. That is why Government has to address itself to these tasks.

Perhaps, I may have digressed a great deal, but I do wish to make an appeal to Government. Even though the Law Minister may not be interested in these aspects of the administration, yet, I do want to make a very serious appeal to Government that it is necessary to have first things first, to do first things first, and not to have legislation in this manner, legislation which might only accentuate a problem which can be solved only with the touch of human sympathy. That touch of human sympathy alone can give the right to statemanship, and I do hope the Government of the day justifies itself in that matter.

Mr. Speaker: Though he has not digressed, he has transgressed the time-limit at least.

Shri Khadilkar (Khed): I must confess that I partially agree with the approach taken towards integration by the Marxist mystic Shri H. N. Mukerjee.

When the National Integration Conference was called, after certain events in this country had taken place, this problem was looked at from a sort of panicky or alarmist angle. There were some language riots in Assam. There were communal riots at Bhopal and Jabalpur. There was agitation for a separate suba of Punjab. And because of a lunatic fringe, of Tamil people if I may use that expression without any disrespect, my friends from Tamilnad raised the voice of secession. The Hill Tribes also thought that some type of autonomy should be granted to the government of those hill areas. In the face of all these things that had happened, perhaps, Government thought that the time had come when the forces of disruption were at work, and if we wanted to check those fissiparous tendencies, the short-cut was some sort of legislation to amend the Constitution.

I am afraid this is not the way to look at Indian unity, a unity, in, as I said on another occasion in a composite secular State of ours, which is a federation no doubt on the political plane, but on the plane of language, culture, historical background etc. if we look at it, it is a sort of plural society. The founders or the framers of our Constitution when they laid down the present law by which we are governed, gave some thought to it, and thought it wise that if we established a federal structure or gave a federal structure to our Constitution, or involved a composite secular structure, perhaps we would march ahead.

Now, let me ask some questions. Is this a peculiar problem of India? The problem of linguism, the problem of regionalism, and the problem of communal tension are common to all de-

mocracies all over the world. To some extent, it is present in the United States and also the Soviet Union, if I were to mention only two examples. Why is that so? Formerly, when monarchy prevailed or a single autocratic rule prevailed, the forces of cohesion were in the ruling party or the ruling class. But once we have introduced the principle of democracy, naturally, we shall have to evolve a new approach to the problem and take into consideration the various aspects of the nation, and particularly a sort of multi-ethnic nation such as ours. Unless we make that approach to the problem, I am afraid these short-cuts of amending the Constitution on any pretext or on any excuse is not going to lead us much farther.

13 hrs.

On this occasion, I would like to make a suggestion to Government. Some of my hon. friends here in this House and in the Rajya Sabha while talking to each other the other day, were saying that the time had come perhaps after fifteen years of experience when instead of making piecemeal amendments to the Constitution, a committee should be constituted to see from our own experience what other amendments are called for, and a comprehensive Bill should be brought forward instead of making amendments of this nature off and on. Looking to the experience of the world, when we are trying to strengthen our democracy and move faster, what are the factors really endangering our national unity or integration? These must be analysed. For instance, there is regionalism. In the process of development, if some regions, like Assam, felt that they are neglected—regions where the total per capita investment in this period is very low—or some regions in the South, for instance, Kerala, where there is a population problem, demand certain projects and that demand assumes the character of a movement or agitation,

are these fissiparous tendencies? Are they challenges to our national unity? I ask these questions because when the question of linguistic reorganisation of States was before the country and we in Maharashtra stood for a State of our own and against the proposed bilingual State, there were many people charging us with fissiparous tendencies endangering national unity. But has it proved a danger to national unity? Has the constitution of Maharashtra on a language basis proved a danger to national unity? Take the agitation for a Punjabi Suba. I do not want to go into the question of whether the agitation was proper or correct. I only want to emphasise one aspect. If there is a legitimate desire on the part of a region to have its language well established in that region, within the framework of our federal Constitution, is it a danger to our national integration?

Shri N. Sreekantan Nair (Quilon): Is it federal or unitary?

Shri Khadilkar: It is federal-cum-unitary. It is not completely federal. As I said, I do not want to go into that question now.

I would like to ask this question. This was the danger that was seen in that particular period when there were communal riots, when there were language riots, when there were agitations for different purposes. Suddenly we awaken and summon a big conference and take decisions. It was all right so far as decisions were concerned. But what is the method, what must be the approach which will be more effective? I sometimes feel that after freedom there ought to have been some intellectual ferment in this country, a ferment of thought. Unfortunately, I feel disappointed that that is lacking all round; instead there is a certain deadening weight of obsession of power all round. This is not a healthy state of affairs.

Therefore, if we want to tackle these problems, I would humbly make a

submission. It is all right to legislate, amend the Constitution, prescribe some oath or affirmation for every representative. But a representative government presupposes a certain representative character. If I am representing a certain region, I am supposed to represent that interest and agitate for it. Representative government always presupposes that. So I am afraid this method or this approach, of amending the Constitution to ensure integration, will not be really fruitful.

There is another aspect. We are a 'caste' society. After the inauguration of our democracy, certain disabilities have been removed from the 'untouchables' and they are coming up. I know that in one State nearly 40 per cent are Scheduled caste or Scheduled tribe people. They find that they have practically no share in the power. Someone supposed to represent them has been taken, but when I approach them, they feel that they have been isolated. If they agitate for equitable distribution of power caste-wise, community-wise, region-wise, would it be an offence, would it be a threat to national integration?

We are trying to develop our society. In the very nature of things, development means a certain process of integration and integration at a higher level. This presupposes development. When you try to develop and introduce new techniques, certain aspirations are roused. Naturally people feel that they must have this industry or that project in their area and that their employment potential must go up. When people become articulate and demand these things, would you call them unpatriotic or insufficiently patriotic? I do not think that would be a proper assessment of the situation. Therefore, my submission is that you will have to take objective realities into account before applying the remedy.

[Shri Khadilkar]

The major problem in our country is not how to counteract the forces of disintegration or fissiparous tendencies. For instance, there are the DMK friends. I discussed these matters with some of them only the other day. Do they really mean secession? I asked: 'Do you mean secession or the right of secession in the Constitution?' They are not clear in their mind. That is another approach to the problem. On a former occasion, I mentioned it. Because of poverty, many of these people had migrated to Malaya and Ceylon. Their economy was to some extent sustained by receipt of money from outside. Naturally, if instead of looking to the north, they gaze at Malaya or Ceylon and think in some different way, will you say that they are unpatriotic and are challenging the unity of this country? If you do, I am afraid that it would not be a proper diagnosis of the situation.

Therefore, though I support the measure as it has come forward, in my opinion, there is no short cut for all these things.

Shri Manoharan (Madras South): Why should you support it?

Shri Nath Pal (Rajapur): Party discipline.

Shri Khadilkar: I am supporting it because some instrument is necessary to check these tendencies; at the same time, I am pleading that this is not the way to approach the problem. You will have to make a supreme effort at a different level. Let us take the communal problem.

Dr. M. S. Aney (Nagpur): That would be in addition to this measure.

Shri Khadilkar: I am coming to that. When I referred to our composite, secular State, it is a big ideal. But so far as loyalty to secularism is concerned, it has to be complete. In

this country, Muslims and Hindus live together and have influenced each other; at the same time that vertical division remains; culturally and religiously, their background remains separate. Then there was an agitation for partition. Though we are co-existing peacefully within the Indian Union—Muslims, Hindus, Christians and all other communities—a certain section of the Muslim community because of the past agitation, is bound to be suspect, having a little sense of divided loyalty. But on that score, can we question their loyalty to the nation as a whole, to our State? When an overriding consideration supervened, when the emergency came, all of them, whatever their differences, declared unitedly that we all stand for national unity, territorial integrity and the sovereignty of this country, and we will fight with all our might united. Does it not show up the basic unity of this country?

Therefore, I sometimes feel puzzled when the slogan of emotional integration is raised. It is a mere slogan. We feel that we can feed this nation with slogans instead of giving them some food for thought and awaken them to the new realities, help them try to understand the new problems and to solve them.

Therefore, I would plead that though this legislation has been put forward, it is a sort of a shortcut measure taken on an alarmist view of the situation, without understanding the nature of the problem. It will not go far enough. Some other machinery must be developed to approach the people. In a developing economy, if there is an element of regionalism or there are communal problems and other things, at that level, to my mind, there is no real danger of disintegration or fissiparous tendencies.

Shri Sezhiyan: In considering this Bill, I would like to analyse two aspects of it. First, the Bill seeks to amend the Constitution and curtail

the fundamental rights now enshrined therein. Secondly, it gives an enabling constitutional provision to deal in a legal way with any talk of what they call separation or secession.

13.10 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Before coming to that, I would like to analyse the position of fundamental rights in our Constitution itself. In a democratic set up, the most important factor is the provision of fundamental rights in the Constitution, and the manner in which these fundamental rights are protected and implemented in practice. In a democracy, the sovereignty rests with the people and the people have delegated only certain rights to the Government which they have created, retaining the other rights, which may be called fundamental rights and which are inalienable rights and should never be encroached upon by the Government.

I concede that there can be no such thing as absolute freedom. Under the guise of freedom of speech, nobody has got a right to abuse, to slander, or to speak in an obscene language or to create panic in a wanton way. I concede all that. I also concede that there should be some reconciliation between the individual rights and the collective interests of society. But there should be some demarcation on Government's own limitations to encroach upon fundamental rights. We should be able to say "thus far and no farther" can Government enter into the ambit of the fundamental rights of the individual.

In the Indian Constitution a prominent place has been given to fundamental rights, but there is article 368 with which a ruling party with sufficient majority may abridge and bring amendments to the fundamental rights just by jeopardising the very nature of the article there. If they want, they can make a wholesale as-

sault, they can obliterate out of existence the very chapter and put into inaction the exercise of these rights.

It will be pertinent to quote here what the hon. Justice K. Suba Rao said when he delivered the convocation address of the Madras University last year. He said:

"What is more, the seeds of destruction of the Constitution are inherent in the Constitution itself. . . . There is, therefore, every danger, if we are not vigilant, that one day—I hope it will never happen—a powerful personality may into power through democratic process and control Parliament and throw the country back into a state of servility from which, after a long and sustained struggle, it has emerged."

What Justice Suba Rao said about a powerful personality equally applies to a powerful party.

At an earlier stage of the same address, he said:

"In this context, it does not make much of a difference whether the rulers who deprive us of our liberties are foreigners or our own countrymen: servility is servility, whether it is imposed by the former or by the latter."

Therefore, unless we are vigilant, unless the fundamental rights are never allowed to be jeopardised at the passing whims and fancies of the ruling party, we will never be safe. Democracy will always be in danger in those circumstances. For the safe and fearless functioning of democracy, these fundamental rights should have been placed beyond the control beyond the temptation, of the ruling party which, with a brute majority, may now and then pass an amendment curtailing the fundamental rights.

That is why, under the American Constitution, they made a provision,

[Shri Sehziyan]

a specific provision that Congress shall make no law abridging the freedom of speech, but in India what we see is that at every turn, whenever they want to solve a problem, whenever they come across any obstacle, the first thing they do is to amend the Constitution and curtail whatever liberties have been given in the Constitution. It looks as if the Government is not under the Constitution, but that the Constitution is always under the Government and the ruling party.

Many of the hon. friends say to us that they have given freedom of speech to us, that we are at liberty to speak excepting separation because they say: this is a vital subject, do not talk on this. In all other respects they give us the luxury of freedom of speech. In answer to that argument that freedom of speech cannot be allowed in a matter of vital importance. I can give the memorable words of Justice Jackson of the Supreme Court of the United States when he said in a case:

"Freedom to differ is not limited to things that do not matter much. That would be a more shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order."

Therefore, whenever you say there is freedom, you should allow us the freedom to express ourselves even on vital matters which you think affect the whole country.

The case in which Justice Jackson gave that memorable ruling, West Virginia Board of Directors vs. Barnette, arose out of an order issued by the West Virginia Board requiring every student of the State to take a pledge before the American flag, stating

"I pledge allegiance to the flag of the United States of America

and to the Republic for which it stands, one Nation, indivisible with liberty and justice for all."

This kind of pledge looks harmless and also patriotic. This order was given in the Forties when war clouds were hovering over America and the whole world, when democracy itself was at stake. The Supreme Court was seized of this problem in 1943 in the thick of the war. Still, the Supreme Court decided that they would not allow any compulsion in the taking of the pledge. They said in the judgment:

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion or force citizens to confess by word or act their faith therein."

Therefore, I would appeal to the friends on the other side, the Congress friends, to come forward and convince the people if they are erroneous. Do not compel them to believe what you want them to believe. Probably we may be in the wrong, or you may be in the wrong. When we go through world history, we find that so many fighting faiths have been disproved at a later age, what has been considered to be absolute truth has been proved to be otherwise in a succeeding generation, what has been accepted in one age may become a mere mirage in the next. Therefore, I would appeal to them to argue with the people with whom we are associated, to convince them, to convince us, to convert us, or be converted in the process. Therefore, I would say you should put forward an argument to counteract another argument, but not legal repression to suppress the argument.

Here, it is pertinent to quote what Justice Holmes said in a memorable dissenting opinion. He said:

"When men have realised that time has upset many fighting faiths, they may come to believe even more than they believe that the ultimate good desired is better reached by the free trade in ideas, that the best test of truth is the power of the thought to get itself accepted in the competition of the market."

Therefore, why do you not allow your own ideas to be accepted by the people in the competition of the free market? Why do you come with a long legal arm and try to force something which is not accepted by the people at this stage?

Why not have courage, faith in democracy and in your own selves, faith in the people as Thomas Jefferson, had when, inaugurating the first Congress of the United States, he said:

"If there be any among us who wish to dissolve this union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it."

Why not allow the people to differentiate between what is wrong and what is right? Why should the ruling party become the harbourers of the faith of the people? Why should they not allow the people to distinguish between what is good and what is bad?

Therefore, I would say you should argue the case, you should convince us, ou should convince the people and convert them. We may not matter much in the political set up of the country.

In the larger interests, the people are concerned. Therefore, we should be able to go to the people and convince them instead of bringing such

an Act. I have quoted so many decisions of the constitutional implications from the United States because it had the long tradition of a written constitution.

Coming nearer home, I may say that I have been impressed with the speech made in 1922 by a foremost freedom fighter of the country:

"A man has right to say what he pleases, to induce, to exhort, to command provided he does not slander or deceive or commit any other of the wrongs known to the law of which speech may be medium. Unless he is thus shown to have abused his right, why is he to be called upon to excuse or justify himself because his words may interfere with some one else in his calling. The right of free speech we shall cling to whatever the cost."

The above forms part of a memorable statement made by Pandit Jawaharlal Nehru before the District Magistrate's court at Allahabad on 17-5-1922. Later on in the year 1928, when he submitted a report on the future Constitution of the country, he says:

"Our first care should be to have our fundamental rights guaranteed in a manner which will not permit their withdrawal under any circumstances."

Some may argue that he said those things because he did not visualise at that time that at a future date some party will come and preach separation. Now, in the year 1945 speaking at Kapurthala Gardens, Srinagar, on 17th July 1945, he says:

"We do not want freedom for keeping one part of India under the sword of the other, but we want economic development of India. If some part of India insists on separation, the Congress would try to persuade it not to do so, but if it wants to go out of

[Shri Sehziyan]

Hindusthan, the Congress will allow it to do so."

These are the words of Pandit Jawaharlal Nehru in the year 1945. What has happened to these? As a freedom fighter in 1922, he says that "we shall cling to the freedom of speech whatever be the cost". As a fervent democrat of 1928, he says that the fundamental rights will not be permitted "to be withdrawn under any circumstances whatsoever". As a democratic leader in 1945, when he was about to take over the reigns of administration, he says that if some part of India insists on separation the Congress will try to persuade it but when it is not possible, it will allow it to do so". But as Prime Minister in 1963, we see these things: fundamental rights are to be curtailed; freedom of expression is to be put down. All that I can say is: "what a fall is there, my countrymen!"

I now come to the question of Berubari; it has been referred to by a previous speaker also. Actual cession of territory was made by the Indian Union. The Supreme Court gave its opinion on a reference by the President and I shall quote one sentence from its opinion:

"It is universally recognised that one of the attributes of sovereignty is the power to cede parts of national territory if necessary."

The Supreme Court also found that sovereignty implies inherently power to acquire and power to cede. I would like the hon. Minister of Law who is not here or his Deputy to consider this point when he is inserting the words 'sovereignty and integrity'. Sovereignty implies power to acquire and power to cede; so you are talking of acquisition and cession. You should take the whole of it and not leave a part of it. If you think you can insert the words 'integrity and sovereignty', there is the implied power of cession also.

I now come to the business of integration. When they talk of integration they forget one fundamental thing. India is a vast sub-continent with different cultures, histories, races, languages and nationalities. Unless you accept this reality no headway may be made in any direction. You cannot undo what history has done or brush out of existence the reality that is there with a stroke of pen. Here it is pertinent to quote Sardar K. M. Panikkar from his convocation address to the Karnatak University last year:

"The essential point which I would emphasise is that in a plural society what is required is understanding, appreciation and tolerance and not integration. To talk of integration in a plural society is absurd and meaningless.

"As for regionalism, I need not say anything beyond that the system of federation itself is based on the validity of regional personality. No one in his senses would deny that in a territory as large as India with its regions larger than many great States, with its local histories buried deep in tradition, national unity can only be based on the recognition of regional interests. Regionalism, to my mind, is an essential and necessary feature of democratic States."

Therefore, talking about national integration without consideration to these things is meaningless. The Bill is called the 16th amendment of the Constitution. Newspapers name it as the anti-secession Bill while in the south, in Madras it is said that it is Anti-DMK Bill. Somehow or the other, people associate it with the DMK and they say that this Bill is brought forward to put down the DMK; that idea is gaining currency. What impression the Bill would create in the mind of an unbiased individual is best put forward by the "Commerce" in its issue date the

5th January 1963. Analysing this Bill which was in the offing "Commerce" commented:

"From more than one quarter the suspicion has been voiced that the Congress Party is using the present emergency to strengthen its own political position against opposition groups, since it apparently fears that the latter have gained in prestige in recent weeks."...If there is real statesmanship at the Centre, this would be seen as an occasion to capitalise on the friendly gestures offered by the DMK. The Congress Party, however, is thinking of mending the Constitution (for which it has a brute majority) as a substitute for mending its own ways and policies, thus alienating not only those who directly misuse liberties but even the law abiding public which would certainly like more homage being paid to fundamental principles."

Shri C. K. Bhattacharyya (Rai-ganj): What is exactly the meaning of the expression brute majority?...*(Interruptions.)* Are there brute minorities also.

Shri N. Sreekantan Nair: That is well-known in parliamentary parlance.

Shri Hari Vishnu Kamath: Not literally brute.

Shri Sezhiyan: The ruling party has committed so many acts of commission and omission which merits its dethroning at the hands of a vigilant public. The writing on the wall is clear. Let not the ruling party think that its power is unassailable. The political hegemony cannot be saved and perpetrated by subduing serious competitions in the Opposition. Nothing will save it. Nothing will save the ruling party if it goes in this way for amending the Constitution and other short cuts. Nothing will save the Congress not all the funds and fortunes of Serajuddins, Birlas and big business can save it.

The ugly legal repression is not going to subdue us. So too they cannot banish, drive out or destroy a political expression however unpalatable it may appear to the party in power. For men and women imbued with a sense of righteousness will continue to fight for such principles unmindful of the consequences. Tens of thousands of spirited young men will come forward to vindicate the freedom of speech, freedom of expression, and to vindicate the stand taken by us.

I will say one more thing. In the name of national unity, the laws are being brought in, and legal ways are being found out, but I will say that the futility of this piece of legislation—let alone the DMK, take it out of the picture for the moment—lies in this. In this connection, I might point out to a judgment given in the United States of America, in the case of West Virginia Board of Education *versus* Barnattee Justice Jackson and others said:

"Nationalism is a relatively recent phenomenon, but at other times and places the ends have been racial or territorial security support of a dynasty or regime and particular plans for saving souls. As first and moderate methods to attain unity have failed, those bent on its accomplishment must resort to an ever increasing severity. As governmental pressure towards unity becomes greater, so strife becomes more bitter as to those whose unity it shall be...ultimate futility of such attempts to compel coherence is the lesson of every such efforts from the Roman drive to stamp out Christianity as a disturber of Pagan unity, the Inquisition as a means to religious and dynastic unity, the Siberian exiles as a means to Russian unity, down to the fast failing efforts of our present totalitarian enemies. Those who begin coercive elimination of dissent soon find themselves exterminating dissenters."

[Shri Sehziyan]

First you begin the extermination of the dissent. Then it goes on:

"Compulsory unification of opinion achieves only the unanimity of the graveyard."

Historically, Delhi is known to be the graveyard of so many empires. Let not, therefore, one more graveyard be dug here by this measure (*Interruption*).

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

Shri Sezhiyan: I will make one more reference, because Shri H. N. Mukerjee made a point against the idea and preaching of separation.

Shri C. K. Bhattacharyya: Many empires in the south have also gone to the grave.

Shri Sezhiyan: That is what I say. Any empire is bound to go that way. I would refer again to a decision of the Supreme Court of United States, freedom to preach separation has been allowed there. There is one particular case, and that is *Anglo Herndon versus J. I. Loury*, in the USA. *Anglo Herndon* was a communist Negro who had gone as a paid organiser to Atlanta Georgia. He had for distribution some printed books, and one of them was entitled "The Communist Position on the Negro Question". On its cover was a map of the U.S. with a dark belt across several southern States and the phrase "self-determination for the Black Belt" had been written. It urged that the Black Belt should be made one Governmental unit, ruled by the Negro majority. This domain was to be freed from the American imperialism to the point of deciding its foreign relations with other countries and with the Government of the U.S.A. It also advocated strikes, boycotts and a revolutionary struggle for power against the white bourgeoisie, even if the situation does not yet warrant the raising of the

question of uprising. He preached uprising revolution and open violence for formation of a separate Southern Belt. He was convicted by the lower courts and sent to prison for 18 to 20 years. When the question went to the Supreme Court of the United States, they said that such a conviction went against the tenets and spirit of the fundamental rights in the Constitution. The Supreme Court said:

"So vague and indeterminate are the boundaries these set to the freedom of speech and assembly that the law necessarily violates the guarantees of liberty embodied in the Constitution."

Therefore, whatever may be the opinion of others, at least accept the sincerity of our faith as you have sincerity in your own faith. If you have got sincerity in your faith, please accept the sincerity of others also who held the contrary view. As far as this question is concerned, please allow us to say this: please argue with us, contend with us, convince us. If you find we are incorrigible, leave us alone, and go to the people, convince them. If you do that, that is real democracy. If you do other things, the name is not democracy, but it is something else. Thank you.

Shri H. N. Mukerjee: My hon. friend Shri C. R. Pattabhi Raman, the Deputy Minister in the Ministry of Labour and Employment and for Planning is a very steave and capable lawyer but then the Law Minister is not here. We have also a Deputy Minister in the Ministry of Law. The Home Ministry has a three-pronged representation. But nobody is here now when the Constitution (Amendment) Bill is under discussion. (*Interruption*).

An Hon. Member: That is the respect they show to the Constitution.

