

Third Series, No.9

Monday, November 19, 1962
Kartika 28, 1884 (Saka)

LOK SABHA DEBATES

Third Session
(Third Lok Sabha)



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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

LOK SABHA

Monday, November 19, 1962/Kartika
28, 1884 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Manufacture of Tanks

+

- *243. { Shri S. M. Banerjee:
Shri Daji:
Shri Umanath:
Shri Yashpal Singh:

Will the Prime Minister be pleased to state the further progress that has been made regarding establishment of the Factory at Avadi where Tanks and other heavy engineering equipments are to be manufactured?

The Minister of Defence Production (Shri Raghuramaiah): A statement is laid on the Table of the House. [See Appendix I, annexure No. 62].

Shri S. M. Banerjee: Apart from the facts mentioned in the statement, I want to know whether any steps are being taken to see that the tanks are manufactured in any other unit and whether spare-parts are being assembled?

Shri Raghuramaiah: I could not catch the question.

Mr. Speaker: The question is whether in any other unit, attempt is being made to manufacture tanks and for parts being assembled.

Shri Raghuramaiah: The intention at the present moment is to make it as far as possible a self-contained unit for this purpose. There is no other place where, at the moment, 2140 (Ai) LSD—1.

anything is being done in regard to tanks. If there are certain parts which we can manufacture in any other place more conveniently, naturally that will be used.

Shri S. M. Banerjee: May I know whether the Government intend to import tanks to meet this emergency?

Shri Raghuramaiah: That would be a separate question.

Mr. Speaker: Yes.

Shri Daji: We have been told that indents have been placed. As far as the schedule is concerned, I would like to know when the work is likely to commence and when the machinery is likely to arrive in India?

Shri Raghuramaiah: We hope to establish a firm line of production by about 1965. That is the scheme at present.

Shri Bhakt Darshan: By what time is this factory expected to start production actually?

Shri Raghuramaiah: I have already said that.

Shri Bhagwat Jha Azad: As a result of the possible efforts that have been indicated in this statement, may I know if there is any likelihood of the tool room and other associated parts of the project coming into production before 1963?

Shri Raghuramaiah: This is in collaboration with Armstrong, and it is now part of the stipulation that they will deliver a certain number in 1964 and thereafter the production will commence.

Shri D. C. Sharma: May I know the kind of tanks that will be manufactured here—light, medium or heavy or all kinds of tanks?

Shri Raghuramaiah: Medium.

श्री विभूति मिश्र : मैं जानना चाहता हूँ कि कितने टैंक सन् १९६२ में तैयार हो जायेंगे और कितने टैंक सन् १९६३ में तैयार हो जायेंगे ? एक टैंक पर कितना खर्चा पड़ता है । क्या सरकार हैवी टैंक भी बनाना चाहती है ?

प्रध्याक्ष महोदय : यह बहुत डिटेल की बात है ?

Shri Ramanathan Chettiar: In view of the national emergency, may I know what steps the Government will take to have the matter expedited and also request the foreign collaborator to send the necessary parts and machinery earlier in order to start production before 1965?

Mr. Speaker: It is a suggestion for action.

Houses for Defence Personnel in Delhi

- +
- *244. { **Shri Surendra Pal Singh:**
Shri Bhagwat Jha Azad:
Shri Bhakt Darshan:

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

(a) whether it is a fact that his **Ministry** has in view a plan to provide permanent housing accommodation for the defence personnel in Delhi; and

(b) if so, when this scheme will be put into operation?

The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan): (a) and (b). Yes, Sir. A proposal to provide residential accommodation for Service personnel of Armed Forces Headquarters and its attached units in New Delhi/Delhi Cantonment is under consideration.

Shri Surendra Pal Singh: In view of the changed circumstances, has the

demand for accommodation increased during the last month or so and, if so, what steps are being taken to meet the increased demand?

Shri Raghuramaiah: If the hon. Member is referring to the need for increased accommodation for jawans on account of the present emergency, that is being considered separately.

Shri Surendra Pal Singh: May I know what was the Defence Ministry's total requirements of accommodation up to two months back and what percentage of that requirement has been met?

Shri Raghuramaiah: The requirement of married accommodation for officers of the armed forces headquarters in 1393, in addition to separate accommodation for single officers and JCO's.

Shri Bhagwat Jha Azad: In view of the affirmative answer to the main question, may I know when the proposal is likely to be started for implementation and if implemented what percentage will be available for giving accommodation to the defence personnel?

Shri Raghuramaiah: It is a question of priority. In view of the present emergency, what priority can be given for this is also under consideration.

Shri Bhakt Darshan: May I know if the Government is considering the proposal to get these quarters constructed by troop labour, as was done in Ambala and Ferozepur?

Some Hon. Members: Not at this moment.

Mr. Speaker: Next question. **Shri Borooh.**

Central Tea Wage Board

- +
- *245. { **Shri P. C. Borooh:**
Shri P. Kunhan:

Will the **Minister of Labour and Employment** be pleased to state:

(a) whether the **Central Tea Wage Board** has submitted its report;

(b) if so, what are their main recommendations; and

(c) if not, by what time the report is expected?

The Minister of Supply in the Ministry of Economic and Defence Co-ordination (Shri Hathi): (a) No.

(b) Does not arise.

(c) It is not possible to say at this stage whether the Board will be able to complete its work.

Shri P. C. Borooah: May I know at what stage the matter rests with the Central Tea Wage Board?

Shri Hathi: The sittings of the Board are continuing. The last meeting was held at Bangalore on 25th October, 1962.

Shri P. C. Borooah: May I know whether the Government is aware of the fact that both employers and employees are anxious that the wage board recommendations should be expedited on the ground that this is the time for them to arrange finance for next year?

Shri Hathi: Government is aware of it and we have asked the Board to expedite their recommendations.

Shri Tyagi: On a point of order, Sir. I want to know whether the hon. Minister is still dealing with labour, because it was gazetted that he has been appointed Minister of Supply.

Shri Hathi: I have informed the hon. Speaker that on behalf of Shri Nanda, I shall answer this question today.

Shri A. N. Vidyalankar: May I know whether any interim recommendations have been made and if so what are they?

Shri Hathi: They have made interim recommendations, which are divided into two groups—one for South India, i.e. Madras and Kerala and another for Assam and West Bengal. They have given increase in wages for different areas.

Shri Priya Gupta: May I know if any representative of organised labour in the tea plantations will be taken as a member of the wage board and what are the terms of reference of the wage board?

Mr. Speaker: They have advanced sufficiently and this is not the stage to make that suggestion.

Shri S. M. Banerjee: May I know whether the interim recommendations have been implemented by all the tea gardens and if not, the number of those who have not implemented and the reasons?

Shri Hathi: They have been implemented.

बाल फिल्म संस्था

*२४६. { श्री प्रकाशवीर शास्त्री :
श्री रामेश्वर टांडिया :
श्री भागवत मा आजाद :
श्री बसुमतारी :
श्री हेम राज :

क्या सूचना और प्रसारण मन्त्री ६ अगस्त, १९६२ के तारांकित प्रश्न संख्या १४४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) बाल फिल्म संस्था के कार्य की जांच करने में अब तक कितनी प्रगति और हुई है ;

(ख) अब तक की गई जांच के क्या परिणाम निकले हैं ;

(ग) क्या यह भी सच है कि जो प्रमुख व्यक्ति इस जांच से सम्बन्धित थे वे अब संस्था से पृथक् हो गये हैं ; और

(घ) यदि हां, तो उनके विरुद्ध क्या कार्यवाही करने का विचार है ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री शाह नाथ) : (क) और (ख).

बाल फिल्म संस्था की एग्जीक्यूटिव काउंसिल के अनुरोध पर जिन तीन सरकारी अधिकारियों ने संस्था के कार्य के मुख्तलिफ पहलुओं की जांच की है, उन्होंने अपनी रिपोर्ट संस्था के अध्यक्ष को पेश कर दी है। एग्जीक्यूटिव जल्दी ही रिपोर्टों पर विचार करेगी।

(ग) संस्था के जनरल सेक्रेटरी ने त्याग पत्र दिया था जो कार्यकारिणी परिषद् ने स्वीकार कर लिया।

(घ) इस विषय पर कार्यकारिणी परिषद् द्वारा उक्त अधिकारियों की रिपोर्टों की जांच कर लेने के बाद विचार किया जायेगा।

[(a) and (b). The three Government officials who examined the different aspects of the working of the Children's Film Society, at the instance of its Executive Council, have submitted their reports to the President of the Society. The reports will shortly be considered by the Executive Council.]

(c) The General Secretary of the Society tendered his resignation and it was accepted by the Executive Council.

(d) The matter will be considered after the reports of the officials have been examined by the Executive Council.]

श्री प्रकाशवीर शास्त्री : क्या मैं जान सकता हूँ कि जांच कर वाले इन तीन अधिकारियों के नाम क्या क्या हैं और उन्होंने जो अपनी जांच रिपोर्ट दी है उसकी प्रमुख बातें क्या हैं ?

श्री शाम नाथ : जो तीन आफिसर्स इस जांच के लिये एप्वायेंट हुये थे उनके नाम ये हैं, श्री वी० एम० टी० चारी जो कि फाइनेंशियल ऐडवाइजर हैं, मिस्टर जे० जे० करम जो कि ग्रंडर सेक्रेटरी हैं और मिस्टर एस०

वी० रानाडे जो कि कंट्रोलर ऑफ फिल्मस डिवीजन हैं। इनकी रिपोर्ट से मालूम होता है कि सोसाइटी के कामों में काफी बेकायद-गियां थीं।

श्री प्रकाशवीर शास्त्री : उन्होंने जो अपनी रिपोर्ट दी है उसमें कुछ पैसे के घुटाले या गड़बड़ के बारे में बतलाया है। लेकिन जब जनरल सेक्रेटरी त्याग पत्र दे चुका है और वह स्वीकार कर लिया गया है तो उसका क्या प्रभाव उस पर पड़ेगा और कैसे उससे वह पैसा वसूल किया जायेगा ?

श्री शाम नाथ : इस चीज पर तो एग्जीक्यूटिव कौंसिल गौर करेगी और उसके बाद जो कुछ उनके फैसले होंगे वह गवर्नमेंट के पास आयेगे और गवर्नमेंट भी उन्हें देखेगी।

Shri Bhagwat Jha Azad: Since this report has been referred to the Executive Council, may I know whether Government have already come to a decision that the Executive Council was not in any way responsible for all this?

Shri Sham Nath: No such decision has been taken. When we get those reports from the Executive Council with their decisions thereon we will consider the matter.

श्री भगवत वर्मान : श्रीमन् मैं यह जानना चाहता हूँ कि जब तक अन्तिम निर्णय नहीं होता है इस सोसाइटी के किन्हीं अधिकारियों को क्या मुअत्तिल किया गया है या और कोई कार्यवाही उनके खिलाफ की गई है ?

श्री शाम नाथ : नहीं, किसी अधिकारी को मुत्तिल नहीं किया गया है। सिर्फ सेक्रेटरी ने अपना त्यागपत्र दिया था जो कि एग्जीक्यूटिव कौंसिल ने मंजूर कर लिया।

Shri Sham Lal Saraf: In view of the fact that these discrepancies have come to light now, may I know whether the working of this Society has been stopped and, if not, what further action has Government taken in this regard?

Shri Sham Nath: The working of the Society has not been stopped. One Shri Subramaniam is looking after the working of the Society. Shri Ezra Mir has been appointed in an honorary capacity as producer in charge of the Society's films pending the appointment of a regular General Secretary.

श्री म० ला० द्विवेदी : मैं यह जानना चाहता हूँ कि जब सरकार को यह मालूम हो गया है और प्रतिवेदन में जो बातें कही गई हैं उनसे फिल्म सोसाइटी की गड़बड़ियों के बारे में काफी पता चला है और उन पर विचार करने में समय लगेगा तो ऐसी स्थिति में जो लोग इस के लिये जिम्मेदार हैं उनको मुआत्तिल करने या दूसरी कार्यवाही करने के बारे में क्यों विचार नहीं किया गया ?

श्री शान नाथ : तीन आफिसर्स जिनको कि इस काम के लिये एप्वायेंट किया गया था उनकी रिपोर्ट पहले एकजीक्यूटिव कौंसिल के पास जानी थी क्योंकि एकजीक्यूटिव कौंसिल के कहने पर गवर्नमेंट ने तीन आफिसर्स को ऐसी जांच के लिये दिया था तो इसलिये जब उनका कोई फंसला होगा उसके बाद गवर्नमेंट गौर करेगी ।

Second Bandung Conference

Shri Bibhuti Mishra:
Shri P. C. Borooah:
Dr. L. M. Singhvi:
Shri Surendra Pal Singh:
Shri M. K. Kumaran:
Shri Tridib Kumar
Chaudhuri:
Shri Yashpal Singh:
Shri Y. D. Singh:
*247. Shri P. Venkatasubbalah:
Dr. Ranen Sen:
Shri Dinen Bhattacharya:
Shri Bhagwat Jha Azad:
Shri J. B. S. Bist:
Shri Kajrolkar:
Shri P. K. Ghosh:
Shri Buta Singh:
Shri Vasudevan Nafr:

Will the Prime Minister be pleased to state:

(a) the stand taken by the Government of India on President Soekarno's proposal to hold second Bandung Conference of Afro-Asian Nations; and

(b) whether there is any proposal to invite Soviet Russia also?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) We are not aware of any firm decision as yet about the holding of the Second Bandung Conference. There was an idea of calling a Preparatory Meeting of interested countries to consider this matter but even on that differing views have been expressed. So far as we are concerned we have suggested that a meeting at the present moment would not be helpful and that it could be postponed for a more favourable time.

(b) We are not aware of any such proposal.

श्री विभूति मिश्र : अभी प्रधान मंत्री जी यूरोप की यात्रा से वापिस आते हुए इजिप्ट में ठहरे थे और श्री नासिर से भेंट की थी तो क्या उनसे भी इस सम्बन्ध में कुछ चर्चा हुई थी ?

प्रधान मंत्री तथा वैदेशिक-कार्य, प्रतिरक्षा तथा अणुशक्ति मंत्री (श्री जवाहरलाल नेहरू) : जी हां, कुछ जिक्र हुआ था और उनकी भी राय नहीं थी कि इस वक्त कान्फ्रेंस करना मुनासिब होगा ।

श्री विभूति मिश्र : बांडुंग कान्फ्रेंस किन कारणों से सरकार करना उचित नहीं समझती है ?

श्री जवाहरलाल नेहरू : मैं इस वक्त सारी बजूहात में नहीं जाना चाहता । लेकिन हमारे और चीन के दरमियान जो लड़ाई चल रही है वही कारण ऐसी कान्फ्रेंस न करने के लिये काफ़ी ।

Shri P. C. Borooah: May I know whether the attention of the Govern-

ment has been drawn to the suggestion made by the Chairman of the campaign against nuclear tests to Burma, Ceylon and Indonesia to call for another Bandung Conference on the Sino-Indian dispute and, if so, the reaction of the Government thereto?

Mr. Speaker: Sino-Indian dispute is altogether a different matter.

Shri Hem Barua: May I know if it is a fact that in the present political climate, not to speak of India, even other countries are not in favour of giving China an undue prominence, which it would undoubtedly seek, by holding a second Bandung Conference and, if so, whether other countries have conveyed their reactions or their opinions on this matter to our Government?

Shri Jawaharlal Nehru: In the answer to the main question it has been stated that a number of countries were not in favour of holding this conference in the near future for various reasons; of course, the latest developments in regard to our war with China were not there then; these are later developments. But these developments make it all the more undesirable to hold such a conference now.

Shri Indrajit Gupta: How many of the countries which participated in the first Bandung Conference have supported India openly in this conflict with China and have any of them supported China?

Shri Jawaharlal Nehru: I could not give the figure. A number of them have supported us and a number of them are more or less silent.

श्री प्रकाशवीर शास्त्री : बांडुंग सम्मेलन में जो राष्ट्र सम्मिलित हुए थे यह सही है जैसा कि प्रधान मन्त्री जी ने कहा कि वर्तमान परिस्थितियों में ऐसा कोई सम्मेलन बुलाना सम्भव नहीं हो सकेगा लेकिन मैं जानना चाहूंगा कि क्या उनकी सहानुभूति प्राप्त करने के लिये हमारी ओर से कोई यत्न किया जा रहा है ?

श्री जवाहरलाल नेहरू : सहानुभूति प्राप्त करने का यत्न होता ही जाता है ।

श्री प्रकाशवीर शास्त्री : मेरा अभिप्राय है कि क्या विशेष यत्न किया जा रहा है ?

Mr. Speaker: Next question.

Indian Nationals Kidnapped by Pakistanis from Rajasthan

*248. { **Shri Bhagwat Jha Azad;**
Shri Bhakt Darshan;
Shri Harish Chandra Mathur;
Shri P. R. Chakraverti;
Shri Yashpal Singh;
Dr. L. M. Singhvi;
Shri Y. D. Singh;
Shri P. Venkatasubbaiah;
Shri Vidya Charan Shukla;
Shri Basumatari;
Shri Tan Singh;
Shri P. L. Barupal;

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

(a) whether a platoon commander and three constables of the Rajasthan armed constabulary of Bikaner division were captured by the Pakistani border force in September last; and

(b) if so, what action has been taken by Government of India in this regard?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) Yes, Sir.

(b) In accordance with the Ground Rules Agreement, immediate action was made by the Indian border police with the Pakistan Rangers and, after a joint enquiry, all the arrested persons were returned, with their arms and ammunition, on October 8 and 9, 1962.

Shri Bhagwat Jha Azad: Could they give any reason justifying their action of this kidnapping?

Shri Dinesh Singh: They gave some argument, namely, that these people had intruded into their territory. But there was no valid argument.

Shri Bhagwat Jha Azad: May I know whether they complained of inhuman treatment after their release, that is, after they were returned to us?

Shri Dinesh Singh: No, Sir; there was no complaint of any inhuman treatment.

श्री भक्त दर्शन : श्रीमन्, कुल कितने दिनों तक हमारे अफसरान और मैनिकों को उनकी कैद में रहना पड़ा और क्या उसके लिय कोई मुआविज की भी मांग की गई है ?

श्री दिनेश सिंह : यह तो इसी जवाब से जाहिर हो गया है कि सितम्बर की १८ तारीख को वे पकड़े गये थे और अक्तूबर की ८ और ९ तारीख को वे छोड़े गये ।

Shri Harish Chandra Mathur: May I know if, in the light of the present emergency in particular, any particular steps are being taken to avoid such ugly incidents which definitely go to worsen the relations?

Shri Dinesh Singh: We do not provoke these incidents and we are constantly taking care that there should be no such incidents.

Shri Harish Chandra Mathur: It is not that we support it. I think, my question has been completely misunderstood.

Mr. Speaker: What should this Government do? This Government has not done anything in that respect so that these things should recur.

Shri Harish Chandra Mathur: The ball lies in their court; the fault lies with them. They had detained our officers for more than 15 days.

Mr. Speaker: What should this Government do?

Shri Harish Chandra Mathur: So, I wanted to know whether in view of this emergency the Government has taken it up with the Pakistan Government, more particularly because it is the Pakistan Government which is to blame for this.

The Prime Minister and Minister of External Affairs, Defence and Atomic Energy (Shri Jawaharlal Nehru): Every such incident is taken up with the Pakistan Government. Our general desire is that we have to avoid incidents and to have a peaceful frontier and good relations with Pakistan. In these matters there is a procedure or ground rules laid down. That procedure was followed and as a result of that these people were released.

श्री प० ला० बारूपाल : क्या सरकार के पास कोई ऐसी भी सूचना आई है कि पाकिस्तान में पनाह लेने वाले भारतीय डाकुओं और पाकिस्तानी डाकुओं ने मिल कर गत सप्ताह बीकानेर जिले में कोई १०, १२ डाके डाले हैं और भारतीय इलाके से २१ अंठ पाकिस्तान ले गये हैं ?

अध्यक्ष महोदय : यह सवाल तो इण्डियन नेशनल्स के बारे में है ।

श्री यशपाल सिंह : मैं जानना चाहता हूँ कि क्या इसके लिये पाकिस्तान सरकार से, कोई हरजाना मांगा गया है और आगे इस तरह की घटनाएं न हों क्या इसके लिये आवश्यक सावधानी बर्ती गई है ?

अध्यक्ष महोदय : यह तो सवाल हो चुका ।

अश्लील फिल्म पोस्टर

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*२४६. { श्री भक्त दर्शन :
श्री भागवत झा आजाद :

क्या सूचना और प्रसारण मंत्री २७ अगस्त, १९६२ के तारांकित प्रश्न संख्या ६२६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) अश्लील फिल्म पोस्टरों की जांच के लिये नियुक्त समिति ने इस बीच और क्या प्रगति की है ।

(ख) कलकत्ता तथा अन्य फिल्म निर्माण केन्द्रों में भी ऐसी समितियां स्थापित करने के बारे में क्या कार्यवाही की गई है ; और

(ग) इस समिति को जिस उद्देश्य से नियुक्त किया गया था, उसकी अब तक कहां तक पूर्ति हुई है ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री शाम नाथ) : (क) समिति की ५ बैठकें और हुई हैं और उसने ११ फिल्म पोस्टरों की, जो उसके सामने पेश हुए थे, जांच की और उन्हें एप्रूव किया।

(ख) दूसरे फिल्म निर्माण केन्द्रों में ऐसी ही समितियां स्थापित करने का इस समय कोई प्रस्ताव नहीं है।

(ग) इतनी जल्दी कोई राय कायम नहीं की जा सकती परन्तु समिति का पोस्टर प्रोड्यूसर्स पर अच्छा प्रभाव पड़ रहा है।

(a) The Committee has held 5 more meetings and examined and approved 11 more film posters presented to them.

(b) There is no proposal, at present, to constitute similar Committees in other film producing centres.

(c) It is early to hazard and opinion but the committee is having good effect on the poster producers.

श्री भक्त दर्शन : श्रीमान् कमेटी के कार्य से ऐसा मालूम पड़ता है कि यह बड़े इत्मीनान और नज़ाकत के साथ अपना काम कर रही है। ऐसी हालत में क्या इसमें कुछ तेज़ी लाने की कोशिश की जाएगी ?

श्री शाम नाथ : मैं समझता हूँ कि यह कहना सही नहीं है कि कमेटी ने अपने काम में कोई देरी की है। यह कमेटी जनवरी में मुक़रर हुई थी और उसके बाद कुछ जो प्रिलिमनरी चीज़ें थीं, उन पर गौर करने के बाद इस कमेटी ने कई मीटिंगें कीं और

उनमें जो पोस्टर वगैरह पेश हुए उनको देखा और जो कुछ मोडिफिकेशन्स वगैरह उसने मुनासिब समझीं, वे तजवीज़ कीं।

श्री भक्त दर्शन : मेरे प्रश्न के 'ख' खंड के उत्तर में बताया गया है कि कलकत्ता या दूसरे स्थानों में जहां फिल्में बनती हैं, इस तरह की कोई समिति नियुक्त करने का विचार नहीं है। पर कमेटी की जब बम्बई में स्थापना की जा सकती है तो और जगहों पर क्यों नहीं की जा सकती है ?

श्री शाम नाथ : इसकी वजह यह है कि १९५६ में बंगाल गवर्नमेंट ने अपनी एक कमेटी बनाई थी। क्योंकि बम्बई में अभी हमने कमेटी बनाई है, इसलिये उसके काम को देखने के बाद फैसला किया जाएगा कि आया इस तरह की कमेटियां और सेंट्रल में भी कारामद साबित हो सकती हैं या नहीं।

Shri Bhagwat Jha Azad: Since the efforts of this committee according to the Government are laudable, may I know if there is any definite decrease in the display of such posters?

Shri Sham Nath: Yes; there is a significant improvement.

Shri D. C. Sharma: May I know what definition this committee has arrived at so far as obscene posters are concerned? What are the grounds for declaring a poster as obscene?

Shri Sham Nath: Posters which are offensive to the public taste or sentiment or are obscene or vulgar are rejected by this committee.

Shri Joachim Alva: It is not a question of banning the present posters which have already been printed. Has the Committee given any suggestion to the Government by which the posters can be banned in future which the Government will implement?

Shri Sham Nath: The Government has no powers at present to ban posters like that. The purpose of the Committee was to do something with a view to curb the tendency of bringing out indecent and vulgar posters by getting the voluntary co-operation of the producers. I think the producers are co-operating in this work.

Shri A. P. Jain: In reply to part (c) the hon. Minister said that the Committee has served a useful purpose. Part (b) refers to Calcutta and other film producing centres. The Minister has given reasons for Calcutta. Why has he not set up similar committees for other similar producing centres?

An Hon. Member: Madras.

Shri Sham Nath: As I have just now said, we are watching the work of this Bombay committee. As far as Madras is concerned, we have not received any complaint in regard to any obscene posters.

श्री प्रकाशवीर शास्त्री : यह जो जांच समिति मन्त्रालय ने बनाई है, इसके सदस्य कौन कौन हैं और क्या मन्त्रालय ने उसको इस प्रकार के कोई निर्देश दिये हैं कि इतने समय में वह अपने जांच कार्य को समाप्त कर ले ?

श्री शाम नाथ : इस कमेटी के छः मेम्बर हैं। जो कंट्रोलर आफ फिल्म डिवीजन हैं, वह इस के चेयरमैन हैं। मि० महबूब खां, मि० जे० पी० एच० वाडिया, मि० विजय भट्ट, मि० बी० आर० चोपड़ा और श्री के० एम० मोदी, इसके मेम्बर हैं।

An Hon. Member: All producers?

Shri Sham Nath: Yes Sir, five producers are its members and the Controller of the Films Division is the Chairman of the Committee.

श्री जगदेव सिंह सिद्धान्ती : हमारे नवयुवकों और नवयुवतियों के आचरण के

ऊपर दुष्प्रभाव डालने वाले जो पोस्टर हैं, क्या उनके ऊपर कड़ाई से प्रतिबन्ध लगाने का सरकार का विचार है ?

Shri Sham Nath: This was the very purpose for which this committee was appointed.

श्री यशपाल सिंह : कैपिटल को कलंकित करने वाले जो अश्लील चित्र हैं, उनकी रोकथाम करने के लिये सरकार क्या कर रही है ?

श्री शाम नाथ : कैपिटल का जहाँ तक ताल्लुक है, दिल्ली म्युनिसिपल कारपोरेशन के कमिश्नर को इस सिलसिले में पूरा अख्तियार है और कारपोरेशन का हद्द के अन्दर जो पोस्टर बगैरह लगते हैं कानून के मातहत उनकी जांच पड़ताल की जाती है।

Shrimati Savitri Nigam: In his reply the hon. Minister said that 12 posters have been examined by this committee so far. I would like to know whether this 12 was the number given to it or a larger number of posters were given, but only 12 have been examined. And the other point I want to know is.....

Mr. Speaker: Only one point she might know in one question.

Shri Sham Nath: I did not say that only 12 posters were placed before this committee. I said that the committee has held so far 9 meetings and approved 17 posters. It is just possible that many more posters may have been submitted, to the Committee.

Sarpanches as Claims Commissioners

*250. **Shri P. R. Chakraverti:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the Central Government are in favour of permitting the State Governments to appoint Sarpanches as Claims Commissioners under the Minimum Wages Act;

(b) if so, whether there will be ceiling on claims to be entertained by them;

(c) whether there is any suggestion from the State Governments that the Nyaya Panchayats might be constituted as claims authorities; and

(d) if so, what is the reaction of Central Government?

The Minister of Supply in the Ministry of Economic and Defence Cooperation (Shri Hathi): (a) The State Governments being competent to amend the Minimum Wages Act to suit their requirements, no permission of the Central Government is required for appointing Sarpanches as Claims Commissioners.

(b) This is for the State Governments to decide.

(c) Yes, there is such a suggestion from the Government of Maharashtra.

(d) In view of the varying patterns of Panchayat organisations in different States, this matter has to be left to the State Governments to decide.

Indians in Burma

***251. Shri Koya:** Will the Prime Minister be pleased to state:

(a) the number of Indian citizens in Burma at present;

(b) the number of Indians who have so far applied for Burmese citizenship and the number of those who got it;

(c) the number of citizens of Indian origin who are Stateless; and

(d) how the Government of India propose to help these Stateless people?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) 1,80,000 (approx).

(b) Approx. 35,000 applied for Burmese citizenship out of which about 7,000 have been accepted.

(c) Approx. 370,000 persons of Indian origin are without any citizenship papers. Out of this number nearly 100,000 are technically eligible to apply for Burmese citizenship; the remaining 270,000 could be described as Stateless.

(d) Government of India have authorised the Embassy of India, Rangoon, to register as Indian citizens those who qualify under the existing rules, and who decide to apply for such citizenship. The Embassy has been instructed to interpret and implement the rules liberally. The Government of the Union of Burma has also assured the Embassy of India, Rangoon, that they would speed up the examination of applications of those who have applied for Burmese citizenship. Further, the Embassy has made representations to the Burmese Foreign Office requesting them to liberalise their regulations on the subject so as to enable those people of Indian origin who wish to apply for Burmese citizenship to do so.

Shri Hari Vishnu Kamath: May I know whether the attitude or policy of the present Government of General Ne Win is more favourable or more sympathetic towards this problem than that of his predecessor, that is, of Thakin Nu, and if so, whether any talks have been held at governmental level or any other level between the two countries?

Shrimati Lakshmi Menon: The last portion of the main answer refers to the attempts made by the Embassy in Rangoon to expedite the procedure.

Shri Hari Vishnu Kamath: My question is different. I want to know whether any talks have been held. The Embassy instructions are different.

Mr. Speaker: It is very difficult to compare the attitude of one Government with another and say whether one is more favourable than the other.

Shri Hari Vishnu Kamath: At least, the second part of my question may be answered. Have any talks been held between the two countries?

Shrimati Lakshmi Menon: Yes; towards the last portion of the main answer I had stated that talks were held by our Embassy with the Burmese Government, and assurances have been given that the rules will

be liberally interpreted and the procedures expedited.