Shri Nath Pai: Mr. Deputy-Speaker, this pertinent point raised by Shri H. N. Mukerjee deserves a little more

serious consideration, and we seek your help in this matter. I have the highest regard for my hon. friend the Deputy Minister, Shri C. R. Pattabhi Raman, but the cavalier manner in which the Constitution is sought to be amended, with nobody from the Cabinet being present here, is perhaps a reflection on the House. I would like you to convey the feelings of the House to the Ministers concerned.

Shri Hari Vishnu Kamath (Hoshangabad): I request the Minister of Parliamentary Affairs to see that at least one Cabinet Minister is present when we discuss the Constitution (Amendment) Bill.

Mr. Deputy-Speaker: He will come. Shri D. C. Sharma.

Shri H. P. Chatterjee (Nabadwip): It is a contempt of Parliament.

Shri Hari Vishnu Kamath: It must be held over till he comes.

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker, Sir, the hon. Member who spoke just now spoke most eloquently in praise of the southern spirit, and I can understand why he was so full of glowing sentiments about the southern spirit. I am myself a great believer in and a greater admirer of the southern spirit. But I do submit very respectfully that the great men to whom he referred never talked in terms of southern spirit or the northern spirit. They always talked in terms of an Indian spirit. They believed in the spiritual unity of the whole of this country, and they believed that there was one ethos which was pervading the whole of this sub-continent, from Cape Comorin to Kashmir. I do not think they will feel very happy if they were to listen to this eloquent but fatuous elaboration of the southern spirit. I make a confession here today, that in my adventures, if I may use that word, or in my quest—that will be a much better word—for peace, for the mental and spiritual equilibrium during the evening of my life, I have come myself to believe in the great

philosophy of Maharshi Ramana. When I read the books of Maharshi Ramana and when I read the talks of Maharshi Ramana, whenever I try to understand the spirit that underlies in them, I come to the conclusion that Maharshi Ramana did not talk about the southern or the northern spirit. He talked of the spirit of India and that appealed to the whole world. Therefore, the utmost harm that can be done by any Member of this House is to talk in terms of southern and northern spirit. There is only one spirit which we are adhering to and that is the Indian spirit and we stand committed to that spirit.

An Hon. Member: The Indian spirit is the Hindi spirit.

Shri D. C. Sharma: Another Member who preceded me was quoting from the statements of some of the great judges of the Supreme Court of the United States of America: we should have freedom of speech; we should have freedom of expression; all these are guaranteed in the Constitution. But he forgets one great lesson of the United States history. The most honoured name today—I use this word deliberately—in the United States history is the name of Abraham Lincoln. What did Abraham Lincoln do? He was as much a votary of the fundamental rights of human beings as anybody else could be. And yet, he fought a war between the north and the south when the south wanted to secede from the north. He wanted that the whole of America—the United States of America—should be kept as one, and undivided and inviolable entity. Shall I take the experience of the great President of America whose name is honoured all over the world, or shall I take the obiter dicta of these Judges for whom I have great respect? The fact emerges that we are discussing this afternoon one question, which is an absolute question. It is one of the absolutes of our political and national life. That is the question of the integrity and sovereignty of India. I do not think there can be two opinions about it.

[Shri D. C. Sharma]

The gentleman says that we are trying to have a short-cut through this legislation in order to preserve that. I think nothing can be farther from the truth. Do you mean to say that all legislation is a short-cut? If legislation is like that, I do not know why we are here, having all this paraphernalia of democracy all over India. Legislation is not a short-cut. It is a milestone; it is a beacon of light, a pointer, something which shows us the way by which we have to travel. I believe this Bill shows us the way by which all the citizens of India should travel. I don't want to say anything about my DMK friends.

Dr. M. S. Aney: Say; don't be afraid.

Shri D. C. Sharma: When my DMK friends ask me to go and convince the people, persuade the people, I think they are saying all that with their tongue in their cheek. They do not mean what they say.

Shri S. Kandappan (Tiruchengode): We mean what we say.

Shri D. C. Sharma: I am very glad you mean what you say. But I will tell you that what you mean and what you say is utterly wrong. This is not a short-cut. This is a fundamental question of the integrity and sovereignty of India. If India is not sovereign and united, if India displays fissiparous tendencies, where will my DMK friends stand? Where will my friends stand who want this subha or that subha or who want Hill areas to be autonomous? If India goes, DMK goes. This subha or that subha goes. I think our Government has done the right thing by bringing this Bill at this time, because we are threatened not only externally, but internally. Can I forget that there are some persons in this country of mine who talk the language of pro-Chinese? Can I forget that there are some persons in this country who preach openly that the Chinese army is going to be the army of liberation? Can I forget that there are some persons who give receipts for the donations that they have

taken, so that these may be shown when the Chinese army came?

Mr. Deputy-Speaker, drastic situations require drastic remedies. India at this time is facing a very very difficult situation. Its integrity and sovereignty are being challenged by our neighbours across our border. Nobody can deny the fact that there are certain elements in my country who are in favour of those who preach that kind of thing. Therefore, I believe that the integrity of my country should be made not a relative good or conditional good, but an absolute good, to which we have to adhere all the time.

I think this Bill has come at the right time now. I know my DMK friends have contributed their mite, their share, to the defence of the country. Some of them have come forward with their contributions. They say that they should be persuaded. I persuade them today that they should give up the talk about secession of Tamilnad from India. I think that will be only in line with what they have been doing during the days of the emergency.

Shri S. Kandappan: For that, we are rewarded with this Bill.

Shri D. C. Sharma: I would submit very respectfully, why should they think that this cap fits them only? Certainly not. This cap can fit many other heads also. I do not want to enumerate them, because it will give them unnecessary publicity and unnecessary importance. I think in this present emergency, in this trial of our country, I think the best that Government could have done was to bring forward this Bill.

The hon. Member was now talking about the southern philosophy, about the great Acharyas, etc., and yet, he was trying to go against the spirit of that philosophy. If I have understood the Indian philosophy and the sacred works of Ramana, Maharshi with whom I can claim a little acquaintance, I think they have all said one thing that life is a series of affirmations, oaths and vows, whether the oaths are taken in the religious field,

political field or any other field, Mahatma Gandhi's life was a life of oaths and vows. When we went to his Ashram, we had to take some oaths. Therefore, oaths are a permanent and inevitable part of our Indian philosophy, Indian culture and Indian way of thinking.

I think if this Bill says that we must take this oath or affirmation, it is something in line with our Indian culture and Indian way of thinking. As I said, if India goes, all of us go, whether we belong to this subha or that subha this area or that area. The integrity and sovereignty of India is something which is not to be tampered with; it is not something to be bartered away or tinkered with or to be given away for any cause. If we take this oath, there is no harm. Only good will come out of it.

My friend was talking about division of power between caste and caste, between religions and between communities. We have been saying here all the time that we should not indulge in this sort of thing; we should not develop communal or regional consciousness. We have been saying all that, but the gentleman comes forward and says that this power should be divided like this. I think it will be a very sad day in the history of our country if that is done. I do want that the north and the south should be equally prosperous. I do want that every citizen of India should have a good standard of living. But I do not want that India should become a paradise of self-destroying communities and of mutually warring religions and castes. We want all the citizens of India to prosper.

With these words, I whole-heartedly support this Bill. I believe that this is the right thing that has been done and I hope this Bill will receive the unanimous vote of this House.

Some Hon. Members rose—

Mr. Deputy-Speaker: Shri S. C. Balakrishnan.

An Hon. Member: He is not here.

Mr. Deputy-Speaker: Shri Subbaraman.

Shri Hari Vishnu Kamath: It seems you are going by the list before you. It will not be in keeping with the dignity of the House, Sir, you go on calling names of Members and they are absent. I think this practice should be abandoned. Unless a Member stands up at least once he should not be called. How can you go on calling out names as if it is a class room.

Mr. Deputy-Speaker: Yes; Shri Subbaraman.

Shri Subbaraman (Madurai): Mr. Deputy-Speaker, Sir, I thank you very much for the opportunity you have given me to speak on this Bill. The necessity of this Constitution (Sixteenth Amendment Bill) will be appreciated if we keep before our minds the situation that was prevailing in the country before the Chinese aggressed a portion of the country. This amending Bill has been brought to meet tendencies of disintegration. We are all sorry and we should admit that there have been tendencies directly or indirectly, overt or covert, for disintegration in the name of religion, language etc. We had the very bitter experience of disintegration of the country in the name of religion. Its effects still continue. I need not say and everybody knows that the division of the country and the formation of Pakistan are due to the movement of disintegration carried on by the Muslim League in the name of religion. The relationship between the two countries is not happy even now after the lapse of 15 years. The partition has caused the death of lakhs of people and moving of millions of people from one country to the other which were one whole. Above all, privations and sufferings of millions of people have not been forgotten. Besides, inimical feelings are still prevalent in Pakistan with all friendship and goodwill on the part of our country.

[Shri Subaraman]

All these should be kept in mind before anybody thinks of separation or secession of any part of the country. All these terrible consequences should be remembered by all leaders and representatives of the people before we think of secession of any part of India.

India is one whole. Though there are different languages, customs and manners, fundamentally it is one. Our traditions and literature prove and confirm it. Many hon. Members who spoke before me have given illustrations to prove this idea. Centuries back there were different political units, but after the British they have all come under one central Government. We should take advantage of this. The world is shrinking. The ideal of one world is growing. Such being the case there should not be any idea of separation or secession. The development of the country is going on with long strides. In all aspects of life—industry, commerce, agriculture, social amenities, education, public health, transport and other things—vast improvements are being carried on. New India is being built up. Meanwhile, this agitation or this move for disintegration is giving us great worry. It affects the very foundation of our country.

Therefore, this idea of disintegration should be really, carefully and timely dealt with. If we are united our progress would be much faster. Our strength lies in our unity. Fortunately, the Chinese aggression has brought us all together. It is good. But it is only the negative aspect. Before the Chinese aggression there were lot of movements, agitations in some parts of the country for disintegration. After the Chinese aggression, fortunately, I would like to repeat, that feeling of separation has gone and a feeling of unity has come in. But it should be made a permanent feeling. Unless it is made permanent our country will not be strong enough.

But this is a very delicate question. This should be dealt with very carefully. In certain parts of the country there is a feeling that those parts are not treated according to the share that they deserve and that they are neglected and suppressed. Though there may not be any justification for it, this should be carefully studied and dealt with. I am glad the representative of the DMK Party in this House expressed his views and said that they are prepared to discuss this matter, convince and convert or be convinced and converted. If they have such an open heart and without prejudice, I think there would be no difficulty to see the real truth of the facts. We have got freedom. We have the Parliament and legislatures in States. Everything is discussed threadbare. I do not know how there could be such a feeling in any part of the country, whether it be the southern States, especially Tamilnad, or Punjab or the eastern-most parts of India, that they do not get their due share. If the figures are taken and compared there cannot be any justification for the feeling that Tamilnad is in any way neglected. Take any aspect of life. In every aspect, politically, industrially, commercially, agriculturally or in the matter of education, public health or transport or even electricity, the south, especially Tamilnad, I do not think is in any way behind any other State. Such being the case, there is no justification to put forward a demand for separation or secession.

India is one whole, I repeat. The representative of the DMK Party was quoting our Prime Minister, that if anybody wanted separation he was prepared to concede to that. We have to learn by experience.

Shri Paliwal (Hindaun): I do not think he said that.

Shri Subbaraman: I am not sure. He quoted that and I am only repeating that.

Shri Rajaram (Krishnagiri): Even the Prime Minister has forgotten what he said because of his age.

Shri Subbaraman: We learn by experience. Even if he had said so, we have now willingly or unwillingly conceded a portion of our country to form a separate State. What has happened? As I said in the beginning, millions of people had to suffer and still the problem has not been solved. The enmity still continues. We generally learn by experience. There is no use saying, it is not at all helpful.

Sir, I will say one word more and then finish. We are glad to learn that our friends, the representatives of the DMK Party, have an open heart. They will surely observe things that are being carried on here. They can compare the progress made by various States. I am sure they have got an open heart and mind and they will surely see the truth of the facts. Tamilnad is not neglected in any way I may tell them that we, the representatives of Tamilnad, are as eager as they are to get all the rights and proper share in the Government. With these words, I support the Bill.

14 hrs.

Shri Narasimha Reddy (Rajampet): Mr. Deputy-Speaker, Sir, I am at one with the noble sentiments given expression to by my friend, Shri Hiren Mukerjee, that there is nothing like north and south in our country, that the whole country from the Himalayas to Cape Comorin with all the sacred rivers which are mentioned in our Vedas and Puranas are the emblems of our innate integration, and that integration could not be brought about by these paper enactments but should be brought about by oneness of spirit which should be created by mutual tolerance and obligations. I am also at one with the equally rational view taken by my hon. friend, Shri Khadilkar who, as I see, holds a responsible position in the Congress. He is also of the view that these continuous small amendments to the Constitution should not be brought about in such a sporadic manner and that a committee should be appointed once and for all to find out what

amendments should be made in the Constitution.

I am not one with those who want to carve out a separate kingdom in the far off South, nor am I with those who desire to take our country to the foot-stool of either Chinese or Russian Communism. Sir, extra-territorial loyalties and idealism which have no grass-roots in one country are as dangerous, if not more dangerous, than the cry of cessation which is raised in some parts of our country. For the last two thousand years, our unfortunate country has been a prey to successive invasions, and we succumbed, not on account of the absence of any military talent or innate valour, but on account of the fact that we were disunited which brought about our undoing, in spite of our most valiant, powerful and respected generals. Now, within a period of thirteen years after independence we see again forces of disintegration—not only the cry of cessation—but many other forces of disintegration raising their ugly heads—which is most unfortunate. This should be tackled, not by taking to writing out some amendments on paper, but by a real understanding of the situation and the aspirations that are pulsating in the hearts of the people.

The Chinese invasion has been a blessing in disguise. That is the one thing which has brought round those people who were votaries or admirers of the Chinese into unequivocal condemnation of the Chinese invasion and unqualified adoration of Pandit Nehru, who stands as a pivot of the democratic system of Government. On the other side, those people who were trying for cessation, who wanted to go out, who expressed themselves to have a kingdom of their own, they also, prompted by this impulse of patriotism to defend their country against an outside invasion, which in itself is an expression of the inner spirit which actuates them to keep

[Shri Narasimha Reddy]

our country intact and to preserve it integrity have announced that during the period of the emergency they would not raise any of their pet cries of cessation or otherwise. In the face of this down-right assurance of the DMK not to raise their voices during the period of the emergency, which, according to Shri Nehru, may last as long as fifty years or more. The Government should not have hurried forward with this Bill. This should have re-assured the Government that at any rate for a period of fifty years there is no danger of any discordant voice being raised. Probably, by the time the fifty years lapse, most of us here, and even my young friends of the DMK who are sitting here, might have passed on to that country from whose bourne no traveller returns.

Shri Hari Vishnu Kamath: Why? They can live for more than one hundred years.

Shri Narasimha Reddy: I think a period of fifty years from now is too much even for them. So, I am of the opinion that our Government should have kept this Bill in abeyance, especially at this time when all the people, all the discordant and divergent elements have come together with a common voice and a common determination to defend our country against the Chinese aggressor.

This Bill, which calls itself the Constitution (Sixteenth Amendment) Bill, familiarly known in the Delhi circles as the anti-cession Bill, and more familiarly known in Madras as the anti-DMK Bill, is primarily intended for the suppression of the DMK organisation, as some people think.

श्री व० का० भट्टाचार्य : “ये यथा मां प्रपद्यन्ते तास्तस्यैव भजाम्यहम्” ।

श्री हरि विष्णु कामत : “मम वर्तमानु-
वर्तन्ते मनुष्याः पार्थ सर्वशः” ।

Shri Narasimha Reddy: Unfortunately, the DMK organisation has incurred the wrath of the Congress party in Madras for having given them any amount of headache during the last elections and finally emerged as the strongest opposition party in that Legislature. The Congress leaders at Madras, tried and trusted men in their spheres, have grown old and wearied on account of the uninterrupted enjoyment of office and now feel themselves incompetent to deal with the young DMK race horses on the electoral forum.

Shri Shreekantan Nair: Nor Rajaji:

Mr. Deputy-Speaker: The hon. Member should conclude now.

Shri Narasimha Reddy: Sir, I am the only spokesman on behalf of my party.

Mr. Deputy-Speaker: There are other opposition parties which also must be given some time.

Shri Narasimha Reddy: Sir, I have noticed that many of the speakers who preceded me have taken more than fifteen minutes. I have taken barely five minutes.

Shri Hari Vishnu Kamath: This is a Bill to amend the Constitution. So, the time should be extended.

Mr. Deputy-Speaker: He should conclude soon.

Shri Narasimha Reddy: If you ask me to sit down, I will sit down. What else can I do?

Shri Hari Vishnu Kamath: Sir, you are rigid. I am sorry to say so, with all respect to you. The House can extend the time for this Bill, if it is necessary. It is a Constitution Amendment Bill, not an ordinary Bill.

Mr. Deputy-Speaker: I have to give time to other Members. Then, there

are other Bills which have also to be passed.

Shri Hari Vishnu Kamath: If necessary, the time can be extended till 4 O'Clock.

Shri Himatsinhji (Kutch): Sir, he is the only spokesman of the party.

Shri C. K. Bhattacharyya: If the time is extended, we may also claim to speak.

Mr. Deputy-Speaker: Members of the Congress Party also should be given time.

Shri Hari Vishnu Kamath: I entirely agree with you.

Mr. Deputy-Speaker: Whatever limited time is there, I have to distribute it equally. Hon. Members should be brief.

Shri Narasimha Reddy: So, probably, the Congress leaders at Madras were very anxious to have a provision like this, which would bolster up their sagging morale. No wonder that in the cool bracing climate of Cape Comorin with the blue lashing waves of two seas and a mighty ocean giving them a hectic, exotic delight, they were thoroughly prepared to go to the rescue of their harassed colleague, the Madras Chief Minister. So, a resolution on integration was passed. This resolution passed in that family picnic sounds queer when we consider that after their dispersal from Cape Comorin these mature rounded Heads of four States began to quarrel like kilkenney cats for river waters and for border disputes imagining themselves to be the crowned monarchs of their kingdoms anxious for the expansion of their territory. There is no point in simply blaming the DMK people as persons who are responsible for disintegration. The DMK has grown out of the vicious seeds sown by the integrating patriots at Delhi. The day on which the Government decided to form linguistic provinces is a black day in the history of our country because it has ruined our unity and has introduced permanent

elements of disintegration the consequences of which we dread to foresee today.

Is the DMK organisation really such a frightful thing as to call for this amendment. The Government has simply raised the cry of "Tiger, tiger" whilst we see only a meek-eyed lamb. It is only a sort of a local organisation to meet local needs. Just as the Congress adopted the socialistic pattern of society in order to take the wind out of the Communist sails in their electoral campaigns, the DMK also adopted this cry of secession in order to capture the imagination of the voters of Tamilnad. That is why I say that it is nothing but a mere cry of "Tiger, tiger" to warn of a danger that is non-existent. I am sure, at some future time when the muse of history sits down to write a chapter on 'India and Disintegration', it will take its pen and write out that Pandit Nehru and his linguistic States have been responsible for the greatest act of disintegration in this century.

I, therefore, appeal to the hon. Law Minister to withdraw his Bill, go home and, like a sport, order for a tumbler of coffee or any other liquid that he likes, and drink lustily to the physical and mental health of the DMK organisation which, I am sure, will revise their ideas at some future times.

Shrimati Lakshmikanthamma (Khammam): Mr. Deputy-Speaker, Sir, the Constitution (Sixteenth Amendment) Bill seeks to amend articles 19, 84 and 173 of the Constitution. This Bill has been brought forward to implement the recommendations of the National Integration Committee as also the Southern Zonal Council which made a special plea at Kanyakumari towards the end of 1962. The purpose of this Bill is to appropriate powers to the Government to impose restrictions upon those individuals and organisations who want to make the disintegration of India political issues for the purpose of fighting elections.

[Shrimati Lakshmikanthamma]

Our hon. friend from the DMK Party who spoke said that many empires have gone to the grave at Delhi and Shri Bhattacharyya has rightly said that not only at Delhi but all over the world, even in the South, empires have gone. And what of us? I would like my hon. friend to read the *Bhagwad Gita* if he has faith in it. Anything which has a beginning has an end and ultimately every one of us have to go to the graveyard. That is the ultimate reality.

It is true that in the face of the common danger the country has stood as one man. The boatman of Kerala, the fisherman of Goa, the artisan of Kashmir, the peasant of Bengal—all have stood up and contributed in order to stand against the common danger that faces this country.

My hon. friend, Shri Hiren Mukerjee has said that it cannot be done through mere legislation. I agree with Shri Mukerjee and Shri Khadilkar that it cannot be done through mere legislation, but legislation is also necessary. I agree that we have to do many more things than merely legislate. In the old days when we were fighting for freedom, we had a common cause. Prior to 1947 the country had such unity against the common enemy. Whatever was the shortcoming of that foreign rule in this country, the country stood and fought against that. Now, after independence the bonds of unity have begun to loosen a little. It is true that the unity of this country is embodied in our Constitution and in the political institutions of the country. With exclusive powers of the Central Government in respect of defence and external affairs, the political, economic and administrative concomitants of national unity can be brought about. But is it written by an eminent author in an article published in a daily of Andhra Pradesh, namely,—

“... in the very nature of things since the post-Independence

period was preoccupied mostly with developmental problems on a local or regional plane, it could not but result in the emergence of certain centrifugal tendencies. The heterogeneity of the country in respect of natural resources, economic condition of the people, political awakening and a host of other vital matters, has naturally given rise to competing claims and demands for attention, which thought not objectionable in themselves, have sometimes tended to generate inter-State and inter-regional bickerings. Added to all this was the existence of hundreds of castes and communities in the country which when spelt out politically, resulted in unwholesome trends of casteism, communalism etc.”

Before this Bill went to the Joint Committee several hon. Member had also expressed their opinion here as to how casteism and other forces were working for the disintegration of the country.

Some people also feel that the re-organisation of States has also to some extent weakened the national unity but there is the other opinion that it has done good. Without going into the details of these things to some extent we can say, as Shri Narasimha Reddy has just now said, that the fixing of inter-State boundaries, allocation of waters, hydro-electric projects and industries sponsored Centrally have to some extent aroused State patriotism sometimes resulting in harmful utterances from the individual States. These tendencies have to be checked. If national integration has to be permanently saved from the serious dangers in the near future, effective steps should be taken right now with the dual purpose of strengthening national solidarity, on the one hand, and minimising the centrifugal tendencies, on the other.

The matter has to be tackled with immediate urgency. I have got some

suggestions in this regard to make. Though the Chinese aggression has created this oneness, it is not enough to be satisfied with that. This unity has to be permanently based. We have to work out the permanency of this unity which has been achieved by us in the face of the common danger. Our Parliament is a political and constitutional symbol of national unity. Usually we see Members hailing from certain States putting forward the case of their States. We have to view it on a national basis. Speeches reflecting a truly national outlook should be made. Even here, charity begins at home. We have to start national unity and national integration right here and set an ideal to the whole country. As every one knows, we have got free passes. We can avail of them and go to the different parts of the country and have first hand information of what is going on in the different parts of the country and study these problems on a national basis, apart from State basis or regional basis. We should see from the point of view of the nation how these projects will go a long way for the development of the country. It is sometimes pitiable that when questions of river waters are discussed or big undertakings or gigantic undertakings are discussed, only people hailing from those States have to represent these things. It not only does not serve the purpose, it even minimises the greatness of these projects and the value of these projects. Therefore, I suggest that through suitable programmes, Members should have some arrangement made so that they have an attitude of a national character.

I would also suggest that a few candidates hailing from some States should contest in other States. All the parties should agree that speeches at those meetings should not rouse regional or State feelings. This experiment, I feel, can be tried.

National integration also should start with the nursery schools. Though the mother tongue can be taught at the primary stage and the secondary

stage, at one stage, they should see that some other Indian language is taught in the primary or secondary schools. They should also have good text books. Textbooks should be written by a committee of experts appointed by the Central Government. The cultural history of India should be a subject that should be taught in the schools.

Recently, we had the discussion about the official language. Here, I want to bring to the notice of the House how certain people do more harm. Here is the Weekly Sunday Issue of the *Hindustan Times* of 28th April, in which there is an article, with the heading *Tempting heavens*. It says:

"Despite a certain amount of heat inevitable in a discussion on language, the debate on the official language did not by and large evoke un-controllable passions. There were even some attempts at noble deeds, with members from the South speaking in Hindi and members from the North speaking in English. Well-meaning though these gestures were, the impression left was that they should really not do such things to human ears.

There is no law against the practice, of course, but surely ethical considerations cannot entirely be overlooked. The heavens may not fall when Mrs. Yashoda Reddy speaks in Hindi or Dr. Ram Subhag Singh in English but should we go on tempting the heavens?"

This is what they have written? Is this the way they want to help Hindi? This is a North Indian daily. Certainly this is objectionable.

Shri Hari Vishnu Kamath: This is an article written by a South-Indian.

Shrimati Lakshmi Kanthamma: Whatever it is, heavens may not fall on Shrimati Yashoda Reddy or Dr. Ram Subhag Singh. They will fall on Hindi if such writings are there.

[Shrimati Lakshmikanthamma]

Just one word about regional imbalance, about which some Members have spoken. (Bell rings): I will conclude with this. Going through the debate on this Bill before it went to the Joint Committee, one finds that many Members spoke about casteism. I have got a few suggestions, though there is no shortcut to put an end to these casteisms. Still, we can find these possible lines: Reorganisation of society with greater occupational mobility ensuring that caste and occupation cut across each other as frequently as possible; greater emphasis of political ideology as the accepted differential in public affairs; increasing disapproval, statutory and other, marriages of the same caste—something akin to the prohibited degrees of relationships in marriage. Of course, these require skill and social engineering to implement these things.

Finally, I feel that this Bill is necessary at the present juncture. Fundamental Rights does not mean Fundamental right to go about preaching disintegration of the country. Anyhow, any such speeches or activities that go to disintegrate this country should be severely dealt with. With these words, I support this Bill.

Shri Hari Vishnu Kamath: Mr. Deputy-Speaker, as I listened with rising interest to the near passionate, professorial discourse of my good old friend Shri H. N. Mukerjee, of the Communist Party.....

An Hon. Member: Why old?

Shri Hari Vishnu Kamath: You know the phrase good old; it does not mean old literally ranging as it did from Vishnu Purana to Siva and Parvati and the Acharyas of the south,.....

An Hon. Member: And the rivers.

Shri Hari Vishnu Kamath: . . . I began to cogitate in my mind as to what the possibilities would be like

if my hon. friend Shri H. N. Mukerjee were to bend his energies to the rather formidable task of educating the Communist countries of the world in the new mystique which he has developed, which he has cultivated, which he has acquired and in particular towards the Chinese who are on our border, of teaching them this new mystique so that they may lay their hands off Mansarovar and Mount Kailas where Siva and Parvati are supposed to reside....

Shri C. K. Bhattacharyya: They do reside.

Shri Hari Vishnu Kamath: and if he succeeds in that task, without fight we would at least recover Kailas and Mansarovar from the dirty hands of the Chinese. I wish him well in this task and I wish him godspeed also on his journey and in this endeavour.

It has been very well said that there is no north and south. May I add, there is neither east nor west. On the earth, in this spherical globe of ours, made by God, in this world which is round, rotating on its own axis every day, and revolving round the sun, how can there be a north or south or east or west? It is only a man made concept.

Shri Tyagi (Dehra Dun): Neither right nor left.

Shri Hari Vishnu Kamath: It is unfortunate we have to contend with man-made concepts. The great historian, Edward Gibbon I believe, said, History is a record of this crimes, follies and misdemeanours of mankind. That is the stuff history is made of. I do not subscribe to such a pessimistic view. But, largely, perhaps, it is of that texture. Therefore, however much we may wish to ignore the north and the south and the east and the west, however much we may aspire, strive hard for the day when there will be a world State, a world Parliament, when controversies of the north and south, east and west will finally be

in the dust, till that day comes, we will have to face....

Shri C. K. Bhattacharyya: "भारत : कानवा : सर्वे"

Shri Hari Vishnu Kamath: "वसुधैव कुटुम्बक"

....till that auspicious day arrives, we will have to face these problems. Let us face them as bravely, as courageously as we can. Let us hope that by God's grace success will crown our efforts to meet them in such a manner that unity and harmony is preserved, peace is promoted and strength is reinforced.

While agreeing with this Bill, Sir, in principle, there are certain aspects of it to which I do not subscribe. As my friend Prof. Hiren Mukerjee has rightly said, legislation is not the only way to solve these problems, to face these problems: there is another better way, a wiser way, of—what you may describe as—creating a climate. What has the Government, what has the ruling party done to create this climate in our country, so that no centrifugal forces could have raised their head? Let them not point at the mote in somebody else's eye while they do not look at the beam in their own eye. How can this party, the Congress Party, which rules the roost today, which holds the reins of government (*An Hon. Member*: Unfortunate) which yielded to the Pakistan demand, yielded without a fight to the Pakistan demand, which ceded to China fourteen thousand or more square miles of our territory without a fight, without firing a single shot, how can this party defend its position? Because, it is now a sort of nemesis which has overtaken it. I am sorry to say that, while supporting the Bill in principle, because it is the repercussion of their own actions; to every action there is a reaction, the *karma*, theory comes into operation. There are other forces which have raised their heads today.

What after all is the DMK which is being put on the mat today? The DMK is on the wrong path. It may be on the

wrong path, but what is the DMK after all in Madras?—a progeny or an offshot of the DK, the DK, of which Periyar Ramaswami of Coimbatore-Salem (*An Hon. Member*: Erode) I am sorry, Erode—of which Periyar Ramaswami Avargal of Erode is the founder, the head today also. That DK has been hugged to his bosom by Shri Kamaraj Avargal, the Chief Minister of Madras, the Congress leader of Madras.

Shri C. K. Bhattacharyya: That is news.

Shri Hari Vishnu Kamath: Ah, I am glad I am giving you news. It is true. And in every Congress campaign in that State for the last so many years the Congress Party in Madras headed by Shri Kamaraj Avargal—there is no Ramraj in this country, Sir, but there is Kamraj in Madras....

The Minister of Law (Shri A. K. Sen): Some people may take exception to it.

Shri Hari Vishnu Kamath: Shri Kamraj Avargal has been an ally of the DK leader. DK is Dravida Kazhagam; DMK is Dravida Munnetra Kazhagam; munnetra means forward. The Dravida Kazhagam headed by Shri Periyar Ramaswami Avargal has been campaigning for Shri Kamaraj, for the Congress Party and has been instrumental and responsible for winning so many seats for the Congress in Madras. But for the DK support I am sure the DMK would have won more seats and the Congress would have lost seats in Madras.

And that is how the nemesis has overtaken the Congress Party in Madras. How can those Congress leaders lay their hands on their hearts and say, "We have been free from this poison, we have been pure, we have not bolstered these very forces which we now want to put down"? No, it does not lie in the mouths of the Congress leaders, at any rate in the mouths of the Congress leaders of Madras to damn the DMK. Let them look into their own hearts and, to use

[Shri Hari Vishnu Kamath]

Gandhiji's words, let them do some inward heart-searching themselves before they raise their hands and point their finger at somebody else. I do not hold a brief for the DMK. But I want to impress upon the Law Minister how it is their own action, the action of the Congress Party, of which he is the legal luminary here, how it is their own party's actions which have rebounded and recoiled on them. And today we are faced with a situation and the Congress Government has sought to amend article 19 of the Constitution.

Article 19(1) (a), (b), (c) reads thus: "All citizens shall have the right to freedom of speech and expression; to assemble peaceably and without arms; to form associations or unions". Now, these have already been restricted in the Constitution for various reasons, for various reasonable grounds. A new one is sought to be enacted or added to this list, that is "sovereignty and integrity of India" with the principle of which nobody can have any quarrel. Nobody can have any quarrel with this principle that the sovereignty and integrity of the country must be upheld and maintained by every citizen of India. But there are other aspects of the matter. Are you listening, Sir?

Shri Ravindra Varma (Thiruvella): The House is listening to you with rapt attention.

Shri A. K. Sen: We are listening.

An Hon. Member: Carry on.

Shri Hari Vishnu Kamath: Your cars are busy elsewhere, Sir.

Mr. Deputy-Speaker: I have kept one ear for you.

Shri Hari Vishnu Kamath: Thank you, Sir. I know you are ambidextrous and you can use one ear for one and another ear for another, even though it may be very difficult according to nature's law. Anyway, I was referring to this.

In other countries, I am not sure of the legal position, but I would like the Law Minister to throw some light on this matter. For instance, take the United Kingdom, England. It is my impression, I did not check it up this morning, but some time ago I read about this matter and the impression lingers in my mind, that even today there is a Scottish Home Rule Party elected on that ticket. Eight Members take their seats in the House of Commons as equals of the other Members elected from England. But there is no ban even today on the Scottish Home Rule Party, and until some years ago the position was similar in Wales also. And in Scotland the feeling runs to such an extent that this particular party refused to call Elizabeth as Elizabeth II; because, if they did call Elizabeth Elizabeth II they would thereby give recognition to Elizabeth I. And those who have read British history know how Elizabeth I condemned Mary, queen of Scots to death. And so the Scots even today nurse that grievance, that rancour in their hearts and so they do not call the present Elizabeth as Elizabeth II. To that extent they are feeling their hatred of Elizabeth I. But even those Members of the Scottish Home Rule Party are allowed to campaign—till some years ago that was the position, I do not know the present position—for their party and get elected to the House of Commons and come.

I would therefore request the Minister to consider to what extent we should go in upholding this great ideal, the supreme ideal. I have no doubt on that point; I fully subscribe wholeheartedly to that principle; I believe in the sovereignty and integrity of India. But there are also elements in the Congress, and elements in the Communist Party—I am sorry to say that there are elements both in the Congress Party and in the Communist Party, fewer elements perhaps in the Congress Party but many elements in the Communist Party—who in public preach, or say

in public—not preach, say in public—that some territory in the Himalayan border, perhaps indefensible, difficult to defend, and therefore there is no harm if it is ceded to China; and some say that the McMahon line was never well defined, as an excuse for ceding territory there, “we do not know what the McMahon line is, it is not on the ground, it is somewhere in the air”; and about Ladakh “there is no well-defined border” and so on and so forth. And there are veiled implications, veiled hints that cession of territory to China would not be so bad, after all, in the national interest. Will this also come? It must come.

Shri Tyagi: No Congressman has ever said so.

Shri Hari Vishnu Kamath: I am glad to hear that from Shri Tyagi.

Shri A. K. Sen: Speak for others, not for the Congress.

Shri Hari Vishnu Kamath: I know of the Congress as much; I know many elements in the Congress. I do not accuse the Law Minister of that. That I will concede readily. The Law Minister has never said that.

Shri Tyagi: Such Congressmen have left the party.

Shri Hari Vishnu Kamath: Have they? I hope you will clean up further.

Shri Warior (Trichur): Say something about the PSP also.

Shri Hari Vishnu Kamath: If you accuse me, if you accuse my party, I will listen to that also. My hon. friend need not be perturbed because I do not accuse my friends sitting here. But there is an open China Faction in the party. It is well admitted. Why should they be sorry for it? I only hope that my friend Prof. Mukerjee with his new mystique will convert them also completely to his fold, and I will be happy when that day comes when Prof. Mukerjee will have gathered the lost sheep into the fold.....

Shri A. K. Sen: Very difficult task.

Shri Hari Vishnu Kamath: Nothing is difficult, nothing is not worth achieving. It is only difficult task that man undertakes and might and main could accomplish it.

One word more and I will have done for the present. As I said the question is how far mere speech should be penalised. If speech incites to action, if speech incites to violent action and to spreading the miasma or the poison of this secession inside the country, then it is high time that we should take action. But where there is no incitement to action, where there is no incitement to violent action, where there is no incitement to overt action, on behalf of this principle, on behalf of this demand for the secession of any part of India, then, certainly, I am sure, the strength of our country, the united strength of our country, of the millions of our country, will be enough and sufficient to meet any such demand or any such talk of secession. No law as such is sufficient.

Further, the emergency through which we are passing today is hardly the time for bringing forward this Bill. The emergency has seen the whole nation rise as one man, and even the DMK, even the people of the DMK who have postponed or deferred now their demand for secession or for a separate Tamil Nad. Including them, we have seen this phenomenal upsurge of the nation in the face of the Chinese aggression.

It has been well said in politics, that not merely the act but the timing of the act or the action is the essence of the matter. The timing cannot be divorced from the act. Is today the psychological moment for bringing forward this Bill? Certainly, the Government would not have lost, the heavens would not have fallen, and the Government would not have fallen, not merely the heavens but even Government would not have fallen,—though I wish it does sometimes,—if

[Shri Hari Vishnu Kamath]

this Bill had been postponed to the next session. I do hope that the Prime Minister and the Law Minister will confer together during the next hour or so and see their way to postpone it for the next session, we are in agreement on the principle. We may try to amend the provision relating to candidates to election, but we are in agreement on the principle. But certainly, during this emergency, when they also have dropped their demand, when no party is raising this demand, when no people are raising this demand for secession of any part of India from the mother-country, this is hardly the time or the psychological moment to bring forward this Bill before Parliament and get it passed into law merely by the force of brute majority here.

Shri C. K. Bhattacharya: And brute minority there.

Mr. Deputy-Speaker: Now, the hon. Law Minister.

Shri N. Sreekantan Nair (Quilon): May I just make one submission? . . .

Mr. Deputy-Speaker: Order, order. There is no time now.

Shri N. Sreekantan Nair: If even the different groups in the Parliament are not being permitted to speak on a Bill which seeks to amend the Constitution, it is a very wrong thing.

Mr. Deputy-Speaker: I am sorry. There is no time now.

Shri A. K. Sen: At I was listening to the last speech, namely that of Shri Kamath, I was admiring his capacity to draw red herrings on anything.

Shri Hari Vishnu Kamath: They are not edible.

Shri A. K. Sen: I wish I had that capacity.

Shri Warior: Then, he will have to sit here.

Shri A. K. Sen: And he was almost covering the real Reds with the red-herring.

Shri Hari Vishnu Kamath: They are behind me.

Shri A. K. Sen: But I am afraid I cannot agree with him that this is not the appropriate time to bring this measure. I do not know why Shri Kamath and Shri H. N. Mukerjee have brought in the DMK or the DMK have voluntarily worn the cap. If I were they, and if I were believing in what they protest, I should have never acknowledged the guilt on myself, nor would I have allowed anyone to fit the cap on my head. There are others too who openly want secession from India and who openly preach disintegration of India. One familiar example is the rebel or hostile Nagas on the eastern border. Is it the case of Shri Kamath or Shri H. N. Mukerjee that there are no hostile Nagas or they have given up their demand for a separate Nagaland during the emergency?

Shri Hari Vishnu Kamath: Now, even the Nagaland is there.

Shri Rajaram: They are least worried about all these things or about all these amendments.

Shri A. K. Sen: It will be our business to see that people worry about the Constitution, in fact, not only worry about it but respect the Constitution.

Shri Rajaram: It is better not to poke your nose into others' matters.

Shri A. K. Sen: In fact, this is hardly the way to talk about the Constitution either, particularly for hon. Members who have pledged themselves to uphold the Constitution. I think that 'worry' is hardly a word which should be used in our references to the Constitution. We respect the Constitution. It underlines our life and it regulates our way of thinking. I hope that this suggestion will be deeply absorbed not only by law but by conviction.

Shri H. N. Mukerjee thought that Government pinned their faith entirely on this measure and sought to

bring about what is called national integration by this legal measure, and he built up a volume of argument on the supposition that this was so, and having supposed and accepted this as the major premise, he built up, if I may say so with respect, a completely fallacious argument that this measure alone will not bring about integration. Whoever has claimed that a legal measure brings about national integration? I do not think that Government have ever said so, nor has any responsible man here has said so here or outside. On the contrary, when certain tendencies became rather acute, and there were communal riots not only in the South—fortunately, there have been no communal riots in the south, notwithstanding a few outbursts here and there, I must say to the eternal credit of the southerners that they have not allowed any racial or communal riots to take place in the south—but in some parts of the north where unfortunately our history has been completely blackened by what may be called riots between different communities belonging possibly to the same religion, and same faith, when some of these tendencies became rather distressingly acute, the Prime Minister himself called a National Integration Conference in which the leaders of all the parties not only in Parliament but also outside were present, and a comprehensive scheme of national integration was accepted, which has been carried out faithfully, through education and through other forms of national activity. We, therefore, never thought that law alone would bring about national integration.

In fact, I, for one, believe that this expression 'national integration' is inappropriate. There is already national integration. Can four thousand years of common history, common suffering, common achievement, common language, common faith and common traditions be wiped out by a few fanatics? In fact, the way of life which has grown up in this vast continent, from, as Shri H. N. Mukerjee has said, the Himalayas right

down to Cape Comorin, cannot be obliterated by a few frenzied utterances, however strong may be either the intensity or the ambit of these utterances. I think that the bonds of common history, common culture and civilisation are so strong that they cannot be untied by anyone. But the purpose of legislation is to prevent mischief being done, to prevent dents being created not only in times of emergency but in times of development.

Some hon. Member, I think, from the DMK has referred to the United States. My hon. friends forget that notwithstanding common race, common language, common history and common faith, in the United States, a civil war lasting for years, counting thousands of dead who had been killed by their own brothers in the civil war, was necessary to establish a very simple constitutional truth namely that it was not open to any State to secede. That very simple constitutional doctrine of a constituent State in a federal constitution not having the right to secede had to be established by a civil war. Fortunately, in this country, there has been no civil war. All that we do is to prevent mischief-makers from trying to create conditions tending towards it. And in some areas, there were almost signs, if not of civil war, certainly of civil strife lasting for a fairly long period.

It is, therefore, our intention that while the bonds of history and culture remain as strong as ever and the feeling of participation in a common adventure continuously enlightens our common life, nevertheless it will be our determined resolve that those who try to put into action forces of disunity and disintegration are not tolerated. Let us be quite clear about it, and let there be no faltering in that resolve.

I am really sorry that whenever we talk of national integration or of curbing the forces of disunity, we talk of the DMK or of the south. Prof. Mukerjee rightly thought—I wholly

[Shri A. K. Sen]

agree with him—that to us there is no south, there is no north. Any student of history who has taken pains to study the indelible marks of the continuous flow of Indian thought and culture and civilisation cannot but fail to observe this one noticeable thing which has run through the web of our history like a golden thread, and that is that one system of thought, belief and action have bound us notwithstanding the differences in racial make-up, in language and other things.

Whenever I go to the south, and I am anywhere near Cape Comerin, I never miss an opportunity of taking a trip to Cape Comerin. I usually do not like to go into emotional flights, but when one does take a dip in the confluence of the three oceans girding our shores and remembers the background of thousands of years of ancient culture and civilisation and faces the mighty oceans in front, one cannot but feel the oneness of India. I always have a dip in the sea there where Swami Vivekananda, very close to the shores of Cape Comerin, had been deeply absorbed in meditation for weeks before he went on his mission to Chicago for preaching the lessons of Indian civilisation.

Shri Hari Vishnu Kamath: Even now the Vivekananda Rock is there. It was 70 years ago.

Shri A. K. Sen: It is not a mere accident of history that the shores of Cape Comerin were selected by Swami Vivekananda for his deep meditation before he undertook the journey to the west to resuscitate and re-educate the world about India's history and teachings. But it is, I think, a very essential thing of our life that many of the streams of Indian thought and culture had flowed from the south. Prof. Mukerjee had named some of the glorious names. Perhaps some would cavil at their being those of Brahmins because the names that he mentioned were those of Brahmins;

but those skilled craftsmen whose deft fingers had wrought marvels on dead stones in the beautiful temples and caves of the south were possibly all non-Brahmins, were possibly all non-northerners, if I may use that expression, all southerners. But in working marvels and giving life to dead stones, they were portraying Indian thought and culture. Shall we find fault with them on the ground that they were done by men from the south? Who has done so? In fact, I have always said in my speeches in the south that all-India lives in the south even today. The shocks of invasion and the destruction which the north has experienced through centuries have obliterated much of the old that India was so far as the north is concerned. But the south lives today yet a living picture of old India. Therefore, let us not talk of the south at all. Let us think of the great culture of India which was built up by south and north together, to which possibly the contributions of the south would be much greater.

It is said by Indologists—I do not pretend to be an expert like Prof. Mukerjee—that much of the Hindu religion owes its source to Dravidian beliefs and practices, and the old vedic forms of worshipping the facets of nature gave place to certain beliefs and practices which had their origin in Dravidian life and culture. Whatever it may be, it is now one. Whosoever has analysed the blood that flows in the Indian vein to say how much is alien, how much Dravidian, how much Mongolian and how much anything else? Shri Krishna Menon always made fun of me when I was in England as a student, 'You are a Mongoloid-Dravidian', — because a Bengali was supposed to contain both Mongoloid and Dravidian blood.

Shri Hari Vishnu Kamath: He himself?

Shri Kapur Singh (Ludhiana): You are Indo-Tibetan?

Shri A. K. Sen: I used to say, 'I belong to that part of India which is called Bengal'—in those days Bengal was united.

Shri Hari Vishnu Kamath: He is behind you.

Shri A. K. Sen: We may say, 'We belong to that part of India which is called Tamil Nad'. In the great poem of Tagore called *Bharatiya* he said this, which if translated into English, would read:

"Arise, awake my soul on a pilgrimage to this great sea-shore of humanity, that is, Bharat'.

Shri Hari Vishnu Kamath: Give it in Bengali—

"भारतेर महामानवेर सागरतीरे"

That is much better and sweeter.

Shri A. K. Sen: Shri Kamath is more erudite than myself.

Shri Hari Vishnu Kamath: No. no.

14.58 hrs.

[MR. SPEAKER in the Chair]

Shri A. K. Sen: Arise, awake my soul on pilgrimage to this great sea-shore of humanity, that is, Bharat—he says, and in this has mingled all races and all cultures. But today they cannot be discerned; they are all there and yet are not there. It is a great sea of humanity that is Bharat. That is, the DMK is us here. The DMK might be labelled on our forehead, but in our heart of hearts, in our veins, the stream of Indian culture flows; it is not DMK or Bengal or Maharatta or anything else. Whatever you may, whatever language you may employ, the essential indelible marks of Indians remain. They are there and would always remain there, nothing can obliterate them.

I had to delve into these rather metaphysical heights because.....

Shri Hari Vishnu Kamath: Depths rather.