Shri Hem Barua: In view of the fact that these Indians in Burma have to pay exorbitant fees for the renewal of the stay permits, and inordinate delay is also involved in this operation, may I know whether this particular fact has been brought to the notice of the Burmese Government, and if so, their reaction to it?

Shrimati Lakshmi Menon: These rules apply not only to Indians but to all aliens, and as such, we cannot take any special step. It is a thing that affects all foreigners in Burma.

Shri Ranga: It is in regard to the administration of these rules that my hon. friend had put his supplementary question earlier, namely whether any success has been achieved in lessening the delay in getting the permission of the Burmese authorities for the stay permits. Apart from that, I wish to ask this question, namely whether any success has been achieved by Government in getting any relaxation in the rule that was promulgated as to the transfer of their savings to India, the maximum of which, is, I think, about Rs. 30 or so per month.

Shrimati Lakshmi Menon: Rs. 20 per month.

Shri Ranga: It has now come down to Rs. 20 per month. May I know whether any improvement is likely to be made in the near future in this regard?

Shrimati Lakshmi Menon: I could not give any answer to that, because it is for the Burmese Government to decide what procedures it will follow with regard to remittances abroad depending upon their foreign exchange resources position.

Shri Ranga: We know that it is for the Burmese Government to make their own rules. But are we not making any representations from time to time on this matter . . .

Mr. Speaker: Order, order. The question is whether we have taken

steps to see that this rule might not be so strictly enforced, and the amount might be raised.

Shrimati Lakshmi Menon: All these things are raised from time to time. But we have not been successful. The Burmese Government take steps to suit their convenience and not to suit the convenience of aliens.

Shri Sham Lal Saraf: May I know whether such of the Indian citizens who are now in Burma who have been registered as having no State of their own are engaged in business or they have any immoveable property there? Has any inquiry been made about this?

Shrimati Lakshmi Menon: There are three categories of Indians living in Burma: firstly, agriculturists, secondly traders and thirdly, government servants.

Shri D. C. Sharma: How many applications for Indian citizenship have been received by the Indian Embassy in Burma, how many have been disposed of and how many remain pending?

Shrimati Lakshmi Menon: I have not got the figure of those who have applied for Indian citizenship.

Shri Bishwanath Roy: Is it a fact that Indian citizens who were working previously in Burma and who came home for some time are not getting fresh visas for going back to Burma from the Burmese Government?

Shrimati Lakshmi Menon: They have to apply for re-entry visas.

Employment and Population

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|-------|---|-------------------------|
| *252. | } | Shri Daji: |
| | | Shri Indrajit Gupta: |
| | | Shri S. M. Banerjee: |
| | | Shri Umanath: |
| | | Shri Yashpal Singh: |
| | | Shri Inder J. Malhotra: |

Will the Minister of Planning be pleased to state:

(a) whether Government have taken note of the 1961 census report that employment has not kept pace with the growth of population; and

(b) what action, if any, is proposed to be taken in the matter?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): (a) and (b). The Government have taken note of the implications of the 1961 census on employment requirements in framing the Third Five Year Plan.

Shri Daji: What according to Government now has been the lag between employment provided and the persons who seek employment?

Shri C. R. Pattabhi Raman: The position is that about 43.5 per cent of the population are workers which means working force plus the unemployed which is the labour force. That has been taken into account.

Shri Daji: It is good that Government have taken account of these. What steps are being taken now to see that this lag is made good by the end of the Third Plan period?

Shri C. R. Pattabhi Raman: Actually, there is no drag. Looked at from that point of view, the rate of increase in employment from 1951 to 1961 was higher than the rate of growth of population. But technically, the growth of population as such and the increase in employment should not be compared because the former includes old people, students, young people and infirm people who do not come under the employment category.

Shri Indrajit Gupta: In view of the necessity for reducing employment and also in view of the present emergency needs, have any new schemes for development, which are labour intensive, been initiated both in the rural and industrial sectors?

Shri C. R. Pattabhi Raman: Yes, there are rural works programmes started. Many small industries have been started as part of the programme.

Shri A. P. Jain: I understand that there is a difference between the unemployment figures as found in the census and the assessment of the Planning Commission. Has any attempt been made to find out the causes of this discrepancy and reconcile it.

Shri C. R. Pattabhi Raman: Far from it. It is not so. Actually in population calculation it is 439 million instead of 434 million. We have taken into account the provision for Goa, Daman, Diu and Kashmir.

Shri A. P. Jain: I was asking about unemployment figures in the census.

Shri C. R. Pattabhi Raman: Unemployment? No, the Planning Commission figures are quite right so far as unemployment figures are concerned. It is only in population growth that there is a slight difference.

Shri Inder J. Malhotra: May I know whether during the Third Five Year is Plan, there has been an increase in the employment opportunities as far as the agricultural population is concerned?

Shri C. R. Pattabhi Raman: I cannot give the break up figures. But all in all it is 33.81 per cent.

Shrimati Yashoda Reddy: Replying to a question some days ago, the hon. Minister said that there has been migration from the villages to the towns. What are the plans or schemes which the Ministry has recently introduced to stop this migration from villages and give them employment there itself?

Shri C. R. Pattabhi Raman: There are rural works programmes—rural industries.

Shrimati Yashoda Reddy: What percentage has been absorbed there?

Mr. Speaker: No percentage.

Shri C. R. Pattabhi Raman: The programme has been started. I could not give the percentage.

Mr. Speaker: I have disallowed that question.

Shri Vasudevan Nair: The 1961 census has pointed out that in certain areas of the country the unemployment goes up to 30 per cent. of the population and even more. My constituency happens to be a place like that. May I know whether there is any special scheme for such areas particularly, to take up labour-intensive work?

Shri C. R. Pattabhi Raman: Yes. There are constantly kept under consideration.

Fake Passports

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{ **Shri M. L. Dwivedi:**
*253. { **Shri Rameshwar Tantia:**
 { **Shri Basumatari:**

Will the **Prime Minister** be pleased to refer to the reply given to Starred Question No. 15 on the 6th August, 1962 and state:

(a) whether the investigation in the case of the "Fake British Passport" holder has been completed;

(b) if so, what are the final findings; and

(c) whether any action has been initiated against the offender?

The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh): (a) No, Sir. The case is still under investigation.

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

श्री म० ला० द्विवेदी: मैं जानना चाहता हूँ कि क्या मंत्री महोदय बतला सकेंगे कि ऐसे कितने लोगों का पता चला है जिन्होंने जाली पासपोर्ट बनाये हैं या बनाने के काम में लगे हुए थे।

अध्यक्ष महोदय: यह सवाल तो एक केस के सम्बन्ध में था, लेकिन आप सारे केसेज के सम्बन्ध में पूछ रहे हैं ?

श्री म० ला० द्विवेदी: मैंने पूछा था क्या इसके अलावा और भी कोई केस था जिसके बारे में मंत्रालय को पता लगा ?

श्री विनेश सिंह: जी हाँ, सदन की पिछली बैठक में मैंने पूरा विवरण माननीय सदस्यों के सामने रखा था, जिसमें से दो केसेज के मुकदमे चल रहे हैं। एक तो यह है और एक और है उनमें करीब ६४ आदमियों के ऊपर मुकदमे चल रहे हैं।

श्री प्रकाशवीर शास्त्री: क्या मैं जान सकता हूँ कि जो यह ब्रिटिश पासपोर्ट जाली बनाया गया, इस प्रकार का कार्य किसी प्रदेश में विशेष रूप से हुआ है ?

श्री विनेश सिंह: जो ब्रिटिश पासपोर्ट जाली बनाये गये उनमें से तो यह एक ही मामला हमारी निगाह में आया है।

श्री प्रकाशवीर शास्त्री: मैंन प्रदेश के नाक के सम्बन्ध में पूछा था।

अध्यक्ष महोदय: इसके लिये विशेष रूप से क्या कहा जा सकता है क्योंकि एक ही तो केस नोटिस में आया है।

श्री भक्त दर्शन: श्रीमन् मैं जानना चाहता हूँ कि इस बारे में जांच पड़ताल करने में इतनी देरी क्यों हो रही है ?

श्री विनेश सिंह: जांच करने में इतना ज्यादा देर नहीं हो रही है। चूँकि यह ब्रिटिश पासपोर्ट था इसलिए हम को देखना पड़ता है कि किस तरह से उन्होंने उस को इस्तेमाल किया।

Indian Embassy Building at Jakarta

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{ **Shri R. S. Pandey:**
*254. { **Shri Vidya Charan**
 { **Shukla:**

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

(a) whether it is a fact that certain buildings for the Indian Embassy at Jakarta were purchased during 1955 and 1956 at a cost of Rs. 7 lakhs;

(b) whether it is a fact that an advance payment of Rs. 8,334 was made by Embassy during the same period to a local lawyer for meeting

expenses of registration fees etc. of the above property;

(c) whether it is a fact that even by end of 1961, the property has neither been registered nor any account or refund of the advance obtained from the lawyer; and

(d) if so, the reasons therefor?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Only two buildings were purchased, one for the residence of the Ambassador and the other for the residence of the First Secretary at the cost of Rs. 6,25,000 and Rs. 80,000, respectively.

(b) Yes.

(c) One of the two properties, namely, the Ambassador's residence was registered during this year. Finalisation of the accounts with the lawyer had been kept pending till the registration of the other property.

(d) The delay in registration is due to the fact that the basic property law in Indonesia had been in a state of flux and even after the relevant law had been published, detailed regulations regarding the implementation of this law so far as the suburban area of Djakarta is concerned have not yet been formulated. One of the two properties, namely, the First Secretary's residence is situated in a suburb of Djakarta.

श्री प्रकाशबीर शास्त्री : क्या मैं जान सकता हूँ कि मि० सोंधी के वक्तव्य के बाद इंडोनेशिया में भारतीय दूतावास पर जो आक्रमण हुआ था, यह वही भवन है या कोई और। अगर वही है तो इस में कितनी हानि हुई ?

Shrimati Lakshmi Menon: Two properties are involved in this. The Ambassador's residence has already been registered. The other property has not been registered.

Mr. Speaker: The question is, when there were those special sports....

Shrimati Lakshmi Menon: It was the same house.

Warships

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*256. { Shri Gulshan:
Shri Kapur Singh:
Shri Buta Singh:

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

(a) whether Government have decided to undertake construction of major warships at the recently acquired Mazagon dock at Bombay and Garden Reach Workshops at Calcutta;

(b) if so, when the work on this project is likely to begin; and

(c) when we are likely to have the first warship constructed at either of these two workshops?

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

(a) to (c). Yes, Sir. Government have decided to build major warships at the Mazagon Dock, Limited, Bombay, and have also approved a plan to expand the existing facilities at that yard to undertake such work. At this stage it is not possible to indicate as to when the first warship will be completed.

Shri Gulshan: May I know whether Government has decided to construct warships only with indigenous resources, or whether the Government of India has asked any foreign government to collaborate or give any aid?

The Minister of Defence Production (Shri Raghuramaiah): We are examining the necessary foreign collaboration.

Shri S. M. Banerjee: May I know whether the Mazgaon Docks alone or the Garden Reach Workshops also has been expanded, and whether these warships will be manufactured there also?

Shri Raghuramaiah: Yes, Sir. Both will be expanded.

Shri Sham Lal Saraf: May I know if this collaboration includes technical personnel, technical guidance as well as raw materials which may not be available within the country?

Shri Raghuramaiah: The collaboration will naturally cover everything that is not available in this country whether by way of technical resources or otherwise.

श्री यशपाल सिंह : क्या मैं जान सकता हूँ कि इस काम को एक्सपीडिटा करने करने के लिए सरकार ने क्या स्टेप लिए हैं ?

Shri Raghuramaiah: It is quite true that in view of the emergency we have got to expedite it.

Pak. Towers on Indo-Pak. Border

*257. **Shri Surendra Pal Singh:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that despite several protests by the Government of India Pakistan has not yet demolished three observation towers situated on West Pakistan border with Punjab; and

(b) if so, what reasons have been given by Pakistan for not fulfilling the Indo-Pakistan agreement on this question?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Yes, Sir.

(b) There are no reasons as such that the Pakistan authorities have been able to offer, for this patent violation of the Ground Rules. Some excuses have been made but these are so flimsy that it is difficult to conceive of these excuses as a justification, howsoever remote, for Pakistan's failure to abide by the essential conditions of the Ground Rules Agreement of 1961.

Shri Surendra Pal Singh: When did we demolish our two observation to-

wers?—after Pakistani towers were pulled down or before that?

Shrimati Lakshmi Menon: The demolition of the two towers on the Pakistan side was started on the first week of January 1962 and completed on the 10th January, 1962.

Shri Surendra Pal Singh: Is there any agreement between the two Governments which allows both the countries to construct such towers 150 yards beyond the boundary line on either side?

Shrimati Lakshmi Menon: The agreement was not to have towers for 150 yards on either side of the *de jure* boundary line.

Shri Hari Vishnu Kamath: Have any reports reached the Government that Pakistan has constructed similar towers and pill boxes on the eastern side, between Eastern Pakistan and Assam and Tripura?

Shrimati Lakshmi Menon: I want notice.

Report of Jute Wage Board

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*258. { **Shri S. M. Banerjee:**
 Shri Daji:

Will the Minister of Labour and Employment be pleased to state:

(a) whether Jute Wage Board has submitted its report;

(b) if so, whether a copy thereof will be laid on the Table; and

(c) if not submitted, the reasons therefor?

The Minister of Supply in the Ministry of Economic and Defence Co-ordination (Shri Hathi): (a) No.

(b) Does not arise.

(c) The Board is dealing with questions which require careful examination of the submissions made by the various interests.

Shri S. M. Banerjee: I request that Question No. 261 may also be taken up along with it.

Mr. Speaker: All right.

Interim Award of Jute Wage Board

*261, **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the interim award of the Jute Wage Board has not yet been implemented in jute mills in U.P.;

(b) if so, the reason therefor; and

(c) the steps taken by Government?

The Minister of Supply in the Ministry of Economic and Defence Co-ordination (Shri Hathi): (a) to (c). Two mills have implemented the recommendation fully and one has done so partly. The question of implementation in the remaining one mill is under active consideration of the State Government.

Shri S. M. Banerjee: In regard to No. 258, I want to know which are the interests which are hampering the work and which do not want this to be accepted?

Shri Hathi: In the implementation of the recommendations of the wage board, of the four mills in U.P. two have fully implemented: one has partially implemented. The difficulty with the mills is that it has not got the necessary finances and therefore, it entered into an agreement with the workers that they were to be paid in certain instalments and they paid upto June 1962 and then they stopped. In September again they have started. So far as the fourth mill is concerned, the question was whether that mill was covered by the recommendations of the wage board. That matter has now been clarified.

Shri S. M. Banerjee: I wanted to ask that question about 261. But the main question is 258 about the wage board. Hon. Minister said that there were some interests. I want to know which are those interests.

Shri Hathi: No, no. I have never said that there were any 'interests'.

Shri S. M. Banerjee: Is there no agreement between employers and representatives of the workers.

Shri Hathi: I said that out of the four mills, two have implemented. There is no question of any interest.

Shri S. M. Banerjee: I am completely satisfied with the answer to question No. 261. I am concerned with 258 now. I am asking about the non-submission of the report. The hon. Minister has stated that there are some difficulties. I want to know what the difficulties are and whether any agreement has been reached with the members of the Wage Board or is there any difference.

Shri Hathi: There is no difference between the members of the Wage Board. The only difficulty is that, as hon. Members know, some members of the Board are Members of Parliament and there are others who are also busy, and they could not find time and therefore the meeting has to be postponed.

Shri Daji: What about Uttar Pradesh? I would like to know, out of the several jute mills in the country, how many of them have as yet not implemented the interim award given by the Wage Board.

Shri Hathi: Out of the 84 mills, all have implemented, except the mills in Uttar Pradesh.

Shri S. M. Banerjee: I want to know whether any time-limit has been fixed and whether the members have been requested or an appeal has been made to them to see that the report is submitted.

Shri Hathi: The members have been requested to expedite, but no time-limit has been fixed.

Shri D. C. Sharma: May I know if the Government will appoint such persons as members of this Board as will have time to attend the meetings?

Mr. Speaker: It is a suggestion for action.

प्रेस सलाहकार समिति

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- *२५६ { श्री प्रकाशवीर शास्त्री :
श्री भक्त दर्शन :
श्री भागवत झा आजाद :
श्रीमती ममूना सुल्तान :
श्री रामेश्वर टांटिया :
श्री ज० ब० सि० बिष्ट :
श्री विशानचन्द्र सेठ :
श्री श्याम लाल सराफ :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या प्रेस सलाहकार समिति का गठन कर लिया गया है ;

(ख) यदि हां, तो इस समिति को क्या काम सौंपा गया है ;

(ग) क्या समिति की कोई बैठक हो भी चुकी है ; और

(घ) यदि हां, तो समिति ने क्या निश्चय किया है ?

सूचना और प्रसारण मंत्री (डा० बे० गोपाला रेड्डी) : (क) प्रेस मंत्रणा (सलाहकार नहीं) समिति का गठनकर लिया गया है ।

(ख) समिति प्रेस सम्बन्धी मामलों पर सरकार और प्रेस के बीच निकटतर सम्पर्क बढ़ाने के लिए बनाई गई है ।

(ग) समिति की पहली बैठक नई दिल्ली में ५ नवम्बर, १९६२ को हुई ।

(घ) समिति ने दो उप-समितियों नियुक्त करने का निर्णय किया जो क्रमशः प्रेस परिषद् की स्थापना और राष्ट्रीय एकता एवं वर्तमान संकट के प्रसंग में प्रेस के लिए आचार-संहिता बनाने के प्रश्न पर विचार करेगी ।

[(a) A Press Consultative (not Advisory) Committee has been constituted.

:2140 (A) L.S.D.—2.

(b) The Committee has been set up to bring about a closer liaison between the Government and the Press on matters relating to the Press.

(c) The first meeting of the Committee was held in New Delhi on November 5, 1962.

(d) The Committee decided to appoint two sub-Committees to consider, respectively, the question of formation of a Press Council and the formulation of a code of conduct for the Press with reference to national integration and the present emergency.]

श्री प्रकाशवीर शास्त्री : श्रीमान्, क्या मैं यह जान सकता हूँ कि इस समिति के बनाने के पश्चात् समाचार पत्रों में कुछ इस प्रकार की प्रतिक्रियाएं प्रकाशित हुईं थीं कि जो भारतवर्ष के बड़े बड़े समाचार पत्र हैं, जिनका देश में महत्वपूर्ण स्थान है, उनके अथवा प्रमुख समाचार संस्थाओं के प्रतिनिधि इसमें नहीं लिए गए ? यदि हां, तो इसके निराकरण के लिए सरकार ने क्या प्रयत्न किए ?

Dr. B. Gopala Reddi: It consists of 20 people only. We cannot possibly have all the newspapers represented on this consultative committee. They will get their turns perhaps.

श्री प्रकाशवीर शास्त्री : श्रीमान्, क्या मैं जान सकता हूँ कि यह जो समिति सरकार ने बनायी है, वर्तमान परिस्थितियों को ध्यान में रखते हुए यह समिति जो विशेष निर्णय लेगी क्या सरकार उन निर्णयों को मान्यता प्रदान कर कार्यान्वित करेगी ?

Dr. B. Gopala Reddi: Yes, certainly. We have appointed two sub-committees. They will report by 15th January and we will implement them as soon as the reports are ready.

श्री भक्त दर्शन : क्या यह सच है कि शुरू में यह निश्चय किया गया था कि जो पत्रकारों की या सम्पादकों की संस्थाएँ हैं उनके पांच-पांच प्रतिनिधि इस संस्था के लिए लिए जाएंगे, लेकिन बाद में ऐसे लोगों के

नौमिनेशन लिए गए जो कि प्राफेशन में डिस-क्रेडिटेड थे और इस लिए प्रसंतोष है ? यदि यहां, तो क्या इसके कारणों पर प्रकाश डाला जाएगा ?

Dr. B. Gopala Reddi: I do not think there are any discredited people on the committee. I do not accept that suggestion at all.

श्री भक्त दर्शन : श्रीमान् क्या यह पहले तय किया गया था कि इन संस्थाओं के प्रतिनिधि मांगे जाएं और उनको लिया जाएगा और उसके बाद सीधे नौमिनेशन कर दिये गये, क्या यह सही है, और यदि हां, तो किस बजह से ऐसा किया गया ?

Dr. B. Gopala Reddi: The President of the Working Journalists' Federation wanted that he should have a parity with the proprietors and editors of newspapers which we could not accept. We wanted to give five representatives for the proprietors, five for editors, five for working journalists and five outsiders—non-officials. But they wanted parity with the proprietors and the editors which we could not accept.

Shri Bhagwat Jha Azad: Since the report will be submitted in January, may I know whether in the last meeting of this consultative committee would set up any norms according to which the press could be advised not to publish such cartoons, posters and other things as are detrimental in the present circumstances of the country?

Dr. B. Gopala Reddi: That is a different matter altogether.

Shri Sham Lal Saraf: May I know if this consultative committee will go into the question of advising the Ministry on the press trends so that the Ministry is in a position to communicate the same to the Government effectively as well as to individual Ministries?

Mr. Speaker: It is a suggestion for action. (Interruption).

Shri Sham Lal Saraf: My submission is whether this committee will go into that aspect of the question, Sir.

Mr. Speaker: The Minister might answer the question.

Dr. B. Gopala Reddi: I could not follow the question.

Shri Sham Lal Saraf: My question is whether this committee will go into the question of advising the Ministry on the press trends, as they are in the country, so that the Ministry will communicate the same to the Government and the other Ministries concerned.

Dr. B. Gopala Reddi: I do not think the consultative committee is competent to do all this. But when we have the code of conduct, perhaps that will cover all these matters. The sub-committee will go into all these matters.

Shri Venkatasubbaiah: May I know who are the members of the committee?

Dr. B. Gopala Reddi: It is a long list.

Mr. Speaker: What does he gain by this information? Are they interested in anybody?

Shrimati Savitri Nigam: May I know the terms of reference given to the sub-committees and whether the Minister has received any complaint expressing dissatisfaction about the formation of the committees?

Dr. B. Gopala Reddi: I have not received any complaint against the formation of the two committees. The terms of reference of the first committee are to consider the recommendations of the Press Commission regarding the formation of a Press Council, to examine the provisions of the Press Council Bill, 1956 as passed by the Rajya Sabha and to make suitable recommendations to the Press Consultative Committee with regard to the modifications if any, which may

be considered necessary in the provisions of the Press Council Bill, 1956 as passed by the Rajya Sabha.

The terms of reference of the second sub-committee will be to consider formulating a code of conduct for the press, having regard to the needs of the present emergency in India and to the code of conduct and integration, recommended for acceptance by the press by the National Integration Council at its meeting held in New Delhi in June, 1962.

Shri Inder J. Malhotra: In view of the emergency, why could not the sub-committees be asked to expedite their work and submit their reports earlier than 15th of January next?

Dr. B. Gopala Reddi: They are members of different parts of India. They have to meet and consult other people also. So, we wanted them to submit their reports by 15th January.

Shri D. C. Sharma: The Press Commission's report is about 8 years old. May I know what prevented the Government from forming the Press Consultative Committee, having a code of conduct for the press and also forming the Press Council so long?

Dr. B. Gopala Reddi: The Press Council Bill was passed by the Rajya Sabha, but by the time it came to the Lok Sabha, there were some differences of opinion and the Government had to withdraw the Bill in 1956. We are taking steps again to revive it and to form the Press Council.

Shri Hari Vishnu Kamath: The Minister himself has referred to the emergency in answer to a supplementary. May I ask, apart from constituting this committee, these sub-committees, what steps or measures have been or are being taken to reorganise internal and external publicity so as to gear it to the war effort and the emergency needs?

Dr. B. Gopala Reddi: I would like to have separate notice of this question.

श्री प्रकाशवीर शास्त्री : क्या मैं जान सकता हूँ जैसा कि आरम्भ में मैंने निवेदन किया था कि समाचारपत्रों के या जो प्रेस का कार्य करने वाले व्यक्ति हैं उन को इस कमेटी से संतोष नहीं है तो मंत्रालय इस समिति को प्रभावशाली रूप देने के लिए और भी कुछ मुख्य समाचारपत्रों के प्रतिनिधियों को इसमें सम्मिलित करेगा ?

Dr. B. Gopala Reddi: We can have it by rotation. In a committee of 20 members, if all the important papers are given representation, what about other papers region-wise, language-wise, etc.?

Development Scheme in Goa

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{ **Shri P. C. Borooah:**
Shri Ram Ratan Gupta:
Maharajkumar Vijaya Ananda:
Shri Prakash Vir Shastri:
 *260. { **Shri P. K. Deo:**
Shri Buta Singh:
Shri Gulshan:
Shri Daji:
Shri Indrajit Gupta:
Shri Bade:
Shri Kachhavaia:

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

(a) whether it is a fact that Government have recently sanctioned a sum of rupees one crore for Goa development schemes;

(b) if so, what are the development schemes envisaged; and

(c) the priority to be accorded to the different schemes?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) Yes, Sir; a sum of Rs. 107.51 lakhs has been sanctioned for this purpose.

(b) The schemes envisaged relate to the development of industry, agriculture and fisheries, irrigation and power, community development and panchayats, construction of roads and bridges, development of ports, education and health, etc.

(c) The priority to be accorded to various schemes in the plan of the Union Territory is to be determined in accordance with the general objectives of attaining the same level and pattern of economic development as obtains in the rest of India, as early as possible, and ensuring an early transition from the colonial economic set-up which existed in the past to that sought to be achieved for the whole of India by the National Plans.

Shri P. C. Borooah: May I know whether the draft plan has been submitted by the Planning Board which was constituted specially for laying down the development plans and, if so, the schemes which have been given top priority by the Board?

Shrimati Lakshmi Menon: There are many schemes. This plan was discussed between the representatives of the Planning Commission, Ministries of External Affairs, Finance and Transport and the CWPC on the 29th September 1962. The items cover all aspects of the economy of Goa. It is a long list but if you wish me to read it, Sir,.....

Mr. Speaker: No, it need not be read.

Shri Venkatasubbaiah: May I know whether any non-official committees have been constituted by the administration to implement the schemes?

Shrimati Lakshmi Menon: There is the Goa Planning Commission.

Shri Shivaji Rao S. Deshmukh: May I know whether there is any proposal for the development of the Goan railway in the plan by linking Goa with the Central India Collieries by providing the missing links in the Goa-Gondia railways?

Shrimati Lakshmi Menon: No, that is not included in the plan.

Shri Hem Barua: In view of the fact that because of the archaic and retrograde Portuguese rule Goa is at least a decade behind the rest of the country in economic development,

may I know what specific steps Government propose to take to bridge this gulf?

Shrimati Lakshmi Menon: It is given in the main answer. All aspects of the Goan economy are taken into consideration and the money allotted will be used for the development of that area.

Shri Indrajit Gupta: What is the reason for the delay in Government deciding whether the port of Morma-gao will be developed as a commercial port or as a naval base?

The Minister without Portfolio (Shri T. T. Krishnamachari): Investigations are being made and Government have not come to any decision in the matter. The reason is due to the fact that many factors have to be taken into account before Government come to a decision.

Shri D. C. Sharma: May I know if Goa will have a separate university in view of the fact that all the States of India have their own universities?

Shrimati Lakshmi Menon: Yes, Sir; that question is also under consideration.

श्री प्रकाशवीर शास्त्री : गोवा को स्वतंत्र कराते समय पुर्तगालियों ने जो सड़क, बंदरगाह या पुल नष्ट कर दिए थे, उन के सुधार और मरम्मत की व्यवस्था गोवा की विकास योजनाओं में सम्मिलित है या वह पहले ही पूर्ण किय जा चुके हैं ?

श्री विनेश सिंह : इस सम्बन्ध में पिछले सदन के सत्र में बतलाया जा चुका है कि जो पुल और सड़कें बगैरह हमारे यहां टूट गयी थीं उन को बनाने का इंतजाम ज्यादातर हो गया है ।

Shri Bhagwat Jha Azad: May I know whether the present allocation of priorities is according to any long-term plan or the allocations are only for the current year?

Shrimati Lakshmi Menon: This is for the immediate development of the Goan economy, though there will be long-term plans also.

Shri Hari Vishnu Kamath: Is this development plan for Goa being integrated or dovetailed with the Third Plan for the whole of India and, if so, in what manner?

Shrimati Lakshmi Menon: We have already finished two years of the Third Plan. This is a sort of *ad hoc* arrangement made to meet the emergency.

Shrimati Savitri Nigam: May I know if any special scheme has been chalked out to provide employment to the unemployed?

Shrimati Lakshmi Menon: That is also part of the programme.

Mr. Speaker: The question list is over. The question hour is also over.

WRITTEN ANSWERS TO QUESTIONS

Capital Investment

527. **Shri Sezhiyan:** Will the Minister of Planning be pleased to state the per capita capital investment in the First Five Year Plan and in the Second Five Year Plan (with Statewise break-up)?

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): Per capita capital investment in the First Five Year Plan was about Rs. 84.6 and in the Second Five Year Plan it was about Rs. 154 Statewise break-up of investment is not available.

Former French Possessions in India

528. **Shri Sezhiyan:** Will the Prime Minister be pleased to state:

(a) whether any steps have been taken to assess the industrial potentialities of Pondicherry, Karaikal, Mahe and Yanam; and

(b) if so, the important development schemes formulated for these areas?

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

(a) Yes, Sir. An industrial survey of Pondicherry was undertaken by the Small Industries Service Institute, Madras, during March-April, 1958. Similar survey reports in respect of Karaikal, Mahe and Yanam are being prepared by the Industries Department of the Government of Pondicherry.

(b) Several wood-working, leather manufacturing and other small scale industries in the public sector, and a Re-rolling Mill, three Textile Mills, a Sugar Mill, an Umbrella Ribs Manufacturing Factory, etc., in the public sector, have been established already. The important schemes of development costing over Rs. 25 lakhs which have been formulated and are in different stages of execution are the following:

- (1) The pier project, Pondicherry.
- (2) The Tagore Arts College and Polytechnic, Pondicherry.
- (3) Improvements to General Hospital, Pondicherry and Karaikal.
- (4) The Children's Diseases Hospital, Pondicherry.
- (5) T. B. Sanitorium and Clinic, Pondicherry.
- (6) Provision of Additional Power Transformers.

A total outlay of Rs. 101.7 million has been provided for development schemes during the Third Plan period.

Naga Rebels

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

(a) whether it is a fact that the Naga rebels have been collecting food

and money by force from villagers in the Tuensang District of Nagaland;

(b) if so, whether Government have taken any steps to stop this; and

(c) details thereof?

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

(a) There have been some cases of Naga rebels extorting food and money from villagers in the Tuensang District. The number of such cases has, however, been less than that in previous years, due to the pressure exerted by our Security Forces.

(b) and (c). The villagers themselves have been offering resistance to the hostiles and in one incident they killed three of them with hatchets and spears.

The Government have been taking precautionary measures and the strength of the Security Forces is readjusted wherever necessary to cover isolated areas.

Desai-Bank Award

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

(a) whether the All India Bank Employees' Association in its four-day annual session at Calcutta in September this year criticised the Desai-Bank Award; and

(b) if so, what points were raised in this regard and what is Government's view about these points?

The Minister of Planning and Labour and Employment (Shri Gulzarilal Nanda): (a) Government have not received any formal intimation in regard to the reported criticism of the Desai Award by the All India Bank Employees' Association at its annual session held in September 1962.

(b) Does not arise.

Production in Ordnance Factories

531. { **Shri S. M. Banerjee:**
Shri Daji:

Will the Prime Minister be pleased to state:

(a) whether production in Ordnance Factories considerably increased during 1961-62;

(b) if so, value of work done in 1960-61 and in 1961-62 both for army and civilian use separately;

(c) whether new Ordnance Factories are likely to be established;

(d) if so, number of such Factories; and

(e) places where they are likely to be located?

The Minister of Defence Production (Shri Raghuramaiah): (a) Yes, Sir.

(b) The value of work done for Army, Navy, Air Force and for civilian use during 1960-61 and 1961-62 is as follows:—

	(in crores of rupees)	
	1960-61	1961-62 (Provisional)
Army	24.24	33.27
Navy, Air Force, MES etc.	1.66	2.55
Civil Trade (including Border Roads)	7.21	5.63
Total	33.11	41.45

(c) Yes, Sir.

(d) and (e). Four new factories, one each at Bhandara (Maharashtra) and Chandigarh (Punjab) and two at Avadi Madras are already being set up.

Wage Boards

532. { Shri Umanath:
Shri S. M. Banerjee:

Will the Minister of Labour and Employment be pleased to state:

(a) whether a decision has since been taken to appoint Wage Boards for some more industries;

(b) if so, what are those industries; and

(c) when the Wage Boards are likely to be constituted?

The Minister of Planning and Labour and Employment (Shri Gulzarilal Nanda): (a) to (c). The question is under examination.

केन्द्रीय सरकार के कर्मचारियों की हड़ताल के बारे में रिपोर्ट

५३३. { श्री भक्त दर्शन :
श्री भागवत झा आजाद :

क्या श्रम और रोजगार मंत्री ६ अगस्त, १९६२ के तारांकित प्रश्न संख्या १६६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या श्री आर० एल० मेहता को १९६० की केन्द्रीय सरकार के कर्मचारियों की हड़ताल के बारे में इस बीच अपनी रिपोर्ट देने के लिए समय मिल गया है ;

(ख) यदि हां, तो क्या उन के अध्ययन का सारांश सभा-पटल पर रखा जायेगा ; और

(ग) यदि अभी तक उन्हें इस काम के लिये समय नहीं मिला है तो कब तक उन्हें समय मिलने की संभावना है ?

योजना तथा श्रम और रोजगार मंत्री (श्री गुलजारीलाल नन्दा) : (क) अभी नहीं ।

(ख) प्रश्न नहीं उठता ।

(ग) वर्तमान स्थिति में इस कार्य को प्राथमिकता नहीं दी जा सकती ।

Army Officer's Wife in U.S.I.S.

534. { Shri A. K. Gopalan:
Shri Dinan Bhattacharya:
Shri Nambiar:

Will the Prime Minister be pleased to state:

(a) whether the wife of a Major General has been permitted by Government to take job in the Radio Section of the U.S.I.S. for broadcasts by the Voice of America;

(b) whether the Major General in question was once the Director of Military Intelligence; and

(c) if so, whether this has been done according to rules or as an exception?

The Minister of Defence Production (Shri Raghuramaiah): (a) Yes.

(b) Yes.

(c) This was agreed to in the present case as the person concerned is reported to be living separately from her husband for several years.

Hostile Nagas

535. { Shri Daji:
Shri Indrajit Gupta:

Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to the statement of Mr. Kheiya, a Councillor in the meeting of the Interim Body of Nagaland, that big groups of hostile nagas were moving in his area; and

(b) if so, how far the hostiles still constitute a danger to the peace of the area?

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

(a) and (b). During the autumn session of the Interim Body of Nagaland, Shri Kheiyā, a member of the Interim Body, stated that the hostiles were getting active again in his area i.e. the southern Angami area of the Kohima District.

Intensive patrolling by Security Forces and Village Guards was carried out as a result of which two arms were surrendered and one rifle was captured and some arrests of hostiles were made.

The area is now peaceful.

Development of Nagaland

536. { **Shri Daji:**
Shri Indrajit Gupta:

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

(a) whether it is a fact that large amounts of development funds allocated to Nagaland remained unspent during 1961-62;

(b) what major items were so left over; and

(c) what steps are being taken for the better utilisation of the funds in future?

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

An amount of Rs. 12,41,100 remained unspent against the final allocation of Rs. 1,04,31,400.

(b) All major development schemes were taken up for implementation but funds could not be utilised in full due to the shortage of technical staff and other administrative difficulties.

(c) Government Departments concerned with development work have been reorganized as Directorates and special efforts are being made to recruit technical staff and overcome other difficulties to ensure better utilisation of funds in the future.

Delhi Employment Exchange

537. { **Shri N. Sreekantan Nair:**
Shri Warior:

Will the **Minister of Labour and Employment** be pleased to state:

(a) the total number of employees of Class III and Class IV who have been recruited to the Central Government services through the Delhi Employment Exchange during each of the years from 1956 to 1961; and

(b) whether Class III and Class IV employees were recruited during these years through any other Employment Exchange in any other part of the country.

The Minister of Planning and Labour and Employment (Shri Gulzarilal Nanda): (a) and (b). Information for the period asked for is not available. However, figures for the last twelve months are available and are given below:—

Class of Post	No. of Central Government vacancies filled by Delhi Exchange during November, 1961 to October, 1962		Total
	From applicants registered at Delhi	From applicants registered at other Exchanges	
Class III	3,248	1	3,249
Class IV	3,372	40	3,412

Indian Soldiers Killed in Katanga

538. **Shri Yashpal Singh:** Will the **Prime Minister** be pleased to state:

(a) whether two Indian soldiers were killed by a mine explosion in Katanga on the 25th September, 1962; and

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

The Minister of Defence Production (Shri Raghuramaiah): (a) Two Indian Army Other Ranks were killed in a mine explosion in Elisabethville on 24th September, 1962 (and not on 25th September 1962 as stated in the Question).

(b) On 24-9-1962 at about 0915 hours a routine patrol of our contingent, consisting of one Junior Commissioned Officer and 13 Other Ranks, was returning to base on the completion of its task through thick scrub when an anti-personnel mine went off resulting in the death of two Other Ranks and injuries to one Junior Commissioned Officer and three Other Ranks. This was the first time that a mine had been encountered in the areas patrolled by U.N.

Land Acquisition for Delhi Master Plan

539. **Shri D. N. Tiwary:** Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that in the last week of August he met a large number of Kisans from Meerut and Bulandshahr led by two Members of Lok Sabha and heard their grievances about the acquisitions of land for Delhi Master Plan; and

(b) whether he has sent any suggestions or directions, hopeful to the Kisans to the proper authorities?

The Prime Minister and Minister of External Affairs, Defence and Atomic Energy (Shri Jawaharlal Nehru): (a) and (b). Yes. The Prime Minister after listening to the grievances of the Kisans, wrote to the Chief Minister, U.P. that while it was inevitable that

land near a great city would gradually have to be acquired for the extension of that city and industries, it might be better to vary the Master Plan somewhat and to acquire banjar land and leave the good land for agricultural purposes. The local authorities connected with the Delhi Master Plan were also apprised of the Prime Minister's views. Originally it was proposed to acquire about 34,000 acres of land but subsequently on further consideration it was reduced to about 6,000 acres. The Chief Minister, U.P., has since sent a detailed reply and while explaining why it has become necessary to acquire 6159 acres of agricultural land in 22 villages for planned and regulated development of the Ghaziabad region, has assured that the State Government are anxious to avoid any hardships to agriculturists and that they shall try to accommodate them as far as possible.

Passports

540. **Shri D. N. Tiwary:** Will the **Prime Minister** be pleased to state the number of applications received and passports issued month-wise since April, 1962?

The Prime Minister and Minister of External Affairs, Defence and Atomic Energy (Shri Jawaharlal Nehru): A statement is laid on the Table of the House.

STATEMENT

Month of year	No. of applications received	No. of passports granted
April	6011	5348
May	7066	6188
June	7660	6182
July	5336	5335
August	4431	5167
September	4539	4552
October	3437	3467
Total:	38480	36239

Factory Inspectorate in Tripura

541. Shri Biren Dutta: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the Factory Inspectorate of Tripura has been transferred under Directorate of Industries of Tripura;

(b) whether the Directorate of Industries itself is an employer in this Union Territory; and

(c) if so, the reasons for the transfer?

The Minister of Planning and Labour and Employment (Shri Gulzarilal Nanda): (a) and (c). The Director of Industries has taken over as Inspector of Factories, in addition to his own duties, as a temporary measure pending the appointment of an Inspector of Factories. The services of a suitably qualified person for this appointment could not be secured so far, but attempts are being made to fill this post early.

(b) No.

Staff Artistes of All India Radio

542. Shri S. M. Banerjee: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that a committee has been appointed to go through the working and service conditions of the staff artistes in All India Radio;

(b) if so, whether the Committee has submitted any report; and

(c) if so, what are the recommendations of the Committee?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) to (c). A committee has been appointed recently but its report has not yet been received.

सीमा सड़क संगठन कार्य में घायल व्यक्ति

५४३. श्री भक्त दर्शन : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सीमा सड़क संगठन के कार्य में घायल हुए कुछ सैनिकों को गत १३ सितम्बर, १९६२ को जोशीमठ (जिला चमोली) से हेलीकोप्टर द्वारा दिल्ली लाया गया था ;

(ख) यदि हां, तो नीति व माना घाटियों व चमोली जिले के अन्य क्षेत्रों में सड़क निर्माण कार्य करते हुए अब तक कुल कितने सैनिक व अन्य व्यक्ति घायल हो चुके हैं ;

(ग) उन घायलों की चिकित्सा के लिये निर्माण-स्थलों पर तथा जोशीमठ में क्या व्यवस्था की गई है ; और

(घ) इस प्रकार की दुर्घटनाओं की रोकथाम के लिए कौन-से विशेष कदम उठाये गये हैं ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री, रक्षा मंत्री तथा अणुशक्ति मंत्री (श्री जवाहर-लाल नेहरू) :

(क) जी हां। घायल सिपाही १२ सितम्बर, १९६२ को निकाल लाया गया था।

(ख) सड़क बनाते समय मरने वाले तथा घायल होने वाले व्यक्तियों की संख्या इस प्रकार है :—

	मरने	घायल
	वालों	होने
	की	वालों
	संख्या	की
		संख्या
सिपाही	३	१
जनरल रिजर्व इंजीनियर		
फ़ोर्स तथा अन्य सिविलियन	३	
टोटल	६	१

(ग) जोशीमठ तथा काम लगे हुए अन्य स्थानों पर प्राथमिक उपचार (फ़र्स्ट

एड) का प्रबन्ध है। सख्त घायल लोगों को सड़क द्वारा देहरादून के मिलिटरी अस्पताल में पहुंचाया जाता है। सितम्बर १९६२ में टूट फूट के कारण सड़क बन्द हो जाने से ऊपर (क) में बतलाये गये सिपाही को हेलीकाप्टर द्वारा निकाला गया था।

(घ) ढालू चट्टानों पर काम करने वाले व्यक्तियों को भविष्य में नाइलोन की रस्सियां तथा सेफ्टी हायस्ट बेल्ट दिये जायेंगे।

Mine Sweepers

544. **Shri Yashpal Singh:** Will the Prime Minister be pleased to state:

(a) the progress made in the construction of Mine Sweepers, 150 men Ferry Craft and three Pontoons for berthing the Air Craft Carrier, orders for which were placed with Messrs. Mazagon Dock, Bombay; and

(b) estimated time to be taken in the completion of the order?

The Minister of Defence Production (Shri Raghuramaiah): (a) and (b). While the progress made in respect of all the items indicated is satisfactory, it is not in the public interest to disclose the details.

Korean Cultural Mission

545. { **Shri Bishanchander Seth:**
Shri Rameshwar Tantia:
Shri Sham Lal Saraf:

Will the Prime Minister be pleased to state:

(a) whether it is fact that the Korean Cultural Mission visited India during September, 1962;

(b) if so, the names of the places they visited;

(c) whether it is also a fact that they have requested India to send a similar mission to Korea;

(d) if so, whether Government have accepted the invitation; and

(e) whether any cultural agreement has been signed with the Mission?

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

(b) This Mission visited Delhi, Agra and Bhakra and Nangal Dams.

(c) No, Sir.

(d) Does not arise in view of (c) above.

(e) No, Sir.

Ex-Servicemen of Goa

{ **Shri P. K. Ghose:**
 546. { **Shri Kapur Singh:**
 { **Shri Indrajit Gupta:**

Will the Prime Minister be pleased to state:

(a) whether it is a fact that the ex-servicemen of Goa have submitted a memorandum to the effect that employment on the same conditions as before liberation be provided to them;

(b) if so, why alternative employment has not been provided to them so far; and

(c) the action proposed to be taken by Government in the matter?

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

(b) Government have considered the representation of the Goan ex-servicemen and efforts have been made to secure alternative employment for them with Government. Some Goan ex-servicemen have been absorbed by the Customs, Police and other Government departments. 141 Goan ex-servicemen have joined the Police Training School recently established in Goa. Government have made offers of appointment to the Indian Army to all other unemployed ex-servicemen who are physically fit.

Defence Civilian Clerks Association

547. { Shri Y. D. Singh;
 { Shri P. Venkatasubbaiah;
 { Shri A. K. Gopalan;

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

(a) whether it is a fact that the All India Defence Civilian Clerks Association which represents 8,000 civilian clerks employed in lower formations under the Defence Ministry has complained that its members have remained stagnant for the last 3 to 12 years and have no incentive of further promotion and earning of annual increment;

(b) whether the Association has suggested that Government should explore the possibility of utilising the services of their members either in new expanding departments or in other offices; and

(c) if so, the decision taken by the Government in this regard?

The Minister of Defence Production (Shri Raghuramalah): (a) to (c). A representation on the subject has been received recently. This is now under consideration.

Edinburgh Military Tattoo

548. { Shri Indrajit Gupta;
 { Shri Daji;

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

(a) whether a detachment of the 61st Cavalry took part in the recent Edinburgh military tattoo;

(b) the nature of their participation;

(c) whether detachments of Indian armed forces take part in military tattoos or similar functions in any foreign countries other than the U.K.; and

(d) whether the arrangements with the U.K. are on a reciprocal basis?

The Minister of Defence Production (Shri Raghuramalah): (a) and (b)

At the invitation of the British Government a contingent of 61st Cavalry participated in the Edinburgh Military Tattoo in August-September 1962.

(c) Not so far.

(d) No, Sir.

U.N. Assistance to India

549. { Shri Sham Lal Saraf;
 { Shri Rameshwar Tantia;
 { Shri Basumatari;

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

(a) in what way India is being helped and assisted in its development by the World Organisation with the declaration of the present decade as the "Development Decade" by the United Nations; and

(b) whether assistance on the part of the United Nations will be helpful in increasing the industrial and agricultural output so as to enable this country to earn more by way of national and per capita incomes?

The Prime Minister and Minister of External Affairs, Defence and Atomic Energy (Shri Jawaharlal Nehru): (a) The General Assembly Resolution on the "the United Nations Development Decade—a programme for international economic cooperation—" calls upon the members of the United Nations to pursue policies and adopt measures which would assist the underdeveloped countries to attain a substantial increase in the rate of their growth, taking as the objective a minimum annual income of 5 per cent at the end of the decade. The resolution also requests the Secretary-General to prepare the necessary documentation and develop proposals in consultation with appropriate agencies for the necessary development programmes. The designation of the present decade as "the Development Decade" thus envisages intensification and co-ordination of the various activities undertaken by the United Nations.

(b) Yes, Sir. It is too early to say, however whether the efforts under-

taken by the United Nations in collaboration with various agencies and governments will have the desired result of increasing the growth of aggregate national income by a minimum of 5 per cent.

Institute of Flight Science

550. **Shri P. K. Deo:** Will the Prime Minister be pleased to state:

(a) whether an Institute of Flight Science is being established by the Defence Research and Development;

(b) if so, where it will be located and what activities it will carry on;

(c) the composition of staff for the Institute; and

(d) total capital and recurring expenditure for this institute?

The Minister of Defence Production (Shri Raghuramaiah): (a) to (d). The proposal to establish such an Institute for Advancement of Flight Sciences and Technology is under examination of the Government. An *ad hoc* experts committee has been appointed to work out the details of the scheme, including the question of its location, functions, composition of staff and financial requirement. The committee is currently engaged on the task.

Institute of Physiology

551. **Shri P. K. Deo:** Will the Prime Minister be pleased to state:

(a) whether an Institute of Physiology is going to be set up in Madras by the Defence Research and Development Establishment;

(b) what will be its functions; and

(c) the recurring and capital expenditure estimated for this Institute?

The Minister of Defence Production (Shri Raghuramaiah): (a) Yes Sir.

(b) To undertake research in various fields of Physiology as applied to the Armed Forces, such as problems concerning the efficiency, comfort and

health of service personnel in military environments, at high altitudes and in arid zones.

(c) Estimated recurring and capital expenditure for the Institute would be approximately Rs. 3.4 Lakhs and Rs. 52 Lakhs respectively.

Gun and Shell Factory, Cossepoore

552. **Shrimati Renu Chakravartty:** Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1393 on the 21st August, 1962 and state what steps Government are taking to build new quarters, or to rebuild new type quarters in the old Dumdum estate barracks for the workmen of the Gun and Shell Factory, Cossepoore, inclusive of the Dumdum branch and allied Inspectorate of Armaments Establishment?

The Minister of Defence Production (Shri Raghuramaiah): A plan for the construction of 144 Type I and 90 Type II quarters for the workers in question is being examined.

Controller of Emigrant Labour

553. { **Shri Sham Lal Saraf:**
Shri Rameshwar Tantia:

Will the Prime Minister be pleased to state:

(a) whether since the setting up of the organisation of 'Controller of Emigrant Labour' the movement of labour out of the country is regulated and controlled; and

(b) whether since its formation there is no overflow of labour in the countries they usually go in search of work?

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

The movement of labour out of the country, both for skilled and unskilled work, is regulated under the Indian Emigration Act 1922 (Act No. VII of 1922), and the rules made thereunder,

by the Protectors of Emigrants of specified Indian ports under the general direction of the Controller General of Emigration, who exercises the functions of the Central Government under the Act.

(b) Yes, overflow is checked.

प्रतिरक्षा कर्मचारियों के लिए अंशदायी स्वास्थ्य सेवा योजना

५५४. श्री भक्त दर्शन: क्या प्रधान मंत्री २६ अगस्त, १९६२ के अतारंकित प्रश्न संख्या १६७० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि दिल्ली छावनी में प्रतिरक्षा कर्मचारियों को अंशदायी स्वास्थ्य सेवा-योजना की सुविधायें देने का जो प्रश्न विचाराधीन था उस पर क्या निर्णय किया गया है और उस निर्णय को किस तारीख से लागू करने की आशा है ?

रक्षा उत्पादन मंत्री (श्री रघुरामैया) : वर्तमान आपत-कालीन अवस्था में रक्षा मंत्रालय की आवश्यकताओं को ध्यान में रखते हुए अंशदायी स्वास्थ्य सेवा योजना के अन्तर्गत अस्पतालों और डिस्पेंसरियों के लिए स्वास्थ्य मंत्रालय को उतनी जमीन आफर की गई है जितनी कि सम्भव है ।

Police Training School in Goa

555. **Shri Bishanchander Seth:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that Police training school has been set up in Goa; and

(b) if so, since when it has started functioning?

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

(b) 8th of October, 1962.

Quarterly Reports about Third Plan

556. **Shri Bade:** Will the Minister of Planning be pleased to state:

(a) whether Planning Commission has started submitting quarterly report about the implementation of the Third Five Year Plan;

(b) if so, when the first quarterly report was submitted;

(c) what are the main findings; and

(d) if the reply to part (a) above be in the negative, whether the delay in submitting quarterly report is due to lethargy of State Governments in submitting their reports?

The Deputy Minister of Planning and Labour and Employment (Shri C. R. Pattabhi Raman): (a) and (b). Quarterly progress reports for official use have been prepared in the Planning Commission since the beginning of the Third Five Year Plan. The main purpose of the quarterly reviews is to bring to light bottlenecks and difficulties which may be experienced in implementing the Plan and to take suitable action with a view to removing them.

(c) Main findings regarding the progress made since the beginning of the third plan period were given in the statement laid on the Table of the House on August 22, 1962.

(d) Does not arise.

सेना में भरती

५५७. श्री बेरवा कोटा : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या चीनी आक्रमण के बाद से देश की सैनिक शक्ति बढ़ाने के लिए नव-युवकों की भरती का कोई नया कार्यक्रम बनाया गया है ;

(ख) यदि हां, तो यह कार्यक्रम क्या है ; और

(ग) अक्टूबर १९६२ के बाद से अब तक कितने नवयुवकों को मशरूफ सेना, प्रादेशिक सेना, एन० सी० सी०, ए० सी० सी० में भरती किया जा चुका है ?

प्रतिरक्षा उत्पादन मंत्री (श्री रघुरामैया):

(क) जी हाँ।

(ख) भरती संगठन को दुबारा संगठित किया गया है, और उसे भरती में उत्क्रमण के निमित्त अधिक शक्तिशाली बना दिया गया है।

फैसला किया गया है कि एन० सी० सी० राईफल की एक संकटकालीन प्रसार योजना के अन्तर्गत, कालिजों के समस्त योग्य छात्र-समुदाय को ले लिया जाए, जिस में उन्हें, कालिज में काम के घण्टों के दौरान में, हफ्ता में दो घण्टे सैनिक प्रशिक्षण दिया जाए।

कुछ उपयुक्त उपाए तीनों सेवाओं में विराधीन हैं।

(ग) पहली अक्टूबर १९६२ से, सहायक छात्र-दल समेत छात्रदलों में भरती किए गए लोगों की संख्या ३२०० है। सशस्त्र सेनाओं और प्रादेशिक सेना के संबंध में ऐसी सूचना, इस सभा में, प्रकट करना लोकहित में नहीं होगा।

Visit of Foreign Army Officers

559. Shri Yashpal Singh: Will the Prime Minister be pleased to state:

(a) how many foreign teams of experts or individual army officers and from which countries visited our Air Force installations and training establishments during the period from 1957 to 1962; and

(b) what was the purpose of their visit?

The Minister of Defence Production (Shri Raghuramaiah): (a) and (b). Altogether 62 such teams and foreign dignitaries visited I.A.F. installations and training establishments during the years 1957 to 1962 from 17 countries, namely, Australia, Burma, China, Canada, France, Indonesia, Iran, Malaya, Pakistan, Philippines, Sweden, Thailand, U.A.R., United Kingdom, U.S.A., U.S.S.R. and West Germany.

The purpose of these visits was either formal or an expression of interest in the I.A.F.'s achievements.

In addition, technicians from the United Kingdom, France and U.S.S.R. also paid visits in connection with maintenance of I.A.F. equipment obtained from these countries.

There were two goodwill missions consisting of Air Force officers from Burma and Army officers from China.

Per Capita Income

560. Shri Priya Gupta: Will the Prime Minister be pleased to state:

(a) the estimated extent of increase in rural income *per capita* in 1961-62; and

(b) the actual rise/fall in the income *per capita*?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): (a) The estimates of national income and *per capita* income are worked out for the country as a whole and not separately for rural and urban areas.

(b) According to the 'quick' estimates of national income released recently by the Central Statistical Organisation, the *per capita* income at 1948-49 prices works out at Rs. 292.5 for the year 1961-62, which does not show any rise or fall over the previous year.

Radio Relay Station at Coimbatore

561. Shri Sezhiyan: Will the Minister of Information and Broadcasting be pleased to state:

(a) the progress made so far in the erection of a Medium Wave Transmitter at Coimbatore;

(b) the K.W. power of the Transmitter; and

(c) when it is expected to be commissioned?

The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath): (a) to (c). A Medium-wave transmitter of 10 KW power is proposed to be installed at Coimbatore. Preliminary action regarding selection of site has been taken. The installation is expected to be completed during the course of the next two years.

12.00 hrs.

RE: MOTION FOR ADJOURNMENT
AND CALLING ATTENTION
NOTICES

Mr. Speaker: I have received a notice of an adjournment motion as well as calling-attention notices from several hon. Members. Because the calling-attention notices are also from the same hon. Members, I will allow these to be answered. The hon. Prime Minister would make a statement at 12.30 P.M.

PAPERS LAID ON THE TABLE

NOTIFICATION UNDER ARTICLE 359 OF THE
CONSTITUTION

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, on behalf of Shri Lal Bahadur Shastri, I beg to lay on the Table a copy of Notification No. G.S.R. 1510 dated the 11th November, 1962, under clause (3) of article 359 of the Constitution, publishing an amendment to Order No. G.S.R. 1464 dated the 3rd November, 1962, issued by the President under clause (1) of the said article. [Placed in Library, See No. LT-534/62].

Shri Hari Vishnu Kamath (Hoshangabad): Sir, it is welcome that the hon. Minister has implemented your directive and is placing the orders of the President on the Table of the Sabha, but in this connection may I also invite your attention and the attention of the House to article 354 of the Constitution. I do not know whether orders have been passed under that provision also and if orders have been passed under article 354 then clause (2) of that article requires that—

“Every order made under clause (1) shall, as soon as may be after it is made, be laid before each House of Parliament.”

If it has been made, I hope it does not need a reminder from me or a directive from you again.

Mr. Speaker: There is no need for issuing any new directive every day. The Government will take notice of it.

REPORTS OF TARIFF COMMISSION

The Minister of Supply in the Ministry of Economic and Defence Co-ordination (Shri Hathi): Sir, on behalf of Shri Manubhai Shah, I beg to lay on the Table a copy each of the following papers under sub-section (2) of section 16 of the Tariff Commission Act, 1951:—

- (i) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Sheet Glass Industry.
- (b) Government Resolution No. 14(2)-TR/62 dated the 16th November, 1962 (together with its Hindi version).
- (c) Statement explaining the reasons why a copy each of the documents at (a) and (b) above could not be laid on the Table within the period prescribed in the said sub-section. [Placed in Library. See No. LT-535/62.]
- (ii) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Plastics (Phenol Formaldehyd Moulding Powder) Industry.
- (b) Government Resolution No. 27(1)-TR/62 dated the 16th November, 1962 (together with its Hindi version). [Placed in Library. See No. LT-536/62].
- (iii) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Ball Bearing Industry.

(b) Government Resolution No. 18(i)-TR/62 dated the 16th November, 1962 (together with its Hindi version). [Placed in Library. See No. 537/62].

(iv) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Non-Ferrous Metals Industry.

(b) Government Resolution No. 22(1)-TR/62 dated the 16th November, 1962 (together with its Hindi version).

(c) Notification No. 22(1)-T.R./62-I dated the 16th November 1962 issued under sub-section (1) of section 3A of the said Act (together with its Hindi version).

(d) Notification No. 22(1)-T.R./62-II dated the 16th November, 1962 issued under sub-section (1) of section 4 of the said Act (together with its Hindi version).

(e) Statement explaining the reasons why a copy each of the documents at a), (b), (c) and (d) above could not be laid on the Table within the period prescribed in the said sub-section. [Placed in Library. See No. LT-538/62].

ANNUAL ACCOUNTS OF EMPLOYEES' STATE INSURANCE CORPORATION

Shri Hathi: Sir, I beg to lay on the Table a copy of the Annual Accounts of the Employees' State Insurance Corporation for the year 1960-61 together with Audit Report thereon, under section 36 of the Employees' State Insurance Act, 1948. [Placed in Library. See No. LT-539/62].

STATEMENT ON FLOOD SITUATION

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): Sir, I beg to lay on the Table a statement on 2140 (Ai) LS.—3

the flood situation in the country. [Placed in Library. See No. LT-540/62.]

ANNUAL REPORT OF FILM FINANCE AND GOVERNMENT REVIEW THEREON

The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat): Sir, I beg to lay on the Table a copy each of the following papers:—

(i) Annual Report of the Film Finance Corporation Limited, Bombay, for the year 1961-62 alongwith the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(ii) Review by the Government on the working of the above Corporation. [Placed in Library. See No. LT-541/62].

MESSAGE FROM RAJYA SABHA

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

"In accordance with the provisions of rule 97 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Employees' Provident Funds (Amendment) Bill, 1962, which has been passed by the Rajya Sabha at its sitting held on the 15th November, 1962."

EMPLOYEES' PROVIDENT FUNDS (AMENDMENT) BILL

LAI'D ON THE TABLE AS PASSED BY RAJYA SABHA

Sir, I lay on the Table of the House the Employees' Provident Funds (Amendment) Bill, 1962, as passed by Rajya Sabha.