Shri A. K. Sen: Prof. Mukerjee doubted my interest in cultural pursuits. I would occasionally like to engage in cultural pursuits. But I do not like to do so at the cost of logic or reason.

Having regard to these facts, I think it would be wholly incorrect to say that this measure is designed either against anyone party or against any one region. This measure is designed against all parties, all regions, where there may be a single man who does not accept Indian sovereignty and the essential integrity of India,—that is the simple truth—and unfortunately there are still some everywhere, not merely in the South. This answers, I think, most of the criticisms which have been levelled against the Bill.

15 hrs.

The next question that arises is: why change the form of the oath? If we believe in Indian unity, sovereignty and integrity, I think it is absolutely essential that those who try to come to Parliament or Assembly should take the oath before they stand and after they are elected—before they stand for the simple reason that they would not be able to make this an election issue, as it has been done in some places. Tomorrow in Nagaland if this is not forbidden, there would be many people there who would make separation of Nagaland from India an election issue. That is precisely what we want to revert, because parochial issues have a wonderful tendency of having regional appeal everywhere.

Shri Kamath raised the question of the Scottish Freedom Party. Well, they do not want separation from the United Kingdom. They want home rule, which all our regions have. Madras has home rule, it has its own legislature; Nagaland has home rule, it has its own legislature.

Shri Hari Vishnu Kamath: Not in the same sense.

Shri A. K. Sen: They want only home rule in the sense of regional autonomy. But even then, it shows that even where there is no regional imbalance, where there is one language and one culture, there may be these regional, parochial issues which might sway a large number of people. It may be far more so in countries where possibly all the regions are not still equally developed and language and other things still separate us from each other more than in other countries.

These are my submissions, and I still appeal to everyone to pass this measure without any division.

Shri Hari Vishnu Kamath: Division there is going to be, is inevitable, under the Constitution. The first division is coming now.

Division No. 42]

Abdul Wahid, Shri T.
Achal Singh, Shri
Achuthan, Shri
Akkamma Devi, Shrimati
Alagesan, Shri
Alva, Shri A. S.
Alva, Shri Joachim
Aney, Dr. M. S.
Anjanappa, Shri
Arunachalam, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bajaj, Shri Kamalnayan
Balakrishnan, Shri
Balmiki, Shri
Barkataki, Shrimati Renuka
Barua, Shri Hem
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhanja Deo, Shri L. N.
Bhanu Prakash Singh, Shri
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Bhattacharya, Shri Dinen
Bist, Shri J. B. S.
Borooh, Shri P. C.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Brij Basi Lal, Shri
Chakraverti, Shri P. R.

AYES

Chanda, Shrimati Jyotsna
Chandrasekhar, Shrimati
Chatterjee, Shri H. P.
Chaturvedi, Shri S. N.
Chaudhry, Shri C. L.
Chaudhuri, Shri Sachindra
Chaudhuri, Shrimati Kamala
Chavan, Shri D. R.
Chavda, Shrimati
Chettiar, Shri Ramanathan
Chuni Lal, Shri
Daffe, Shri
Daljit Singh, Shri
Das, Dr. M. M.
Das, Shri Sudhansu
Dasappa, Shri
Dass, Shri G.
Deo Bhanj, Shri P. C.
Deshmukh, Shri B. D.
Deshmukh, Shri Shivaji Rao S.
Dhuleshwar Meena, Shri
Dighe, Shri
Dinesh Singh, Shri
Dixit, Shri G. N.
Dwivedi, Shri M. L.
Dwivedy, Shri Surendranath
Gackwad, Shri Fatehsinhrao
Gahmari, Shri
Gajraj Singh Rao, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri Atulya
Ghosh, Shri N. R.

Mr. Speaker: Let the lobbies be cleared now.

Shri Hari Vishnu Kamath: The Minister appealed there should be no division on this.

Mr. Speaker: In spite of that, we have to form that majority.

Shri A. K. Sen: I meant division not in the technical sense.

Mr. Speaker: The question is:

"That the Bill further to amend the Constitution of India, as reported by the Joint Committee, be taken into consideration."

The Lok Sabha divided:

Mr. Speaker: Any corrections to be made? Four "Ayes" and one "No" to be added.

[15.05 hrs.]

Gonj, Shri Abdul Ghani
Govind Das, Dr.
Guha, Shri A. C.
Hansda, Shri Subodh
Hanumanthaiya, Shri
Hazarika, Shri J. N.
Hem Raj, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tulshidas
Jamunadevi, Shrimati
Jayaraman, Shri
Jedhe, Shri
Joshi, Shri A. C.
Jyotishi, Shri J. P.
Kabir, Shri Humayun
Kadadi, Shri
Kakkar, Shri Gauri Shanker
Kamath, Shri Hari Vishnu
Kamble, Shri
Kanungo, Shri
Kappen, Shri
Karuthiruman, Shri
Kayal, Shri P. N.
Kedaria, Shri C. M.
Keishing, Shri Rishang.
Khan, Shri Osman Ali
Khanna, Shri Mehr Chand
Kindar Lal, Shri
Kishan Veer, Shri
Kripa Shankar, Shri
Krishnamachari, Shri T. T.
Kunhan, Shri P.
Kureel, Shri B. N.

Lahri Singh, Shri
Lakshminanthamma, Shrimati
Lalit Sen, Shri
Laskar, Shri N. R.
Laxmi, Bai, Shrimati
Lonikar, Shri
Mahtab, Shri
Mahishi, Shrimati Sarojini
Malaviya Shri K. D.
Malhotra, Shri Inder J.
Maaen, Shri
Mandal, Dr. P.
Maniyangadan, Shri
Mantri, Shri
Mehrotra, Shri Braj Bihari
Mehta, Shri Jashvant
Melkote, Dr.
Mengi, Shri Gopal Datt
Menon, Shri Krishna
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Misra, Dr. U.
Misra, Shri Mahesh Dutta
Mohanty, Shri G.
Mohiuddin, Shri
Morarka, Shri
More, Shri K. L.
More, Shri S. S.
Mukane, Shri
Mukerjee, Shri H. N.
Murmu, Shri Sarkar
Murthy, Shri B. S.
Murti, Shri M. S.
Muthiah, Shri
Naidu, Shri V. G.
Naik, Shri D. J.
Naik, Shri Maheswar
Nair, Shri Vasudevan
Nanda, Shri
Naskar, Shri P. S.
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nigam, Shrimati Savitri
Paliwal, Shri
Pande, Shri K. N.
Pandey, Shri R. S.
Pandey, Shri Vishwa Nath
Pant, Shri K. C.
Paramasivan, Shri
Parushar, Shri
Patel, Shri Chhotubhai
Patel, Shri Man Sinh P.

Patel, Shri P. R.
Patil, Shri D. S.
Patil, Shri J. S.
Patil, Shri M. B.
Patil, Shri S. B.
Patil, Shri S. K.
Patil, Shri T. A.
Patnaik, Shri B. C.
Pattabhi Raman, Sh: C. R.
Pillai, Shri Nataraj
Pratap Singh, Shri
Puri, Shri D. D.
Raghunath Singh, Shri
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Raja, Shri C. R.
Raju, Dr. D. S.
Raju, Shri D. B.
Ram Sewak
Ram Subhag Singh, Dr.
Ram Swarup, Shri
Ramakrishnan, Shri P. R.
Ramaswamy, Shri S. V.
Ramaswamy, Shri V. K.
Ranajai Singh, Shri
Rane, Shri
Rao, Dr. K. L.
Rao, Shri Jagannatha
Rao, Shri Krishnamoorthy
Rao, Shri Ramapathi
Rao, Shri Rameshwar
Rao, Shri Thirumala
Rattan Lal, Shri
Raut, Shri Bhola
Ray, Shrimati Renuka
Reddi, Dr. B. Gopala
Reddiar, Shri
Reddy, Shrimati Yashoda
Sadhu Ram, Shri
Saha, Dr. S. K.
Sahu, Shri Rameshwar
Saigal, Shri A. S.
Samanta, Shri S. C.
Samnani, Shri
Sanji Rupji, Shri
Saraf, Shri Sham Lal
Sarma, Shri A. T.
Satyabhama Devi, Shrimati
Sen, Dr. Ranen
Sen, Shri A. K.
Shah, Shri Manabendra
Shah, Shri Manubhai
Shah, Shrimati Jayaben
Shankaraiya, Shri

Shama, Shri A. P.
Sharma, Shri D. C.
Shashi Ranjan, Shri
Shastri, Shri Lal Bahadur
Shastri, Shri Ramanand
Sheo Narain, Shri
Shinde, Shri
Shree Narayan Das, Shri
Shrimati, Dr. K. L.
Siddiah, Shri
Siddheswar Prashad, Shri
Singh, Shri D. N.
Singhvi, Dr. L. M.
Sinha, Shri Satya Narayan
Sinha, Shrimati Tarkeshwari
Sinhassan Singh, Shri
Sonavane, Shri
Srinivasan, Dr. P.
Subbaraman, Shri
Subramaniam, Shri C.
Subramanyam, Shri T.
Surendra Pal Singh, Shri
Swamy, Shri M. P.
Swamy, Shri Sivamurthi
Swaran Singh, Shri
Tahir, Shri Mohammad
Thengondar, Shri
Thevar, Shri U. M.
Thimmaiah, Shri
Thomas, Shri A. M.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary Shri R. S.
Tombi, Shri
Tripathi, Shri Krishna Deo
Tyagi, Shri
Uikey, Shri
Ulaka, Shri
Upadhyaya, Shri Shiva Dutt.
Valvi, Shri
Varma, Shri Ravindra
Veerabasappa, Shri
Veerappa, Shri
Verma, Shri Balgovind
Verma, Shri K. K.
Vidyalankar, Shri A. N.
Vyas, Shri Radhelal
Wadiwa, Shri
Warior, Shri
Wasnik, Shri Balkrishna
Yadab, Shri N. P.
Yadav, Shri Ram Harkh
Yadava, Shri B. P.
Yusuf, Shri Mohammad

NOES

Gounder, Shri Muthu
Kandappan, Shri S.
Manoharan, Shri

Nair, Shri N. Sreekantan
Rajaram, Shri
Ramabadrnan, Shri

Sezhiyan, Shri
Sivasankaran, Shri P.

Mr. Speaker: The result of the division is: Ayes: 261; Noes: 8. The "Ayes" have it, the "Ayes" have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 2— (Amendment of article 19)

Shri Hari Vishnu Kamath rose—

Mr. Speaker: Is he going to speak?

Shri Hari Vishnu Kamath: It cannot be done so quickly as all that. We have not spoken on this aspect of the matter.

Mr. Speaker: Normally, when there are no amendments, we do put it to the House.

Shri Hari Vishnu Kamath: I have got an amendment not to this clause, but to clause 5 dealing with the Schedules. By oversight, I forgot to give an amendment to this clause, but it is the same matter covered by my amendment.

Mr. Speaker: I will allow. **Shri Kamath,**

Shri Hari Vishnu Kamath: This clause, clause 2 of the Bill, seeks to prescribe an oath for intending candidates for legislatures, the Central legislature and the State legislatures. The point that I wish to raise is that there is no oath that need be prescribed for intending candidates at elections. The Law Minister in his reply to the debate referred to this matter, but disposed of it rather summarily.

I am reminded of our pre-independence history. I concede that the case is not on all fours with the present one, but it does bear some sort of parallel or comparison.

Before we attained independence, before India became free, the Congress Party, under the illustrious leadership of the present Leader of the House, took office in 1937. The Party also decided to take oath inside the legisla-

tures but made it clear—I remember the Prime Minister as leader of the party at that time made it clear to his partymen and to others in the country, —that we are going to take oath under the Government of India Act but we are going to enact a new Constitution under which we will work. The point that I am seeking to make out is that the oath by itself has no intrinsic value for the intending candidates. Suppose a candidate takes an oath to get himself nominated. What about his workers, what about his own personal workers, people who help him in the elections. Suppose they go about saying that they are not governed by this. I am also reminded of another country—Ireland—where De Valera had the same attitude to the oath. Oath to him was not sacrosanct; it was to be taken and broken the next day if circumstances so dictated.

Now, I come to the amendment which I have sought to move. This clause says: "such authority as the Election Commission may prescribe . ."

Mr. Speaker: He is speaking on amendment to clause 5.

Shri Hari Vishnu Kamath: If I speak now on this, I will not speak on that. I remember, Sir, the Election Commission—it is a constitutional body—issued a handbook laying down certain principles and certain norms for candidates. They have laid it down as a rule that, generally speaking, almost always nominations should be easy. Recently they made the nomination easy, some difficulties and restrictions were removed, and some even abolished. Practically anyone who is eligible under the Constitution—citizen of India and having the other qualifications prescribed there—can be nominated without difficulty. Now, the Election Commission is the prescribed authority. The candidate will have to go before that authority. Maybe, the authority will be different from the returning officer. I do not know who will prescribe—I thought I should wait for your ears.

Mr. Speaker: He wants only my ears and nothing else.

Shri Hari Vishnu Kamath: I want your eyes and ears but no tongue at present please, if I may say so with respect.

Mr. Speaker: I will give that monopoly to him.

Shri Hari Vishnu Kamath: Thank you. But that is for the time being only. Later on, I will yield ground to you.

I submit that so far as this concerns the election of candidates to the legislatures, this is wholly unnecessary nor will it be very useful. I am not against affirmations and all that kind of thing. But I think the Prime Minister himself does not subscribe to these so wholeheartedly. I mean he does not make a fetish of these things. If that is in the heart nothing more is necessary if it is not in the mind and in the heart, oath is superfluous. Therefore, I appeal to the Law Minister to see to it that this provision is modified suitably. For intending candidates it is wholly unnecessary and wholly superfluous and, may I also say with all respect, it is against the spirit of the Constitution. If at all anything is necessary, I would urge and recommend that the election law, the Representation of the People Act of 1951 should be amended. It has tried to make nominations easy. There are certain clauses referring to communal propaganda, religious propaganda etc. making them illegal or corrupt practices, I suppose. You can amend that law for this purpose. Why should you amend the Constitution? Can you not amend the Representation of the People Act of 1951 incorporating this matter there so as to make a provision that this activity will be a corrupt practice and it will invalidate the election and make it null and void.

Shri Bada (Khargone): Sir, I support Shri Kamath on this point. Sovereignty and integrity have not

been defined in the Constitution at all. There may be different interpretations of integrity. Suppose a Member says something about the linguistic States, the High Court may interpret it as going against integrity. Suppose a member of some political party, says something against the Congress Government, says that it is acting wrongly, there may be objection because Congress, like the King, can do no wrong. Congress is the Ganges to them and when they take a dip in that Ganges, they are absolved of all their sins. At least the hon. Minister should define what is integrity. Sovereignty, people can understand. I support Mr. Kamath while he says that these things should not be included in the Constitution but in a separate law.... (Interruptions.)

Dr. L. M. Singhvi (Jodhpur): I will be brief.

Mr. Speaker: He will be very brief.

Dr. L. M. Singhvi: I started by saying that I will be brief.

Mr. Speaker: Therefore, I am forewarning him; he has just started.

Dr. L. M. Singhvi: When I say I will be brief, I mean to be brief. I am unable to agree with the view propounded by my friend Shri Kamath. If an oath is unnecessary, the Constitution should not have proceeded to prescribe the oath after election. After all oath is a token of certain accepted feeling in a State and if we want to create an indissoluble, indivisible and indestructible union in our country we must see to it that every possible expedient is employed to ensure this. Oath is only one of the expedients and I therefore heartily agree with my predecessors that it could be secured very much within the Legislative framework, especially by enacting appropriate laws against treason and by amending the electoral laws in the country and what is of the greatest importance, by carrying on

[Dr. L. M. Singhvi]

ceaseless propaganda in the matter of national integrity and patriotism.

Shri A. K. Sen: I think I had replied to this point before but since Mr. Kamath with his indefatigable energy succeeds in raising the point over and over again.

Shri Hari Vishnu Kamath: I am sorry; you have got a bad memory. I had not raised it at that time.

Shri A. K. Sen: If for nothing else, in deference to him I shall answer that point. It is no use saying that oath is useless. We all take oath or affirmation when we become Members. I do not want to go into the metaphysical question about the utility of oath. But it does remain a very vital part of our Constitution. He may have objection in taking an oath in the name of God. There is the alternative—affirmation; it says: I do solemnly affirm...

Shri Hari Vishnu Kamath: From my experience, I find it is very often useless.

Shri A. K. Sen: It still remains and in our views serves useful purpose. In this particular instance, it will serve a purpose, namely, that anyone who stands as a candidate either to Parliament or to State legislature has to subscribe this oath or affirmation, and thereby pledge himself unequivocally to the sacred duty of upholding India's sovereignty and integrity. And therefore there is no chance whatsoever of his ever trying to make secession or disintegration, either of a rigid or any other nature, an item in the election campaign. That is precisely

what we all want to prevent. I think that in that point both Shri Kamath and we here are completely united.

Shri Hari Vishnu Kamath: Absolutely.

Shri A. K. Sen: It is therefore a question of either giving way to what one considers as useless or what remains as part of our daily routine life even now in courts, legislatures and elsewhere. Under these circumstances, I think it will be on the balance much more advantageous, to subserve the purpose, if we have this oath or affirmation.

Mr. Speaker: The lobbies will be cleared.

Shrimati Renu Chkaravartty: I do not know whether there is the ringing of the bell. I have seen that in the Notice Office the bell did not ring. I was told that already the voting was taking place.

Mr. Speaker: Every hon. Member is aware that these bells are tested every morning. Then too there is a possibility of failure; at some moment there might be some defect or failure. It is also the job of the Whips to keep the Members informed. Even if for sometime the bells do not ring, that does not invalidate the result of the division; it does not affect it. The Whips also have to be active in that respect. I hope the bells must be ringing just now.

The question is:

"That clause 2 stand part of the Bill".

The Lok Sabha divided.

Division No. 43]

AYES

[15.23 hrs.

Abdul Wahid, Shri T.
Achal Singh, Shri
Achuthan, Shri
Akkamma Devi, Shrimati
Alagesan, Shri
Alva, Shri A. S.
Alva, Shri Joachim

Aney, Dr. M. S.
Anjanappa, Shri
Arunachalam, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bade, Shri
Bajaj, Shri Kamalnayan

Balkrishnan, Shri
Balmiki, Shri
Barkataki, Shrimati Renuka
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Baswant, Shri

Bill

Berwa Shri Onkar Lal
 Bhagat, Shri B. R.
 Bhakt Darshan, Shri
 Bhanja Deo, Shri L. N.
 Bhanu Prakash Singh, Shri
 Bhatkar, Shri
 Bhattacharyya, Shri C. K.
 Bist, Shri J. B. S.
 Borooah, Shri P. C.
 Brahm Prakash, Shri
 Brajeshwar Prasad, Shri
 Brij Basi Lal, Shri
 Chakravartty, Shrimati Renu
 Chakraverti, Shri P. R.
 Chanda, Shrimati Jyotsna
 Chandrasekhar, Shrimati
 Chatterjee, Shri H. P.
 Chaturvedi, Shri S. N.
 Chaudhry, Shri C. L.
 Chaudhuri, Shri Sachindra
 Chaudhuri, Shrimati Kamala
 Chavan, Shri D. R.
 Chavda, Shrimati
 Chettiar, Shri Ramanathan
 Chuni Lal Shri
 Colaco, Dr.
 Daffe, Shri
 Daljit Singh, Shri
 Das, Dr. M. M.
 Das, Shri Sudhansu
 Dasappa, Shri
 Dass, Shri G.
 Deo, Bhanj, Shri P. C.
 Deshmukh, Shri B. D.
 Deshmukh, Shri Shivaji Rao S.
 Dhuleshwar Meena, Shri
 Dighe, Shri
 Dinesh, Singh Shri
 Dixit, Shri G. N.
 Dubey, Shri R. G.
 Dwivedy, Shri M. L.
 Dwivedi, Shri Surendranath
 Firodia, Shri
 Gaekwad, Shri Fatehsingh
 Gahmari, Shri
 Goitonde, Dr.
 Gajraj Singh Rao, Shri
 Gandhi, Shri V. B.
 Ganga Devi, Shrimati
 Ghosh, Shri Atulya
 Ghosh, Shri N. R.
 Gokaran Prasad, Shri
 Goni, Shri Abdul Ghani
 Govind Das, Dr.
 Guha Shri A. C.,
 Gupta, Shri Badshah
 Gupta, Shri Priya
 Gupta, Shri Ram Ratan
 Hansda, Shri Subodh
 Hanumanthaiya, Shri
 Haq, Shri M. M.
 Hazarika, Shri J. N.
 Heda, Shri

in Raj, Shri
 Himmatainbji, Shri
 Iqbal Singh, Shri
 Jadhav, Shri M. L.
 Jadhav, Shri Tulshidas
 Jagjivan Ram, Shri
 Jain, Shri A. P.
 Jamunadevi, Shrimati
 Jayaraman, Shri
 Jedhe, Shri
 Joshi, Shri A. C.
 Jyotishi, Shri J. P.
 Kabir, Shri Humayun
 Kadadi, Shri
 Kakkar, Shri Gauri Shankar
 Kamath, Shri Hari Vishnu
 Kanungo, Shri
 Kapper, Shri
 Karuthiruman, Shri
 Kayal, Shri P. N.
 Kedaria, Shri C. M.
 Keishing, Shri Rishang
 Khan, Shri Osman Ali
 Khanna, Shri Mehr Chand
 Kindar Lal, Shri
 Kisan Veer, Shri
 Kripa Shankar, Shri
 Krishnamachari, Shri T. T.
 Kureel, Shri B. N.
 Lahri Singh, Shri
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lonikar, Shri
 Mahtab, Shri
 Mahishi, Shrimati Sarojini
 Maimoona Sultan, Shrimati
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mallick, Shri
 Manaen, Shri
 Mandal, Dr. P.
 Maniyangadon, Shri
 Mantri, Shri
 Mehdi, Shri S. A.
 Mehrotra, Shri Braj Bihari
 Mehta, Shri J. R.
 Melkote, Dr.
 Mengi, Shri Gopal Datt
 Menon, Shri Krishna
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri Bibudhendra
 Misra, Dr. U.
 Misra, Shri Mahesh Dutta
 Mohanty, Shri G.
 Mohiuddin, Shri
 Mohsin, Shri
 Morarka, Shri
 More, Shri K. L.
 More, Shri S. S.
 Mukane, Shri

Mukerjee, Shri H. N.
 Mukerjee, Shrimati Sharda
 Murmu, Shri Sarker
 Murthy, Shri B. S.
 Murti, Shri M. S.
 Musafir, Shri G. S.
 Muthaib, Shri
 Musaffer Hussain, Shri
 Naidu, Shri V. G.
 Naik, Shri D. J.
 Naik, Shri Maheswar
 Nair, Shri Vasudevan
 Nanda, Shri
 Naskar, Shri P. S.
 Nath Pai, Shri
 Nayak, Shri Mohan
 Nayyar, Dr. Sushila
 Nehru, Shri Jawaharlal
 Nigam, Shrimati Savitri
 Paliwal, Shri
 Pande, Shri K. N.
 Pandey, Shri R. S.
 Pandey, Shri Vishwa Nath
 Panda Lal, Shri
 Pant, Shri K. C.
 Paramasivan, Shri
 Parashar, Shri
 Patel, Shri Chhotubhai
 Patel, Shri Man Singh P.
 Patel, Shri P. R.
 Patil, Shri D. S.
 Patil, Shri J. S.
 Patil, Shri M. B.
 Patil, Shri S. B.
 Patil, Shri S. K.
 Patil, Shri T. A.
 Patnaik, Shri B. C.
 Pattabhi Raman, Shri C. R.
 Pillai, Shri Nataraja
 Pratap Singh, Shri
 Puri, Shri D. D.
 Raghunath Singh, Shri
 Raghuramaiah, Shri
 Rai, Shrimati Sahodrabai
 Raj Bhadur, Shri
 Raja, Shri C. R.
 Raju, Dr. D. S.
 Raju, Shri D. B.
 Ram Sewak, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Ramakrishnan, Shri P. R.
 Ramaswamy, Shri S. V.
 Ramaswamy, Shri V. K.
 Ramdhani Das, Shri
 Rananjai Singh, Shri
 Rane, Shri
 Ranga Rao, Shri
 Rao, Dr. K. L.
 Rao, Shri Jaganatha
 Rao, Shri Krishnamoorthy
 Rao, Shri Muthyal
 Rao, Shri Ramapathi

Rao, Shri Rameshwar
 Rao, Shri Thirumala
 Rattan Lal, Shri
 Raut, Shri Bhola
 Ray, Shrimati Renuka
 Reddi, Dr. B. Gopala
 Reddiar, Shri
 Reddy, Shrimati Yashoda
 Roy, Shri Bishwanath
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Saigal, Shri A. S.
 Samanta, Shri S. C.
 Samnani, Shri
 Sanji Rupji, Shri
 Saraf, Shri Sham Lal
 Sarma, Shri A. T.
 Satyabhama Devi, Shrimati
 Sen, Dr. Ranen
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shri Manabendra
 Shah, Shri Manubhai
 Shah, Shrimati Jayaben
 Sham Nath, Shri
 Shankaraiya, Shri
 Sharma, Shri A. P.
 Sharma, Shri D. C.