12.03 hrs.

PONDICHERRY (ADMINISTRATION) BILL*

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): Sir, on behalf of Shri Jawaharlal Nehru, I beg to move for leave to introduce a Bill to provide for the administration of Pondicherry and for matter connected therewith.

Mr Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the administration of Pondicherry and for matter connected therewith."

The motion was adopted.

Shrimati Lakshmi Menon: Sir, I introduce† the Bill.

12.03 hrs.

STATEMENT REGARDING PONDICHERRY (ADMINISTRATION) ORDINANCE

Shrimati Lakshmi Menon: Sir, I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Pondicherry (Administration) Ordinance, 1962 (No. 8 of 1962) as required under Rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

[Placed in Library. See No. LT-557/62].

12.03 hrs.

STATE-ASSOCIATED BANKS (MISCELLANEOUS PROVISIONS) BILL*

The Minister of Finance (Shri Morarji Desai): Sir, I beg to move for

leave to introduce a Bill further to amend the State Bank of India Act, 1955, the State Bank of India (Subsidiary Banks) Act, 1959, and the Bankers' Books Evidence Act, 1891, and to provide for the winding up of certain minor State-associated banks and for matters connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the State Bank of India Act, 1955, the State Bank of India (Subsidiary Banks) Act, 1959, and the Bankers' Books Evidence Act, 1891, and to provide for the winding up of certain minor State-associated banks and for matters connected therewith."

The motion was adopted.

Shri Morarji Desai: Sir, I introduce the Bill

12.04 hrs.

ALL-INDIA SERVICES (AMENDMENT) BILL*

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Sir, I beg to move for leave to introduce a Bill further to amend the All-India Services Act, 1951.

Mr Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the All-India Services Act, 1951."

The motion was adopted.

Shri Lal Bahadur Shastri: Sir, I introduce the Bill.

*Published in the Gazette of India Extraordinary Part II Section 2, dated 19-11-62.

†Introduced with the recommendation of the President.

12.04 hrs

**WORKMEN'S COMPENSATION
(AMENDMENT) BILL***

The Minister of Supp'y in the Ministry of Economic and Defence Co-ordination (Shri Hathi): Sir, on behalf of Shri Nanda, I beg to move for leave to introduce a Bill further to amend the Workmen's Compensation Act, 1923.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Workmen's Compensation Act, 1923."

The motion was adopted.

Shri Hathi: Sir, I introduce the Bill.

12.05 hrs.

**INDIAN TARIFF (AMENDMENT)
BILL***

The Minister of International trade in the Ministry of Commerce and Industry (Shri Manubhai Shah): I beg to move for leave to introduce a Bill further to amend the Indian Tariff Act, 1934.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1934".

The motion was adopted.

Shri Manubhai Shah: I introduce the Bill.

**FOREIGNERS LAW (APPLICATION
AND AMENDMENT) BILL**

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

On behalf of Shri Lal Bahadur Shastri, I beg to move:

"That the Bill to apply the Registration of Foreigners Act, 1939 and the Foreigners Act 1946 to certain persons to whom they do not at present apply and further to amend the Foreigners Act, 1946 be taken into consideration."

The amendment of these two Acts has been necessitated by the declaration of the emergency. As the House is aware, these two Acts had been in force during the last war. Thereafter also, the main provisions have been in force. But when the Constitution was introduced in 1950, certain difficulties arose. Under the provisions of one of those Acts, it was open to the Government to intern or to arrest and detain a person on certain grounds mentioned in one of those Acts. Now, when the Constitution was introduced, a difficulty arose, namely that a person could be arrested or could be detained without trial only under certain conditions laid down in the Constitution. That was the reason why the particular provision in one of those Acts could not be availed of and actually it lapsed. That is circumstance which also has to be taken into account. Thereafter, as the House is aware, immediately after the passing of the Constitution, steps had to be taken for the introduction of and passing the Preventive Detention Act. That Act has been extended from time to time. It makes provision in a general way for arrest and detention of certain persons on certain conditions without a regular trial. The difficulty that at present has arisen is that the elaborate provisions of the Preventive Detention Act could not be applied to those cases with which we have to deal during the emergency. Therefore, it was considered necessary that for arrest and detention, some other provisions of a more or less summary na-

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[Shri Datar]

ture as they originally existed in one of those Acts should be introduced. One of the objects of the present amendment is to re-introduce in this Act the provisions relating to arrest and detention which naturally means internment. An hon. Member has suggested that there ought to be an amendment so far as internment is concerned. But, I should like to point out to him that in this case, the word detention includes internment. Therefore, the purpose of that amendment has also been covered. One of the objects thus is to re-introduce the provisions regarding arrest and detention without going through the elaborate provisions of the Preventive Detention Act. This is point No. 1.

The other point which is of a more important nature is regarding amplification of the definition of the word 'foreigner'. You are aware that the word 'foreigner' has been defined in certain respects and action can be taken against a foreigner. But, certain complications naturally have arisen. After the declaration of emergency, we have to be extremely careful about those who had been originally Chinese nationals but who have subsequently taken or have become citizens of India. In this connection, I would invite the attention of the hon. House to certain provisions of the Constitution and also the Indian Citizenship Act. So far as the Constitution is concerned, under article 5, it was open to some of those persons by reason of their domicile to become Indian citizens. Therefore, under article 5, a number of such Chinese persons who have been residing in India for a number of years and who are governed by article 5 of the Constitution have become Indian citizens.

Then, there are a few cases where after the passing of the Indian Citizenship Act where either by registration or by naturalisation, a few Chinese have become Indian citizens.

Therefore, the problem with which we are now concerned is what to do with these persons who have constitutionally become citizens of India, but whose loyalty to the original country has also to be taken into account, because it is likely to react adversely upon the security of the Indian nation.

That is the reason why you would find that here the definition of the expression 'foreigner' has been amplified, and I would invite your attention to clause 2 of this Bill. It reads thus:

"Notwithstanding anything contained in any other law for the time being in force, the provisions of the Registration of Foreigners Act, 1939, and the Foreigners Act, 1946 . . ."

—between themselves, these two Acts deal with all the questions including the registration and the regulation of the conduct of these persons—

" . . . and of the rules and orders made thereunder shall apply to . . ."

— and these words might be particularly noted—

" . . . and in relation to any person who or either of whose parents, or any of whose grand-parents was at any time a citizen or subject of any country at war with, or committing external aggression against, India or of any other country assisting the country at war with, or committing such aggression against, India, as they apply to and in relation to foreigners as defined for the purposes of those Acts."

Thus, you will find in short that the object of the present amendment is to treat such persons as foreigners for the purpose of taking necessary action against them under the foreig-

ners' laws. So far as these persons are concerned, they can be categorised, apart from those who come under the general expression 'foreigners', as those who have become Indian nationals, but who themselves or whose parents or grand-parents had been of Chinese origin. As a result of the provision of the Constitution, as I pointed out, some of them might have become Indian nationals. A few of them have become Indian citizens either by naturalisation or by registration.

With regard to all these persons, it becomes necessary that their conduct has to be regulated, and wherever necessary, they have to be properly controlled. That is the reason why on account of the constitutional position attached to these persons, it has become necessary, during the emergency of the war in particular, to treat these persons for all intents and purposes as foreigners, so that necessary action can be taken against them for the purpose of arrest and detention.

Under the Preventive Detention Act, there was a reference to the arrest of such persons, but such arrest could be only for the purpose of deporting them. After the declaration of emergency, there is no question of deporting these persons. That is the reason why the definition of the term 'foreigner' has been sufficiently amplified so that all such Chinese nationals would be included even though they have become the citizens of India. Advantage has also been taken to make the definition as comprehensive as possible so as to meet future contingencies. For that purpose, I would invite your attention to the further words in this clause, namely:

"or of any other country assisting the country at war with, or committing such aggression against, India, as they apply to and in relation to foreigners as defined for the purposes of those Acts."

Therefore, so far as this position is concerned, principally it applies to Chinese today, especially those Chinese who have become nationals of India whose conduct will have to be regulated in the interest of the safety and security of the nation. That is the reason why under the provisions of the proposed Bill it has been decided to extend or amplify the definition of the expression 'foreigner' to such persons as well so that for the purpose of taking action against foreigners under the law relating to them they will also be included in that category.

Further action is made clear in clause 3 itself. So far as clause 3 was concerned, formerly, as I pointed out, in view of the provisions of the Constitution, they could not be arrested and detained without trial. For that purpose, the Preventive Detention Act also was passed. But there the provisions were fairly elaborate. Certain special steps have to be taken and these steps might not be proper so far as the present emergency is concerned. That is the reason why power has been sought for the purpose of arresting and detaining or confining any foreigner including a foreigner who comes under clause 2 of the Bill.

Further, provisions have to be made for the purpose of interning them in a special camp or under certain other arrangements. That has been made clear in clause 3(b)(i):

"Any foreigner (hereinafter referred to as an internee) in respect of whom there is in force any order made under clause (g) of sub-section (2) of section 3, directing that he be detained or confined, shall be detained or confined in such place and manner and subject to such conditions as to maintenance, discipline and the punishment of offences and breaches of discipline as the Central Government may from time to time by order determine."

[Shri Datar]

Then the definition regarding penal provision in regard to assisting an internee have been made further clear. We had already a definition, but it has been made further clear in view of the present emergency.

"No person shall knowingly assist an internee or a person on parole to escape from custody or the place set apart for his residence, or knowingly harbour an escaped internee or person on parole or give an escaped internee or person on parole any assistance...."

In clause 4, arrangements have been made regarding access to such camps where these persons will have to be kept. This is only more or less by way of clarifying what has been done in the Ordinance. As you are aware, an Ordinance had to be issued in this respect, and the present Bill has been brought forward in accordance generally with the provisions of the Ordinance.

These are the provisions of the Bill, so far as the definition of the expression 'foreigner' is concerned, so far as the power to arrest, detain or confine a person is concerned; even those persons, of the category I have explained, will have to be confined, when it becomes necessary, in the interest of the security of India. For that purpose, they have to be treated on the same footing as foreigners.

I move.

Mr. Speaker: Motion moved:

"That the Bill to apply the Registration of Foreigners Act, 1939, and the Foreigners Act, 1946, to certain persons to whom they do not at present apply and further to amend the Foreigners Act, 1946, be taken into consideration".

12.19 hrs.

STATEMENT ON SITUATION IN NEFA AND LADAKH

Mr. Speaker: Here the Prime Minister might make the statement that he had to make independently of any notice that was received. But I have said that I will take up that notice also, so that statement might contain other facts also, not in response to this notice. Therefore, we will hear the Prime Minister and then I will take up this notice.

Shri Hari Vishnu Kamath: You said the notice had been admitted.

Mr. Speaker: I did not say it had not been allowed.

Shri Hari Vishnu Kamath : May I read the notice?

Mr. Speaker: Let the statement be made. I will take that up if something additional has to be got, because it is on specific points, and the Prime Minister wanted to make a statement independently of that.

The Prime Minister, Minister of External Affairs, Defence and Atomic Energy (Shri Jawaharlal Nehru): Mr. Speaker, Sir, I have to give grievous news to this House. Both Walong and the Sela ridge in NEFA have fallen to the enemy. In the Chushul area fighting is proceeding.

In Walong, the enemy attacked on the 15th/16th night. This was a two-pronged attack. The battle continued till the morning of the 17th. The enemy succeeded in shelling this air field, which was the only source of supply to our forces. In the 17th afternoon, our troops started withdrawing to defensive positions in the rear.

In the Jung area, the enemy attacked our positions on the 17th November. Their attack was repulsed four

times. Ultimately there was an attack in greater strength, and this Jung position had to be given up. Our troops fell back to the main position at Sela. In the meantime, the enemy bypassed our main post by a wide flanking movement between Sela and Bomdila. They attacked in the early hours of the 18th November, and cut the road between Sela and Bomdila. The infiltrators were forced to withdraw. They formed up again and renewed the attack. The situation is somewhat confused, and fighting is going on, but our Commander had to withdraw from Sela.

In the Chushul sector in Ladakh, heavy artillery attacks were made on the Chushul air field and the outposts. Our post at Rezung La was attacked on the 18th morning. After fierce fighting, this post was overwhelmed. A part of another post six miles east of Chushul was also attacked.

Other attacks in the Chushul area were repulsed. Fighting is still going on.

This is bad news. I cannot go into further details at this stage. I should like to add that in spite of the reverses suffered by us, we are determined not to give in in any way and we shall fight the enemy, however long it may take to repel him and drive him out of our country.

Shri Hari Vishnu Kamath: On a point of clarification.

Mr. Speaker: I have received, and probably the Prime Minister may have received, a call attention notice from several hon. Members. That was specific about the fall of Jung to the enemy, and the reportedly precarious position of Chushul. Would the Prime Minister like to say anything more?

Shri Jawaharlal Nehru: I would not like to say anything beyond what I have said. I have referred to both Jung and Chushul.

Shri Hari Vishnu Kamath (Hoshanabad): I am sure the House is distressed and shocked beyond measure to hear of this most calamitous reverse since October 20. Our gallant jawans are being killed and taken prisoner in their thousands.

The former Defence Minister, on the eve of his resignation, stated in Bombay or elsewhere, that the position was that we are not only outnumbered, but out-weaponed. May I ask the Prime Minister whether steps, and vigorous steps, are being taken now to obtain arms and equipment from all friendly nations on a massive scale and thus allay the widespread public apprehensions that our armed forces are not yet fully equipped to meet the enemy?

Shri Jawaharlal Nehru: As the House knows, every effort is being made to get arms and other equipment from foreign countries, and we have received some, and they have been immediately sent on to our forward posts.

Shri Priya Gupta (Katihar): May I know the extent to which foreign military aid is taken, and whether Government have a blueprint for further military aid to meet this crisis arising out of the fact that there is a reported mutual understanding between China and the Pakistan Government to the effect that China would help Pakistan to get Kashmir and West Bengal and Assam according to Group C proposal of the British Cabinet Mission?

Mr. Speaker: All this question is not relevant here.

श्री प्रिय गुप्त : हमारा जवान मर रहा है—

Mr. Speaker: I have said this question need not be answered; it cannot be answered.

Shri Priya Gupta: In what way shall I express my feeling Sir?

Mr. Speaker: I cannot enter into an argument. . . (Interruptions.)

Shri Priya Gupta: May I submit that the jawans are dying there.....

Mr. Speaker: Order, order. He should now resume his seat..... (Interruptions.) Dr. Singhvi has not given his name. I cannot change the procedure... (Interruptions.) Order, Order. We proceed with the motion made by Shri Datar.

Shri Hem Barua (Gauhati) rose.

Mr. Speaker: He was not in his seat.

Shri Hem Barua: We were told that the statement would be made at 12.30.

Mr. Speaker: There was an interval after the motion had been made and therefore, I thought that I may take it up.

श्री बागड़ी (हिसार) : मेरा नाम तो इस में है ।

अध्यक्ष महोदय : आपका नाम है और आप सवाल कर सकते हैं ।

श्री बागड़ी : प्रधान मंत्री जी ने जो स्टेटमेंट दिया उसमें यह तो बतलाया गया कि हमने अपनी फौजें पीछे हटा ली हैं । मैं जानना चाहूंगा कि बालोंग की आबादी का क्या हुआ, क्या उसको भी पीछे हटा लिया गया है या उसको चीनियों के हवाले कर दिया गया है । इस पर रोशनी डाली जाए ।

अध्यक्ष महोदय : हवाले करने का तो हवाल नहीं पैदा होता, पर यह सवाल ठीक है कि आबादी को पीछे हटाया गया या नहीं ।

श्री जवाहर लाल नेहरू : इसका जवाब मैं इस वक्त नहीं दे सकता क्योंकि पूरी इत्तला मेरे पास नहीं है (Interruptions.)

Mr. Speaker: Order, order. He has put a question and the Prime Minister has said that he has not this information with him; and that whenever it is got it would be supplied to the House. . . (Interruptions.)

श्री रामसेवक यादव : यह देश की सुरक्षा और आजादी का प्रश्न है . . .

श्री प्रिय गुप्त : इसका जवाब देना चाहिये . . .

अध्यक्ष महोदय : यह सवाल मैं एलाऊ कर रहा हूँ । लेकिन अगर चार चार आदमी एक साथ सवाल करेंगे तो जवाब कैसे दिया जा सकता है ।

Shri Hem Barua (Gauhati): In view of the fact that a very grave situation has emerged with the fall of Walong and Jang and Sela pass has also fallen according to my latest information . . . (Interruptions.) and the Chinese are making a headlong thrust into the heart of Assam, in this context may I know whether the Government proposes to go in for a total war with military aid in men and materials from our friendly countries or the Government proposes to go in for immediate negotiations for peace on the basis of cease-fire at whatever cost? These are the things that I want to know from the Prime Minister; the situation has become very serious.

Shri Jawaharlal Nehru: I have myself stated that it is a grave news and it creates a serious situation. Naturally our Armed Forces will do their utmost to meet it. It is all that I can say. I cannot go into details.

Shri Hem Barua: May I submit that there is no defence in Assam? What is the defence preparation. . . (Interruptions.)

Mr. Speaker: I will request hon. Members to resume their seats..... (Interruptions.)

श्री प्रिय गुप्त : भाषण में कोई भी विशेष चीज नहीं पाई

श्री बागड़ी : अध्यक्ष महोदय

Mr. Speaker: When I am standing, they should sit down.

अगर इस तरीके से बोलते चले जायेंगे और आप लोग खामोश नहीं होंगे तो मामला कैसे हल होगा ।

Shri Priya Gupta rose—

Mr. Speaker: Would he resume his seat.

Shri Priya Gupta: I will, with all humility. But I would ask the Prime Minister one thing. The Prime Minister is laughing. (Interruption).

Mr. Speaker: Order, order.

श्री प्रिय गुप्त : यह कैसी नौन एलाइनमेंट की पालिसी है . . .

Mr. Speaker: When I am standing, he should not stand.

Shri Hem Barua: We are having the same fate. First they said it was difficult terrain. I know that. But that argument does not apply now. (interruption).

Mr. Speaker: Order, order. I have allowed him to put questions.

Shri Hem Barua: My question was whether we are going to call an immediate cease fire and start negotiations and all that, or whether we are going to have a total war, with military aid from our friendly countries, with men and materials, to set out to fight. (Interruption).

Mr. Speaker: He has put the question.

Shri Hari Vishnu Kamath: Assam is exposed now; it is vulnerable.

Shri Priya Gupta: Aid from all our friends.

Mr. Speaker: We cannot continue the proceedings in this manner. I would request all hon. Members to resume their seats. Now, the hon. Member wants to know about the policy of the Government. He wants to know whether it is possible for the Government just to say at this moment whether the Government is going to ask for an all-out aid from the capitalist countries to meet this situation.

Shri Hari Vishnu Kamath: Aid from all friendly countries.

Shri Hem Barua: From friendly countries.

Mr. Speaker: I am sorry I made a mistake.

Shri Hem Barua: You put a twist to what I have said.

Mr. Speaker: If I had made a mistake, I corrected it.

Shri Hem Barua: If you have corrected it, I do not have any objection. (Interruption).

Mr. Speaker: Then, he should listen to it. I have corrected it. Even his colleagues know that I have corrected it.

Shri Hem Barua: I beg of you to understand our feelings, the feelings of this country, on this matter.

Mr. Speaker: I do. But you should also understand the difficulties. (Interruption.)

Shri Ranga: May I make a suggestion? Nothing could be heard now, and so, could you allow some time so that we can settle down? It looks as if there is a fracas between the Chair and some hon. Members of the House. It is not possible to have a talk. Therefore, kindly give us time to settle down.

Mr. Speaker: They should not talk simultaneously, of course. When I stand up, I only say that others should resume their seats. Then, I will sit down and any hon. Member might stand and speak. That is the only procedure we can adopt.

Shri Hari Vishnu Kamath (Hoshangabad): May I earnestly plead with you that on this particular occasion, you will kindly understand and appreciate how baffled, how distressed and how shocked we all are, and therefore, I would earnestly request you not to misunderstand when some of us get up and ask questions. I would only give the gist of what my hon. colleague asked. His question was that Assam which is his State and our State—India is one, we are all integrated into one nation—is now vulnerable and thoroughly exposed to the enemy, and so, what measures—virile, vigorous and strong measures—were taken, have been taken and are being taken, by arms, equipment and all that, to step up our preparations and stop the Chinese thrust southward and right into the heart of India. What measures have been taken?

Mr. Speaker: Shri Kamath and others who put the question should know that all of us are distressed. They must include me in that "us" as well as the Prime Minister. Everyone of us, wherever he might be sitting, and everyone in the whole country will certainly be distressed. But are we just going to face the issue just in this manner? He has put the question and I was putting it to the Prime Minister and then there was interruption. I was not allowed to repeat that question. That was my difficulty. How can I proceed in this manner if this method is adopted? I will ask the hon. Prime Minister.

Shri Hem Barua: May I put another question?

Mr. Speaker: Does he want the answer to the other question or not? (Interruptions.)

Shri Jawaharlal Nehru: As you have said, Sir, we are all deeply distressed at the turn of events, and I can very well understand our hon. friends from Assam should be even more deeply distressed. Of course, we are all distressed and there is no question of more distressed or less distressed. We should take every conceivable and possible measure to meet this emergency and this crisis, and we are trying to get all the possible help we can from friendly countries. There is not limitation about that of any kind. (Interruption).

Shri Priya Gupta: My question is regarding the reported agreement between China and Pakistan to hand over Kashmir, West Bengal and Assam to Pakistan. Does he know anything about it?

Mr. Speaker: How can the Government say anything about that?

Shri Priya Gupta rose—
(Interruption.)

Mr. Speaker: Order, order. He insists on his attitude and he goes on without having a pause or listening to anybody else.

Shri Ranga (Chittoor): I do not wish to come in the way of your enforcing the rule in the usual manner, but these are very important and critical days and, therefore, I would like you to show some latitude to us, and in the procedure also which you would be enforcing. The other day, my hon. friend Shri Kamath had suggested that Parliament should be given the opportunity of meeting at least once in every month, for a week, and now, we do not know anything at all as to what the Government wishes to do. Even on this occasion, my hon. friend, the Prime Minister, did not take the trouble, did not think it necessary, to go a little beyond than the ordinary answer that he has given to the Calling Attention Notice; we would like him to tell us a little more than what he has told us just now as to the steps that he

proposes to take, first, to keep the House in constant consultation and also the steps that he proposes to take to strengthen our defences. Otherwise, it would be very difficult for us merely to satisfy you and the House according to the rules and, at the same time, to play the role that we have to play here.

Mr. Speaker: I would request hon. Members that they should also appreciate the difficulties that the Government might be experiencing. I quite know and understand the feelings that we have got just at present. We cannot just express ourselves at this moment. Everybody is feeling like that.

So far as the session is concerned, I had advised Shri Kamath to take it up at the end when we are just going to adjourn. Then we will certainly discuss whether we should so decide. I will know what the attitude of the Government is by that time and then we can decide whether the Parliament has to meet more often and very soon. We will decide it certainly. I had told him that, and I had suggested that it might be taken up at the end. So, is there any necessity for the Prime Minister just to say anything about it now, or for anybody else also to say about it? We will take it up when we are going to adjourn—when we are going to meet again—and the Government's attitude also will be known by that time. If the Government has to make those arrangements, certainly, we shall have to leave to them also certain things. They cannot declare anything in detail here, on the floor of Parliament. If certain hon. Members want something more, they can go and meet the Prime Minister, sit with him, and know the position. The Government would not be able to disclose everything here, what action is being taken, what procedure is being adopted, what we are doing, etc. Certainly, there is anxiety. I would request hon. Members—two or three of them might go and sit with the Prime Minister. Probably he will be more communicative then, but

here, it is not possible to go into all the details. If the Members get impatient simply on that, namely, that the details are not given, we appreciate the difficulty, and we must appreciate the difficulty of those who have to administer or who have to go ahead with the matter. The information might be harmful to our country also. Therefore I thought we should proceed to other business now. I would advise those who feel so strongly about it—of course, everyone feels so strongly about it—that if they are so inclined, they might go and see the Prime Minister.

Shri Hari Vishnu Kamath: Sir before you pass on to other business, may I crave your indulgence a little more? The other day I made a request and I reiterate it today that as long as the House is in session the Prime Minister should daily make a statement on the war situation. Every day we open the papers and find that fierce fighting is going on. But the House is not told. I request the Prime Minister to make a statement every day on the war situation. I do not know what is the difficulty. When some calamity has occurred, he comes and makes a statement.

Shri Ranga: Three days after it has happened, he comes and tells us. The papers have stated on the authority of the External Affairs Ministry spokesmen or military spokesmen that Walong had fallen three days ago. But the information was given to the press yesterday and we come to know of it in the House only today. Would it not be possible for the Government to take the House into confidence and tell us? Certainly we are courageous enough to maintain our courage here in spite of some of these grievous losses.

Shri Jawaharlal Nehru: May I point out that Walong fell some time day before yesterday and Sela fell,

[Shri Jawaharlal Nehru]

to our knowledge, yesterday afternoon? The House was not sitting on Saturday and Sunday and I have taken the earliest opportunity to inform the House.

Shri Hem Barua: We got the news of the fall of Walong day before yesterday all right. (Interruptions).

Mr. Speaker: We shall now proceed with the motion moved by Shri Datar.

Shri Hari Vishnu Kamath: I made a request. That has not been replied to.

श्री बागड़ी : अध्यक्ष महोदय, मैं अर्ज करना चाहता हूँ कि .

अध्यक्ष महोदय : माननीय सदस्य ने अपना सवाल पूछ लिया है। इस वक्त और कोई इन्फॉर्मेशन नहीं है।

श्री बागड़ी : मैं अर्ज करना चाहता हूँ कि इससे ज्यादा जल्द और ग्रहम बात देश के सामने कोई नहीं है। इती के वास्ते इमर्जेंसी हालात में लोक सभा का इजलास रखा गया था। आज सारा देश इस बारे में उठा हुआ है। जब हम आगे की बात कह कर पीछे जाते हैं, तो देश की मानसिक वृत्ति को ठेस लगती है। इसका यह हल है कि आज नहीं तो कल, कल नहीं तो परसों, लोक सभा को साफ़ तरीके से अपना मन बना कर, अपना रास्ता बना कर चलना पड़ेगा। उस के लिए आप बहस के लिए एक और दिन रखें। जो नीति सरकार ने पहले सोची थी वह नीति फेल हो चुकी है। जो बात हमने कही थी, वह गलत हो चुकी है। जो विश्वास हमने देश के सामने रखा था, वह पीछे जा चुका है। इस लिए यह जल्द ही कि दो-बारा इस बारे में बहस की जाये और नये सजेस्टियन्स देश के सामने रखे जायें, ताकि देश उठे और उस में कमजोरी न आए।

अध्यक्ष महोदय : अच्छा।

Shri Hari Vishnu Kamath: I understand the Prime Minister telling the House that the House did not sit on Saturday and Sunday. But on Friday morning, the papers carried the news that fierce fighting was going on in Walong and Jang, but no statement was made in the House.

Shri Jawaharlal Nehru: Fierce fighting was going on. It is always going on in various places. But Walong fell day before yesterday, on Saturday.

Mr. Speaker: The House will now proceed with the motion moved by Shri Datar.

12.45 hrs.

FOREIGNERS LAW (APPLICATION AND AMENDMENT) BILL—contd.

Shri Hari Vishnu Kamath: The House is no doubt in full agreement with the Minister that in this hour of grave national emergency, the executive should be armed with adequate powers to meet the needs of the situation in various spheres of their activity and to deal with foreigners and similar other individuals who may be considered to be security risks in the situation. I do not wish to make any elaborate speech on this occasion, but will only seek clarification on certain matters which are germane to the Bill and to the ordinance which is now being sought to be replaced by the Bill.

The first point I wish to make out is with regard to the Bill. It does not mention as to when it will actually come into force, whereas clause 1 of Ordinance No. 5 of 1962 says:

"It shall be deemed to have come into force on the 26th of October, 1962."

This gives rise to a little doubt in my mind with regard to this particular

provision of the ordinance. The ordinance was carried in the extraordinary gazette of 30th of October, 1962 saying that it would come into force on the 26th October, 1962, that is to say, with retro-active effect. I do not know whether this is quite right that something is published in the gazette on 30th October, providing that it will take retrospective or retro-active effect.

The next point I would like to ask the Minister is about this provision about parents and grandparents. It is no doubt necessary that power should be taken to detain persons who are considered to be security risks at that time. I ask with some trepidation whether it would be right to go back two generations, 40 or 50 years and consider any person who was born of either parent—mother or father—who was Chinese at that time. I do not wish to make any odious comparison, but if I remember aright, there was in Germany under the regime of Hitler a law with regard to the Jews saying that any person whose grandparent was....

Mr. Speaker: May I draw his kind attention to articles 5 and 6 of the Constitution? These are the qualifications for acquiring Indian citizenship. Therefore, those words are being taken from there, because some Chinese might have acquired Indian citizenship on that account. Article 6 says:

"he or either of his parents or any of his grand-parents....."
 These are the conditions of acquisition of citizenship.

Shri Hari Vishnu Kamath: That is for citizenship.

Mr. Speaker: Therefore, those Chinese that were of Chinese origin but who acquired Indian citizenship under these articles are intended to be brought under this Bill.

Shri Hari Vishnu Kamath: If it logically follows from that, I have

nothing more to say. But I had certain doubts and I thought you might allay them. If that is the position, the logical position under the Constitution, then I have nothing more to say.

May I now proceed to another point? Clause 2 of the Bill says:

"a citizen or subject of any country at war with, or committing external aggression against, India or of any other country assisting the country at war with or committing such aggression against India...."

That means to say, in the present context, any other country assisting China. I hope that the Government really means business and is serious about enforcing the provisions of this clause. I do not know whether Government has followed the implications of this term as understood. I would be happy if they are enforced, but I am doubtful whether at all this particular provision would be enforced, because the citizens of any nation or country which is helping the enemy, that is, China in the present situation, will also be liable to be proceeded against under this clause.