Shashank Manjeri, Shrimati
 Shahabi Ranjan, Shri
 Shastri, Shri Lal Bahadur
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Shinde, Shri
 Shree Narayan Das, Shri
 Shrimali, Dr. K. L.
 Siddiah, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Singhvi, Dr. L. M.
 Sinha, Shri B. P.
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Tarkeshwari
 Sinhasan Singh, Shri
 Sonavane, Shri
 Srinivasan, Dr. P.
 Subbaraman, Shri
 Subramaniam, Shri C.
 Subramanyam, Shri T.
 Surendra Pal Singh, Shri
 Swamy, Shri M. P.
 Swamy, Shri Sivamurthi
 Swaran Singh, Shri
 Tahir, Shri Mohammad
 Tantis, Shri Rameshwar
 Thengondar, Shri
 Thevar, Shri U.M.

Thimmaiah, Shri
 Thomas, Shri A. M.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tombi, Shri
 Tripathi, Shri Krishna Deo
 Tyagi, Shri
 Uikey, Shri
 Ulaka, Shri
 Upadhyaya, Shri Shiva Dutt
 Vaishya, Shri M. B.
 Valvi, Shri
 Varma, Shri Ravindra
 Veerabasappa, Shri
 Veerappa, Shri
 Verma, Shri Balgovind
 Verma, Shri K. K.
 Vidyalanekar, Shri A. N.
 Vyas, Shri Radhela
 Wadiwa, Shri
 Warrior, Shri
 Waznik, Shri Balkrishna
 Yadab, Shri N. P.
 Yadav, Shri Ram Harkh
 Yadava, Shri B. P.
 Yashpal Singh, Shri
 Yusuf, Shri Mohammad

NOES

Marandi, Shri

Mr. Speaker: The result of the division is:

Ayes: 293; **Noes:** Nil.

The Ayes have it, the 'Ayes' have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Division No. 44]

Abdul Wahid, Shri T.
 Achal Singh, Shri
 Achuthan, Shri
 Akkamma Devi, Shrimati
 Alagesan, Shri
 Alva, Shri A. S.
 Alva, Shri Joachim
 Aney, Dr. M. S.
 Anjanappa, Shri
 Arunachalam, Shri
 Azad, Shri Bhagwat Jha
 Babunath Singh, Shri
 Bade, Shri
 Bajaj, Shri Kamalnayan
 Balakrishnan, Shri
 Balmiki, Shri
 Barkataki, Shrimati Renuka

AYES

Berupal, Shri P. L.
 Basappa, Shri
 Basumatari, Shri
 Baswant, Shri
 Berwa, Shri Onkar Lal
 Bhagat, Shri B. R.
 Bhakt Darshan, Shri
 Bhanja Deo, Shri L. N.
 Bhanu Prakash Singh, Shri
 Bhatkar, Shri
 Bhattacharyya, Shri C. K.
 Bist, Shri J. B. S.
 Borooah, Shri P. O.
 Brahm Prakash, Shri
 Brajeshwar Prasad, Shri
 Brilj Basi Lal, Shri
 Chakravartty, Shrimati Renu

Clause B stands part of the Bill.
 The motion was adopted.

Clause 2 was added to the Bill.

Mr. Speaker: The question is:

"That clause 4 stand part of the Bill."

Let the Lobby be cleared.

The Lok Sabha divided.

[15.35 hrs.]

Chakraverti, Shri P. R.
 Chanda, Shrimati Jyotana
 Chandrasekhar, Shrimati
 Chatterjee, Shri H. P.
 Chaturvedi, Shri S. N.
 Chaudhry, Shri C. L.
 Chaudhuri, Shri Sachindra
 Chaudhuri, Shrimati Kamla
 Chavan, Shri D. R.
 Chavda, Shrimati
 Chettiar, Shri Ramanathan
 Chuni Lal, Shri
 Colaco, Dr.
 Daffe, Shri
 Daljit Singh, Shri
 Das, Dr. M. M.
 Das, Shri Sudhanu

Dasappa, Shri
 Das, Shri G.
 Deo Bhanj, Shri P. C.
 Deshmukh, Shri B. D.
 Deshmukh, Shri Shivaji Rao, S.
 Dhuleshwar Meena, Shri
 Dighe, Shri
 Dinesh Singh, Shri
 Dixit, Shri G. N.
 Dubey, Shri R. G.
 Dwivedi, Shri M. L.
 Pirodia, Shri
 Geckwad, Shri Panchsainhrae
 Ghamari, Shri
 Geitonde, Dr.
 Gajraj Singh Rao, Shri
 Gandhi, Shri V. B.
 Ganga Devi, Shrimati
 Ghosh, Shri Atulya
 Ghosh, Shri N. R.
 Gokaran Prasad, Shri
 Goni, Shri Abdul Ghani
 Govind Das, Dr.
 Guha, Shri A. C.
 Gupta, Shri Badshah
 Gupta, Shri Priya
 Gupta, Shri Ram Ratan
 Hansda, Shri Subodh
 Hanumanthaiya, Shri
 Haq, Shri M. M.
 Hazarika, Shri J. N.
 Heda, Shri
 Hem Raj, Shri
 Iqbal Singh, Shri
 Jadhav, Shri M. L.
 Jadhav, Shri Tulashidas
 Jagjivan Ram, Shri
 Jain, Shri A. P.
 Jamunadevi, Shrimati
 Jayaraman, Shri
 Jedha, Shri
 Joshi, Shri A. C.
 Jyotishi, Shri J. P.
 Kabir, Shri Humayun
 Kadadi, Shri
 Kakkar, Shri Gauri Shankar
 Kanungo, Shri
 Kappen, Shri
 Karuthiruman, Shri
 Kayal, Shri P. N.
 Kedaria, Shri C. M.
 Keishing, Shri Rishang
 Khan, Shri Osman Ali
 Khanna, Shri Mehr Chand
 Kindar Lal, Shri
 Kisan Veer, Shri
 Kripa Shankar, Shri
 Krishnamachari, Shri T. T.
 Kureel, Shri B. N.
 Lahri Singh, Shri
 Lakshminanthamma, Shrimati
 Lalit Sen, Shri

Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lonikar, Shri
 Mahtab, Shri
 Mahishi, Shrimati Sarojini
 Maimoona Sultan, Shrimati
 Malaviya Shri K. D.
 Malhotra, Shri Inder J.
 Mallick, Shri
 nsen, S
 Mandal, Dr. P.
 Maniyangadan, Shri
 Mantri, Shri
 Marandi, Shri
 Mehdi, Shri S. A.
 Mehrotra, Shri Braj Bihari
 Mehta, Shri J. R.
 Melkote, Dr.
 Mengi, Shri Gopal Datt
 Menon, Shri Krishna
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri Bibudhendra
 Misra, Dr. U.
 Misra, Shri Mahesh Dutta
 Mohanty, Shri G.
 Mohiuddin, Shri
 Mohsin, Shri
 Morarka, Shri
 More, Shri K. L.
 More, Shri S. S.
 Mukanc, Shri
 Mukerjee, Shri H. N.
 Mukerjee, Shrimati Sharda
 Murmu, Shri Sarkar
 Murthy, Shri B. S.
 Murti, Shri M. S.
 Musafir, Shri G. S.
 Muthiah, Shri
 Naidu, Shri V. G.
 Naik, Shri D. J.
 Naik, Shri Maheswar
 Nair, Shri Vasudevan
 Nanda, Shri
 Naskar, Shri P. S.
 Nayak, Shri Mohan
 Nayar, Dr. Sushila
 Nehru, Shri Jawaharlal
 Nigam, Shrimati Savitri
 Paliwal, Shri
 Pande, Shri K. N.
 Pande, Shri R. S.
 Pandey, Shri Vishwa Nath
 Panna Lal, Shri
 Pant, Shri K. C.
 Paramasivan, Shri
 Parashar, Shri
 Patel, Shri Chhotubhai
 Patel, Shri Man Singh P.
 Patel, Shri P. R.
 Patil, Shri D. S.
 Patil, Shri J. S.

Patil, Shri M. B.
 Patil, Shri S. B.
 Patil, Shri S. K.
 Patil, Shri T. A.
 Patnaik, Shri B. C.
 Pattabhi Raman, Shri C. R.
 Pillai, Shri Nataraja
 Pratap Singh, Shri
 Puri, Shri D. D.
 Raghunath Singh, Shri
 Raghuramaiah, Shri
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Raja, Shri G. R.
 Raju, Dr. D. S.
 Raju, Shri D. B.
 Ram Sewak, Shri
 Ram Singh, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Ramakrishnan, Shri P. R.
 Ramaswamy, Shri S. V.
 Ramaswamy, Shri V. K.
 Ramdhani Das, Shri
 Rampure, Shri M.
 Rananjai Singh, Shri
 Rane, Shri
 Ranga Rao, Shri
 Rao, Dr. K. L.
 Rao, Shri Jagannatha
 Rao, Shri Krishnamoorthy
 Rao, Shri Muthyal
 Rao, Shri Ramapathi
 Rao, Shri Rameshwar
 Rao, Shri Thirumala
 Rattan Lal, Shri
 Raut, Shri Bhola
 Ray, Shrimati Renuka
 Reddi, Dr. B. Gopala
 Reddiar, Shri
 Reddy, Shrimati Yashoda
 Roy, Dr. Saradish
 Roy, Shri Bishwanath
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Saigal, Shri A. S.
 Samanta, Shri S. C.
 Samnani, Shri
 Sanji Rupji, Shri
 Saraf, Shri Sham Lal
 Sarma, Shri A. T.
 Satyabhama Devi, Shrimati
 Sen, Dr. Ranen
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shri Manabendra
 Shah, Shri Manubhai
 Shah, Shrimati Jayaben
 Sham Nath, Shri
 Shankaraiya, Shri
 Sharma, Shri A. P.

Sharma, Shri D. C.
 Shashank Manjari, Shrimati
 Shashi Ranjan, Shri
 Shastri, Shri Lal Bahadur
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Shinde, Shri
 Shree Narayan Das, Shri
 Shrimali, Dr. K. L.
 Siddiah, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Singhvi, Dr. L. M.
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Tarkeshwar
 Sinhasan Singh, Shri
 Sonavane, Shri
 Srinivasan, Dr. P.
 Subharaman, Shri

Subramaniam, Shri C.
 Subramanyam, Shri T.
 Surendra Pal Singh
 Swamy, Shri M. P.
 Swamy, Shri Sivamurthi
 Swaran Singh, Shri
 Tahir, Shri Mohammad
 Tantis, Shri Rameshwar
 Thengondar, Shri
 Thevar, Shri V.
 Thimmasiah, Shri
 Thomas, Shri A. M.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tombi, Shri
 Tripathi, Shri Krishna Deo
 Tyagi, Shri
 Ukey, Shri

Ulaka, Shri
 Upadhyaya, Shri Shiva Dutt
 Valshya, Shri M. B.
 Valvi, Shri
 Vama, Shri Ravindrr
 Veerabasappa, Shri
 Veerappa, Shri
 Verma, Shri Balgovind
 Verma, Shri K. K.
 Vidyalankar, Shri A. N.
 Vyas, Shri Radhelal
 Wadiwa, Shri
 Warior, Shri
 Wasnik, Shri Balkrishna
 Yadab, Shri N. P.
 Yadav, Shri Ram Harakh
 Yadava, Shri B. P.
 Yusuf, Shri Mohammad

NOES

NIL

Mr. Speaker: The result of the division is:

Aye 293; Noes; Nil.

The 'Ayes' have it, the 'Ayes' have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members

present and voting.

The motion was adopted.

Clause 3 was added to the Bill.

Mr. Speaker: The question is:

"That clause 4 stand part of the Bill.

Let the Lobby be cleared.

The Lok Sabha divided:

Division No. 45]

AYES

[15.27 hrs.

Abdul Wahid, Shri T.
 Achal Singh, Shri
 Achuthan, Shri
 Akkamma Devi, Shrimati
 Alagesan, Shri
 Alva, Shri A. S.
 Alva, Shri Joachim
 Ancy, Dr. M. S.
 Anjanappa, Shri
 Arunachalam Shri
 Azad, Shri Bhagwat Jha
 Babunath Singh, Shri
 Bade, Shri
 Bajaj, Shri Kamalnayan
 Balkrishnan, Shri
 Balmiki, Shri
 Barkataki, Shrimati Renuka
 Barupal, Shri P. L.
 Basappa, Shri
 Basumatari, Shri
 Baswant, Shri
 Berwa Kotah, Shri
 Bhagat, Shri B. R.
 Bhakt Darshan, Shri
 Bhanja Deo, Shri L. N.
 Bhanu Prakash Singh, Shri
 Bhatkar, Shri
 Bhattacharyya, Shri C. K.
 Bist, Shri J.B.S.
 Borooah, Shri P. C.

Brahm Prakash, Shri
 Brajeshwar Prasad, Shri
 Brij Basi Lal, Shri
 Chakravarty, Shrimati Renu
 Chakraverti, Shri P. R.
 Chanda, Shrimati Jyotsna
 Chandrasekhar, Shrimati
 Chatterjee, Shri H. P.
 Chaturvedi, Shri S. N.
 Chaudhry, Shri C. L.
 Chaudhuri, Shri Sachindra
 Chaudhuri, Shrimati Kamala
 Chavan, Shri D. R.
 Chavda, Shrimati
 Chettiar, Shri Ramanathan
 Chuni Lal, Shri
 Colaco, Dr.
 Daffe, Shri
 Daljit Singh, Shri
 Das, Dr. M. M.
 Das, Shri Sudhansu
 Dasappa, Shri
 Dass, Shri G.
 Deo Bhani, Shri P. C.
 Deshmukh, Shri B. D.
 Dhuleshwar Meena, Shri
 Dighe, Shri
 Dinesh Singh, Shri
 Dixit, Shri G. N.
 Dubey, Shri R. G.

Dwivedi, Shri M. L.
 Firoidia, Shri
 Gackwad, Shri Fatehsinhrao
 Gahmari, Shri
 Gaitonde, Dr.
 Gajraj Singh Rao, Shri
 Gandhi, Shri V. B.
 Ganga Devi, Shrimati
 Ghosh, Shri Atulya
 Ghosh, Shri N. R.
 Gokaran Prasad, Shri
 Goni, Shri Abdul Ghani
 Govind Das, Dr.
 Guha, Shri A. G.
 Gupta, Shri Badshah
 Gupta, Shri Ram Ratan
 Hansda, Shri Subodh
 Hanumanthaiya, Shri
 Haq, Shri M. M.
 Hazarika, Shri J. N.
 Heda, Shri
 Hem Raj, Shri
 Iqbal Singh, Shri
 Jadhav, Shri M. L.
 Jadhav, Shri Tulshidas
 Jagjivan Ram, Shri
 Jain, Shri A. P.
 Jamunadevi, Shrimati
 Jayaraman, Shri
 Jedha, Shri

Joshi, Shri A. C.
 Jyotishi, Shri J. P.
 Kabir, Shri Humayun
 Kadadi, Shri
 Kakkar, Shri Gauri Shanker
 Kanungo, Shri
 Kappen, Shri
 Karuthiruman, Shri
 Kayal, Shri P. N.
 Kedaria, Shri C. M.
 Keishing, Shri Rishang
 Khan, Shri Osman Ali
 Khanna Shri Mehr Chand
 Kindar Lal, Shri
 Kisan Veer, Shri
 Kripa Shankar, Shri
 Krishnamachari, Shri T. T.
 Kunhan, Shri P.
 Kureel, Shri B. N.
 Lahri Singh, Shri
 Lakshminanthamma, Shrimati
 Lalit Sen, Shri
 Lasker, Shri N. R.
 Laxmi Bai, Shrimati
 Lonkar, Shri
 Mahtab, Shri
 Mahishi, Shrimati Sarojini
 Mamooona Suitsen, Shrimati
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mallick, Shri
 Manaco, Shri
 Mandal, Dr. P.
 Maniyangadan, Shri
 Mantri, Shri
 Marandi, Shri
 Mehdi, Shri S. A.
 Mehrotra, Shri Braj Bihari
 Mehta, Shri Jaashvant
 Melkote, Dr.
 Mengi, Shri Gopal Datt
 Menon, Shri Krishna
 Mirza, Shri Bakar Ali
 Mishra, Shri Bibhuti
 Mishra, Shri Bibhudendra
 Misra, Dr. U.
 Misra, Shri Mahesh Dutta
 Mohanty, Shri G.
 Mohiuddin, Shri
 Mohsin, Shri
 Morarka, Shri
 More, Shri K. L.
 More, Shri S. S.
 Mukane, Shri
 Mukerjee, Shri H. N.
 Mukerjee, Shrimati Sharda
 Murmu, Shri Sarkar
 Murthy, Shri B. S.
 Murti, Shri M. S.
 Musafir, Shri G. S.
 Munhia, Shri
 Muzaffar Hussain, Shri
 Naidu, Shri V. G.

Naik, Shri D. J.
 Naik, Shri Maheswar
 Nair, Shri Vasudevan
 Nanda, Shri
 Naskar, Shri P. S.
 Nayak, Shri Mohan
 Nayar, Dr. Sushila
 Nehru, Shri Jawaharlal
 Nigam, Shrimati Savitri
 Pande, Shri K. N.
 Pandey, Shri R. S.
 Pandey, Shri Vishwa Nath
 Panna Lal, Shri
 Pant, Shri K. C.
 Paramasivan, Shri
 Parashar, Shri
 Patel, Shri Chhotubhai
 Patel, Shri Man Sinh P.
 Patel, Shri P. R.
 Patil, Shri D. S.
 Patil, Shri J. S.
 Patil, Shri M. B.
 Patil, Shri S. B.
 Patil, Shri S. K.
 Patil, Shri T. A.
 Patnaik, Shri B. C.
 Pattabhi Raman, Shri C. R.
 Pillai, Shri Nataraja
 Pratap Singh, Shri
 Puri, Shri D. D.
 Raghunath Singh, Shri
 Raghuramaiah, Shri
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Raja, Shri C. R.
 Raju, Dr. D. S.
 Raju, Shri D. B.
 Ram Sewak, Shri
 Ram Singh, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Ramakrishnan, Shri P. R.
 Ramaswamy, Shri S. V.
 Ramaswamy, Shri V. K.
 Ramdhari Das, Shri
 Rananjai Singh, Shri
 Rane, Shri
 Ranga Rao, Shri
 Rao, Dr. K. L.
 Rao, Shri Jagannatha
 Rao, Shri Krishnamoorthy
 Rao, Shri Muthyal
 Rao, Shri Ramapathi
 Rao, Shri Rameshwar
 Rao, Shri Thirumala,
 Raut, Shri Bhola
 Ray, Shrimati Renuka
 Reddi, Dr. B. Gopala
 Reddier, Shri
 Reddy, Shrimati Yashoda
 Roy, Dr. Saradish
 Roy, Shri Bishwanath
 Sadhu Ram, Shri

Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Saigal, Shri A. S.
 Samanta, Shri S. C.
 Samnani, Shri
 Sanji Rupji, Shri
 Saraf, Shri Sham Lal
 Sarma, Shri A. T.
 Satyabhama Devi, Shrimati
 Sen, Dr. Ranen
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shri Manabendra
 Shah, Shri Manubhai
 Shah, Shrimati Jayaben
 Sham Nath, Shri
 Shankaraiya, Shri
 Sharma, Shri A. P.
 Sharma, Shri D. C.
 Shashank Manjari, Shrimati
 Shashi Ranjan, Shri
 Shastri, Shri Lal Bahadur
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Shinde, Shri
 Shree Narayan Das, Shri
 Shrimali, Dr. K. L.
 Siddiah, Shri
 Sidheswar Prasad, Shri
 Singh, Shri D. N.
 Singhvi, Dr. L. M.
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Tarkeshwari
 Sinhasan Singh Shri
 Sonavane, Shri
 Srinivasan, Dr. P.
 Subbaraman, Shri
 Subramaniam, Shri C.
 Subramanyam, Shri T.
 Surendra Pal Singh, Shri
 Swamy, Shri M. P.
 Swamy, Shri Sivamurthi
 Swaran Singh, Shri
 Tahir, Shri Mohammed
 Tanti, Shri Rameshwar
 Thengondar, Shri
 Thevar, Shri U. M.
 Thimmaiah, Shri
 Thomas, Shri A. M.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tombi, Shri
 Tripathi, Shri Krishna Deo
 Tyagi, Shri
 Uikey, Shri
 Ulake, Shri
 Upadhyaya, Shri Shiva Dutt
 Vaishya, Shri M. B.
 Valvi, Shri
 Varma, Shri Ravindra
 Vecrabasappa, Shri

Veerappa, Shri
Verma, Shri Balgovind
Verma, Shri K. K.
Vidyalankar *Shri A. N.

Vyas, Shri Radhelal
Wadiwa, Shri
Warior, Shri
Wasnik, Shri Balkrishna

Yadab, Shri N. P.
Yadav, Shri Ram Harkh
Yadava, Shri B. P.
Yusuf, Shri Mohammad

NOES NIL

Some Hon. Members: The total shown is wrong.

An Hon. Member: The total does not tally

Mr. Speaker: There is some defect there.

Shri Hari Vishnu Kamath: Zero error.

Mr. Speaker: The result of the division is:

Ayes: 291; Noes: Nil.

The 'Ayes' have it, the Ayes' have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting. Clause 4 stands part of the Bill.