Only the other day we read in the papers—I do not know whether the press reports are correct; I believe they are, sometimes; often—that one of the East European countries, Czechoslovakia, is supplying arms in abundance, in great numbers, to China. I ask the Minister of Home Affairs—perhaps, he will never answer the question: the Prime Minister will answer it, because it is his subject; but I should like to put it to the Minister because he is part of the Government—does the Minister consider, does the Government consider that because Czechoslovakia, which is a Communist country, an East European Communist country, is sending

[Shri Hari Vishnu Kamath]

arms and thereby assisting China, therefore, every citizen or national, every Czech or Slovak whose parents or grand parents were of Czech or Slovak origin would be affected by this provision? I would like to ask: God forbid, tomorrow Russia may help China. Will all citizens, whose parents or grand parents were of Russian be affected by this provision? Government must make up its mind on this point first and not pass a law which will be a dead letter. It must make up its mind before it passes a law like this or comes up before the House with a measure like this. Let it make up its mind that if any country, whether England, America or Russia, or East European countries, or Pakistan or Burma, if it helps the enemy, the enemy being China, it must make up its mind from now and now on to seriously enforce this provision of the Bill and any person, not merely Chinese, any ally of China, any country which will help China in any manner, by arms, men, ammunition, money or anything, must be proceeded against under this provision. I would be glad and the House would be glad if the Government means business in this matter and seriously means to enforce this provision with all the power that we propose to arm them with.

The Defence Minister, the new Defence Minister, who will perhaps take over day after tomorrow, made a statement in Bombay day before yesterday that Russia will side with China. He must have plenty of material on which he based his conclusion. That means, at some distant date, God forbid, Russia may help China, may be on the side of China and, therefore, Russia may be helping the enemy in that manner. Will Government take similar action against Russia.....

Mr. Speaker: Why should the hon. Member mention the names of countries? He could say "those countries which help the enemy by sending arms or by other means".

Shri Hari Vishnu Kamath: I mentioned Czechoslovakia first. Then, I said, God forbid, Russia may help China. I hope Russia will not. But if, God forbid, Russia helps China, what would be the position?

Mr. Speaker: Then the phrase "God forbid" will not help us in any way.

Shri Hari Vishnu Kamath: Government must make up their mind before they come forward with this Bill. They must state the position clearly; otherwise, let them not bring such a provision before us. I make a humble submission to you to direct the Minister, if not this Minister some other senior Minister, to make a statement on this matter.

Then, finally, I will ask for clarification on another point. The Minister said there is a provision in this Bill about internee, but I find that the word "internee" is not defined here, whereas in the order passed by the President under this Ordinance, which is now being passed into a law, in the order dated the 3rd November, the word "internee" is defined. That is to say, the order of the President was some days later, after the Ordinance, and there the word "internee" is defined. I do not know why it is not defined here also. My hon. friend, Shri Bade, is therefore, quite right in giving notice of his amendment, because it is not defined, because it is suddenly sprung on us in the Bill. The words "internee" and "parole" must be defined. We knew to our cost during the Second World War what "parole" was; I do not know whether the Minister himself was on parole or not. Anyway, it is good, it is necessary that these two words "parole" and "internee" should be defined in the Bill itself. I do not know why it should not be done.

Lastly, I take the order, because we shall not get another occasion.

Shri Bade: The hon. Minister has given the explanation in his speech that "internee" and "detainee" mean the same thing.

Mr. Speaker: No, he has not said that. He said that "detained" would also include "interned"; that is what he said.

Shri Bade: But the dictionary meaning is quite different.

Mr. Speaker: If one includes the other, it does not mean that both are the same.

Shri Bade: It does not include.

Mr. Speaker: That is a matter of opinion.

Shri Hari Vishnu Kamath: One word more and I have done. Sir, I crave your indulgence to take up these matters because they are all related, inter-linked with each other. The order passed by the President in the Ministry of Home Affairs Notification No. GSR 1418, published in Gazette Extraordinary dated Tuesday, October 30, says:

"In exercise of the powers conferred by clause (1) of article 359 of the Constitution, the President hereby declares that the right of any person who is—

- (a) a foreigner, or
- (b) a person not of Indian origin who was by birth a citizen or subject of any country committing external aggression against India, or of any other country assisting the country committing such aggression against India,

to move any court for the enforcement of the rights conferred by article 21 and article 22 of the Constitution shall remain suspended for the period during which the proclamation of emergency issued under clause (1) of article 352 thereof on the 26th October 1962 is in force."

It is in strange contrast to another order passed by the President on the 3rd November directing that similar

rights shall be suspended. There is an explanation there which reads as follows:

"If such a person has been deprived of any such right under the Defence of India Ordinance"

Suppose a person is detained or arrested for some other matter, not under the Defence of India Act but under some other law, his right to move a court against his confinement or internment under that law should not be affected. So, this proviso should be included there so that it will affect only those persons who have been deprived of any such right under the Defence of India Ordinance, now Act, or any rule or order made thereunder. It is all the more necessary when we are fighting a totalitarian power that we should see to it that in every way, whether fighting a war, or keeping peace or keeping the country fit for democracy and for the future also, our system is infinitely superior to the total defence system which China has espoused. Therefore, it is all the more necessary, when we are arming the executive with whatever power they require, we see to it that this clause or proviso is included even in this order so that it is only when a person is deprived of his right under the Defence of India Act or the Foreigners Act that his right to move the courts is suspended, not otherwise.

13 hrs.

Shri Indrajit Gupta (Calcutta South West): Mr. Speaker, Sir, as my hon. friend, Shri Kamath, has said, there can be no two questions as to the necessity of the Government arming itself with adequate powers at a time like this to deal with both foreigners and, if it considers it necessary for the sake of the security of the country, also with persons whose origin of birth may not have been Indian. On this question of principle there can be no controversy. But I should also wish to raise one or two points

[Shri Indrajit Gupta]

for the consideration of the Government arising out of the letter of the law because I have some questions to ask which are not quite clear to me. I hope the hon. Minister will clarify the implications of these provisions which are now before the House.

Incidentally, I would just point out one thing. I do not know whether it is a lapse or it is a deliberate amendment. At least, it has not come before us as an amendment. You will find, Sir, that in the Ordinance of the 30th October, 1962, the definition, or rather where the question of extending the application of the Foreigners Act is taken up, the words used are:—

“in relation to any person not of Indian origin who was at birth a citizen or subject of any country at war with”

etc. In the statement of objects and reasons of this Bill the same words are used, but in the body of the Bill I find that in clause 2, lines 10 and 11, the words used are slightly different. There it says:—

“any person who or either of whose parents, or any of whose grand-parents was at any time a citizen or subject of any country”

etc. So, in the Ordinance it is put as “was at birth” and in the Bill itself it is put as “was at any time”. This may have certain implications—I do not know. I would like the Government to explain why this discrepancy is there. If it is an amendment made subsequently in the Ordinance itself, it has not been put in that form. Is it a lapse or is it a printing mistake? I am not quite clear about it. But we should be told what it is because a person's nationality ‘at birth’ and ‘at any time’ are two different things. I hope, the hon. Minister will clarify this question, otherwise it is likely to lead to some confusion.

Then, as far as I have understood it, the only purpose of this Bill is to deal with those persons whose number, of course, I do not know. I think we should be taken into confidence a little. If the exact figures are not available to Government, we should be told the number, roughly, of Chinese residents in this country who have acquired Indian citizenship and have become Indian nationals. I know, there are many thousands of Chinese residents the overwhelming majority of whom fall into two categories and they automatically classify themselves as foreigners, that is, those who are either citizens of the Chinese People's Republic or those who are Stateless in the sense that they have not become Indian citizens. They have been residing in this country for many, many years perhaps and they are not able to take out the nationality papers of the Government or regime in Formosa because our Government does not have diplomatic relations with that Government. They are in this position. These two categories between them, as far as I know, I think, cover almost the overwhelming majority of the Chinese residents in this country. Regarding these two categories, there can be no doubt that at least there must be an enabling legislation to allow the Government to take action, if necessary, against both of these categories.

I cannot help recalling that there have been some remarks made in this House earlier about a suggestion that Mr. Chiang Kai-Shek's Government is an ally of ours in this war and so on and that we should try to co-ordinate our action with an offensive from Formosa and so on. Such things were also said in this debate. So, it is well to remember that Mr. Chiang Kai-Shek's Government also has made it clear publicly that they do not accept the MacMahon Line as the border. Let that be clear. Therefore, there is no question about these two categories. Surveillance must be kept on them and, if necessary,

action must be taken against individuals.

But I am concerned with the third category whose number I do not know, who may have become Indian citizens and are our nationals by the mere fact of applying for citizenship and accepting the citizenship of our country. We have to take it at face value. They have cut off their connections with their country of birth or their original homeland. What is the implication of this for them? That is what I am concerned with. Did the Government not have adequate powers under the other existing provisions of the Defence of India Rules, Preventive Detention Act and so on to deal with persons who may be Chinese originally but who have now become our citizens? I do not see what power is not at the disposal of the Government under these other Rules and Acts. As far as I can see under section 30 of the Defence of India Rules—Restriction on movement of persons or suspected persons, restriction orders and detention orders—there are very wide and sweeping powers taken by the Government under which they can take action against anybody, foreigner or otherwise. Then, there is the Preventive Detention Act and so on. So, I would like to know as to what the particular necessity, if any, is of bringing forward this particular amending Bill only for the sake of dealing with these people who have subsequently become our citizens and are our nationals. I hope, the hon. Minister will clarify that because if they are our citizens, they can be arrested, detained, interned or externed under the other existing powers which the Government already has. If the definition of 'foreigner' is extended to them, according to the letter of the law, they can also be deported. I think, that is a very strange thing. I do not know whether such a law exists in any other country whereby a national of a country can be deported. Where or to which country will he be deported? To the country

which he has decided to leave and with which he has severed his rights and citizenship? Are we possibly to deport a national of our own country back to that country? I do not know what the position is in the matter of law. I am apprehensive about it and that is why I want to raise this point. I would like the Government to give it its most serious consideration and see whether it is likely to have any undesirable repercussions on Indians who are residents, either as citizens or, maybe, as Stateless persons, in very large numbers in some other countries. Has this point been considered? I do not want such a thing to be passed here which may add to the difficulties of Indians in other countries.

I was, for example, reading the other day in the papers—it is just a sort of an illustrative reference that I am making—the statement of the Prime Minister or the Premier of Singapore which, as you know very well, is a city with a very mixed population in which the Chinese and the Indians are numerically the biggest sections of the population and the Chinese are very much more numerous than the Indians. There was a report in the Statesman and it appeared a few days ago. With your permission, I would like to read out a few lines. It is the report of their own correspondent. It says:—

“the only comment”

regarding this conflict between India and China

“the Singapore Prime Minister, Mr. Lee Kuan Yew, has made on the border conflict so far was on Thursday. He said his Government's concern was that the conflict should not ‘upset the harmony and unity’ of the Chinese and Indian communities. It should, however, be recognized that Mr. Lee is the Premier of an overwhelmingly Chinese city.”

There are Indians in positions similar to this in other parts of the world

[Shri Indrajit Gupta]

too. They are there in some African countries. They are there in Ceylon. The matter has been discussed here several times. Some are Stateless; some have become citizens of Ceylon; some are Indian citizens in Ceylon and so on. Then, they are in Hong Kong and in many other places, as is known to the Government. I just want to raise this for the serious consideration of the Government that if we adopt a piece of legislation which gives us the power virtually to denationalise a national of ours and say, "Henceforth, in practice, you cease to be a national and we can even deport you"—that is the power that is being taken—then, apart from the question of the letter of the law, is there any possibility of there being rather unfortunate repercussions in countries where there may be people wanting to make mischief on this score? Has this been considered? I do not like Indians, however few they may be, even in China still, to be put to difficulties which are even more severe than they have already suffered.

Shri D. C. Sharma: Are there any Indians in China?

Shri Indrajit Gupta: The other day, there was an answer saying that there are some. I do not know their number. This is a question which I would like the Government to consider very seriously.

One other point that I wish to raise is regarding this definition. This definition has been made very comprehensive as the Minister said. Mr. Kamath, welcoming this comprehensiveness tried or rather hoped that it would be used in the case of certain people whom he named.

Shri Hari Vishnu Kamath: I said for all countries.

Shri Indrajit Gupta: I say in reference to the particular example he cited. I am sure he reads the papers even more avidly than I do.

Shri Hari Bishnu Kamath: I cannot compare.

Shri Indrajit Gupta: Even yesterday's papers have got the official news that the four factories in Czechoslovakia which were shipping or manufacturing certain weapons for China have stopped doing so. He should have mentioned it.

Shri Hari Vishnu Kamath: I do not read as avidly as you do.

Shri Indrajit Gupta: You should. At least in that matter, you should follow me if not in anything else.

Shri Hari Vishnu Kamath: I will try.

Shri Indrajit Gupta: Can this definition be stretched like, "or either of whose parents, or any of whose grandparents was at any time—because it is not at birth—a citizen or subject of any country at war with, or committing external aggression against, India or of any other country assisting the country at war with, or committing such aggression against.."

What about the lakhs and lakhs of people who have come over from Pakistan as refugees? You may say that I am stretching the point a bit too far. I do not mean to imply for a minute that the Government wishes to use this Act against those people. What is the position in law? Of course, I know these people were born in the then undivided India, subsequently a part of which became Pakistan. That is the position. But, the way it is defined here, I do not see what there is to prevent the use of the Act against these unfortunate people who have come as refugees from Pakistan and settled in India and acquired Indian citizenship. Their parents or grandparents were born or at some time or other were citizens of Pakistan. What is the position?

Shri Tyagi: It was not Pakistan then. It was India. If they were born after Pakistan came into exist-

tence, they will be born in Pakistan. They were actually born in India.

Shri Indrajit Gupta: I am grateful to Shri Tyagi.....

Mr. Speaker: Order, order. This makes an enabling provision. If any of them also including myself behaves in any manner that is detrimental to the security of the State, why should they be brought under this law?

Shri Indrajit Gupta: If you and I behave—God forbid—in a manner like that, even if our parents were born in Pakistan, there is nothing to prevent the Government taking action under the Preventive Detention Act and Defence of India Rules. They have got all the powers.

Shri Tyagi: My question is, when they were born, on that date, there was no Pakistan and therefore they were not born in Pakistan. They were born in India.

Mr. Speaker: Order, order. Shri Tyagi would remember that this question arose whether they had got citizenship automatically and definite provision had to be made in that regard. Shri Indrajit Gupta is right in that respect.

Shri Indrajit Gupta: I am grateful to Shri Tyagi for his legal assistance. I do not know as much law as he does. I am seeking clarification. If there is no danger, it is all right. Let it be explained. After all, the execution or implementation of this law is not going to be done everywhere by the Home Minister himself going round. We know how things are implemented down below by petty officials. That is why I am raising this question. I have a genuine apprehension in my mind. It should be clarified.

What about Portugal? What about people who are born in Goa? It was part of the Portuguese empire. The parents or grandparents might have been born in Goa. What happens?

Do they come within the ambit of this definition? Nobody is going to take action against them under this Act, I know. The point is, this is a position which we should examine. Why should we unnecessarily cause trepidation and confusion by saying that a new thing has been passed which brings in all these people and they may tomorrow be treated as foreigners, not nationals. This is a very serious position in my opinion. This should be considered carefully.

These are the main points that struck me and I wanted to raise them. I hope very much that the Government will consider them. If there is any lacuna of this type of anomalies the Government should not hesitate to make the necessary changes or amendments in it. As far as the general powers are concerned, there can be no two questions about it. The positions of our nationals should not be jeopardised in any way, neither here nor those who are living in other countries abroad.

Shri Sham Lal Saraf (Jammu and Kashmir): Sir, to my mind, the provisions that are embodied in this Bill are absolutely clear. I want to raise two points for the consideration of the hon. Minister.

One thing is clear and it has also been made clear by the hon. Minister that foreigners, even nationals who are actually of foreign origin have to be dealt with under this law. My consternation about one matter is, in the borders right from Karakorum up to the other end, N.E.F.A., on either side of the border, the population is such that it is very difficult to say who is a Chinese and who is not. My experience also is, sometimes like that. We have to be very vigilant. The Government have to be very vigilant in order to find a wolf in the garb of a lamb. He may look like a Tibetan. In fact, he is Chinese. He may look like somebody else. Even a person from Ladakh has to be found out if he is Chinese. These are matters which

[Shri Sham Lal Saraf]

have to be looked at very carefully and cautiously. Along with that, it may not be difficult for our Government to detain people who may be found doing things against our country or against our war effort. It will be easy to detect them or bring them to book in the plains. But, I am talking of higher in the mountains and particularly in the border regions. We have to be very vigilant and careful. Unless the Intelligence wing both in the Army as well as the Central Intelligence are well organised, as I said the other day, it will be very difficult to implement the main provisions of this law. My feeling is that these people who may have come with this purpose or who may be within the country, who want to sabotage our efforts, their main work will be along the borders, along the areas where it may be a little difficult to detect them unless we are fully armed and are fully prepared to lay our hands upon them.

Secondly, I must say very candidly that the reports that we get from the Pakistan border, round about Rajasthan, Punjab and Jammu and Kashmir, more particularly Jammu and Kashmir and at the eastern end are not only against us. But, I may tell you and through you the Government that their action may be very very dangerous. They have already been doing sabotage and sending saboteurs into our territory, at a moment when our Army is engaged elsewhere, in a life and death struggle. Though a number of attempts are being made in order to have some friendly relations at least at the moment and to have a sort of political cease fire with Pakistan also I do not know how far it will succeed. The Government have to be vigilant on that side. Because on that side, the terrain is not so difficult as on the borders that confronts us on the side of Tibet. The borders are so completely cut off and people can come and go like anything Not only that. We have to be cautious even within our territory. We have men and women who may very easily be prone to help such elements as might

come from that side also as foreigners, who work against our interests and ultimately jeopardise our efforts.

Therefore, two points I have to bring to your notice. First, people who may not look like Chinese may actually be born in China and may work for our Chinese enemy. That is one point so far as the entire border is concerned. Secondly, entry of people from Pakistan has to be watched about. In order to implement this law we have to be armed well. These are the two points that I want to bring to your notice.

Shri A. C. Guha (Barasat): I welcome the introduction of this Bill. I have personal experience of similar Bills and similar enactments during the last two wars. I think it is a necessity to have a measure of this nature. At the same time, I appreciate at least one of the points mentioned by Shri Indrajit Gupta that this Bill will cover persons who are technically Indian citizens but who might have been alien citizens or foreigners some years ago. As they are Indian citizens for the present, they will equally come within the purview of the Defence of India Bill which will be enacted by this House, and in respect of which an Ordinance is also prevalent already. But, still, I feel that some difference should be made between the attitude of Government towards those who are Indian citizens and their attitude towards those who were alien citizens but who have now taken Indian citizenship. We have to be somewhat specially careful about such people particularly when we are engaged in a war.

I do not know what the attitude of Government is about the dimension and immensity of this war. There is a feeling that Government may still consider this war to be of a limited

nature. But the developments of the last two or three days should, I think, remove that illusion from the mind of Government, and there should be a total effort and a total mobilisation of our resources, manpower and everything else for the prosecution of the war and for freeing our country from foreign invasion. For that purpose we have to be particularly careful about those who are now Indian citizens but who were previously Chinese citizens. I am sure that this Bill is particularly meant for the Indian citizens of Chinese origin. Though their name has not been specifically mentioned, yet, this Bill is, specially meant for them.

Sir, I belong to Calcutta, and I find that there are a large number of Chinese citizens in Calcutta. Some of them have taken Indian citizenship. Some of them belong to Kuomintang China, maybe, for the sake of convenience; some of them surely do not have Indian nationality nor do they belong to Kuomintang China but they belong to Communist China. It was rather distressing for us to see that Government were indulgent towards these Chinese residents of Calcutta. For the last four or five years, repeated mention was made about the Chinese opening up laundry shops: they were taking big shops on almost fantastic rents; we do not know whether the business they were doing would cover such high expenses and overheads and rents. Still, Government were allowing those laundry shops not only to continue but also to grow in number.

Then, on many occasions, the attention of Government had been drawn to the operations of the Bank of China. We are almost on a sort of war with China for some years; technically, even now, we are not at war with China, but this kind of border clashes with China was going on for the last five or six years. So, the operations of the Bank of China in Calcutta should have been the subject-matter of Government's attention long before. There is a general convention that

foreign banks can function in a country only on a reciprocal basis. Only if any Indian banks have been functioning in China the Bank of China should have been allowed to function here; but to my knowledge, there is no Indian bank functioning in China. So, I do not understand why Government allowed the Bank of China to operate here and do all sorts of things, which, according to the general feeling in Calcutta, were not conducive to the healthy growth of banking operation and often hostile to Indian nationality and Indian solidarity.

The original Act provides punishment for any offences under it or for the violation of its provisions. The penalties may range up to imprisonment which may extend to five years, and the person concerned shall also be liable to a fine. But the general tendency of the courts is to treat such cases very leniently. It has been reported that a person of dubious nationality was arrested in Assam, while he was taking photographs of the newly constructed Brahmaputra Bridge, and on his person was found Rs. 1,200. That person was released on a bail of Rs. 1000 only on the security of one Mr. Kamaruddin, and that person is reported to have escaped. This is only a very recent occurrence; it shows that the courts take a lenient view of such serious offences. The Brahmaputra bridge is of a great importance, it is a national asset, but particularly at this moment it is of great strategic importance. Anybody taking photographs of that bridge from different angles should not have been allowed to go out on bail on the security of a person whose loyalty to India also should have been the subject-matter of doubt. So, I think that Government should issue a sort of circular to the courts that all such offences should be dealt with rather with some sternness particularly in consideration of the present situation, and should not be treated leniently.

My hon. friend has referred to the Pakistan refugees, that is, the refu-

[Shri A. C. Guha]

gees coming from Pakistan and to the Goan citizens. We are not in conflict now with Pakistan or with Portugal. Technically, the citizens of these two countries would not be covered by the provisions of the Bill at present. I do not know what further developments will take place in the future, but at present, this Bill would not touch any citizen or any person connected with Pakistan or with Portugal. The operations of this Bill will touch only those who will be engaged in sabotage or other doubtful activities damaging the interests of the Indian nation and Indian solidarity. If the refugees do any of these things or any of these activities, then they will also come under this Bill. I too, like my hon. friend Shri Indrajit Gupta, belonged originally to East Pakistan.

Shri Indrajit Gupta: Why should he come under this Bill?

Shri A. C. Guha: That is true. I may not come under this Bill, but I may come under the other Act. But that does not matter much. This Bill makes some special provisions, and I am sure that those special provisions are particularly meant for the Chinese residents in India, and I think that their number is about 20,000 or 30,000; I hope the Government should at least take the House into confidence about the actual number of Chinese residents in India.

There is also one other thing. I do not like to say anything about any countries which may be supplying arms to China. If the two contesting parties, India and China, go on banning all countries rendering any sort of help, such assistance would cover also trade connections, because trade connections also would be a sort of assistance. Purchasing things from China or supplying even civilian goods to China would also amount to assistance rendered to China. Similarly anything done to India by way of encouraging our export policy or

by way of supplying civilian goods apart from military goods would also be in a way a sort of assistance to India. So, I do not like the idea of our banning all sorts of countries in the world, for then, I think that the whole civilised world will become something uninhabitable. We should not limit ourselves only to military assistance. But I should like to draw the attention of Government to some countries, to some of our neighbouring countries whose intentions are not at all friendly to India, and who have been expressing sentiments and ideas quite hostile to the interests of India, particularly in these difficult times.

What would be the attitude of Government to those people who may be suspected to have some loyalty to those countries. In the border areas of West Bengal, Assam, Punjab, and Kashmir, I think the number of such people would not be quite negligible. Government should make up their mind about what they intend to do with such persons who may be Indian citizens and technically who are not covered under this Bill. I think they are a source of potential danger to Indian solidarity. I think they constitute a greater potential danger to Assam and West Bengal than the Chinese themselves because the Chinese are localised in some cities; but these people are spread over all the border. We do not know what action Government are taking in this matter and may work in a subtle way. From this point of view, Assam requires special consideration. The number of infiltrators from neighbouring countries in Assam has been estimated from 7—8 lakhs to 3—4 lakhs. They can do much harm if they roam about the border between India and other countries and try to act counter to our interests. So Government should make up their mind about such elements.

With these words, I support the Bill. At the same time, I wish Gov-

ernment to be careful in applying the provisions of the Bill so that really the right persons may be dealt with under it.

Shri U. M. Trivedi (Mandsaur): I really welcome the provisions of this Bill. This Bill, I should say, is coming late. We have delayed it. We are today in a very gloomy atmosphere so far as the aggression on our country is concerned, and if we have not woken up so far, we have committed a wrong to ourselves. To wake up today, however, is indicative of the fact that the Government has bestirred itself to the situation that is unfolding before us.

However, as a Member of this House and also as a lawyer, I feel that the Bill is not well drafted. In clause 3, the words used are 'arrested and detained or confined'. I see no reason whatsoever for changing over from this expression and making it an 'internee'. The word 'interned' does not occur anywhere; the words used are 'arrested, detained or confined'. Why is it that the word 'detenu' has not been used? Instead of that, the word 'internee' has been used. Why create this difficulty for those officers who will have to interpret this law? Naturally we know that we cannot put our mind into the mind of the officer who interprets the law. Why leave room for unnecessary haggling about the position? It will be better to use the word 'detenu' instead of 'internee'. If Government think that the word 'internee' is useful, then in clause 3 it may be put as 'arrested and detained, or confined or interned' to indicate that the word 'internee' means a person who has been defined in clause 3 of the Bill itself. Do not leave scope for unnecessary quibbling before courts.

Mr. Speaker: Here it is said, 'knowingly assist an internee or a person on parole to escape from custody or the place set apart for his residence'. Detenu would be in the custody of the Government itself in some jail or lock-up. Internee would have been

ordered to remain in some place; he would not be under the custody of Government. Therefore, probably there was a distinction required between the two words in this respect.

Shri U. M. Trivedi: You have exactly followed what I wanted to say. This clause 3 says, 'shall be arrested and detained or confined'. These are the only words used. Then suddenly the word 'internee' has been used. I want a definition of the word 'internee' somewhere. Who will be an internee? I quite appreciate the fact that the dictionary meaning of the word 'internee' is as you have suggested, that is, internee would be a man who has been asked to remain at a particular place and not move about. But why not define the word? Why suddenly use the word without defining it? There is no definition given in the clause of this Bill or anywhere. Why leave the question as to who will or who will not be an internee undefined? That is why I submit that we may add the words 'or interned'. I leave it to the hon. Minister to consider.

13.37 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Indrajit Gupta was very solicitous about some people who might innocently get detained or interned or confined under this law and suggested that some who had come from Pakistan might get into trouble on account of this. I will ask Shri Gupta—I am told that he is a lawyer. . .

Shri Indrajit Gupta: He is told wrong.

Shri U. M. Trivedi: I withdraw my words. But if he has any manner of doubt, I would suggest that he must brush up his knowledge of law by reading the Registration of Foreigners' Act of 1939 and Foreigners' Act 1946 and the British Nationality Act 1948. Then he will find that a Pakistan citizen is not covered by this.

Shri Indrajit Gupta: Is he excluded from this?

Shri U. M. Trivedi: At present. So far as those persons are concerned, they might have to be dealt with under the Defence of India Act. At the same time, even in this law, if he wants to apply this law to them, what is said is: 'or any of whose grandparents was at any time a citizen or subject of any country at war with...'. If Pakistan were at war with us, what harm is there in getting them included in this? There is nothing to prevent me from including such persons in this definition.

Shri Indrajit Gupta: Not a Pakistani.

Shri U. M. Trivedi: Anybody whose parents or any of whose grandparents was at any time a citizen or subject of any country at war with India. If Pakistan were at war with us, and he was assisting the country at war with India or has committed aggression against India, I am not afraid of dealing with him, and he must be dealt with accordingly.

Shri Indrajit Gupta: Has he got no other law to deal with him?

Shri U. M. Trivedi: I have got any amount of law. Why should this not apply to that person? This law must be applied. Other laws may also apply. Any number of laws may apply. We are going to apply them. We are not going to act merely in an arbitrary manner against him.

So there is nothing wrong with the provision made in the law. We cannot have a soft corner for those who are assisting the enemy, a country which is at war with us, whichever country it is.

Shri Indrajit Gupta: It is not his country. It is referring to those people who have become Indian nationals. India is their country, not Pakistan.

Shri U. M. Trivedi: I am sorry you are not correct.

Shri Indrajit Gupta: Read it again.

Shri U. M. Trivedi: I have read it. The whole question is, even if he becomes a citizen of India, if his parents or grandparents belong to a country which is at war with me, I have no faith in such a person. He might make many declarations, just as we are now criticising you; you are shouting from the house tops that the communists are with the country, but we have no faith in you.

Shri Indrajit Gupta: We have no faith in you either.

Shri U. M. Trivedi: Certainly you have no faith in India.

Shri Indrajit Gupta: India is more than you, remember that.

Shri U. M. Trivedi: India does consist of me.

Mr. Deputy-Speaker: Order, order. He has exceeded the time. He should conclude now.

Shri U. M. Trivedi: I have just begun. It will take some time.

Shri Tyagi (Dehra Dun): He says he has no faith in you. He is supposed to be addressing the Chair!

Shri U. M. Trivedi: Shri Tyagi should realise the context in which it was said.

The whole question that has to be considered is this. It is said:

"(b) in section 4,

(i) before sub-section (2), the following sub-section shall be inserted, namely:—

"(1) Any foreigner (hereinafter referred to as an internee) in respect of whom there is in force any order made under clause (g) of sub-section (2) of section 3,

"directing that he be detained or confined, shall be detained or confined in such place and manner and subject to such conditions.."

That is why I raised this objection about the word "internee". Would it mean that the internee would also be such a person who has been asked to be put at a particular place or who has been ordered to be put in a particular house? Would that also include an internee? That is why a specific definition of "internee" would be necessary in this case.

As Shri Guha had suggested, it is high time that this law was made operative. Unfortunately, our country has been a peace-loving country and very hospitable to all and sundry who have ever cared to come to our country, and we have never done anything wrong to the Chinese who are settled in our country for a long time. When Burma was a part of India, lakhs and lakhs of Chinese had come and settled in Burma, and no objection was ever raised, although Burma was a part of India. Similarly, in Bengal and other places the Chinese are there in large numbers, but we have never raised any objections about their living there. But now since our country has been invaded by the Chinese, and our men are being killed mercilessly in thousands and thousands, we cannot sit complacently and watch the movement of these people, whom we are not able to watch at all. We talk here today, we talk somewhere in a meeting. About an hour after that, the Peking Radio announces what we in India have done. How does thing leak out? That means we are surrounded by people who are not in any manner loyal to us. And where the loyalty of a particular person or citizen is doubted, it is in the interests of the country that steps must be taken as provided for in this law. I therefore say that in these days it is meet and proper that this law must be put into force. I support the Bill.

Shri Datar: I am obliged to the hon. Members who have supported the provisions of this Bill. Some of the other hon. Members raised certain questions which are more or less due to a misunderstanding of the position in respect of which this Bill has been brought forward.

I would invite their attention to the Statement of Objects and Reasons as to why this particular amending Bill had to be brought forward. It says:

"In view of the present emergency, it is necessary that powers should be available to deal with any person not of Indian origin who was at birth a citizen or subject of any country at war with . . . who may have subsequently acquired Indian citizenship in the same manner as a foreigner."

This is the small purpose of this particular Bill. There are certain persons in India like that. The hon. Member Shri Indrajit Gupta wanted to know how many Chinese have acquired Indian citizenship either under article 5 of the Constitution or subsequently. I have got the figures here. Under article 5 of the Constitution, the total number of Chinese who obtained Indian citizenship or who were treated as Indians was 430. Subsequently a few persons of Chinese origin have become Indian citizens, either by naturalisation or by registration. The total there is about 441. Therefore, what has now been done, so far as the first part of the present amending Bill is concerned, is that in respect of those whose parent or grandparents were not of Indian origin, but, as in the present case, were Chinese in origin, but who have subsequently become Indian citizens, certain regulation was necessary. The regulation or the control of their conduct on the same footing as foreigners has to be made. So, the only purpose of making this Act self-contained so far as foreigners are concerned, is to place such persons, whose origin was not of India, but, as I have pointed

[Shri Datar]

out in this connection, was China, on this footing. As my hon. friend Shri Saraf rightly pointed out, we have to be vigilant with regard to this class of persons. So, it is only for those who have subsequently acquired Indian citizenship that certain provisions have to be made, and such persons have to be treated as foreigners for the purpose of the Foreigners Act of India, and it is only in respect of them that the present provision has been brought forward.

Another point was raised by certain hon. friends as to whether these words would be made applicable to others. I have noted what Shri Indrajit Gupta has stated about the hardship or inconvenience that may be caused to others. I may point out that the words have been used in such a careful manner that only when any other country either commits an act of aggression or goes to war with India, can further action be taken. That is the reason why I have stated that enabling powers have been taken by Government, and that is the reason why it has been stated:

“ . . . or of any other country assisting the country at war with or committing such aggression against India . . . ”

These are of an enabling nature, and therefore everything will be done extremely carefully.

The next point raised by my hon. friend Shri Kamath was with regard to clause 4. So far as clause 4 is concerned, you will find that the ordinance came into effect on 26th October, 1962 and this particular Bill is in furtherance of that ordinance, so that there should be no break at all.

Then, a number of hon. friends wanted me to put in a definition of the expression “internee” or “internment”. This word ‘internee’ has a descriptive touch. We had in the

original Act of 1946 similar expressions: ‘arrested, detained or confined’. A detained person was a detenu. The hon. Member suggested that we might accept the expression ‘detenu’. But a detenu need not necessarily mean a person who is actually interned. An internee is interned in a particular camp. A man might be released on parole and he might be confined to a particular place or may stay in a particular place. As the hon. Member knows all of us were detenu and once I refused to obey an order on parole and therefore I was sentenced. A detenu is one who might remain in a particular place without actually being interned behind the prison. There is some distinction, especially of a descriptive character. Section 4(1) of the original Act makes this distinction and says that an internee is one who has been detained in an internment camp. So, he has to be described as an internee.

Shri U. M. Trivedi: I am sorry to disturb the hon. Minister but I wish to say this.

Shri Datar: Let me complete the sentence. Section 4(1) was treated as invalid and had to be dropped in view of the provisions regarding Preventive Detention in the Constitution itself. I am relying upon the circumstances to show that in the original Act itself a distinction was made between an internee and a detenu and a person who may be on parole.

Shri U. M. Trivedi: It is only on this particular point that I want to draw your attention. That section has been omitted on 19th January, 1957 from the original Act itself; it no longer exists. If it does not exist, unless and until it is restored, how can that be used here?

Shri Hari Vishnu Kamath: May I, by your leave, Sir, supplement that my hon. friend has said? The word ‘internee’ has been defined afresh in this Order. I do not know whether

he has overlooked this. Internee, it says here, means a person arrested or liable to be arrested under paragraph of this order.

Shri Datar: There was some distinction between an internee in a particular internment camp and a man being technically detained but allowed to remain on parole.

Mr. Deputy-Speaker: He does not dispute that. He wants to know why you do not define it here.

Shri Datar: What we have done is that we are introducing certain provisions including the restoration of certain original provisions in the Foreigners' Act itself, which had proceeded on the footing of a distinction between internee and a person on parole. The same thing has been continued. We are saying here, in this clause: any foreigner, hereinafter referred to as an internee. Actually it is a descriptive portion. In these circumstances, the attempt is to make the Foreigners' Act complete in this by an inclusive definition and by restoring the provisions with regard to detention which were in the original Act but had to be removed when the Constitution was passed and articles 21 and 22 came into force.

Shri Hari Vishnu Kamath: On a point of clarification, Sir. May I ask whether still the Minister is in doubt as to how the word internee should be defined. He has given us a connotation of his own. I have read the definition given in this notification. He is not clear in his mind.

Shri Datar: This is a comprehensive Bill, complete in itself.

Shri Hari Vishnu Kamath: There is no definition at all in the Bill.

Shri Datar: Any foreigner called an internee that is there in clause 4(1); it is clear and I have read it. Any foreigner hereinafter referred to as an internee.....

Mr. Deputy-Speaker: But his objection is you have not defined it.

Shri Datar: It is not necessary.

Shri Hari Vishnu Kamath: Then it is a definite alteration from the earlier order. Why this anomaly?

Shri Indrajit Gupta: The Minister did not make any reference to the point about the discrepancy between Ordinance and the Bill?

Shri Datar: The position has been made quite clear in the Bill. The Ordinance was there but the whole position was considered and the matter was placed beyond doubt in the present Bill.

Mr. Deputy-Speaker: The Bill is an improvement on the Ordinance. Now, I shall put it to the vote of the House. The question is:

"That the Bill to apply the Registration of Foreigners Act, 1939 and the Foreigners Act, 1946 to certain persons to whom they do not at present apply and further to amend the Foreigners Act, 1946, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Deputy-Speaker: There is an amendment to clause 3. Is it moved?

Shri Bade (Kharagone): Sir, I am moving the amendment. I beg to move:

Page 1, line 18,

add at the end—

"or interned." (1)

Shri Hari Vishnu Kamath: Sir, the Minister ought to be a little more clear to the House. From the General

[Shri Harish Vishnu Kamath]

Clauses Act or other enactments, he must tell us why it is different from the words used. Does he think that it comprehends or includes internment also? Otherwise, it should be included to make it comprehensive.

Mr. Deputy-Speaker: He explained the difference between internee and detenu.

Shri Hari Vishnu Kamath: In that case it should be included here.

Shri Datar: It is quite sufficient; it has been made specifically clear and descriptive.

Mr. Deputy-Speaker: I shall put the amendment to the vote of the House.

The amendment was put and negatived.

Mr. Deputy-Speaker: The question is:

"That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 was added to the Bill.

14 hrs.

Mr. Deputy-Speaker: The question is:

"That clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

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

Shri Datar: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed."

Shri Hari Vishnu Kamath: Before the motion is put to vote, I would ask the Minister one thing. He forgot

to answer the question that I raised, and that is with regard to the order of the President. I do not know whether he has got a copy of that order, dated 5th November, with him. I had suggested that the same proviso should be adopted with regard to this order as has been adopted with regard to the order passed in respect of the suspension of fundamental rights. That should apply only to cases where the person is debarred of the rights under this particular Act and the Defence of India Act and rules and not under any other enactment that is in force.

Shri Datar: That is not necessary.

Shri Hari Vishnu Kamath: He is just sitting quiet and simply says it is not necessary!

Shri Datar: The Defence of India Bill is before the House. That is complete in itself. This relates only to the provisions relating to foreigners and persons to be deemed as foreigners and therefore it is not necessary.

Shri Hari Vishnu Kamath: I am only pointing out the anomaly between the two orders.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14.02 hrs.

METAL TOKENS (AMENDMENT) BILL

The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat): Sir, I beg to move:

"That the Bill further to amend the Metal Tokens Act, 1889, be taken into consideration."

The object of this measure is simple and non-controversial. The Metal Tokens Act prohibits the making or the possession for issue or the issue

by private persons of pieces of metal for use as money. The Act, as it stands at present, does not apply to those territories which, prior to the reorganisation of States in 1956, comprised Part B States. This is because the Act as originally passed in 1889 was applicable only to the whole of what was then British India and did not cover those Indian States which later on merged with Independent India as Part B States. The justification for excluding former Indian States from the jurisdiction of this Act was that some of them had their own coinage. Such justification does not exist any longer with the federal financial integration of all former Indian States and their final integration in the Indian Union. There is now only one coin issuing authority in the whole of India, namely, the Central Government. It is, therefore, necessary to make the Act applicable to the whole of India uniformly. This Act was not extended to the Part B States and to Jammu and Kashmir at the time when various other Central Acts, etc., were so extended owing to oversight. The Bill is therefore designed to rectify this omission by suitably amending the extension clause of the Act, namely, sub-section (2) of section 1 and by carrying out certain further verbal changes in section 2 and section 6 of the Act necessitated by the aforesaid amendment.

The provisions of the Bill are, as I said, non-controversial and I trust that the House will not have any difficulty in accepting this Bill. With these words, I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Metal Tokens Act, 1889 be taken into consideration."

Well, nobody has risen to speak. The question is:

"That the Bill further to amend the Metal Tokens Act, 1889 be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

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

Shri B. R. Bhagat: I move:

"That the Bill be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14.05 hrs.

PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) BILL

The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajar-navis): Sir, on behalf of Shri K. D. Malaviya, I beg to move:

"That the Bill to provide for the acquisition of right of user in land for laying petroleum pipelines and for matters connected therewith, be taken into consideration."

The question of laying pipelines has become important as we have been fortunate in discovering indigenous sources of oil and it is hoped that our indigenous supply would increase with further investigation being carried out. It is admitted on all hands that there is no method of transportation which is as efficient, as reliable and as economical as pipelines. We have laid some pipelines

[Shri Hajarnavis]

but so far there is no measure which enables us to acquire the mere right of user in the land. The pipelines laid so far have been laid on land which had been acquired either under the Land Acquisition Act or by purchase by private treaty. But it is not necessary that all the right in the land should be acquired in order to lay pipelines. It would be economical if we merely acquire the right of user in the land. It would certainly not be proper for us to exclude the lands which we have acquired for laying the pipelines from agricultural operations or for any other use to which it can be put. Anticipating one of the measures of the Bill, the House will be happy to know that we do not intend to acquire any land, as has been set out in clause 7(1)(c), the depth of which is less than one metre from the surface, so that the line will lie deep in the bowels of the earth.

Again, I would emphasise that we do not intend to acquire all rights which vest in the owner but merely a right of user which will mainly consist of laying the pipeline one metre below the surface of the earth and getting a right to perform such ancillary acts as are necessary to maintain, to service and to use of the pipeline.

In the first instance, this Act has been extended only to the States of West Bengal, Bihar, Uttar Pradesh and Gujarat where either a refinery is situated or oil wells are found. Then there is the definition clause which calls for some mention. The competent authority is the authority which will assess, in the first instance, the compensation to be paid, and that competent authority is to be designated by the Central Government. Then the word "corporation" has the usual

meaning. So has petroleum. Then the word "prescribed" follows:

Clause 3 is the starting point of the process of acquisition. Clause 3(1) reads as follows:

"Whenever it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from one locality to another locality pipelines may be laid by that Government or by any State Government or a corporation and that for the purpose of laying such pipelines it is necessary to acquire the right of user in any land under which such pipelines may be laid,...."

So, although land can be acquired for laying such pipelines, we will only acquire the right of user in the land under which the pipeline will go. Then follows the usual procedure with which the House is acquainted. As under the Land Acquisition Act, objections are invited and decided; the actual dimension of the right which has to be acquired is given in clause 7 where it has been said that after the right of user is vested, it will be subject to the following limitations:

"Provided that no pipeline shall be laid under—

(a) any land which, immediately before the date of the notification under sub-section (1) of section 3, was used for residential purposes."

If there was any apprehension felt anywhere in any quarter, that anyone will be deprived of his right in regard to residential accommodation, that has been provided for:

"any land on which there stands any permanent structure which was in existence immediately before the said date;"

User in Land) Bill

and

"any land which is appurtenant to a dwelling house;"

are excluded from acquisition. As I said earlier, any land which is under a depth which is less than 1 metre from the surface of the earth will not be acquired.

Clause 10 provides for compensation, which shall be determined by the competent authority in the first instance and if there is any dispute, there is a reference to the District Judge. Sub-clause (4) says:

"Where the right of user of any land has vested in the Central Government, the State Government or the corporation, the Central Government, the State Government or the corporation, as the case may be, shall in addition to the compensation, if any, payable under sub-section (1), be liable to pay to the owner and to any other person whose right of enjoyment in that land has been affected in any manner whatsoever by reason of such vesting, compensation calculated at ten per cent of the market value of that land on the date of the notification under sub-section (1) of section 3."

The House will notice that we have been generous. We are giving not merely the estimated loss or 10 per cent of the estimated loss. Under the provisions of the Land Acquisition Act, market value plus 15 per cent is payable. Here, in addition to the compensation, we are paying 10 per cent of the market value. The market value is bound to be much higher than the loss or injury caused by the right of user vesting in the Central Government, the State Government or the corporation. So, we have been generous.

It is clear that after the right of user has been acquired, the owner shall be free to use that land in any manner he chooses, subject, of course, to his not causing injury or

harm to the pipeline. This has been made clear by section 9. Sub-clause (2) says:

"The owner or occupier of the land under which any pipeline has been laid shall not do any act or permit any act to be done which will or is likely to cause any damage in any manner whatsoever to the pipeline."

So, this casts upon him a civil liability and section 15 provides the penalty if this provision is contravened.

These are the main features of the Bill, which I commend to the House for its acceptance.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for the acquisition of right of user in land for laying petroleum pipelines and for matters connected therewith, be taken into consideration."

Shri Dinen Bhattacharya (Serampore): Sir, I fully agree with the purpose for which the Bill has been introduced and I support the Bill as such. While doing so, I would submit that some provisions incorporated in this Bill, if not reconsidered and changed, would cause serious harassment and hardship to those people whose land will be acquired.

Under the Land Acquisition Act, I have seen in many cases that before acquisition, the notice for acquisition is not actually received by the man whose land is acquired. The period of filing objection there also is very short, namely, 21 days. This period is too short.

The most harassing feature is in respect of payment of compensation. Both the rate of compensation and the mode of payment under this Bill are such that I would suggest to the Minister that certain changes should be made to make the Bill a perfect one. Clause 3(3) must provide that actually the man whose land is to be

[Shri Dinen Bhattacharya]

acquired must receive the notice that his land will be taken for laying petroleum pipeline or any other pipeline. A clear provision should be there to that effect.

Regarding hearing of objections, under clause 5(1), the period is only 21 days. This should be increased to 31 days. Clause 6(3) says:

"Where in respect of any land, a notification has been issued under sub-section (1) of section 3 but no declaration under this section has been published within a period of one year from the date of that notification, that notification shall cease to have effect on the expiration of that period."

I would suggest that instead of one year, it should be made six months, because if within six months land is not taken, it necessarily will mean that the Government or the concerned authority does not require that land. So, I suggest that instead of one year, it should be six months.

Clause 10(4) provides for compensation at 10 per cent of the market value. But 'market value' is a vague term. It should be clarified here, as to how market value is to be calculated.

Mr. Deputy-Speaker: Sub-clause (5) provides for that.

Shri Dinen Bhattacharya: How is it to be calculated?

Mr. Deputy-Speaker: It is a question of fact.

Shri Dinen Bhattacharya: What are those facts? I know under the existing system, if any land is sold in an area within a particular period, the market value will be calculated on that basis. But in practice, it is very difficult. Suppose there is no sale of land in that area or village in that period. So, it should be clearly laid

down as to how the market value will be assessed.

Also, it says that 10 per cent of the market value will be paid as compensation. Under the Land Acquisition Act, it is 15 per cent, as the Minister himself said. I do not know why it should be 10 per cent here. I suggest that as in the Land Acquisition Act, here also it must be 15 per cent. Here there is no question of big lands being acquired; only small portions of land will be acquired. So, if it is paid at 15 per cent, it would not cost much.

Clause 13(2) provides that no suit or other legal proceeding shall lie against the concerned authority for damage caused by anything done in good faith. If anything is done in good faith, you cannot go to any court for any loss or damage. I do not see any reason for the incorporation of such a clause here. I would humbly suggest that it should not be incorporated here.

With these few words, I fully support the purpose of the Bill.

श्री बड़े (खारगोन) : माननीय उपाध्यक्ष महोदय, सदन के सामने जो दिप्टीलिपियम पाइपलाइन्ड (एक्वीजीशन आफ राइट आफ यूजर इन लैंड) बिल रखा गया है, देखने में तो वह छोटा सा लगता है, लेकिन उस में ऐसे प्रावजन्ड रखे गए हैं, जिन से काश्तकारों और साधारण जनता को काफ़ी तकलीफ़ होगी। लैंड को एक्वायर करने के लिए लैंड एक्वीजीशन एक्ट में जो प्रावीजन्ड हैं, उस को बालाए ताक रख कर शासन एक नया छोटा सा बिल सदन के सामने लाया है।

बिल के स्टेटमेंट आफ आबजेक्ट्स एंड रीजन्ड में कहा गया है :

"Although land can be acquired outright for laying such pipelines under the Land Acquisition Act,

1894, the procedure for such acquisition is long-drawn and costly."

लैंड को एक्वायर करने का प्रोसीड्यर लॉन्ग-ड्रॉन और कास्टली न हो, इसके लिए यह बिल लाया गया है। इस बिल की धाराओं को देखने से मालूम होता है कि शासन जनता के राइट्स को बालाए ताक रख कर, उन को नष्ट कर के, एक प्रजातंत्र में नागरिक को जो प्राइवेट राइट्स प्राप्त होते हैं, उन की हत्या कर के, इस कानून को पास कराना चाहता है। स्टेटमेंट आफ आब्जेक्ट्स एंड रीजन्स में बड़े सुन्दर शब्दों में बताया गया है कि चूँकि पेट्रोल से सम्बन्ध रखने वाले पदार्थों का उत्पादन बहुत बढ़ने वाला है, इस लिए जनता के हित में पाइप-लाइन डालने के लिये लैंड को प्राप्त करने के उद्देश्य से यह बिल लाया गया है।

क्लाज़ ३ में लिखा गया है कि अगर किसी लैंड में राइट आफ यूज़र को एक्वायर करने की आवश्यकता पड़ेगी, तो आफिशियल गज़ट में नोटिफिकेशन जारी किया जायगा। उस में यह नहीं लिखा हुआ है कि सम्बद्ध व्यक्ति पर नोटिस सर्व किया जायेगा, पर्सनल सर्विस की जायेगी।

क्लाज़ ५(१) में लिखा गया है :

"Any person interested in the land may, within twenty-one days from the date of the notification under sub-section (1) of section 3, object to the laying of the pipelines under the land."

इस का अर्थ है कि काश्तकार को इक्कीस दिन की अवधि आब्जेक्शन फ़ाइल करने के लिए दी जायेगी। मैं निवेदन करना चाहता हूँ कि आज-कल इंग्लिश का प्रयोग होता है और काश्तकार को यह मालूम भी नहीं होगा कि आफिशियल गज़ट में नोटिफिकेशन जारी किया गया है। इस अवस्था में अगर उस की

तरफ से कोई आब्जेक्शन न आया, तो उस की जमीन ले ली जायेगी।

क्लाज़ ४ (ई) में लिखा है।

"Where otherwise survey cannot be completed and levels taken and the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle."

इसका अर्थ यह है कि अगर किसी जमीन पर स्टैंडिंग क्रॉप्स होंगी, तो सरवे किया जायेगा और अगर इस संबंध में आवश्यकता पड़ी तो स्टैंडिंग क्रॉप्स का कोई भाग काट कर साफ़ किया जा सकता है। शासन की ओर से ऐसा कोई विचार प्रकट नहीं किया गया है कि अगर किसी लैंड पर स्टैंडिंग क्रॉप्स होंगी, तो वहाँ पर सरवे नहीं कराया जायेगा।

क्लाज़ ६ से प्रकट होता है कि पहले राइट आफ यूज़र को एक्वायर करने के बारे में आफिशियल गज़ट में नोटिफिकेशन जारी किया जायेगा, फिर इक्कीस दिन का समय आब्जेक्शन के लिए दिया जायेगा और उस के बाद एक्वीज़िशन के बारे में डिक्लेरेशन कर दिया जायेगा।

बिल की क्लॉज़ ७ में कहा गया है :

"Where the right of user in any land has vested in the Central Government or in any State Government or corporation."

हम लोगों का विचार यह था कि कॉर्पोरेशन का अर्थ एक आटोनोमस बाडी है। लेकिन इस बिल में दी गई "कॉर्पोरेशन" की डेफ़िनीशन में सरकार ने अपना वास्तविक उद्देश्य छिपा कर रखा हुआ है। इस बिल में क्लॉज़ २ (बी) में लिखा है :

"Corporation" means any body corporate established under any Central, Provincial or State Act, and includes—

(i) a company formed and registered under the Companies Act, 1956; and

[श्री बड़े]

(ii) a company formed and registered under any law relating to companies formerly in force in any part of India."

इस से यह प्रतीत होता है कि प्राइवेट कम्पनीज को भी जमीन एक्वायर कर के दी जायेगी। अगर सरकार का उद्देश्य सिर्फ़ कार्पोरेशनज को जमीन देने का होता, तो इस बिल में "कार्पोरेशन" की डेफिनीशन देने की कोई आवश्यकता नहीं थी। मैं इस बात के विरुद्ध हूँ कि प्राइवेट कम्पनीज को भी इस प्राविजन में शामिल किया जाये। उपाध्यक्ष महोदय, आप को याद होगा कि जब लैंड एक्वीजीशन बिल पर विचार हो रहा था, तो इसी प्रश्न को लेकर तीव्र असंतोष प्रकट किया गया था। वही मिसचीफ़ इस बिल में रख दी गई है, जिस से लोगों को बहुत ज्यादा तकलीफ़ होने वाली है।

इस बिल में कहा गया है कि कम्पेन्सेशन "टेन परसेंट आफ़ दि मार्केट वैल्यू आफ़ दैट लैंड" के हिसाब से कैलकुलेट किया जायेगा। जहां तक मार्केट वैल्यू का सम्बन्ध है, स्टेट्स में मार्केट वैल्यू का हिसाब टूबेन्टी टाइम्ज दि लैंड रेवेन्यू की दर से लगाया जाता है। अगर लैंड रेवेन्यू पांच रुपये हो, तो मार्केट वैल्यू १०० रुपये हो जायेगी। इस का मतलब है कि "टेन परसेंट आफ़ दि मार्केट वैल्यू" सिर्फ़ दस रुपये होगी। अगर वह कम्पेन्सेशन काश्तकार को नामन्जूर होगा, तो कम्पेन्सेशन की रकम डिस्ट्रिक्ट जज के द्वारा निर्धारित की जायेगी। वह मामला डिस्ट्रिक्ट जज को रेफर होगा और उस के फ़ैसले की कोई अपील नहीं है। मैं बताना चाहता हूँ कि लैंड एक्वीजीशन ऐक्ट के अनुसार एम्पीव्ड पार्टी कोर्ट में जा सकती है, लेकिन इस बिल में कोर्ट के दरवाजे बन्द कर दिये गये हैं। इस बिल की क्लॉज १४ में लिखा है :

"Save as otherwise expressly provided in this Act, no civil court shall have jurisdiction in respect

of any matter which the competent authority is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or proposed to be taken in pursuance of any power conferred by or under this Act."

इस क्लॉज के द्वारा इस मामले में सिविल कोर्ट की जूरिस्टिक्शन को खत्म कर दिया गया है। सिविल कोर्ट के दरवाजे बन्द कर दिये गये हैं और इस सम्बन्ध में किसी भी कोर्ट के द्वारा कोई इंजंक्शन नहीं इश्यु किया जा सकेगा। मैं निवेदन करना चाहता हूँ कि अगर लैंड एक्वीजीशन ऐक्ट में किसी पार्टी को शासन का कम्पेन्सेशन के बारे में निर्णय या आरबिट्रेशन नामन्जूर हो, तो वह कोर्ट से—हाई कोर्ट से भी—इंजंक्शन ला सकता है। इस बिल के स्टेटमेंट आफ़ आबजेक्ट्स एंड रीजन्ज में भी कहा गया है कि कम्पेन्सेशन के बारे में अपील डिस्ट्रिक्ट जज को की जा सकती है। मैं कहना चाहता हूँ कि यह तो न्याय की हत्या है। अगर किसी पार्टी को डिस्ट्रिक्ट जज का निर्णय मन्जूर नहीं है, तो वह सिविल कोर्ट में नहीं जा सकता है। लैंड एक्वीजीशन ऐक्ट जैसे बड़े और एग्ज़हास्टिव कानून को अलग रख कर सरकार एक नया कानून लाती है और उस में यह व्यवस्था करती है कि प्रोसीड्यर को कास्टली और इनएक्सपीडिएन्ट न होने देने के लिए कोई पार्टी सिविल कोर्ट में नहीं जा सकती है। इस लिए यह क्लॉज १४ बिल्कुल आबजेक्टिव-नेबल है और इस को पास नहीं करना चाहिए। क्लॉज १०(६) में कहा गया है :

"The decision of the District Judge under sub-section (2) or sub-section (5) shall be final."

इस का मतलब यह है कि अगर डिस्ट्रिक्ट जज का डिसिज़न फ़ाइनल है, तो कोई कोर्ट में नही जा सकता है। यह बड़े 'फ़ाइनल' ब त्त

मिसचीवस और डॅजरस है। मैं समझता हूँ कि यही शब्द काफ़ी होता, सफ़िशन्ट होता, लेकिन शासन का समाधान इस से नहीं हुआ है और उस ने क्लॉज १४ को भी इस बिल में रख दिया है।

काश्तकार को मार्केट वैल्यू का दस परसेंट कम्पेन्सेशन देने की व्यवस्था की गई है। प्रश्न यह है कि केवल दस परसेंट क्यों रखा गया है। अगर किसी ज़मीन के बीच में से पाइप-लाइन जाती है, तो वह सारी ज़मीन उपज के लिए यूज़लेस हो जाती है। इस लिए मार्केट वैल्यू के हिसाब से पूरी ज़मीन का मूल्य दिया जाये।

स्टेटमेंट आफ़ आब्जेक्ट्स एंड रीज़न्स में लिखा है :

".....in the case of these pipelines it is considered sufficient to acquire the mere right of user in the land for laying and maintaining the pipelines."

मैं कहना चाहता हूँ कि काश्तकार केवल टेनांट ही रहता है और उस को केवल राइट आफ़ यूज़र ही प्राप्त है। उसको कोई प्रोप्राइटी राइट प्राप्त नहीं है। तीस वर्ष बाद फिर उसको पट्टा मिलता है। इस बिल में केवल राइट आफ़ यूज़र इन दी लैंड की मार्केट वैल्यू के दस परसेंट के हिसाब से कम्पेन्सेशन देने की व्यवस्था की गई है, ज़मीन की मार्केट वैल्यू के दस परसेंट के हिसाब से नहीं। मैं कहना चाहता हूँ कि चूँकि काश्तकार की सारी ज़मीन उपज के योग्य नहीं रहेगी, इसलिए उसको पूरी ज़मीन की मार्केट वैल्यू देनी चाहिए।

जैसाकि अभी आनरेबल मेम्बर ने कहा है, इस बारे में बड़ा झगड़ा होता है कि मार्केट वैल्यू क्या है। लैंड एक्वीज़ीशन ऐक्ट में भी बहुत झगड़ा होता है और कई साल तक झगड़ा चलता रहता है। यहां तक कि मामला हाई कोर्ट तक जाता है। आम तौर

पर यह देखा जाता है कि शासन कम मार्केट वैल्यू निर्धारित करता है और काश्तकार ज्यादा मांगता है। इस बिल में हाई कोर्ट और सिविल कोर्ट के दरवाजे बन्द कर दिये गये हैं। केवल डिस्ट्रिक्ट जज के पास अपील हो सकती है।

श्री लहरी सिंह (रोहतक) : डिस्ट्रिक्ट मजिस्ट्रेट।

श्री बड़े : डिस्ट्रिक्ट जज हो या डिस्ट्रिक्ट मजिस्ट्रेट, उन में कोई डिफरेंस नहीं है। एपीव्ड पार्टी कोर्ट में नहीं जा सकती है। मैं समझता हूँ कि अगर क्लॉज १४ को निकाल दिया जाये, तो साधारण जनता के हक सुरक्षित हो जायेंगे।

Shri Gauri Shankar Kakkar (Fatehpur): Mr. Deputy-Speaker, Sir, it has been suggested that in order to shorten the proceedings and make it easier this enactment has been undertaken. Otherwise there was sufficient provision in the Land Acquisition Act. But in that case it should have been seen that adequate relief is given to the person from whom land is taken.