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5—(Amendment of Third Schedule)

Mr. Speaker: Then we come to clause 5. The question is:

"That clause 5 stand part of the Bill."

But there are two amendments tabled by Shri Kamath. Is he moving them?

Shri Hari Vishnu Kamath: No, Sir; now they fall through because the earlier clauses have been passed.

श्री शिवमूर्ति स्वामी (कोप्पल) : अध्यक्ष महोदय, चुनाव के पहले जो हम शपथ लेते हैं उसके बारे में बहुत कुछ कहा गया है। इसमें जो शपथ की धारा शामिल की गयी है उसका मैं अनयक समर्थन करता हूँ। कुछ भाई पहले शपथ लेते हैं और बाद में उसपर अमल करने से बाज रहते हैं, इसी से हमारी राष्ट्रीय एकता में बाधा आती है। मैं यहां पर एक सूचना कर देना चाहता हूँ और अपने भाइयों से और सदन के नेत से यह प्रार्थना करना चाहता हूँ कि राष्ट्रीय एकता

उस वक्त तक कायम नहीं रह सकेगी जब तक कि हम यह परम्परा न डालें कि अपने रीजन या कम्युनिटी या स्टेट की मांग पेश करने के साथ राष्ट्रीय एकता का ध्यान रखें और उसमें बाधा न आने दें। हमको देखना होगा कि हमारे देश में एकता में क्या चीज बाधक रही है। पुराने जमाने में जाति पांत इसमें बाधक थी क्योंकि एक जाति यह समझती थी कि अगर दूसरी जाति बढ़ेगी तो हमारा नुकसान होगा। पर आज भी हम देखते हैं कि दिलों में इसी तरह की भावना है। अपोजीशन वाले समझते हैं कि जब तक कांग्रेस वाले रहेंगे हमारी उन्नति नहीं हो जाती और कांग्रेस स वाले समझते हैं कि अपोजीशन वाले बढ़ेंगे तो हमको हानि पहुंचेगी। तो इन विचारों से तत्सीम की बात आ सकती है और देश की एकता में बाधा पड़ती है। इसलिये मेरा निवेदन है कि जब तक इस चीज को दूर नहीं किया जायेगा तब तक एकता कायम नहीं हो सकती।

अध्यक्ष महोदय : यह कहने की आवश्यकता नहीं है।

श्री शिवमूर्ति स्वामी : इस में कहा गया है :

"I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter."

अध्यक्ष महोदय : जो क्लॉज पहले पास हो चुके उनके बाद यह अपने आप फोलो करता है।

श्री शिवमूर्ति स्वामी : मेरा कहना यह है कि जब तक यह पक्षपात की भावना दूर नहीं होगी एकता नहीं कायम रह सकती। इसको दूर करके एकता लाना हमारा फर्ज है।

Mr. Speaker: Does the Law Minister want to say anything?

श्री स० कु० सेन : कुछ भी नहीं कहना

है ।

Mr. Speaker: Let the lobbies be cleared again. Amendments Nos. 2 and 3 are withdrawn with the leave

of the House. I take it that the hon. Member has the leave of the House to withdraw them. I shall now put the clause No. 5 to the vote of the House. The question is:

"That clause 5 stand part of the Bill."

The Lok Sabha divided:

Division No. 46]

AYES

[15.25 hrs.

Abdul Wahid, Shri T.
Achal Singh, Shri
Achuthan, Shri
Akkamma Devi, Shrimati
Alagesan, Shri
Alva, Shri A. S.
Alva, Shri Joschima
Aney, Dr. M. S.
Anjanappa, Shri
Arunachalam, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bade, Shri
Bajaj, Shri Kamalnayan
Balkrishnan, Shri
Balmiki, Shri
Barkataki, Shrimatik Renuka
Barupal, Shri P. L.
Basappa, Shri
Basumatric, Shri
Baswant, Shri
Berwa Kotah, Shri.
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhanja Deo, Shri L. M.
Bhanu Prakash Singh, Shri
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Bisat, Shri J. B. S.
Boroosah, Shri P. C.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Brij Basi Lal, Shri
Chakraverti, Shri P. R.
Chanda, Shrimati Jyotana
Chandrasekhar, Shrimati,
Chatterjee, Shri H. P.
Chaturvedi, Shri S. N.
Chaudhry, Shri C. L.
Chaudhuri, Shri Sachindra
Chaudhuri, Shrimati, Kamala
Chavan, Shri D. R.
Chavda, Shrimati
Chettiar, Shri Ramanathan
Chuni Lal, Shri
Colaco, Dr.
Dafle, Shri
Daljit Singh, Shri
Das, Dr. M. M.

Das, Shri Sudhansu
Dassappa, Shri
Dass, Shri G.
Deo Bhanj, Shri P. C.
Deshmukh, Shri B. D.
Desmukh, Shri Shivaji Rao, S.
Dhuleshwar Meena, Shri
Dighe, Shri
Dinesh Singh, Shri
Dixit, Shri G. N.
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Dwivedy, Shri Surendranath
Pirodia, Shri
Gackwad, Shri Fatchaiahrao
Gahmari, Shri
Gaitonde, Dr.
Gajraj Singh Rao, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri Atulya
Ghosh, Shri N. R.
Gokaran Prasad, Shri
Goni, Shri Abdul Ghani
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Badshah
Gupta, Shri Ram Ratan
Hansda, Shri Subodh
Hanumanthaiya, Shri
Haq, Shri M. M.
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Iqbal Singh, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tulsidhas
Jaggiwan Ram, Shri
Jain, Shri A. P.
Jamunadevi, Shrimat
Jedhe, Shri
Joshi, Shri A. C.
Jyotishi, Shri J. P.
Kabir, Shri Humayun
Kadadi, Shri
Kakkar, Sri Gauri Shankar
Kamath, Shri Hari Vishnu
Kamble, Shri
Kanungo, Shri

Kappen, Shri
Karuthiruman, Shri
Koyal, Shri P. N.
Kedaria, Shri C. M.
Kelshing, Shri Rishang.
Khadilkar, Shri
Khan, Shri Osman Ali
Khanna, Shri Mehr Chand
Kindar Lal, Shri
Kisan Veer, Shri
Kripa Shankar, Shri
Krishnamachari, Shri T. T.
Kunhan, Shri P.
Kureel, Shri B. N.
Lahri Singh, Shri
Lakshminanthamma, Shrimati
Lalit Sen, Shri
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Lonikar, Shri
Mahtab, Shri
Mahishi, Shrimati Sarojini
Maimoona Sultan, Shrimati
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Mallick, Shri
Mansan, Shri
Mandal, Dr. P.
Mandal, Shri J.
Maniyangadan, Shri
Mantri, Shri
Marandi, Shri
Maruthiah, Shri
Mehdi, Shri S. A.
Mehrotra, Shri Braj Bihari
Mehta, Shri Jashvant
Melkote, Dr.
Mengi, Shri Gopal Datt
Menon, Shri Krishna
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Misra, Dr. U.
Misra, Shri Mahesh Dutta
Mohanty, Shri G.
Mohiuddin, Shri
Mohsin, Shri
Morarka, Shri
More, Shri K. L.

Bill

More, Shri S. S.
 Mukane, Shri
 Mukherjee, Shri H. N.
 Murmu, Shri Sarkar
 Murthy, Shri B. S.
 Murti, Shri M. S.
 Musafir, Shri G. S.
 Muthiah, Shri
 Muzaffar Hussain, Shri
 Naidu, Shri V. G.
 Naik, Shri D. J.
 Naik, Shri Maheswar
 Nair, Shri Vasudevan
 Nanda, Shri
 Naskar, Shri P. S.
 Nath Pal, Shri
 Nayak, Shri Mohan
 Nayar, Dr. Sushila
 Nehru, Shri Jawaharlal
 Nigam, Shrimati Savitri
 Paliwal, Shri
 Pande, Shri K. N.
 Pandey Shri R. S.
 Pandey Shri Vishwa Nath
 Penna Lal, Shri
 Pant, Shri K. C.
 Paramasivan, Shri
 Parashar, Shri
 Patel, Shri Chhotubhai
 Patel, Shri Man Singh P.
 Patel, Shri P. R.
 Patil, Shri D. S.
 Patil, Shri J. S.
 Patil, Shri M. B.
 Patil, Shri S. B.
 Patil, Shri S. K.
 Patil, Shri T. A.
 Patnaik, Shri B. C.
 Pattabhi Raman, Shri C. R.
 Pillai, Shri Nataraja
 Pital Singh, Shri
 Puri, Shri D. D.
 Raghunath Singh, Shri
 Raghuramalaksh, Shri
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Raja, Shri C. R.
 Raju, Dr. D. S.
 Raju, Shri D. B.
 Ram Sewak, Shri

Ram Singh, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Ramakrishnan, Shri P. R.
 Ramaswamy, Shri S. V.
 Ramaswamy, Shri V. K.
 Ramdhani, Das, Shri
 Ranaji Singh, Shri
 Rane, Shri
 Ranga Rao, Shri
 Rao, Dr. K. L.
 Rao, Shri Jagannatha
 Rao, Shri Krishnamoorthy
 Rao, Shri, Muthyal
 Rao, Shri Ramapathi
 Rao, Shri Rameshwar
 Rao, Shri Thirumala
 Rattan Lal, Shri
 Raut, Shri Bhola
 Ray, Shrimati Renuka
 Reddi, Dr. B. Golpala
 Reddiar, Shri
 Reddy, Shrimati Yashoda
 Roy, Shri Bishwanath
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Saigal, Shri A. S.
 Samanta, Shri S. C.
 Samnani, Shri
 Sanji Rupji, Shri
 Saraf, Shri Sham Lal
 Sarma, Shri A. T.
 Satyabhama Devi, Shrimati
 Sen, Dr. Ranen
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shri Manabendra
 Shah, Shri Manubhai
 Shah, Shrimati Jayaben
 Sham Nath, Shri
 Shankaraiya, Shri
 Sharma, Shri A. P.
 Sharma, Shri D. C.
 Shashank Manjari, Shrimati
 Shaahi Ranjan, Shri
 Shastri, Shri Lal Bahadur
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Shinde, Shri
 Shivananjappa, Shri

Shree Narayan Das, Shri
 Shrimali, Dr. K. L.
 Siddiah, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Singhvi, Dr. L. M.
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Tarkeshwari
 Sinhasan Singh, Shri
 Sonavane, Shri
 Soy, Shri H. C.
 Srinivasan, Dr. P.
 Subbaraman, Shri C.
 Subramanyam, Shri T.
 Surendra Pal Singh, Shri
 Swamy, Shri M. P.
 Swamy, Shri Sivamurthi
 Swaran Singh, Shri
 Tahir, Shri Mohammad
 Tantis, Shri Rameshwar
 Thengondar, Shri
 Thevar, Shri U. M.
 Thomas, Shri A. M.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tombi, Shri
 Tripathi, Shri Krishna Deo
 Tyagi, Shri
 Uikey, Shri
 Ulaka, Shri
 Upadhyaya, Shri Shiva Dutt
 Vaishya, Shri M. B.
 Valvi, Shri
 Varma, Shri Ravindra
 Veerabasappa, Shri
 Veerappa, Shri
 Verma, Shri Balgovind
 Verma, Shri K. K.
 Vidyalandkar, Shri A. N.
 Vyas, Shri Radhelal
 Veerappa, Shri
 Wadiwa, Shri
 Warrior, Shri
 Wasmik, Shri Balkrishna
 Yadav, Shri N. P.
 Yadav, Shri Ram Harkh
 Yadava, Shri B. P.
 Yashpal Singh, Shri
 Yusuf, Shri Mohammad
 NOES
 Nil

Mr. Speaker: The result of the division is: Ayes 297: Noes nil. The 'Ayes' have it; the 'Ayes' have it. The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

Clause 5 was added to the Bill.

Mr. Speaker: Now I put clause 1, the Enacting Formula and the Title to the vote of the House. The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

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

Shri A. K. Sen: I beg to move:

"That the Bill, as reported by Joint Committee, be passed.

Mr. Speaker: The question is:

"That the Bill, as reported by the Joint Committee, be passed."

The Lok Sabha divided:

Division No. 47]

AYES

[15.37 hrs.

Abdul Wahid, Shri T.
Achal Singh, Shri
Achuthan, Shri
Akkamma Devi, Shrimati
Alagesan, Shri
Alva, Shri A.S.
Alva, Shri Joachim
Aney, Dr. M.S.
Anjanappa, Shri
Arunachalam, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bade, Shri
Bajaj, Shri Kamalnayan
Balkrishnan, Shri
Balmiki, Shri
Barkataki, Shrimati Renuka
Barupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Baswant, Shri
Berwa Kotah, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhanja Deo, Shri L. N.
Bhanu Prakash Singh, Shri
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Bisai, Shri J. B. S.
Borooh, Shri P. C.
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Brij Basi Lal, Shri
Chakravartty, Shrimati Renu
Chakraverti, Shri P. R.
Chanda, Shrimati, Jyotsna
Chandrasekhar, Shrimati,
Chatterjee, Shri H. P.
Chaturvedi, Shri S. N.
Chaudhry, Shri C. L.
Chaudhuri, Shri Sachindra
Chaudhuri, Shrimati Kamala
Chavan, Shri D. R.
Chavda, Shrimati
Chettiar, Shri Ramanathan
Chuni Lal, Shri
Colaco, Dr.
Daffe, Shri
Daljit Singh, Shri
Das, Dr. M.M.
Das, Shri Sudhanu
Dassappa, Shri
Dass, Shri G.

Deo Bhanj, Shri P. C.
Deshmukh, Shri B. D.
Deshmukh, Shri Shivaji Rao S.
Dhuleshwar Meena, Shri
Dighe, Shri
Dinesh Singh, Shri
Dixit, Shri G. N.
Dubey, Shri R. G.
Dwivedi, Shri M. L.
Dwivedy, Shri Surendranath
Firodia, Shri
Gackwad, Shri Patehsinhroo
Gahmari, Shri
Gaitonde, Dr.
Gajraj Singh Rao, Shri
Ganapati Ram, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ghosh, Shri Atulya
Ghosh, Shri N. R.
Gokaran Prasad, Shri
Goni, Shri Abdul Ghani
Govind Das, Dr.
Guha, Shri A. C.
Gupta, Shri Badshah
Gupta, Shri Priya
Gupta, Shri Ram Ratan
Hanada, Shri Subodh
Hanumanthaiya, Shri
Haque, Shri M. M.
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Iqbal Singh, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tuladihas
Jagjivan Ram, Shri
Jain, Shri A. P.
Jamunadevi, Shrimati
Jedhe, Shri
Joshi, Shri A. C.
Jyotishi, Shri J. P.
Kabir, Shri Humayun
Kadadi, Shri
Kakkar, Shri Gauri Shankar
Kamath, Shri Hari Vishnu
Kamble, Shri
Kanungo, Shri
Kapen, Shri
Karuthiruman, Shri
Kayal, Shri P. N.
Kedaria, Shri C. M.
Keishing, Shri Rishang

Khadilkar, Shri
Khan, Shri Osman Ali
Khanna, Shri Mehr Chand
Kindar Lal, Shri
Kisan Veer, Shri
Kripa Shankar, Shri
Krishnamachari, Shri T. T.
Kunhan, Shri P.
Kurcel, Shri B. N.
Lahri Singh, Shri
Lekhanmiltanthamma, Shrimati
Lalit Sen, Shri
Laskar, Shri N. R.
Laxmi Bai, Shrimati
Lonikar, Shri
Mahtab, Shri
Mahishi, Shrimati Sarojini
Maimoona Sultan, Shrimati
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Mallick, Shri
Manan, Shri
Mandal, Dr. P.
Mandal, Shri J.
Maniyangadan, Shri
Mantri, Shri
Marandi, Shri
Maruthiah, Shri
Mehdi, Shri S. A.
Mehrotra, Shri Braj Bihari
Mehta, Shri Jashvant
Melkore, Dr.
Mengi, Shri Gopal Datt
Menon, Shri Krishna
Mirza, Shri Bakar Ali
Mishra, Shri Bibhuti
Mishra, Shri Bibudhendra
Misra, Dr. U.
Misra, Shri Mahesh Dutta
Mohanty, Shri G.
Mohiuddin, Shri
Mohsin, Shri
Morarka, Shri
More, Shri K. L.
More, Shri S. S.
Mukane, Shri
Mukherjee, Shri H. N.
Mukerjee, Shrimati Sharda
Murmu, Shri Sarkar
Murthy, Shri B. S.
Murti, Shri M. S.
Musafir, Shri G. S.
Muthiah, Shri

Muzaffar Hussain, Shri
Naidu, Shri V. G.
Naik, Shri D. J.
Naik, Shri Maheswar
Nair, Shri Vasudevan
Nanda, Shri
Nankar, Shri P. S.
Nath Pai, Shri
Nayak, Shri Mohan
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Nigam, Shrimati Savitri
Paliwal, Shri
pande, Shri K. N.
Pandey, Shri R. S.
Pandey, Shri Vishwa Nath
Panna Lal, Shri
Pant, Shri K. C.
Paramasivan, Shri
Parashar, Shri
Patel, Shri Chhotubhai
Patel, Shri Man Singh P.
Patel, Shri P. R.
Patil, Shri D. S.
Patil, Shri J. S.
Patil, Shri M. B.
Patil, Shri S. B.
Patil, Shri S. K.
Patil, Shri T. A.
Patnaik, Shri B. C.
Pattabhi Raman, Shri C. R.
Pillai, Shri Nataraja
Pratap Singh, Shri
Puri, Shri D. D.
Raghunath Singh, Shri
Raghuramaiah, Shri
Rai, Shrimati Sahodrabai
Raj Bahadur, Shri
Raja, Shri C. R.
Raju, Dr. D. S.
Raju, Shri D. B.
Ram Sewak, Shri
Ram Singh, Shri
Ram Subhag Singh, Dr.
Ram Swarup, Shri
Ramakrishnan, Shri P. R.
Ramaswamy, Shri S. V.
Ramaswamy, Shri V. K.

Remdhani Das, Shri
Rananjai Singh, Shri
Rane, Shri
Ranga Rao, Shri
Rao, Dr. K. L.
Rao, Shri Jaganatha
Rao, Shri Krishnamoorthy
Rao, Shri Muthyal
Rao, Shri Ramapathi
Rao, Shri Rameshwar,
Rao, Shri Thirumala
Rattan Lal, Shri
Raut, Shri Bhola
Ray, Shrimati, Renuka
Reddi, Dr. B. Golpala
Reddier, Shri
Reddy, Shrimati Yashoda
Roy, Dr. Saradish
Roy, Shri Bishwanath
Sadhu Ram, Shri
Saha, Dr. S. K.
Sahu, Shri Rameshwar
Saigal, Shri A. S.
Samanta, Shri S. C.
Samnani, Shri
Sanji Rupji, Shri
Saraf, Shri Sham Lal
Sarma, Shri A. T.
Satyabhama Devi, Shrimati
Sen, Dr. Ranen
Sen, Shri A. K.
Sen, Shri P. G.
Shah, Shri Manabendra
Shah, Shri Manubhai
Shah, Shrimati Jayaben
Sham Nath, Shri
Shankaraiya, Shri
Sharma, Shri A. P.
Sharma, Shri D. C.
Shashank Manjari, Shrimati
Shashi Ranjan, Shri
Shastri, Shri Lal Bahadur
Shastri, Shri Ramanand
Sheo Narain, Shri
Shinde, Shri
Shree Narayan Das, Shri
Shrimati, Dr. K. L.
Siddiah, Shri

Sidheswar Prasad, Shri
Singh, Shri D. N.
Singhvi, Dr. L. M.
Sinha, Shri Satya Narayan
Sinha, Shrimati Terkeswari
Sinha, Shri
Sonavane, Shri
Srinivasan, Dr. P.
Subbaraman, Shri C.
Subramanyam, Shri T.
Surendra Pal Singh, Shri
Swamy, Shri M. P.
Swamy, Shri Sivamurthi
Swaran Singh, Shri
Tahir, Shri Mohammad
Tantia, Shri Rameshwar
Thengondar, Shri
Thevar, Shri U. M.
Thimmaiah, Shri
Thomas, Shri A. M.
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Tombl, Shri
Tripathi, Shri Krishna Deo
Tyagi, Shri
Uikey, Shri
Ulka, Shri
Upadhyaya, Shri Shiva Dutt
Vaishya, Shri M. B.
Valvi, Shri
Varma, Shri Ravindra
Vecrabasappa, Shri
Veerappa, Shri
Verma, Shri Balgovind
Verma, Shri K. K.
Vidyalankar, Shri A. M.
Vyasa, Shri Radhelal
Wadiwa, Shri
Warior, Shri
Wasnik, Shri Balkrishna
Yadab, Shri N. P.
Yadav, Shri Ram Harkh
Yadava, Shri B. P.
Yashpal Singh, Shri
Yusuf, Shri Mohammad

NOES
Nil

Mr. Speaker: The result of the Division is: Ayes 300, Noes nil

This is a unanimous vote and certainly we ought to congratulate ourselves. The 'Ayes' have it, the 'Ayes' have it. The motion is carried and the Constitution (Sixteenth Amendment) Bill, 1963 is passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

15.40 hrs.

EXPORT (QUALITY CONTROL AND INSPECTION) BILL

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): Sir, I beg to move:

"That the Bill to provide for the sound development of the export trade of India through quality control and inspection and for matters connected therewith be taken into consideration."

The hon. Members are already aware of the need for foreign exchange for implementing the various development schemes of our Five Year Plans. To meet this need, our earnings from exports have to be stepped up. Of the various measures necessary to increase our exports, one of the most important ones relates to quality control and pre-shipment inspection of export goods. Furthermore, in order to increase the sale of our goods abroad, the goods have not only to be of high quality but the overseas importers should be convinced of that quality. In other words, a reputation for the quality of our export products has to be established. Mere absence of complaints is no test of the quality of our products.

In the present context of growing competition in the international market and even to maintain the volume of trade on traditional items, our goods have to be made attractive to the foreign buyers and competitive with the products of more advanced countries. We cannot, therefore, hope to achieve this position unless concrete steps are taken. It is only through specific measures of quality control at the stage of production and careful inspection prior to exportation that the quality and reputation of the products can be established and maintained in overseas markets.

The question of quality control on goods exported has been under constant review of the Government, since 1949 when an Export Promotion Committee appointed in that year recommended that something direct and positive should be done to maintain the quality of India's merchandise abroad. Another Export Promotion Committee in 1957 also examined this aspect. In 1960 the Government appointed an *ad hoc* committee on quality control and pre-shipment inspection for the purpose of examining the entire question of quality control and pre-shipment inspection of India's export goods and suggesting steps for im-

provement. This committee found that several different kinds of quality control were being applied to different kinds of commodities; and agencies, official as well as non-official, were engaged in administering quality control and pre-shipment inspection schemes. Some of these schemes were mandatory under certain legislative enactments while others were in the nature of voluntary service to those who wanted to take advantage of it. On the whole, the position was far from satisfactory. These different schemes had been brought into effect in an *ad hoc* manner and consequently suffered from lack of proper co-ordination.

The mandatory schemes have been deriving their powers either from Drugs Act, Fruit Products Control Order under the Essential Commodities Act; Prevention of Food Adulteration Act, etc., or prohibition of export of goods under the Customs Act unless the goods carry certification marks under the Agricultural Produce (Grading & Marking) Act, ISI Certification Marks Act and the like. In the case of a few other commodities the schemes of quality control and pre-shipment inspection have been purely voluntary without the backing of a legislative enactment, with the result that a considerable part of the exports have continued without adhering to quality standards. The *ad hoc* committee, therefore, rightly felt that the provisions of the Customs Act not having been designed to deal with quality control or pre-shipment inspection were inadequate to deal with all aspects of quality control. In order to remove such deficiencies and weaknesses in the measures for quality control and pre-shipment inspection, it has been considered necessary to move the present Bill which is comprehensive and is particularly directed to ensure not only the quality of our products but that the exports be made only of those products which satisfy the requisite standards.

It has also been felt that for the ultimate objective of improving the

[Shri Manubhai Shah]

quality of all Indian exports and for establishing increasing demands for Indian goods abroad, Government should have the advice of a Council comprising individuals and officials who are intimately concerned with the problems of quality control of indigenous products and with export promotion. By a provision of the Bill, the Government will be empowered to establish a Council to be known as the Export Inspection Council with a Chairman and fifteen members. This Council will advise the Government regarding measures for enforcement of quality control and inspection in relation to commodities intended for export and draw up programmes in this regard. The Council will be a body corporate and it can receive grants from the Government and donations from bodies or institutions approved by the Central Government, thus having its own funds. With the concurrence of the Central Government, the Council will also be able to make grants-in-aid to the agencies established or recognised for exercising quality control and pre-shipment inspection.

As a central authority for administering quality control and pre-shipment inspection, and for the purpose of coordinating various activities in this behalf, the legislation provides for the appointment of a Director of Quality Control and Inspection by the Central Government. This Director will also be the member-secretary of the Export Inspection Council.

Under the authority of the proposed legislation, the Government, after consulting the Council, will be able to notify the commodities which shall be subject to quality control and inspection prior to export, and specify the types of quality control or inspection that will be applied to the notified commodities. The legislation will enable the Government to establish new standards or adopt or recognise existing ones for ensuring quality

control of export goods and prohibit export unless the notified commodities carry recognised certification marks or seals in token of conformity of the goods to the specified standards, and to establish or recognise agencies for the purpose of exercising quality control and inspection.

I am sure that hon. Members will agree that export of sub-standard or spurious goods damages the country's reputation and hence it is necessary to take stringent action against persons found guilty of contravening the provisions of the Act. Penalties have, therefore, been provided for export of sub-standard goods extending to imprisonment upto two years or fine of Rs. 5000 or both. In case of second and subsequent offences, the legislation contemplates a heavier punishment, i.e., a minimum term of imprisonment and also a fine.

While it is not our intention to interfere with the existing regulations under which quality control and pre-shipment inspections are being exercised over a number of export commodities, the hon. Members will, I hope, agree that Government should have the authority, should the need arise, to bring any such commodity within the ambit of this comprehensive legislation. An enabling clause has, therefore, been incorporated in the Bill by virtue of which the arrangement for quality control and pre-shipment can be modified for a notified commodity even though the existing arrangements may be under some legislative provisions.

Here I want to assure the trading community of the country that while enforcing quality control and pre-shipment inspection, we shall try to accommodate all such international export contracts under which specified qualities and specifications are agreed upon between the sellers in India and the buyers abroad.

It is hoped that with this enactment, it will be possible to ensure that India's export commodities are looked upon with the highest esteem in the international market and that foreign buyers having been assured of the quality of India's products, will buy India's goods in larger quantities. As I said earlier, not only is quality control beneficial and in the country's interests, but quality pays. We have seen that our experience in the last four months since we brought several measures of quality control has been very good. As the House is aware, since January 1963, we have brought about 39 major commodities of India's export under some system of quality control. We have brought under quality control practically all the agricultural products, textiles, woollen textiles, silk textiles, sugar and various other products. Some of the quality controls are being exercised under the Agricultural Marketing Act. Recently we have brought cashew under the quality control of the Export Promotion Council. It is hoped that in the coming year or two, we shall be able to bring under the ambit of this Bill the major export items which play a vital role in India's exports.

I can assure the trading community that with their fullest cooperation and with a pragmatic approach to this problem, we want to bring in a new sense of quality control during the current year. The year 1963 in India's history of foreign trade will go down as the "quality control year", in which the trading community of this country, the business-houses and the commercial community have fully cooperated with the Government and with this House in bringing out a correct image of India abroad, by way of maintenance of quality standards in its commodities. I shall not take further time of the House.

Sir, I move.

Mr. Speaker: Motion moved:

"That the Bill to provide for the sound development of the export

trade of India through quality control and inspection and for matters connected therewith, be taken into consideration."

Shri Hari Vishnu Kamath (Hoshangabad): What is the time allotted for this Bill?

Mr. Speaker: Two hours.

Shri Warior (Trichur): Mr. Speaker, I fully support the measure brought forward by the Minister of International Trade. This is a problem which should be tackled, but it is a very difficult problem to tackle with. The main point is that our export promotion has not gathered as much momentum as it should have been. Our statistics show that the export of our country is standing at a stagnant figure of around Rs. 600 crores per year.

15.51 hrs.

[**SHRI KHADILKAR** in the Chair]

Last year, the figure had shown some improvement, and it went up to something like Rs. 662 crores. We do not know what will be the position this year, because some of the economic journals say that this year there will be a deficit of Rs. 30 crores to 40 crores from the targeted figure of Rs. 720 crores. So, we cannot under-estimate the importance of quality control at this juncture when we are straining every nerve to improve our export promotion.

We have to search for new markets for our goods because we find it very difficult to sell our goods in the traditional markets on account of stiff competition from other countries and because of their own indigenous production. So, all these things have their effect on our export. Therefore, the attention and energy of the entire economy has to be turned in the direction of promoting exports to such an extent that we will get the badly needed foreign exchange in spite of

[Shri Warrior]

facing competition from other countries.

Therefore, I am glad that this measure has come, though none too early. Then, when it is a question of foreign exchange, the import trade must also receive some more scrutiny. It has come to the notice of the Public Accounts Committee, at least in the case of two purchases that we had of sleepers from America and Australia, that we had lost lakhs of rupees because of the supply of sub-standard quality goods, though it was expressly provided in the contracts that such things should not be supplied. It has become an international practice, especially, with big importers and exporters, to supply sub-standard qualities and then go for long-winded arbitration of disputes. In that way, we are losing quite a lot of foreign exchange. Therefore, quality control is very important not only for export but also for import.

As far as quality control is concerned, there are one or two aspects. At present, the Indian market is very fertile market, which is expanding. It has become more or less, according to economists, a sellers market. So, any sub-standard goods is saleable in the Indian market and good profits can be made. Therefore, some way must be found to prevent the sale of sub-standard goods for internal consumption also. Unless that is done, there is no incentive for people to export good quality material. Because, why should they bother about all the difficult procedures, all the administrative impediments to export when there is an open market, a free market within the country where they can sell all sorts of sub-standard goods.

Not only that. By manufacturing sub-standard goods, they exploit not only the consumers but also the workers. The workers are paid very poor salaries. Unless and until Government come forward to help the workers organise their trade unions

more and more and thereby strengthen the collective bargaining capacity of the workers, I do not think there is any possibility of eliminating from our market all these sub-standard and useless goods which are now placed at the disposal of our people. Now this tendency has spread to the export market also, and the traders are indulging in it wherever possible.

Some time back we heard a discussion on the distinction between honest and dishonest businessmen. I do not know where the question of honesty or dishonesty comes in, so far as business is concerned, because, when it is a question of profit, everybody is in the same category. There is no question of distinction between honest and dishonest businessmen, when the question of profit is involved.

The worst sufferers in this country, so far as traditional items are concerned, are the agriculturists. It is very easy to control the standard of export goods, because the items are limited, about 25 or so, although the Minister has said that we have already extended quality control to about 30 or 40 items.

Though there are 25 items in this list, 40 per cent of the export is covered by jute, tea and cotton textiles. There is competition between tea and jute as to which is to rank first. Who is controlling these markets? Some people corner all the produce available in the country and ship it to the export market. Who is controlling them. In jute, for instance, as everybody knows, there has been debate here many a time and questions were asked, in the jute market the worst sufferers are the agriculturists and the best harvesters are the middlemen. The real price, or a major share of the price, is not going to the agriculturist who produces the raw jute or the worker who processes it, though it is one of the main items of export and we are getting a good price for it in the international market. Of course, now even in the foreign mar-

ket other types of hessians are also coming at competitive rates and our jute market is becoming more and more difficult.

Then I come to tea. I know it is a cry in the wilderness to ask that the entire tea industry, from the production stage to the consumption stage should be controlled by Government. Even now, in spite of the stiff competition, cut throat competition, in the continental Europe, we have got a very good and potential market in Europe. As far as I know, the complaint from the European countries is that they do not get quality goods in tea. So far as the internal market of tea is concerned, the less I speak the better. We are getting only dust. Sand and dust is passed on as tea. I agree with the view that the best tea has to be exported. But it does not mean that sub-standard tea should be supplied for the home market.

Now, our entire export of tea is channelised through Great Britain, with the result that Britain gets a commission on every sale. Whenever any tea goes to the Continent from India, they open and close it and get a commission, and we lose in the transaction.

Therefore, so far as the tea industry is concerned, I am of the firm opinion that unless and until the tea industry is taken over by the Government, if that is not possible, at least controlled by Government, no remedy is possible to rectify the present bad situation. I am saying this because I have visited all the hill stations in our place. So far as the Kannan Dewan Tea estates are concerned, what is the position? The workers are not properly paid, they are not properly housed and all the labour regulations of our country are ignored by the tea bosses, who are getting huge amounts in the form of allowances. They get allowances even for raisings. But they do not provide the workers with even ordinary common habitation. So, I do not understand why all the exports to the foreign countries should be channel-

led through Britain. Therefore, unless we control tea production and tea marketing, I do not think we will get that much foreign exchange which we expect from tea.

As far as textiles are concerned, I need not mention about it. It is all in a muddle.

16 hrs.

Now coming to other produce, spices etc., formerly we had reports that pepper which comes first among spices exported, was detained in USA some time back. Now-a-days, it is reported, it is not seized. But actually there is very much of adulteration in pepper.

Shri Hari Vishnu Kamath: In everything.

Shri Warrior: Our people even do not know why pepper is exported and what use pepper has got in the USA in such bulk quantity. Kerala is the best pepper-producing part in this country and I know the ins and outs of this trade not only here but in Java also. Pepper is used in the packing houses in Chicago and other places in the United States in order to cover meat because if meat is packed soaked in pepper powder it will not germinate. But we have a competitor in Indonesia which also produces pepper and which is called white pepper. Our pepper is called black pepper. Our pepper is actually more pungent than that of Indonesia. But how can this pepper be exported? We cannot have genuine pepper. All sorts of small seeds available from forests and bushes are included in this. There is a great amount of adulteration.

But more than that, pepper which is taken in the months of December, January and February is cornered by certain interested parties, that is, middlemen and big trading houses in Cochin, Calicut and other sea ports of Kerala and they keep it there for some time, that is, until the market rises. Because of the poverty the

[Shri Warior.]

peasants who produce pepper sell it even before the harvest season. They sell it in advance so that they may get the money easy enough. They take it before the pepper is mature. This raw pepper which is taken prematurely is not dried properly before it is exported. When it goes to the United States and is unpacked there, they see the mould there because of the moisture that remains in the pepper. Thus, the market has gone down and we have lost and our agriculturists have lost so much.

This is the state of affairs of all the hill produce, that is cardamom, ginger, turmeric—everything. Hence, I will suggest that, in order to have a better quality for export, we should at least try to have auction sale in any of the major ports, like Cochin. If we have an auction room in Cochin for this hill produce including pepper, it will give some more lift to the actual producers. Then at least the producers can wait until the market rises, the foreign markets also. They can keep the stock with them till then and can sell it when actually a good price is coming forth instead of mortgaging the entire crop in the hands of these middlemen, take it prematurely and get the most sub-standard stuff. Therefore if there is an auction room where the agriculturists can also get credit, I think, much can be done for making the quality better. We can do that for all the hill produce.

In this connection, I will say that apart from these agricultural and traditional stuffs that we are marketing, we must try for more and more new things to be taken to foreign markets. I do not think that we can rely upon the traditional materials like jute or for that matter, even tea. Tea is also having very stiff competition from countries like Ceylon and other places. So, it is high time that we supply the foreign markets with goods, like manufactured goods, engineering goods or some other stuff. For

instance, the South-East Asian market is still a potential market for us for these things. It will not take much time for them also to have their indigenous manufacture and industrialisation, but by that time our industries will also be in a position to tackle these things. This is the position as far as I can see about the export market.

While I welcome this Bill, one or two things must be said as a precaution. Firstly, there is always the possibility of these inspecting agencies harassing the small holders. There are very many exporters who are at the mercy even now of the big monopolistic concerns. As far as our part of the country is concerned, I know that the whole pepper trade is cornered by three or four people. You will be amazed to know, Sir, that the biggest pepper cornerer in that part of the world is Volkart Brothers, a Swiss firm with German traditions having a second head office started after starting it in Europe at Bombay. Another firm is Pearce, Leslie and Company. They are the dictators of the market. They are monopolists of the market and the small growers and exporters are at their mercy. This sort of thing must not be transported to this checking and inspecting business also. The small people must be protected and there should be no harassment. The biggest possibility is that of delaying the exports. If the exports are delayed, that may contravene the agreements entered into with exporters and people on the other side. The inspection may cause very much delay in exports and it will mean harassment. That should be done away with. Certainly, I will suggest that for the bigger people there should not be any laxity in imposing punishment. For instance, in Japan, I am told, it is "three years" whereas we have put it at "two years". Japan is a country which is well ahead in the export market. Japan is a country which has already established itself in the markets of almost all South-East Asia and is expanding up to Europe whereas our

country is even now limping in the export market. So, why should we be more lenient than those people who can afford to be lenient? I do not know why it is put as "two years' imprisonment." Even then, the minimum is not given there. I fear that the minimum will be one month or less because for the second offence the minimum is put as "three months." So, naturally, for the first offence it must be something less than three months and Rs. 1,000/- or something as fine. I think, more than the fine, imprisonment will be the more deterrent punishment because that will exclude them from the market for some time and they will not be able to have their business carried on. These people are just like smugglers. If we impose a fine even of Rs. 1 lakh, the smugglers do not mind it; they will pay it. But one day's imprisonment is much more than that for them.

Mr. Chairman: The hon. Member's time is up.

Shri Warior: I do not think there will be many more hon. Members to speak.

Mr. Chairman: He has already taken 20 minutes.

Shri Warior: Two hours have been allotted for this Bill. There is not much dispute about the clauses. So, let us bring out all these things at least.

Shri Sham Lal Saraf (Jammu and Kashmir): I think, the hon. Member is trying to distribute the time between himself and the hon. Minister. He should know that there are other hon. Members also who are anxious to speak.

Shri Warior: I do not exclude them. If I speak, they will only have to support the major portion of it and it will be an easy job for them. I do not want to monopolise.

Shri Hari Vishnu Kamath: As the hon. Minister said, quality is impor-

tant. His speech has got quality; so, let him continue.

Shri Warior: Thank you very much. The provision about the formation of the council is also an important provision in this Bill. When we form this council, due attention must be paid to giving sufficient representation to those people whose voices are not usually heard in the higher circles. They must also be given, because I fear that most of these nominations will go to representatives of Chambers of commerce. Other associations, if at all they are, they will be neglected. Until and unless the Government makes up its mind to ask these small holders and merchants and exporters to form their own associations and come into their own, there will not be any hope. Encouragement must be given for small exporters and manufacturers to have their own associations and then the Government must encourage them by giving them more representation in the councils.

About the agencies also, there is that fear that unless the Government sees that most of the Promotion councils are not entrusted with this work of checking, pre-shipment inspection as well as arbitration, I think, there will be difficulty for these people. This must be borne in mind. About arbitration also, I must say a word. Always I do not think that the importers are correct and right in disputing the quality of our stuff. At times, the market situation may give them the reason for that. Suppose the market is very dull and the consignment comes at that time, these people have a tendency to dispute the quality so that it can be kept at abeyance and some reduction can be forced on the exporter who is at their tender mercy. Naturally these disputes are taken up. The Government agencies concerned must see that proper protection is given to our people. This much protection is given by all other Governments. I have seen, attending the P. A. C. meetings, when we scrutinised the timber business, the highest

[Shri Warior]

representatives of the foreign countries intervened on behalf of those merchants who sent us spurious material here. They intervened and squared up the whole affair to their advantage and to our disadvantage. The sleepers are still sleeping in the dockyards and they are cracking. We lost lakhs of rupees. This protection must be given to our exporters whenever there is a possibility of fraudulently picking up some quarrels or disputes. This must be borne in mind. All are not honest there also and here also. There are also possibilities of our people being at the mercy of so many elements, for instance, the shipping element, agents and all these things. This also must be taken care of.

We are not properly, scientifically equipped for exporting all these materials. For instance, perishables. If they are properly packed and sent, there will be protection for them. Where is the scientific equipment for that? Our biggest deficiency is in fish exports. Suppose we have sufficient equipment and co-operation from Government for fish exports, what will be the nature of our fish export?

Mr. Chairman: You have taken 25 minutes.

Shri Warior: Five minutes more. Quality will be better.

Mr. Chairman: Others also have quality in their contributions.

Shri Warior: All these things must be borne in mind. It is not in the processing of legislation, but in the implementation of legislation that more care should be taken. I hope that by these measures, our exports will go up at least by a few more crores this year.

Shri V. B. Gandhi (Bombay—Central South): Mr. Chairman, I thank you for this opportunity to speak.

The measure that is before the House today is the result of the recommendations of the *ad hoc* committee appointed by the Government in November, 1960 to consider the question of quality control and pre-shipment inspection. The committee worked with record speed, and in a short time produced a very useful document.

Among the chief recommendations of the committee can be mentioned, firstly, that they recommended separate legislation covering all aspects of the quality control and inspection regarding export commodities; the next recommendation, a very important recommendation, is about the composition of the export inspection council. This council is to have a chairman and 15 members. The composition seems to me to be of a very good character, and it offers a fair proportion of representation to officials who would possess specialised knowledge in their respective fields. There are to be four such officials. That leaves 11 to be considered. There will be three out of these 11, who would be representing the agencies to be set up. That still leaves 8 to be considered. I hope in considering these remaining eight, the hon. Minister will consider the claims of private inspection agencies like surveyors and such others.

I am glad to say that all these years our Government have been quite active in the export field, active in considering measures of export promotion. I can give an account of a hurried list here, a kind of a resume of what Government have been doing about export promotion lately.

It will be appreciated here in the first place that whatever we are saying here is in the context of our export trade. Here is the list of what Government have been doing. Export control has been liberalised. Incentives for export promotion schemes have been offered. Freight concessions with railway priority claims for export have been arranged. Drawback re-

bates have been offered, rebates in respect of Central excise duties and customs duties and such others. Industrial licensing has been oriented for exports, that is, for increasing the export potential of the industries. Recognition of export houses has been granted, and that is a kind of a new scheme which takes notice of business-houses of a new class altogether. Credit facilities have been extended, and actually, as we know, we find that new credit institutions like refinance corporations and others have been functioning satisfactorily. Then, assistance to Chambers of Commerce in various forms including grants-in-aid has also been established. Then minimum prices of export commodities in certain schemes have been fixed. Bilateral trade agreements with 28 countries have been negotiated and are actually functioning satisfactorily; most of these have been made through our State Trading Corporation. Finally, we all read in our newspapers about a large number of trade delegations moving all over the world in the interest of promotion of our export trade. This, I think, should be considered quite an impressive list and we would congratulate Government on the progress made so far.

But we do not like to allow ourselves to forget that our sights have to be set higher. In the Third Five Year Plan, the estimated requirements of export earnings have been set at something between Rs. 3,700—3,800 crores. That is not a very large target, but a target yet to be achieved.

I need hardly say that this is a legislation which is essential and has been overdue for quite sometime and it will help complete the good work that has so far been done.

Before I close, I would support some of the things that Shri Warior had to say, particularly in respect of the attractions that domestic trade still has in our home market. Some kind of a restraint is called for. I do not know how; I have no precise idea of what

kind of restraint we can devise, but I might just pass it on to the Minister for his consideration. We find that domestic trade is still very attractive to our people and something must be done. A few days ago I think I made a suggestion in this House that it is even worthwhile to consider a scheme in which some kind of compulsion could be introduced and our exporters made to allocate a certain percentage in selected export items for export only.

Finally, I would say that we must have a first-rate reputation in our export markets. Our material and workmanship must be attractive. Prices, above all, are an important thing and they must be right and even competitive. Goods must be such as will squarely meet the claims made in their behalf. Understatement should be considered a good form of advertisement especially when we advertise abroad. Above all, let us not lower our standards of quality, let us not cheapen our quality. That is a wrong thing to do. We know that before the war, Japan had a reputation for cheap quality. But we know that Japan has learnt its lesson and today it is one of the outstanding examples of countries that produce very high quality and expensive products like cameras and such other things—absolutely high class products. There is saying in the export world, which I shall repeat and end my speech. They always say that quality is remembered long after price is forgotten.

Thank you.

Shri A. C. Guha (Barasat): I think this House will generally welcome this Bill, and will consider that the Government has been rather late in bringing a Bill of this nature. It was long over-due.

As the previous speaker stated, an *ad hoc* committee was appointed in 1960 to go into this question, and it promptly submitted its report, recommending enactment of a legislation of this nature. I do not know

[Shri A. C. Guha]

why Government should have taken near about three years to draft a small legislation of this nature.

Shri Gauri Shankar Kakkar (Fatehpur): It appears the hon. Members are not very much interested in export quality that is being discussed. There is hardly any quorum in the House.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Members are sitting outside.

Mr. Chairman: Does he challenge?

Shri Gauri Shankar Kakkar: I challenge it especially because both the whips happen to be present in the House, and it is a pity that still there is no quorum in the House.

Shri Satya Narayan Sinha: We are going to remedy that position tomorrow, with your help. We are going to take up that Bill tomorrow to remove this lack of quorum which is a running sore.

Mr. Chairman: The bell is being rung. Now there is quorum.

The hon. Member, Shri Guha, may continue.

Shri A. C. Guha: Some time back the matter came to the notice of this House that purchasers abroad very often refused our goods on account of quality, that there was such a lack of commercial morality prevailing in the country that often the exported goods were below the specifications or not according to the samples previously supplied.

Further, the foreign purchasers often refused to accept the ISI mark or the AGMARK. It was a question of our national prestige that the two standard marks so long prevalent in the country were not recognised by our

foreign purchasers. So, it should have been the duty of the Government to rectify this position at least for the vindication of our national honour and our commercial prestige. Of course, the question of exports is surely there.

For the last few years our foreign exchange position has been rather precarious, and the urgency of increasing our export earnings has been repeatedly mentioned in this House and outside. Still, the percentage of our total export to world trade has remained more or less static. I think it has not increased. Even though there might have been some increase recently in the total amount of our export earnings, compared to the total world trade, our share has not increased. There are two factors responsible for this: quality and price. Both the previous speakers referred to the domestic market. The commercial community has got here a protected market, very lucrative. They do not care for any foreign market or for improvement in the quality or for reducing the price. In spite of the protection for the last 10 or 12 years, several of the protected industries have not improved their quality or reduced the cost of production. Some have done so but most of them have not done so. Many consumers here would like to have foreign products in preference to Indian products. Take for instance, paper, newsprint or art paper or even ordinary white paper. The quality of newsprint or art paper is deplorable. Even Pakistan has a much better quality in her newsprint.