My first objection is this. Here it is involved that the right of user is taken. The right of user in any particular land is only a sort of easementary right, and no period has been suggested. The actual ownership is not being taken; the right of user is being taken. But for that right of user no period or time has been suggested in it. Generally it so happens that whenever there is a right of user, it is an easementary right and it can be revoked by the owner or party. But here there is a specific provision that it cannot be challenged in any court. Still no period has been specified for this user of the land.

In clause 2 the competent authority has not been defined. It has been suggested that 'competent authority' means any person or authority authorised by the Central Government, by notification in the Official Gazette, to

[Shri Gauri Shanker Kakkar]

perform the functions of the competent authority under this Act. My objection is that there should be a specific mention of what officer will act as the competent authority. For that purpose I would suggest that it should not be less than a sub-divisional officer at least at the district level.

Then, much has been said about market value. Really, the word 'market value' is a very vague term. Especially, if a particular bit of land is taken which is growing crop, in that case the tenant is definitely a loser if only the market value is assessed. My suggestion is, if you are closing the powers of the court and making it an easier process, then the compensation should be assessed on the basis of the annual produce over that particular land which is taken, in the cases where cultivation is being done. And for the purpose of the annual assessment of the produce of that particular land, I would suggest that a period of thirty or forty years be taken, and the person should be paid a rate of compensation based on the annual produce calculated in those forty years. That can give some relief. In certain cases market value is a very negligible sum, and it will not be able to give relief to those cultivators who are actually raising crops over that land which is taken, as compared to the other lands which are waste lands and where no crop is raised. So it would be equitable and it would be more justified if in the case of compensation it is calculated according to the annual crop being raised over that particular area which is being taken for the use of the pipeline.

Again, I have an objection to this definition of the word 'corporation' Clause 2(b) says that 'corporation' means any body corporate established under any Central, Provincial or State Act, and includes (i) a company formed and registered under the Companies Act, 1956, and (ii) a company formed and registered under any law

relating to companies formerly in force in any part of India. I have to submit that if the provisions were confined to the Central Government and the State Government, there would not have been any sort of apprehension. But now when the same privileges are being given to a private company, I apprehend that there will be certain mischief also coming into play. So it was talked out in this House that a private company should not be given any sort of right to take any land which is under cultivation from the tenant, because the *bona fides* in the case of a private company are never clear and there are chances of foul play. So I submit that this clause be deleted, and let it be kept only in the case of the Central Government and State Governments.

Then again, as has been suggested, I do agree that unless personal notices are served on the actual persons from whom the land is required to be taken, mere notification in the Gazette will not do any justice. There will be thousands of cases cropping up where they will have no information actually, and still they will be losing their valuable right. So there should be a mandatory provision that any person whose land is being taken has to be served with personal notice and only then the objection should be invited. Therefore, this clause should be added that in addition to the notification in the Gazette, personal notices will also be issued to those persons from whom the land is required to be taken.

Again, it will create certain difficulties in those areas where consolidation of holdings has been undertaken. It is not necessary that the pipe-line will pass from the corner of certain *chak* or holding; it may pass from the middle of that *chak*. In that case there will be certain pieces cut off from the patch which has been given. In that respect I would submit that in such areas where consolidation of holdings has been finished or undertaken it should be taken into con-

sideration that those *chaks* should not be brought into pieces when these pipelines are laid. For that it would be very easy if the particular amalgamated area which belongs to a particular tenant is kept into consideration. All these things will facilitate and go to safeguard the interests of the tenants.

In the end I would submit that if the Government wishes to make it an easier process, then in the same manner the facilities and amenities should also be looked into. And if, as I have suggested, the assessment of compensation is calculated on the basis of the annual yield of the crop and if all these other things are done, then the actual tenant or the actual landlord will find it convenient. Otherwise he will stand to lose most by this enactment which has been suggested.

Shri Sonavane (Pandharpur): I rise to support this Bill which was necessary and essential for speedy acquisition of land for laying pipelines. I agree with the hon. Minister that the acquisition of land under the Land Acquisition Act was cumbersome, prolonged and it would hamper the work of laying the pipelines. Therefore, Government has taken recourse to bringing this enactment.

While supporting the Bill I have to place some views of mine before the hon. Minister for his consideration. No doubt I have not given any amendment, but when my views are before him he may consider amendment of the relevant provisions in the Bill as he deems fit.

First of all, no idea is given in this Bill as to the depth up to which a pipeline will be laid. If the depth is known...

Shri Hajaravis: It will not be less than one metre.

Shri Sonavane: A metre means three feet or so. So, the pipeline three feet underground may not affect the ploughing operations of a peasant and he can make use of his land for

certain purposes, that is, for sowing, cutting etc. When the pipeline is laid, a strip of land of a width of, say, 10, 12 or 15 feet, would be used but not the whole of the land. The whole of the land would not be necessary or affected. But the provision in this Bill is:—

“Any person interested in the land may within twenty-one days from the date of the notification under sub-section (1) of section 3, object to the laying of the pipelines under the land.”

Now, “under the land” means the whole land and not the strip of land.

Shri Hajaravis: No, only the strip of land.

Shri Sonavane: But the Bill does not specifically say that. Therefore, the land would be the whole of the land under the holding or in the possession of the man under whose land the pipeline would go. I think, some specific provision to that effect is essential; otherwise, ‘land’ would refer to the whole land through which the pipeline would go. So, one of my suggestions is that a specific reference should be made in the notification to the strip of land or to the portion or area, that is, gunthas or acres or whatever it is, that would be required and it should not be kept vague by saying only ‘land’.

Another point that I want to suggest is this. Usually the notifications come to light, or are placed in the hands of the public, generally ten or twelve days after the date of notification and it becomes difficult for a person who is interested in or is affected by the notification to hurry up with his objection. Then, generally, the illiterate and ignorant peasants who would be affected by this would not know of the provisions of the notification by which they would be affected. Therefore my suggestion would be that wide publicity should be given to the notification in the local or vernacular papers so that those

[Shri Sonavane]

persons who would be affected would get the knowledge that their land would be affected and that, if there is any objection, they should send written objections to the authorities concerned. Therefore, I put forth this suggestion that this acquisition of land and the land to be affected should be given wide publicity in local papers.

The hon. Deputy Minister, who is piloting this Bill, says that a strip of land only would be affected. If the strip of land is affected, I would agree that that would be a reasonable thing. But there is no reference to it. It is said that no planting of trees, construction of any buildings etc. should be undertaken or done by the holder of the land. If the strip is earmarked and specifically stated in the notification, it would be all right, but if it is kept vague by saying 'land', the peasant who is holding an area larger than the strip of land required would be prevented from digging a well in the whole of his land or from having irrigation, planting of trees etc. The right of the user is all right, particularly for the strip of the land. After laying down the pipelines, the work of the Act would be over and the peasant can carry on the operations of sowing, ploughing etc. without affecting the pipeline. But it is only 'land' which is mentioned and there is no specific mention of the strip of land unless the Gazette specifically mentions the strip of land; I think, then only the right of the user, compensation whatever is to be paid etc. would be reasonable and the peasant under whose land the pipeline would go would not be put to hardship or to a disadvantage.

The last point that I would mention is this. This refers only to the acquisition of land. Clause 3, line 15, says:

"it is necessary to acquire the right of user in any land under which such pipelines may be laid".

This only refers to the acquisition of land. What about the buildings on such lands? The alignment of the pipelines would not necessarily go through vacant land. I cannot say if the pipeline is to be laid through vacant land. At some time it will take a curve; sometimes it will take a bend and all that thing. Then, the flow of petrol, crude oil or petrol products would be hampered.

Shri Hajarnavis: Will the hon. Member refer to clause 7?

Shri Sonavane: I will complete this point and then the hon. Minister can reply.

There is no intention that this pipeline should be in a zigzag way. If it is to be straight, certainly some buildings or houses would be affected. I feel, this point also should be taken note of and the hon. Minister may refer to this.

Shri Hajarnavis: Sir, I am grateful to hon. Members for the very kind and wide support they have given to this measure. We will certainly take into consideration the very valuable suggestions which have fallen from hon. Members. In particular I find myself completely in sympathy with the suggestion made almost unanimously by all hon. Members, beginning with Shri Bhattacharya and ending with my hon. friend, Shri Sonavane, that it would be essential to give a personal notice to the person through whose land the pipeline is proposed to be laid. I believe though there is no amendment, it would be possible for us to frame a rule under the first part of clause 17(1). I thought, it was covered by clause 17(2) (a) also. But the terms of clause 17(1) which permit us to frame rules to carry out the Act would enable us to frame a rule by which the competent authority would be enjoined to issue a notice in proper form to all the persons whose names are recorded

in the public records. It would not be possible for us to find out who the true owner is or in whom the title is legally vested because that would set us upon an enquiry which we would not be able to conduct, but all the persons whose names are recorded in the public records or the revenue records should be given a notice, say, a usual notice according to whatever the procedure is under the revenue law of the State, or a registered notice. That, I think, is essential and I would assure hon. Members that when the rules are framed, we will keep this in our mind.

Then, the question came of defining market value. My own experience is, the moment we begin to define, we create doubts where none exists. Market value is a simple plain concept. The whole concept of compensation is that it ought to compensate. That is to say, if a man is deprived of a thing or property, he ought as far as possible and as far as money can compensate, to be put in the same position in which he would be if he had retained the property. Land has been acquired for a public purpose for many many years now. A great body of case law has grown both in India and in the U.K. and the U.S.A. wherever the principle of acquiring private property for public purpose after paying compensation is accepted. The criterion is the market value. Wherever the criterion of market value is departed from, the intention is to give less than the market value. Market value is a clear concept. It may be, in a given case, it would be difficult to ascertain it. That is not a question of principle. That is a question of getting evidence in a particular case because there have been no sales. The Judge must decide as best as he can. The party whose property is being acquired will certainly be able to lead evidence to convince the Judge and the Judge would certainly hear that evidence, consider that evidence as to what the proper compensation would be. My submission to the House is that the concept of compensation is that it must compensate. Even in the decisions of the Supreme Court, there

are observations which you will find that the basic concept of compensation is that it must put the person who has been deprived of some thing in such a position that he is not an economic loser because he has lost the property, and for that purpose, he must be paid the amount that he would have got if he had sold the property in the market.

About the other point. I will not repeat what I said earlier. As I said, the right of user is very much less than full ownership. It will be a fraction of the total rights. What is being paid to the person is less than their market value. We are paying 10 per cent of the market value of the land. We are paying on a much more wider basis. That being so, if we had paid 15 per cent of the market value, it would have been something very much more than what the Land Acquisition Act pays. In land acquisition, you acquire ownership. We pay 15 per cent of the market value, as solatium. Here we pay 10 per cent of the market value which is very much more than the loss.

I would refer to Shri Bade's objections who, if I may say so, carried on the loyal task of opposition in opposing. If any trees are removed or standing crops are removed, whether under clause 4 or under any other, they are compensated for. We have taken scrupulous care to see that a person whose property is now being acquired for a public purpose does not suffer on that account. Secondly we have said that temporary severance of the land under which the pipeline has been laid shall be taken into consideration. Thirdly, any injury to any other property whether movable or immovable or the earnings of such persons caused in any other manner shall also be taken into consideration. Having given the market value, we have gone further and said that these three things also ought to be taken into consideration.

In the first instance, we have given the power to a competent authority.

[Shri Hajarnavis]

We know that his power shall be exercised by the authority on our behalf. He acquires property. Therefore we know what he acquires but we have got to pay compensation. Since we are administering a public fund, since money has to come from the public exchequer, we will try to see, it is in our interests to see that a senior officer, experienced officer, who knows the revenue laws, who knows the land laws, who knows the land values is appointed. Therefore, any apprehension in this behalf expressed in the House that we will entrust this power to any inexperienced man, is something which is entirely without basis. After all, we have got to pay the money. We will try to see that as far as possible the dispute is settled and that the man is paid properly. If there is any grievance in this behalf, it goes to the District Judge who is an experienced judicial officer.

Much was made of the fact that we have not provided for further appeals, and that his decision would become final. That decision, of course, becomes final. That does not prevent an application in Revision under section 115 of the Code of Civil Procedure. Apart from that, there is article 226 of the Constitution.

One consideration which I would place before the House would be, if rights of appeal are given as against the Government, it is not a right; but it is a liability. The Government have a large legal staff to advise them. They have got funds. They can take the litigation from court to court till the other party is tried out. Let us see what would be the amount of compensation payable. I will answer Shri Sonavane's point later on. I thought I had answered him in my opening speech. I will come to that later on. A right of user in small strip of land is acquired. If that is so, what would be the amount of compensation? Would it be a large sum over the dispute of

which litigant can afford to go to the High Court? The cost would be much more than that. Therefore, it is in his own interest that the decision becomes final at a lower level. If rights of appeal are provided, both parties can exercise it. The Government is much more equipped to carry the dispute from court to court. I for one would be loath to file an appeal for a small sum against a citizen because he does not have the means to engage lawyers and incur expenses against the Government. Therefore, when we stated in the Statement of Objects and Reasons that this procedure is not costly and that this is also a short procedure, we meant it.

Coming to Shri Sonavane, he read the first part. He should have given enough significance to phrase I am reading. In section 3 the words are:

"that for the purpose of laying such pipelines it is necessary to acquire the right of user in any land under which such pipelines may be laid . . ."

Section 3 permits land to be acquired which will qualify the description any land under which such pipelines may be laid. That land alone can be acquired. Under the power given by the Constitution to the Government land can be acquired . . .

Shri Sonavane: Why not read this section along with clause 7? Then, the meaning will be clear.

Shri Hajarnavis: It is so clear to me as it stands. I do not have to read section 7. Under the Constitution, no property of a private person can be acquired unless it is for a public purpose. So that, the moment any attempt is made to acquire property for a purpose which is not a public purpose, that authority is not being properly used and it is liable to be impugned in courts of law. It is not necessary for us to say that public purpose should be indicated here. It is in the Constitution. We are all subject to the Constitution. If any autho-

User in Land) Bill

rity tries to acquire property for a purpose which may not satisfy the court that it is a public purpose, the exercise of that authority will be restrained by the courts. That is my submission.

With these words, I hope this Bill will be taken into consideration.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the acquisition of right of user in land for laying petroleum pipelines and for matters connected therewith, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the clauses.

First, we shall take up clause 2. There is an amendment to this clause, standing in the name of Shri Ranga, Shri Yashpal Singh, Shri Himmat-sinhji, Shri Narasimha Reddy, and Shri Narendra Singh Mahida. None of those Members is present there.

There are no amendments to clause 3 to 8. So, I shall put clauses 2 to 8 to vote.

The question is:

"That clauses 2 to 8 stand part of the Bill".

The motion was adopted.

Clauses 2 to 8 were added to the Bill.

Mr. Deputy-Speaker: There are some amendments to clauses 9, 10 and 13 also in the names of the same hon. Members, none of whom is present here. So, I shall put clauses 9 to 16 to the vote of the House.

The question is:

"That clauses 9 to 16 stand part of the Bill".

The motion was adopted.

Clauses 9 to 16 were added to the Bill.

Clause 17—(Power to make rules)

Shri Siddananajappa (Hassan): I beg to move:

Page 8, lines 31 and 32, for 'the section in which it is so laid or the

successive sessions aforesaid' substitute: 'the session immediately following the session in which the aforesaid period of thirty days is completed.' (1)

My amendment relates to sub-clause (3) of clause 17. This sub-clause contemplates two periods of time. One is the period for which the rules should be laid before each House of Parliament and the other is the period which should be allowed to each House of Parliament to modify the rules. My amendment relates to the latter part of the question, that is, the period which should be allowed to each House of Parliament to amend or to modify the rules.

There was some difference of opinion on this question between Government and the Committee on Subordinate Legislation. After some correspondence, the Law Ministry was able to draft a model clause, and that model provision is incorporated on page 8 of the Seventh Report of the Committee on Subordinate Legislation of this House. I shall read out only the relevant portion of that clause:

"the session in which it is so laid or the session immediately following."

Under this model clause, even though the period of thirty days for which the rules should be laid before each House of Parliament expires in the session in which it is so laid, it is open to each House of Parliament to modify the rules before the expiry of the session immediately following. After the drafting of this model clause by the Law Ministry, that clause was being incorporated in all the subsequent legislations. But, now, in the present Bill I find that there is a slight deviation, and it is not open to either House of Parliament to modify the rule during the session immediately following, if the period of thirty days expires in the session in which it is so laid. So, it is a curtailment of the period al-

[Shri Siddananajappa]

lowed under the model clause to each House of Parliament to modify the rules.

Therefore I have tabled this amendment, which is more in conformity with the model clause accepted by the Law Ministry, and I hope that the Deputy Minister will accept it.

Mr. Deputy-Speaker: The amendment is now before the House. Is the hon. Deputy Minister accepting it?

Shri Hajarnavis: I am not accepting it.

Mr. Deputy-Speaker: Is the hon. Member pressing his amendment?

Shri Siddananajappa: No, I am not pressing it.

Mr. Deputy-Speaker: Has the hon. Member leave of the House to withdraw his amendment?

Several Hon. Members: Yes.

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 17 stand part of the Bill".

The motion was adopted.

Clause 17 was added to the Bill.

Clause 18 was added to the Bill.

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

Shri Hajarnavis: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

15.25 hrs.

***DEMANDS FOR SUPPLEMENTARY GRANTS (GENERAL)**

Mr. Deputy-Speaker: We shall now take up Supplementary Demands.

*Moved with the recommendation of the President.

DEMAND NO. 9—DEFENCE SERVICES, EFFECTIVE—ARMY

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 67,00,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Defence Services, Effective—Army'."

DEMAND NO. 11—DEFENCE SERVICES, EFFECTIVE—AIR FORCE

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 8,00,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Defence Services, Effective—Air Force'."

DEMAND NO. 25—UNION EXCISE DUTIES

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 40,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Union Excise Duties'."

DEMAND NO. 26—TAXES ON INCOME INCLUDING CORPORATION TAX ETC.

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 39,50,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Taxes on Income including Corporation Tax etc.'"

DEMAND No. 49—CABINET

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 3,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Cabinet'."

DEMAND No. 97—INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 4,50,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Indian Posts and Telegraphs Department'."

DEMAND No. 111—SECRETARIAT OF THE VICE-PRESIDENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 56,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Secretariat of the Vice-President'."

DEMAND No. 114—DEFENCE CAPITAL OUTLAY

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 20,00,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Defence Capital Outlay'."

DEMAND No. 144—CAPITAL OUTLAY OF THE DEPARTMENT OF ATOMIC ENERGY

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 1,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1963, in respect of 'Capital Outlay of the Department of Atomic Energy'."

Shri A. K. Gopalan (Kasergod): I rise to support all the Supplementary Demands for Grants presented before the House. These Supplementary Demands are a logical follow-up of the firm determination of this House expressed the other day to drive away the Chinese aggressors from our territory. After having unanimously adopted the resolution moved by the Prime Minister, expressing the united will of the Indian people, the time has now come for us to translate that determination into concrete actions and deeds.

The most important of these concrete deeds is, naturally, the acquisition of the necessary military power for throwing the Chinese aggressors out. Naturally, the primary instrument of this task is our Armed Forces. They have to be augmented both in human and in material resources. They have to be provided with up-to-date, efficient and suitable weapons. Fresh reinforcements have to be recruited, trained, mobilised and led. All these will certainly strain our limited resources to the utmost. Already, we were engaged in the herculean task of the development of our economy for bettering the lot of our people. Even the limited successes which we were having and which we achieved required the sacrifices of the common people. The new situation will further strain our economy, and will divert our limited resources into unproductive channels. But this is a task which we cannot postpone.

[Shri A. K. Gopalan]

Coming to the Supplementary Demands for Grants, out of the hundred odd crores of supplementary grants now demanded, nearly Rs. 95 crores are meant for defence purposes Rs. 75 crores of revenue and Rs. 20 crores of capital expenditure. A casual look at the details of the expenditure will show that out of the Rs. 75 crores of revenue expenditure on defence, the lion's share goes for the expenditure on the acquisition of equipment and stores, Rs. 20 crores for the ordnance factories, Rs. 24 crores for the purchases outside the Government ordnance factories, and Rs. 4 crores for Air Force stores; this comes to a total of Rs. 48 crores. Undoubtedly, I am sure that quite a sizeable proportion of this expenditure will have to be incurred in foreign exchange for the purchase of weapons from abroad.

In this connection, I have to say that only the other day, the Prime Minister enunciated our country's policy as far as the purchase of armaments and the armament industry are concerned. I agree fully with that declaration. But, here I have to say that we should not forget that in the past our efforts to produce modern weapons in our factories were obstructed by the private arms manufacturers abroad by their claims on patent rights. I remember in this House itself when answering a question in 1954, the Prime Minister, who was also Defence Minister then, said that our ordnance factories could not undertake the manufacture of a number of modern weapons due to objections raised by the foreign firms who owned patent rights. So though it was possible for us to produce those weapons, we could not do so.

As the Prime Minister has said, we cannot go on purchasing arms from abroad. In an emergency, we have to do it and should do it. But every effort must be made to use our material and scientific and technical skill to produce our own weapons. For this purpose, we should, as we have been

emphasising very often, among the existing patent laws and trade marks and stop also the treks abroad for purchases.

In this connection, I want to emphasise that the arms purchases being made should be strictly on a commercial basis. I know, of course, that there is practically no free trade in them. It has to be purchased either in the international black market or at fabulous prices or it has to be got by political arrangements, on a government to government basis. When coming to such arrangements, we have to be vigilant about being tricked by attachment of political strings to such deals.

Another point is this. There are voices being raised in the country that planning should be dropped and social services etc. should be cut down to help defence effort. As the Prime Minister said the other day, we are opposed to such course of action. After all, what is defence if it is not based on the economic strength and political stability of a nation? The very process of strengthening our defence means basing it on our own economy and the well-being of our people. So we cannot neglect this aspect.

That brings us to the question of resources. We have two tasks. We have to prosecute an enhanced defence effort and simultaneously continue to plan for socio-economic development. So it is very difficult to find the resources. It is certainly heartening that as far as defence measures are concerned, we are seeing everyday that all sections of people, even the poorest sections, contribute according to their mite. Certainly as long as the emergency lasts, there will be more contributions. But these voluntary contributions will not be sufficient because we have to find resources for defence as also for the continuation of socio-economic development plans.

So I am placing certain proposals before the House as to how resources can be found specially in this emergency; the first is that we should take over the banks for the emergency period. I do not say nationalise them now, though we are of that opinion. Let that question be decided afterwards. What I say is, that Government should manage the banks so that their resources can be used for the defence effort and also for other purposes to which Government think priority should be given. Then speculation and speculative trading should be stopped. As regards privy purses, some rajas have donated a percentage to the defence fund. What we say is that privy purses over a lakh of rupee should be suspended for the emergency period. There should be a cut of 5—15 per cent on salaries over Rs. 1,000. Certain companies and concerns have got resources accumulated. These also have to be utilised. Former princes as well as certain other people in this country have got foreign assets. It is said that this amounts to about Rs. 100 crores. They may be asked to declare those assets. These can be used for purchasing things from abroad.

There has been a magnificent contribution of gold. But this has come mainly from the middle classes and the poorer sections. According to the Finance Minister himself, there are about Rs. 2,000 crores worth of hidden gold. The gold with millionaires and bullion traders has not come out. We have to consider this matter very seriously and make an appeal to them. We should make it attractive for them to come out with it. If necessary, we may pay a little more price and then see that we get all the gold available. If the appeal is not effective, we will certainly have to consider certain legislation by which we will be able to get all these resources.

The next question is about foreign trade. In this emergency period, I think the foreign trade must be taken over. Also, if it is possible, the trade

must be done on a barter basis. Then there are Rs. 30-40 crores going as remittances abroad. At least 50 per cent of these may be stopped till the emergency is over and the amount taken over.

The next source of income is excess profits tax. When we were discussing the Bill to amend the Companies Act the other day, one of my hon. friends said that the workers are working, and are ready to work, extra hours and pay the wages to the NDF. What about the profits that come on account of that extra work? That must certainly go to the NDF. When everybody in the country, specially the poor people, is making the utmost sacrifices, certainly there must be a limit for the profit and the excess profit must be taken over.

As far as agricultural production is concerned, according to the figures given to us, even now there are wastelands. These should be given to landless agricultural labourers free. There should be no formalities now because these must be given immediately so that they will be able to cultivate those lands that are even today lying fallow and held by landlords. This must be done so that in this period of emergency every piece of land that is cultivable is cultivated.

The next point is, as my hon. friend, Shri Kamath, said, about scrapping prohibition till the emergency is over. That will also give us some money. When I pointed this out last time, the Finance Minister did not like it and replied that it would not be done. But in this emergency, we should consider whether it cannot be done.

Then I come to the last point. As far as the defence strength is concerned, the morale of both the jawans in the front and people in the rear is very important. War does not simply mean a question of raising some fund, buying or producing some weapons and leaving the soldiers to do the battle. After all, soldiers are also

[Shri A. K. Gopalan]

human beings. They have their kith and kin, wives and children far away in the rear. They think of their homes and their children. So it is the duty of Government and Parliament to see that our jawans feel assured of the welfare, security and future of their people. Most of the soldiers come from the peasantry, from villages.

In this connection, I have to say that at least as far as this emergency is concerned, we must see that on no account, for any reason whatsoever, should the peasant be evicted from the land. I say this because there is the judgment of the Kerala High Court and the Supreme Court invalidating the Agrarian Relations Act. It also affects Mysore and other States where ryotwari areas exist. If we do not do this, what will happen is that when the jawan who is now fighting and driving away the enemy from our land comes back he will see that the little piece of land which he had has been taken away by the landlord. Then what would be his feeling?

We have got the Defence of India Act. Using it, we should see that whatever little land the peasant has got whatever right he has got must be protected. As far as the majority of the jawans are concerned, they are sons of peasants. So they must feel that while fighting boldly and driving the enemy from our land, they will not lose their land. So, the morale of the jawan as well of the people in this country is very important, **more important than weapons.** Similarly, the question of prices is very important. The Planning Commission has placed certain proposals before us, but as I have pointed, the action of the High Court and the Supreme Court should be corrected without delay, as this is a question which will especially trouble the jawans.

Sending my greetings to the jawans who are bold fighting. I support the supplementary demands.

Mr. Deputy-Speaker: The time allotted is three hours. I would request Members to limit the time for their speeches. Shri Guha.

Shri Hari Vishnu Kamath: Unfortunately you are not a member of the Business Advisory Committee.

Mr. Deputy-Speaker: I am a Member.

Shri Hari Vishnu Kamath: But you did not attend the meeting anyway. You were not present. The Speaker, as Chairman, agreed that if the House was so minded, the time would be extended by one hour. One hour is always up your sleeve, at your discretion. He agreed to four hours. It may even be more if necessary, because it is very important.

Mr. Deputy-Speaker: Cut motions may now be moved subject to their being otherwise admissible.

Need for enlisting the services of ex-I.N.A. personnel in the national war effort.

Shri Hari Vishnu Kamath: I beg to move:

"That the demand for a supplementary grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective Army be reduced by Rs. 100." (24).

Constitution, functions and powers of the National Defence Council

Shri Hari Vishnu Kamath: I beg to move:

"That the demand for a supplementary grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective-Army be reduced by Rs. 100." (25).

*Constitution, functions and powers of
the National Defence Council*

Shri Hari Vishnu Kamath: I beg to move:

"That the demand for a supplementary grant of a sum not exceeding Rs. 8,00,00,000 in respect of Defence Services, Effective-Air Force be reduced by Rs. 100." (26).

*Feasibility and probability of supply
of MIG jet aircraft by the Soviet
Russian Government.*

Shri Hari Vishnu Kamath: I beg to move:

"That the demand for a supplementary grant of a sum not exceeding Rs. 8,00,00,000 in respect of Defence Services, Effective-Air Force be reduced by Rs. 100." (27).

*Necessity and desirability of reducing
the size of the Council of Ministers
for the duration of the Emergency.*

Shri Hari Vishnu Kamath: I beg to move:

"That the demand for a supplementary grant of a sum not exceeding Rs. 3,00,000 in respect of Cabinet be reduced by Rs. 1,00,000." (32).

Mr. Deputy-Speaker: These cut motions are now before the House.

Shri A. C. Guha (Barasat): This war has brought about almost an unprecedented enthusiasm in the country. Every section of the people is now determined to fight this Chinese aggression and to meet the situation created by the Chinese invasion. The people are determined, and have become enthusiastic in the endeavour to put forward all their resources for this purpose.

This puts the Government under an obligation to make an earnest and serious effort for total mobilisation of

our resources. While we should make all efforts for the proper conduct of this war and to drive out the invaders we should at the same time see that our home front is also properly protected, that there is no slackening in the development works, in the social services etc. War is likely to bring about certain dislocation in our administration and in our social services but it will be the obligation and the duty of the Government to keep a strict watch on all this and to see that our plan is not scrapped and that social services are maintained. So, in addition to the normal revenue required for the administration and for the plan purposes, now we shall have to find revenue also for this war for that, proper economy in administration is of great necessity.

It will be difficult for any of us to make a correct or even an approximate estimate of the financial requirements of this war. This supplementary budget has made a provision only for about Rs. 95 crores. This is only for five months. Calculating on this basis it can be assumed that the Government estimate of the annual requirement for the purpose of this war is about Rs. 300 crores. The tempo of war will increase, it will not remain for long just a limited thing, it may expand. At least, we shall have to make all the preparations for that contingency. So the total requirements for war purposes may exceed Rs. 300 or even Rs. 400 crores annually, and may go to even larger sums. So from the very beginning we should mobilise our financial resources for that purpose.