Even now most of our exports are of primary commodities—ores, jute, tea, oil seeds, etc. Manufactured or industrial goods constitute a small percentage of our products. Government has to be very vigilant and see that the quality and price of our manufactured goods can compete in the world market and their export can be promoted.

There are three main items of traditional exports: tea, jute and textiles.

Textile exports had been going down primarily on account of the price and quality. Japanese, or even Chinese textiles are competing with us in the nearabout markets. We have been holding good position in respect of jute. Jute and tea are our two biggest items of export. Competition in jute is becoming keener every year because Pakistan is setting up jute mills. Hardly anything has been done about quality improvement of jute. The Indian farmers have increased the output by about 300 per cent but for quality improvement, one depends upon Government. Attention should be paid to this if we are to continue our jute exports. Otherwise, we may be ousted by Pakistan jute goods in not very distant future.

In quality and price of tea we are facing competition from Ceylon, Kenya and other countries. Two years ago, I mentioned in this House about the deteriorating quality of Indian tea. Tea Industry is gradually passing into the hands of a commercial community which is not so keen about maintaining its quality or even a business standard. The Government should be vigilant about the quality of tea also.

In this connection, I would like to refer to the remark made by the Minister of Health that in India there are factories which have been producing adulteration materials to be mixed with drugs and food articles, including tea. If this state of affairs can be allowed, how can we expect the quality of our commodities either for internal use or for export purposes, to be improved or to be maintained at a proper standard?

I now come to some of the provisions of the Bill. The Council that this Bill proposes to set up, I am afraid, may be a bit costly affair. Our export commodities are even now, I am afraid, higher in price than the foreign commodities. But now I hope the Government will see that in view of this Council and other paraphernalia of inspection the cost may not be

further increased and may not create a handicap for our export.

The financial memorandum says:

"It is, however, anticipated that a substantial portion of the recurring expenditure that may be incurred on such agencies and authorities will be recouped by the fees charged under clause 7(2) and the rules made under clause 17."

This, I am afraid, may create some difficulties for our export by increasing the price of our commodities. It has been stated that every rule made by the Central Government shall be laid as soon as may be after it is made before each House of Parliament. But besides these rules, I think there is provision for some notifications being issued by the Government which may not be just in the form of rules. Clause 17 says that the Central Government may, by notification in the Official Gazette, make rules. That is quite clear and the notification will be covered by the rules. But clause 13 says:

"The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by—"

and then it mentions the authorities.

16.38 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

This delegation of powers may be simply by notification. I am not sure if this also will be called rules. If not, such notifications should also be laid before the Parliament. This delegation of power which in Parliamentary terminology may be called subordinate legislation should not be done without bringing it to the notice of Parliament. I would suggest that either this may be made clear in clause 13 that this notification should also be

[Shri Priya Gupta]

considered as a rule or it may be laid down in sub-clause (3) of clause 17 that every rule made and notification issued by the Central Government should be laid before Parliament.

With these words, I commend this Bill, and I hope that Government will surely try to improve the quality not only for export but also for internal consumption and to reduce the cost of production also. I am not sure if the Government have got adequate powers to control or check or examine the cost of production of any industrial goods in the country. Taking advantage of the protected western market, the manufacturers have been putting up sometimes very high prices for their commodities. Had there been any alternative source of getting these commodities through import, there would have been some urge for the manufacturers both to improve their quality and also to reduce the price. I hope Government will see to this and carry out the provisions of the Act in a way which will increase the exports of our country.

श्री श्रीकारलाल बेरवा (कोटा) :

उपाध्यक्ष महोदय, मैं इस बिल का समर्थन करता हूँ। अगर इस बिल को उसी समय लाया गया होता, जब कि हम ने स्वतंत्रता प्राप्त की थी, तो हमारा एक्सपोर्ट इतना न गिरता। आज हमारा साठ परसेंट एक्सपोर्ट गिर गया है और इस कारण हम को काफी नुकसान हो रहा है। हमें मिलने वाली विदेशी मुद्रा में भी कटौती हो गई है। अगर सबेरे का भूला हुआ शाम को भी घर आ जाता है, तो उसे भूला हुआ नहीं मानना चाहिये क्योंकि अगर कोई गलती करता है और बाद में उसकी दवा कूँडता है, तो वह उचित ही है। अगर इस बिल को पहले ही लाया जाता, तो हमारे माल की क्वालिटी इतनी न गिरती और एक्सपोर्ट भी न कम होता।

हमारे यहां से विदेशों में माल का जो सैम्पल भेजा जाता है, बाद में माल उस सैम्पल

के विपरीत भेजा जाता है, जिससे हमारे देश की बदनामी होती है और इस के साथ ही माल लेने वाले भी उस सौदे से मुकर जाते हैं।

सरकार का विचार जांच करने के लिये एक समिति बनाने का है। हमें तो यह चाहिये कि कारखाने के ऊपर ही ऐसे एक्सपर्ट इंजीनियर या एक्सपर्ट आफिसर रखे जायें, ताकि वहां पर माल के बनते ही उस को देख लिया जाये। अगर वह माल निश्चित क्वालिटी में नीचे हो, तो उसे उसी वक्त डिस्मैंटल कर के कम्पनी को वापस कर दिया जाये। सरकार की ओर से कहा गया है कि माल की प्रीशपमेंट इंस्पेक्शन की व्यवस्था की जायगी और माल की क्वालिटी खराब होने पर उसे कम्पनी को वापस भेज दिया जायगा। मैं समझता हूँ कि इस में गवर्नमेंट का भी बहुत खर्च होगा और कम्पनी वालों का भी बहुत खर्च पड़ेगा। इसलिये बेहतर यही होगा कि एक्सपर्ट आफिसर कारखाने पर हा माल को एग्जामिन कर के आवश्यकता पड़ने पर वहीं पर उसको कम्पनी को वापस कर दें।

यह समिति बनाने से एक तो खराब माल नहीं बनेगा, दूसरे, देश की बदनामी नहीं होगी, और तीसरे, उद्योगपतियों को प्रेरणा मिलेगी कि वे अच्छा माल बनायें, ताकि दूसरे देशों में हमारे माल की इज्जत हो। मैं आप को बताना चाहता हूँ कि कुछ दिन पहले जापान का माल हमारे यहां काफी तादाद में आता था, लेकिन उस की कोई कद्र नहीं थी, कोई इज्जत नहीं थी। सब उस माल को ठुकराते थे, लेकिन उस के मुकाबले में इंग्लैंड के बने हुये माल को पसन्द करते थे, क्योंकि इंग्लैंड वाले अपनी चीजों को इतना अच्छा बनाते थे कि वे सालों तक चलती थीं जब कि जापान का माल दो चार महीनों में टूट फूट जाता था। आज हमारे माल की भी वही स्थिति है। अगर हम पहले

से इस बारे में ध्यान रखते, तो इंग्लैंड और कई दूसरे देशों की तरह हम भी अपना नाम कमा सकते थे। उदाहरण के लिये हम ने 'लैंडमास्टर' ट्रक बनाया, लेकिन चूंकि वह कुछ दिनों के बाद खराब हो जाता है और नहीं चलता है, इसलिये लोग उसको 'बैंडमास्टर' कहने लगे हैं। क्वालिटी खराब होने से हमारे देश की बदनामी होती है।

हमारी एक गलती यह भी है कि जितनी इंडस्ट्रीज और फैक्ट्रीज आदि हैं, उन पर साइन बोर्ड लगा दिया जाता है, जवाहर फैक्ट्री, गांधी फैक्ट्री, गांधी आइसश्रीम, जवाहर सोप, गांधी सोप आदि। इन नामों को आधार बना कर उन फैक्ट्रीज का उद्घाटन किसी मिनिस्टर साहब से करा लिया जाता है। उस के बाद वे लोग ग्रंट-शंट माल बनाते हैं और समझते हैं कि मिनिस्टर साहब से उद्घाटन तो करा ही लिया है, अब हमारे खिलाफ क्या कार्यवाही होगी। मेरे विचार में ऐसी कम्पनीज पर ज्यादा निगाह रखनी चाहिये। हम को केवल क्वालिटी की तरफ ही ध्यान नहीं देना चाहिये, बल्कि उस के साथ साथ क्वालिटी भी अच्छी बनाये रखनी चाहिये। चाय, जूट और इक्स्ट्राइल वगैरह जो चीजें हम एक्सपोर्ट करते हैं, उनकी क्वालिटी अच्छी होनी चाहिये। क्वालिटी अच्छी न होने की वजह से हमारा एक्सपोर्ट गिरता जा रहा है और करोड़ों रुपये का नुकसान हो रहा है। कुछ समय पहले हमारे यहां से रूस को जूतों का जो सैंपल भेजा गया, जूते उस सैंपल से भिन्न भेजे गये, जिसका परिणाम यह हुआ कि उन्होंने आधे जूते खराब कह कर वापस कर दिये। ऐसी बातों से हमारे देश की बदनामी होती है।

इसलिये जो जांच कमेटी बनाई जा रही है, उसका मैं स्वागत करता हूं, लेकिन मैं देखता हूं कि उस कमेटी में सिर्फ सरकारी कर्मचारी ही रखे गये हैं और बाहर के लोगों

या पार्लियामेंट के सदस्यों को उस में स्थान नहीं दिया गया है। मैं समझता हूं कि उस में इस बारे में जानकारी रखने वाले बाहर के लोग भी होने चाहियें। आज तक यह देखा गया है कि जितनी जांच समितियां बनी हैं, उतना ही भ्रष्टाचार बढ़ा है। इसलिये मेरा निवेदन है कि इस जांच समिति में ऐसे आदमी नहीं होने चाहियें, जिन के कारण भ्रष्टाचार बढ़े। यह न हो कि जांच समिति भ्रष्टाचार कर के ग्रंट शंट माल को चलाती रहे। इसलिये उस पर ऐसी निगरानी रखनी चाहिये कि उस जांच समिति के लिये भी किसी और जांच समिति को न रखना पड़े। भ्रष्टाचार को खत्म करने के लिये इस जांच समिति पर भी कुछ प्रतिबन्ध होना चाहिये, ताकि ग्रंट शंट माल बाहर न भेजा जा सके और हमारा देश बदनाम न हो।

Shri Priya Gupta (Katihar): Sir, I rise to support the Bill. This is a pointer. The loss in the national character has been timely cautioned by this *ad hoc* committee that has been set up. I am glad the Government has taken action according to its recommendation.

I have two or three observations to make. One is that sample checking of export goods should not be resorted to. Let there be some expenditure, I do not mind,—not the expenditure as has been provided for the director's post, for the top-heavy organisation suggested in this Bill—I mean, just as it is done in the Excise Department in the manufacture of safety matches, a vigilant watch should be kept at the site of production itself. It should be ascertained from the very beginning what would be the quality that would be exported, what would be the amount required to be exported etc., and they should be packed safely according to specifications. The standard quality of materials should be packed and everything should be made ready from the site of production itself. I am not in favour of having only a sample checking and

[Shri Priya Gupta]

then checking again. All the goods going outside India should be checked individually.

Secondly, I am afraid, just as it happens in most of the organisations, people have a slant to this capitalist group or that capitalist group. They must be evenly sorted out in the matter of export materials. If the committee members—I do not make any castigation about anybody—have a slant towards a particular capitalist group that might lead to the cancellation of articles pertaining to that group for exports. That should be kept a very close watch upon,

Thirdly, the penal actions proposed should be very severe. We have seen how our trade, how our export has suffered in tea and other commodities. Shri Warior and others made a reference to it. The companies, the manufacturers or the industrialists must be made known as to what should be the standard specifications, what should be the particulars in respect of the goods for export, what should be the packing assistance to be utilised, etc. All these things must be ready and made known to them also and then only penal actions to be proposed.

Lastly, I hail this Bill, this step of the Government to put a check on inspection and quality on the export of inanimate items. I am looking for the day when Government will exercise control over the animate exports in respect of quality, I mean samples of men who are sent out of India in the shape of High Commissioners, Ambassadors, etc. I mean there should be quality control on animate exports also.

Shri Gauri Shankar Kakkar: Mr. Deputy-Speaker, I rise to support this measure. It is very encouraging that items of export are being scrutinised and the quality of such items is being looked into. Here I would like to say one thing. Simple enactment of certain measures without proper implementation will not help the improve-

ment of quality. As a matter of fact, the quality of such items has to be scrutinised and judged at the very initial stage of manufacture. It would not help if the checking takes place at the time when they are brought for being exported.

A perusal of the export report which has been supplied to us will show that out of the 18 items of export, in the case of 11 items the figure has already become a minus figure. It is very shocking that at this juncture when our country is in need of foreign exchange very badly, many of the items are being priced out. It shows that there is some fundamental defect somewhere. Therefore, very great caution is necessary in the case of our items of export so that they can compete with the exports of other countries.

Secondly, though the quality of the exportable items has to be given primary importance, there is competition of prices offered or quoted by countries exporting similar commodities. For example, very recently, China and other countries have come forward to supply the same items which we are supplying at cheaper rates. So, this is the second aspect we have to keep in view. The items that are exported should be not only of fine quality but they should be cheaper in price so that they can compete with other countries which are also attempting to export similar commodities.

Then, there is a general tendency among many of the manufacturers to use base materials and then try to get better prices for such items. This, of course, relates to the moral side of the people who are engaged in manufacture. Strict measures should be adopted whenever such malpractices come to the notice of the authorities. The quality should be guaranteed at the initial stage of manufacture. Then here should be some legislation whereby the manufacturers, whether in the public sector or private sector, should conform to quality and in case

they fail in their attempt or indulge in malpractices they should not be allowed to continue to manufacture.

While supporting the Bill, I again submit that it is the actual implementation of the measure which is more important than the passing of it, and I hope that it will be implemented in the spirit in which it is enacted so that it will encourage our export trade in a big way.

Shri T. Abdul Wahid (Vellore): Mr. Deputy-Speaker, Sir, I rise to welcome this very important Bill which aims at promotion of exports of our country and also to establish a name for our country and for our exports. While welcoming this Bill, I have to say that it is a very delicate and a very difficult Bill to administer. It should be administered very cautiously.

Its intention is to promote exports and not to put any kind of harassment or obstruction in the way of our exports. The export business is a very intricate business. Its handling is very difficult. For example, I will take hides and skins. Hides and skins is a commodity which is exported to the tune of about Rs. 30 crores and we are all at it to see that its export is further promoted and that the quality improves as also the value increases. But while applying quality-control and pre-inspection to this commodity, one has to be extremely cautious as it is a very intricate and difficult commodity to handle.

The malpractices in it may be of many kinds. It may be regarding pelts. An exporter may sell southern pelts which cost double the northern pelts and export mixed pelts or purely northern pelts and get complaints regarding quality. Then there may be malpractices in selection. A man may sell run-selection and pack inferior grade of run or it may be purely fifths. Or, he may sell fifths and pack purely inferior fifths.

Tanned hides and skins have got various qualities. Each centre pro-

duces its own quality.. For example, sheepskins produced in Salem and Coimbatore cannot be produced in Ambur. Goatskins that are produced in Ambur cannot be produced in any other place. Cowhides that are produced in Ranipet cannot be produced in Pernambut. What can be produced in Pernambut cannot be produced in Pallavaram. So, there are different qualities. Each mark is known by its quality and all that.

Then, there is adulteration and various kinds of malpractices. If we try to have quality control on one particular thing that will not satisfy the whole thing. For example, at present we have got voluntary quality control and control on malpractices about adulteration. But this adulteration is practised only by 5 to 10 per cent. of small tanners. Because 5 to 10 per cent. of small tanners practise it, all the other people have to suffer. So, what I suggest is that while administering this quality-control, extreme caution has to be practised and the trade to which it is applied should be thoroughly consulted and its advice taken. Quality control should be administered with full co-operation of the trade to which it is going to be applied.

This Bill is a welcome Bill because it will promote our exports. While speaking of export promotion, some hon. Member here, I think, Shri Warior, said that our exports had not made any kind of progress despite all our export promotion measures. I might tell him that last year our exports were of the tune of Rs. 720 crores and not Rs. 600 crores. They are not stagnant as he mentioned. Our exports under the dynamic personality of Shri Manubhai Shah as the Minister for foreign trade are making very good progress and, I am sure, they will show still more progress this year and in the coming year and we will be able to fulfil our target for the Third Five Year Plan.

Mr. Deputy-Speaker: The hon. Minister.

Shri Manubhai Shah: Mr. Deputy-Speaker,

Shri Gauri Shankar Kakkar: How long the House will sit? It is 5 o'clock.

Mr. Deputy-Speaker: He will just begin and continue tomorrow.

Shri Sinhasan Singh (Gorakhpur): Are you closing the general discussion today?

Mr. Deputy-Speaker: Only forty minutes are left. Two hours was the time allotted.

Shri Sinhasan Singh: Three hours.

Mr. Deputy-Speaker: Two hours.

Shri Manubhai Shah: I am very grateful to the hon. House for the unanimous way in which this Bill is being supported by all hon. Members.

Mr. Deputy-Speaker: He will continue tomorrow.

17.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, May 3, 1963/Vaisakha 13, 1885 (Saka).

[Thursday, May 2, 1963/Vaisakha 12, 1885(Saka)]

ORAL ANSWERS TO QUESTIONS

WRITTEN ANSWERS TO QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
1132	Smuggling on Rajasthan-Pakistan border . . .	13325—29
1133	Indians travelling abroad . . .	13329—31
1134	Mouth cancer centre at Agra . . .	13332—37
1135	Students studying abroad . . .	13337—42
1136	D.V.C. . . .	13342—47
1137	Sub-soil water in Nimri . . .	13347—49
1138	Plant for iodisation of salt . . .	13349—51
1139	Small-pox in Delhi . . .	13351—55
1140	Hirakud Dam Project . . .	13355—56
1141	Family Planning . . .	13357—61
S.N.Q. No.		
10	Drinking Water Supply Board . . .	13362—66

WRITTEN ANSWERS TO QUESTIONS

S.Q. No.		13366—400
1142	Nationalised Indian banks in Burma . . .	13366
1143	School Health Committee . . .	13367
1144	Kolar Gold mines . . .	13367—68
1145	Scarcity of water in Delhi . . .	13368—69
1146	Discharge of filthy water by sugar mills . . .	13369
1147	Conference of Chairmen of State Electricity Boards . . .	13369—70
1148	Improved water supply plan . . .	13370—71
1149	Ceiling on consumption of water and electricity by Ministers . . .	13371
1150	All India Water Grid . . .	13371—72
1151	Permanent Indus Commission . . .	13372

U.S.Q. No.

2626	Loans from National Credit Funds . . .	13372—73
2627	Central Excise Department quarters at Cuttack and Rayagada . . .	13373

U.S.Q. No.	Subject	COLUMNS
2628	State Bank branches in Orissa . . .	13373—74
2629	Nursing Home Charges . . .	13374—75
2630	Cost of living index in Delhi . . .	13375
2631	Extension of Income Tax Act to Goa . . .	13375—76
2632	Inter-State Sales tax . . .	13376
2633	Central Sales Tax . . .	13377
2634	Central Sales Tax . . .	13377—78
2635	Multipurpose river valley and power projects . . .	13378—79
2636	Small savings . . .	13379
2637	Out of turn allotment . . .	13379—80
2638	Milk powder from UNICEF . . .	13380
2639	Defence production in private sector . . .	13380—81
2640	Soyabeens for protein needs . . .	13381
2641	Travel agency . . .	13381—82
2642	Wooden sleepers washed away towards Pakistan . . .	13382—83
2643	Empire of India Life Assurance Co., Ltd. . .	13383
2644	Liquidators for Empire of India Life Assurance Company . . .	13383
2645	Customs hold-up of Tibetan wool on Indo-Nepal border . . .	13384
2646	Unauthorised cultivation of tobacco . . .	13384—85
2647	Filaria Eradication in Andhra Pradesh . . .	13385—86
2648	Distribution of Krishna and Godavari waters . . .	13386
2649	Micro-hydel sets . . .	13386
2650	Monkey and rat menace in North and South Avenues, New Delhi . . .	13387
2651	New Medical colleges . . .	13387—88
2652	High powered Flood Control Board for Assam . . .	13388
2653	Foreign exchange for students . . .	13389
2654	Construction of field channels . . .	13389
2655	Integrated Central Excise Offices . . .	13389—90

WRITTEN ANSWERS TO QUESTIONS—contd.

US.Q. No.	Subject	COLUMNS
2656	Cradle	13390
2657	Recovery of gold at Gwalior	13391
2658	Judicial powers for Es- tates Officer . . .	13391-92
2659	Senior Engineering Offi- cers of C.B.I.P. . .	13392
2660	Senior Officers joining commercial concerns .	13393
2661	Kolar Gold Mining Un- dertakings	13393-94
2662	Kolar Gold Field . .	13394-95
2663	Kolar Gold Field Hos- pital	13395
2664	Kolar Gold Mines . .	13395
2665	Anti-sea erosion projects in Kerala	13396
2666	Opium cultivation in Kotah	13396-97
2667	Heart operation by Rus- sian doctor	13397
2669	Diversion of Funds for housing	13397-98
2670	Delhi Kennel Club . .	13398
2671	Central Excise Inspectors	13398-99
2672	Donation of eyes in In- dia	13399
2673	Income of companies	13399-400

MESSAGE FROM RAJYA SABHA : 13400-01

Secretary reported a message from Rajya Sabha that Rajya Sabha had concurred in the recommendation of Lok Sabha to nominate seven members to associate with the Committee on Public Accounts of Lok Sabha for 1963-64.

REPORT OF COMMITTEE ON GOVERNMENT ASSU- RANCES PRESENTED. 13401

First Report was presented .

MOTION RE: TERMI- NATION OF SUSPENSION OF MEMBER. 13401-09

Further consideration of the motion re: termination of suspension of Shri Kachhavaiya moved by Shri Bade on the 1st May, 1963 continued. After some discussion, further consideration of the motion was postponed.

MGIPND—LS II—533 (A) LSD—21-5-63—880.

COLUMNS

BILL PASSED : 13409—501

The Minister of Law (Shri A. K. Sen) moved for the consideration of the Constitution (Sixteenth Amendment) Bill, 1963, as reported by the Joint Committee. The discussion was concluded and the motion was adopted by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting: Ayes 261; Noes 8. After clause-by-clause consideration, the Bill, as reported by the Joint Committee, was passed by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting, the results of the divisions being as under :—

Clause 2: Ayes 295; Noes 1

Clause 3: Ayes 293; Noes nil

Clause 4: Ayes 291; Noes nil.

Clause 5: Ayes 297; Noes nil.

Motion to pass, as reported by the Joint Committee: Ayes 300; Noes nil.

BILL UNDER CONSIDERATION : 13505—36

The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah) moved for the consideration of the Export (Quality Control and Inspection) Bill, 1963. The discussion was not concluded.

AGENDA FOR FRIDAY, MAY 3, 1963/VAISAKHA 13, 1885 (SAKA).

Further discussion and passing of the Export (Quality Control and Inspection) Bill, 1963.

Consideration and passing of the Government of Union Territories Bill, 1963, as reported by the Joint Committee on Private Members' Bill.