We find that during the last world war, within four weeks of America's entry into the war, America put an excess profit tax; and soon it was raised to 100 per cent. The United Kingdom also put an excess profit duty of 100 per cent in May, 1940. But in this supplementary budget, no tax proposal has been made and the gap of Rs. 95 crores has been left uncovered. I do not know what the hesitation is

[Shri A. C. Guha]

on the part of the Finance Minister to propose certain taxes even for these remaining four months of this financial year. The longer we put off this inevitable thing the more difficult it will be for us later. Now, public enthusiasm is at its crest. If the Government do not take advantage of that enthusiasm and allow it to slacken then it will become more difficult for the Government later on to go in for heavy taxation. This was an opportune time for proposing at least some of the taxes. The excess profits tax capital gains tax and similar other things should have been proposed here, and this gap of Rs. 95 crores should not have been left uncovered.

The inevitable thing would be for the Government to go in for deficit financing. They will have to cover this gap by created money. Whether they print new notes, or takes recourse to bank credit, the result of the economy of the country will be more conditions for financial conditions to or less the same. The inevitable result would be inflation. That is one thing which the Government should be very careful to guard against. It should be the first object of the Government to see that there is no undue rise in prices. There is naturally a tendency for prices to go up in war conditions, for financial conditions to give a push to prices upwards but if Government measures also help that it will be bad for the country and the economy of the country.

I do not like to go into the merits and demerits of inflation or of deficit financing. It is an old thing and the House and the country are quite aware of it. But I would say that the natural tendency for inflation or higher prices should, to a certain extent, be checked by curbing the purchasing power of the people, at least of the higher income group and that could have been done by putting taxes on the people. That should have been one of the methods for keeping prices within certain limits.

The Government could also attempt some vigorous campaign for small savings. That is also going on in a more or less routine way. I do not know whether the Government can think of having some compulsory saving. My hon. friend who preceded me suggested that there should be a cut in the salary of the higher income groups. That was imposed during the last world war also. I do not know what the difficulty of the Government is in imposing a cut on persons with high incomes in the Government departments; most of the business houses then would also cooperate with the Government in enforcing it.

People will be earning more because of the war expenses. There will be more expenditure, more purchases by the Government and by the public and so there will be more profits. What is the difficulty new in saying that a portion of the profit must be saved, must not be allowed to be spent in consumption. A sort of compulsory saving scheme should also have been introduced by now.

In the debate on the two resolutions moved by the Prime Minister, myself and some other friends from that side like Shri Kamath, suggested the scrapping of prohibition, and also the introduction of some small duty on salt. I have been in the Congress from the very beginning of the non-co-operation movement. These things were almost a creed to us. But I think times have changed now; and we can also adjust our ideas and ideologies according to the changed situation not only for this emergency, but for other times as well. Not only a big amount of revenue is lost in States where prohibition is in force but extra expenditure is incurred to put down the bootleggers. This has become a sort of a social menace and a number of years more. The luxury the social order has been jeopardised to a certain extent by the introduction of prohibition. There is some re-thinking and at this opportunity we

should keep aside our ideological niceties. We should take courage to scrap pro-scrap prohibition and get the revenue out of it.

I do not suggest that we allow people to go on drinking merrily. That is being done in bigger, higher, official circles, practically in all the big clubs and hotels. Government should rather check these things. There may be something to regulate and control these things. It has come to our notice in another connection that in colliery areas there are a great deal of liquor shops. We should try to keep some days of the week as dry days in those areas but most of the States have not complied with such a request when it was made. I do not like that the coalmine labourers should be allowed to drink merrily. There should be some control. But the general policy of prohibition should be scrapped.

As for salt, the abolition of salt duty has hardly benefited the poor consumer. If you look into the price structure, there is a big variation. If it sells in Gujarat or Maharashtra at 5 or 6 nP. per seer, in Assam and Manipur it sells at five or six annas per seer and not all this difference is due to the transport expenses. Most of it goes into the pocket of the profiteers. What is the harm then, if we put a small tax on salt and try to sell it all over the country at the same price. It is the barest necessity for every individual and it should be obtained at a reasonable price all over the country, so that people may not buy it at profiteering prices.

Any war creates a situation where the profiteers make bigger profits. There has been no indication, I am sorry to say, in these supplementary demands about any measure to check that. This Budget should have been presented with some remarks about some policy declaration of the Government about financing the war. They have just presented it as an ordinary supplementary budget. What

is the idea of the Government? How will they finance this war? It is not likely to be a small affair of just four months or one year; it may continue for some years. We should make preparations on that basis. It may continue for some years. The country would require total mobilisation of its resources. We send our soldiers to the front. They should be properly equipped. They make the highest sacrifice. People of the country should also share their sacrifice in their respective fields. The only sacrifice that we can do is to curtail our consumption, increase our production and get ready to pay more tax and contributions. Contributions have been coming splendidly but it is not possible for any Government to conduct or finance a war with these contributions. The total may be about Rs. 15 or Rs. 20 crores. I do not like to deprecate this. I appreciate the enthusiasm of the people who are making these contributions and most of them are coming from ordinary men not all from big men. But we realise that we cannot finance the war with these contributions. War requires the total endeavour of the Government, mobilisation of the financial resources of every man in the country, not only the rich but also the poor. We require the imposition of taxes and the declaration of the policy regarding the financing of the war and economy in administration. With these words, I support these demands.

Shri U. M. Trivedi (Mandsaur): Mr. Deputy Speaker, eight years ago when Mr. Guha was Minister of State he was not willing to accept the proposition about taxing salt. Today things have changed. We must be practical in our outlook. Whatever sentiments we may possess about the slaughter of cows, necessity has led us to this position that slaughter of cows is going on with all the protests coming from various parts of the country and from various people....

An Hon. Member: What has slaughter of cows to do with Defence?

Shri U. M. Trivedi: My hon. friend may hear me for a while. Prohibition is not as sacrosanct as cow slaughter. We have indulged in this for long and it has deprived us of the revenue and the Centre has also to contribute half of the losses incurred. Apart from that a very recent demands has been made that for enforcement expenses, Centre should pay. Some figures were given some time back of about Rs. 4 lakhs or so in answer to a question regarding enforcement expenses in U.P. But the enforcement expenditure of U.P. was Rs. 4 crores. Such a heavy expenditure is being incurred in the various States where enforcement is being carried on and the loss of revenue is very great. Should we not reorientate our policy about this bogey of prohibition? Let us admit that we have miserably failed. It is no doubt a good thing. But it has failed. In Bombay, in the old days you could get these things at a particular place only but now you can get them anywhere and everywhere. They are available at exorbitant prices and these bootleggers do not pay any income tax on their lakhs of rupees. It is not useful to the country. This aspect of the question must be very well considered in these war days and in these days when we are considering the need for economy and sacrifice on our part. The Government has not come forward with any indication of the policy of the war measures on the financial side which they will adopt, and the supplementary demands have been just ushered in in the ordinary routine manner. There is absolutely no indication as to how the prices are being controlled, what economic policy will be further followed and what consequences are likely to arise.

When I was reading these supplementary demands for grants, it appeared to me that probably the grants were formulated before the 20th October, 1962 before the emergency set upon us. Our Vice-President used to have a car from other sources. I do not know why this moment has been

chosen to provide him with a staff car; although the expenditure is not much, I do not know why at this juncture this thing has been formulated. While he could carry on without this car for ten years, I think he could carry on further, without this car, for a number of years more the luxury of these jeeps and staff cars allowed to the various departments has increased out of bounds for the last so many years and it is on the increase. You must put a stop to this. Every little thing which can save fuel which can save this expenditure of money, and which can show the real austerity and the sincerity behind our objective of driving out the aggressor must be clearly displayed in all our measures, whether they be in this House or outside the House. It is, therefore, my suggestion that all unnecessary expenditure must be immediately cut down. There is no indication of that. Rs. 75 crores is the only amount, in addition to the sum of Rs. 8 crores for atomic energy, I think, that has been demanded for meeting the expenditure in respect of the defence forces. We have just started digging the well when the house has caught fire! We had absolutely no arrangements made for increasing our air force, and now we are thinking of doing it. Even without these supplementary demands, the expenditure could have been incurred just as it had been incurred so often and even after incurring it it had taken years before the House has been apprised of it. I do not know why this method is adopted and the requirements of the country have not been met. We find ourselves in a most miserable position today: with all the man-power that we are setting up to meet the enemy's advance, we have to gallantly fall back day after day to the ridicule of the world and to our great-shame.

In these days, I do not think that there is any Member who would oppose the supplementary demands. They will be certainly granted, and will be voted whole-heartedly, but it will be the duty of the Government

to exert itself in such a manner as to indicate to the House that nothing slipshod will be done and that the purpose for which these supplementary demands have been made before the House will be carried out systematically, properly and sincerely and not for the purposes of putting down or throwing down this money into the well of corruption.

For example, Demand No. 56 is to meet an expenditure of Rs. 61,000 which is the compensation payable to the land-owners as assessed by the land acquisition authority and about which some suits were filed. It says:

"After careful consideration, it has been decided to file appeal in the High Court in one case."

All these things which have been indicated on the question of acquisition of land by the Home Ministry will surprise many of us. Why should this small sum of Rs. 61,000, which is 'charged', be included today in this demand? Although it is a very small amount, when an appeal is already being filed and a stay order has been obtained by the Government, why should it be charged today for making payment? Could not such payments be kept in abeyance? Other similar items are included in other demands in regard to expenditure which may be avoided. Why has it become necessary that all these demands must be immediately met, so far as the private individuals are concerned?

Other demands of course, do not exceed Rs. 4 crores and so there is not much to be said on that account. But, as suggested by other speakers who preceded me, so far as land revenue measures of the various States are concerned, the law must be so made either on the direction of the Central Government or by issuing a letter of instruction to the State Governments that if a soldier, a bread-earner, a tiller of the soil, who is a member of a joint Hindu family and upon whom depends the occupation or

utilisation of the land is on the front, till such time that he is on the front, he should be treated, for the purposes of the Land Revenue Act, as a person present in the village; he should not be treated as an absentee from the land and at the end of the hostilities, he should not be made to find that the possession of the land has gone from him. This had happened so often during the last ten years when thousands and thousands of young Rajput boys who had offered their services and who were actually on the front, because they happened to be merely Rajputs and as Rajputs they were irritated against the Congress party, were deprived of their right to hold the land with a vengeance with a vindictiveness. Here I would say that we are one in this cause and we are fighting as one man against this aggressor. So there should be no discrimination, be he a Rajput, a Jat, Sikh, Jain or a Baniya; to whatever caste he may belong, he should not be deprived of his right to hold the land when he returns after the hostilities.

On a previous occasion I had supported the payment of privy purses to the princes. Even now, on principle, would not like to stand in the way of their enjoying the benefit that has been bestowed on them under the Constitution. But when all our countrymen are agreeable to a life of austerity during these hostilities it would be in the fitness of things, it would be met and proper for them not to draw more than Rs. 1 lakhs per year as their privy purse. It will be a donation to the country and, indeed, their sacrifice or good deed in giving up their privileged position which they were enjoying so far would be no less than the sacrifice of those who had fought on the front to achieve freedom. Yet it is these people from whom a further sacrifice can be demanded, and I hope that this may go home to them.

With these words, I do support whole-heartedly the demands relating to the Ministry of Defence.

Shri D. C. Sharma (Gurdaspur): I think all members of the House are agreed that Demand Nos. 9, 11 and 114 should be voted unanimously because they deal with the Defence Ministry. But I want to ask one question: how far will these Rs. 95 crores of additional money carry us? How long will they be of use to us? I am not a military expert or strategist, but I have read some books on this subject and I find that the tempo of fighting has increased these days. Every newspaper tells us that waves after waves of Chinese soldiers are trying to overrun our country. I feel this is going to be a major conflict and as to how long it is going to last I cannot say anything. But it is going to be a big and major conflict, the tempo of which is increasing day by day. How long will this money last? I feel that the Government which knows much more about this war than I do, or anybody else does, then even the newspaper pundits do, should have taken a more comprehensive view of things and should have tried to build up the war machinery in terms of soldiers, equipment and everything in as big a way as possible.

It has been stated on the floor of the House that this money is required only for four months and we shall have to grant some more money in the next budget. That is true. But I feel that in a war a sense of urgency is a great asset. In war it is dangerous to wait upon event. In war the best thing is to prepare for something which may take place and not for something which is taking place. In war the 'would be' is much more important than 'what is'. Therefore, I think, our country should have asked for more so far as defence is concerned, so that we should have been able to fight the Chinese barbarians with as much vigour and effectiveness as we want.

Of course, defence is a secret thing and we do not know how this money will be spent. But I know that this money will be spent very wisely and

that it will be spent to the advantage and benefit of our country and of our nation. I know that. But I feel that we want a large scale effort in the manufacture of arms, a big effort in the manufacture of other things. Rs. 20 crores is not a small sum, but still when we think of the Chinese preparations and when we think of the Chinese strategy, you may think that this is not much. All the same, I welcome this sign, this note of emergency and urgency on the part of the Government.

It has been said that the Government should have told us how they are going to meet this. So far as I know about Rs. 5 crores have been collected from all over India. There may be a little more. (*Interruption*). I think, I can speak better for my own State than you. About Rs. 5 crores have been collected so far, so far as the public is concerned and, I think, my home State, Punjab, has given Rs. 2,70,00,000.

An Hon. Member: It has appeared in the papers as Rs. 87 lakhs.

Shri D. C. Sharma: Instead of telling me that it has appeared in the papers you should tell your States that they should also come forward. They are trying to correct my figures instead of emulating what is being done in the Punjab. It is a strange thing which these hon. friends of mine are doing.

I was submitting respectfully that about Rs. 5 crores or a little more than that have been collected from all over India. That is a token of the great interest which our people are taking in the war effort. There is no doubt about it. But you cannot wage war with the help of Rs. 5 crores or Rs. 50 crores. You cannot wage war with public donations. It is not after all a philanthropic organisation. Therefore, the money has to come from the nation and I would suggest only two things in order to get more money from the public.

I have been going round my constituency during the last four days and I have come to one conclusion which is this. I tell you of one place where the cripples went to the Deputy Commissioner and gave him Rs. 44 out of their beggarly collections—the cripples, people who cannot walk. The salaried classes are also doing their bit and the most enthusiastic persons are those whom we call the lowly and the humble. They have shown much more interest in this war than those persons who belong to other income groups. But I am very sorry to say that the people whose incomes are large, people who show conspicuous consumption, people who belong to the upper income brackets, are not showing as much interest in this war effort as they should do. The poor

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agriculturists, poor shopkeepers, school teachers, clerks, peons, orderlies, beggars, all these persons are coming forward to meet this challenge with the utmost generosity. But the people who, I think, are going to make a lot of money out of this war,—they will make money out of anything, even out of this war—have not proved their mettle in coming forward with donations. This is a very sad thing to which I refer. I would say that we should get as much from them as possible. Excess profits tax and other things can be imposed upon them so that they are not found wanting so far as this war effort is concerned. There is no doubt about that.

At the same time, it should be regarded as a religious duty—we can use religion in this context—to buy Defence gold bonds and Defence certificates. Formerly, for these Bonds and Certificates, the Government used to have a machinery. We should do away with that machinery. Every citizen of India should come forward to buy these gold bonds and Defence certificates.

More than this, we should do away with the frills of planning. There are

certain things which are essential for our socio-economic planning. There is no doubt about that. We should hold fast to that as we stick to something which is very vital for us. There are so many other things. I do not want to refer to these things. Because, the other day when I referred to one thing, I got into trouble. I do not mind getting into trouble. I am always in trouble. The difficulty is this. There should be a Cabinet Committee for this. The Cabinet has Organisation and Methods Division to short-circuit procedure and to bring about more efficiency. There should be a Committee of that kind in order to see which items of planning are essential and which are not essential. Of course, we should go ahead with the plan. I would say that this thing should be seen to so that planning does not suffer in its essentials, but we can economise so far as non-essentials are concerned.

I am also happy that our Government of India is taking over the Travancore Rare Earths Ltd. Formerly it was owned jointly by the Government of India and the Government of Kerala. Now, I find that the Government of India alone is taking it over and the Department of Atomic Energy is going to run it. I think this kind of dual control was not very helpful. Moreover, the Department of Atomic Energy requires this material very much for its needs. So, I think this is a step taken in the right direction. I hope the Indian Rare Earths Ltd. will give a better account now when it has escaped from the duality of control, than it was doing before.

In the end, I again support the Demands for Defence and I think every Member of this House will support them.

Mr. Deputy-Speaker: Mr. Kamath. Your cut motions 29 and 31 are out of order. You can speak on them.

Shri Hari Vishnu Kamath: I will speak on them.

[Shri Hari Vishnu Kamath]

Mr. Deputy-Speaker, under the lengthening shadow of the national humiliation, temporary though it be, brought on.....

Shri D. C. Sharma: I object to the word humiliation.

Shri Hari Vishnu Kamath: I still stick to it.

Shri D. C. Sharma: It is strange that an Indian Member of the Lok Sabha should use this word humiliation.

Shri Hari Vishnu Kamath: I repeat it. Under the lengthening shadow of national humiliation, temporary though it be

Shri D. C. Sharma: I do not think that any Member of Parliament should use the word 'humiliation'.

Shri Hari Vishnu Kamath:... brought on by the disastrous reverses of our Armed Forces on the Himalayan frontier which in its turn, was, in the words of our President, the President of India, the result of credulity and negligence in the past, the House is discussing the Demands for Supplementary Grants totalling nearly Rs. 100 crores, out of which, in the fitness of things, Rs. 95 crores have been asked for under the head of Defence Armed Forces and capital outlay thereon. The House will be only too willing to grant these Demands, of course, on the definite understanding or condition that Government lay before the House, without any reserve, without any mental reservation what their policy is, what their ways and means of prosecuting the war are in the coming years.

The Prime Minister has already warned the House and warned the nation that the war against communist China may drag on for years; it is not a matter of a few months only, and, therefore, the House is entitled to know on this occasion, when we are being asked to vote for a hundred crores or more, what exactly Govern-

ment plan to do in the coming years, and how they plan to raise the resources for prosecuting the war vigorously and expeditiously.

I have got cut motions Nos.....

Mr. Deputy-Speaker: The cut motions are all taken as moved. The hon. Member can go on with his speech.

Shri Hari Vishnu Kamath: I shall take up at the outset the first three cut motions and dispose of them very briefly, because the subject of the others is rather important and I would dwell upon them at greater length.

The first of these cut motions relates to the need for enlisting the services of the former Azad Hind Fauj, the former INA personnel of Netaji Subhas Chandra Bose. They were very well trained particularly in guerilla warfare during the years 1943-45, and I would submit that Government, unless they are affected by Myopia, should take advantage of this opportunity to enlist the services of about, I am told, 20,000 such personnel who are scattered all over the country, that is ex-INA personnel. Out of them, some may be overaged, but even their services can be utilised for training younger people, particularly in the art and science of guerilla warfare, besides the actual warfare at the front.

Now, I come to the subject relating to the next cut motion, and that is about the National Defence Council. It is very well that the National Defence Council has been constituted. But I am anxious, as, no doubt, you are anxious, and the entire House is anxious, that the National Defence Council should in no way erode the functions and powers of Parliament, should in no way seek to supplant or arrogate to itself the powers and functions of Parliament. Especially, if we want to promote parliamentary democracy, in this emergency if we want to see that parliamentary democracy does not come to an end, since all of

us, including you, Sir, are anxious that we should have parliamentary democracy, then we should see to it that parliamentary democracy flourishes and finally conquers communism; then we should see that the National Defence Council does not supplant or arrogate to itself the powers and functions of Parliament. The National Defence Council is good in its own way. But I would appeal to my hon. colleagues, and to the Minister on behalf of the Government, to see to it that Parliament's functions are in no way watered down or whittled down.

My concern was aroused because of a brief report in one of the papers, about the constitution and powers of the National Defence Council. One of its functions is:

"To take stock of the situation and arrangements for national defence . . .".

I need not read out the entire thing, because I am racing against time.

As I said the other day, and as I have been saying it day after day, Parliament is entitled to know from Government what the war situation is on a particular date. What is being done by Government to meet the situation as it arises, whether the situation is bettering or worsening from day to day, and so on, and Parliament should be asked to advise Government as regards the war efforts and the prosecution of the war. The National Defence Council can function in a different capacity and in a useful manner—I have no doubt about it. But I will enter a caveat, a word of caution, to my hon. colleagues and to Government to see that Parliament's functions are not usurped, not arrogated, not whittled down in any manner, by either the National Defence Council or by any other committee that may be constituted by Government in the country. Parliament must be assured the supreme place in this emergency.

I will now turn to another cut motion, No. 3, which relates to the strength of the Air Force. The Prime Minister is reported to have told the Consultative Committee of Parliament, and perhaps the Congress Party Executive also, that the Soviet Government is willing and is probably prepared to—he was confident that it would—honour its commitment with regard to the supply of the MIG 21 jet fighters. But unfortunately the very day after the Prime Minister made this statement, there was a London report—I am reading from one of the well-known papers of India, the *Times of India*—attributed to Soviet Embassy officials in New Delhi not anywhere else, who denied the claim of the Prime Minister that the Soviet Government would honour its commitment. The House and the country are entitled to know where it stands with regard to this deal or transaction. I might here appeal to you for protection, for protection of the powers of the House. The Minister concerned, the Finance Minister or any other Minister, may say that he has got no information. I would request you to kindly direct the Minister concerned or the Prime Minister to tell the House what the position is, because in this particular matter, there are other consequences that might arise from it.

As I said earlier, the Defence Minister-designate, whom we will have the pleasure of welcoming here in a day or two, is reported to have said two days ago—last week—that he believes Russia will not help India. Whatever it is, I hope Russia does fulfil the hope of the Prime Minister and many of us here and does help and honour its commitment with regard to the MIG deal. But I would like to know, when a reply is forthcoming from one of the Ministers or from the Prime Minister himself, what exactly the position is, whether Russia has finally assured Government that it will honour this commitment to the Government and to the country.

Now, I come to the last two subjects, one with regard to prohibition

[Shri Hari Vishnu Kamath]

and the other with regard to reorganisation of the Council of Ministers. On this occasion of a grave national emergency, when we are hard put to it to find money for helping the jawans in fighting—that should be our supreme consideration—I am glad that I have received support not merely from my hon. friends on this side but also from my hon. friends opposite with regard to scrapping of this farce of a prohibition policy. I do not want that our country, our army, should be sacrificed at the alter of a fetish, at the alter of a fad; I do not want that it should be crucified on the cross or the shibboleth of prohibition. What have you got as a consequence of prohibition? I am sorry to use strong words, but they describe it aptly, that all that we have got, besides loss of revenue—to which I am going to come later on—is degradation of public life, corruption of administration and hypocrisy, cant and humbug. That is what we have got in consequence of prohibition. I am sure my hon. friend, now that he is no longer a Minister, will support me wholeheartedly in this matter. Here I have got some facts and figures with regard to this fad and farce of a prohibition.

If it had worked well, certainly we might have considered the matter and asked the Government to have a longer lease of prohibition, but when it has failed, when every committee appointed by any State Government has reported that it has been a failure, to stand on false prestige at this moment of grave national emergency and say that prohibition has been a success is, I have no compunction and no hesitation in saying, with due deference to such person's judgment, gravely damaging, even sabotaging, the national war effort for the jawans, for our army.

Here are the facts. There was a question asked in August by a number of hon. Members, including myself, about the cost of enforcement of prohibition—not the loss of revenue.

The figures were given for six States only. It is more than Rs. 6 crores. I tried my best to get figures from the Library, Research and Reference section, regarding the loss from excise revenue and all that. The Library, unfortunately, has not been able to give me exact figures, but one of our leading newspapers, *The Indian Express*, has estimated the loss of revenue as about Rs. 300 crores.

The Minister of Transport and Communications (Shri Jagjivan Ram): Fantastic.

Shri Hari Vishnu Kamath: I leave it to the Government to correct it if it is wrong.

In the State from which you, Mr. Deputy-Speaker, hail, Mysore, not that I am narrow-minded in any sense, the Chief Minister the other day made a statement in the Assembly stating that the prohibition offences have been mounting from year to year. I do not want to give the figures, but they run into thousands, tens of thousands per year.

Anybody who has been to Bombay knows as my hon. friend Shri Trivedi said, how easy it is to get a bottle of whisky or brandy or whatever you like, provided you have the know-how of getting it.

It is therefore that I said earlier that I have no compunction in saying that it has led only to hypocrisy and cant and humbug, and at this moment I am sure that if this matter is left to the free vote of the House, to all parties and groups, I have no doubt in my mind that there will be near-unanimous vote with regard to the scrapping of prohibition.

Shri Sonavane: Question.

Shri Hari Vishnu Kamath: I said near-unanimous.

Shri Jagjivan Ram: It is a State subject.

Shri Hari Vishnu Kamath: I would even go to the length of saying that a

vote for the continuance of prohibition, to enforce what to my mind is mere pseudo morality, is a vote unfortunately, I will repeat the word unfortunately, tragically, for the butchery of our jawans in the frontier. I do not want to say any more on that subject.

Shri Sonavane: That is a very severe implication to be drawn by the hon. Member.

Shri Hari Vishnu Kamath: I will come to the last subject, that is the re-organisation of the council of ministers. There has been an insistent demand throughout the country voiced by the public and in the press that the Government should cut down on administrative and governmental expenditure; just as charity begins at home, they should begin with their own council of ministers at the Centre and in the States. I believe the size of the council of ministers here is 59, including parliamentary secretaries; not yet 60, it is only 59. I do not say that it necessary follows that a big cabinet cannot prosecute a war. What I am anxious about here is that Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries must be appointed solely on the basis of national necessity, not on party grounds nor on political grounds, but on individual merit. May I suggest in that connection that if in 1947, soon after Independence, the Prime Minister could go outside his party and invite Dr. Syama Prasad Mookerjee and Dr. Ambedkar to join his Cabinet, are we not faced with graver emergency today? Even non-party men, competent men should be invited to join the Cabinet and some of those friends in the Cabinet may usefully give place to those who are invited to join the Cabinet so that war may be prosecuted vigorously.

One word more and I have done, Sir. What I am asking for is, as I said, the reorganisation of the Council of Ministers and at this time of our national destiny and national emergency, no partisan considerations

should find a place with the Government in this supreme task of prosecuting the war. Paraphrasing a fine observation made by a British statesman, a great task and little minds go ill together, and unless Government brings to this great task a great mind dominated only by national considerations after a clean break with partisan considerations, until that is done, I for one am afraid that war cannot and will not be prosecuted with the vigour needed. In the end, therefore, while supporting the demands for grants, I seriously and earnestly request the Government, first, to consider seriously whether the policy of prohibition should be continued for the duration—I do not want it to be permanently scrapped, of the emergency and whether it should not be scrapped so that we can get Rs. 200 or Rs. 300 crores more for prosecuting the war; and secondly, they should seriously consider whether the Council of Ministers should not be reorganised in the manner I have suggested.

Shri Venkatasubbaiah (Adoni): Sir, I rise to support the demands for grants. We are in the midst of a grave crisis and a national emergency in which we are faced by the Chinese and today's news shows the worsening of the situation. But anyhow, under the bold leadership of the Prime Minister we are determined to fight out the war to the finish and drive out the Chinese. I regret to say that the way in which these Demands have been presented did not clearly reflect the seriousness or the emergency facing the country. Out of Rs. 100 crores sought to be provided for Rs. 95 crores is being spent on our Defence forces. If you see the sentiments that have been aroused, you will find that the country is in a mood to sacrifice everything to defend our motherland. When the Government is charged with this grave responsibility and the entire nation is behind the Prime Minister and the Government, no stone should be left unturned to channel the resources of our country and to stand up against this aggression. Great wars are fought not only on the frontier but on the home

[Shri Venkatasubbaiah]

front. We have to mobilise our economic and other resources when we have to spend hundreds and thousands of crores for our defence. Our Prime Minister has correctly said that apart from the struggle on our front, our economic, industrial and agricultural base has to be strengthened. Unless that is done, we will not be able to withstand the strain and stress that are being put upon the people to continue this war.

My hon. friend Shri Kamath has been suggesting one important thing regarding the scrapping of prohibition. I agree with some of the opinions expressed by Shri Kamath so far as the implementation of prohibition is concerned. In most of the States, for several years, prohibition has been in force, and as he said, nearly Rs. 6 crores are being spent for its implementation. Some of us feel that prohibition has not been so thoroughly successful as it should have been. There have been, however, several reasons for that. We must have failed and the voluntary organisations which were very enthusiastic about the implementation of prohibition must have failed in their duty apart from the duty of the Government in enforcing prohibition. But, now, at this stage, suppose the Government takes a decision to scrap prohibition does Shri Kamath expect that Rs. 300 crores is going to come to the coffers of the Government? I don't believe it because the conditions are such that even if prohibition is scrapped, there are several people—vested interests—in this country who have been making the best use of prohibition and they have become enormously rich by resorting to this illicit arrack. Suppose, tomorrow, the Government auctions all the toddy and arrack shops, can we think that we can get so much of revenue as Shri Kamath envisaged?

16.27 hrs.

[SHRI MULCHAND DUBE in the Chair.]

I do not think so. It would not fetch any revenue. Now, because everywhere

there are illicit distillers, when the man who gets after auction on behalf of the Government will not come forward, and the effort to get revenue will be thwarted and spoiled at every stage. So, we should not be of the impression that we could get so much of revenue. We should not give up the policy of prohibition. If it can be abandoned at a later stage, it can be slowly done on a phased basis, but not at this moment. Stopping or scrapping of prohibition will not only not bring any revenue to the Government but will upset the social values and the social equilibrium that have been maintained in this country. So on that point, I do not agree with my hon. friend Shri Kamath.

Another point that I would stress is, unless the Government comes forward to tax people and also to devise ways and means as to bring revenues, it will not be possible, and this may lead this country to inflation. We have seen after the last war how several countries which had participated in the war—Germany and other countries—had suffered from inflation and how inflation had worked on the economy and the calibre of those people. So, from this time onwards, the Government should take sufficient care to see that we get sufficient revenue and reimburse our national war effort.

The first thing that I would suggest is regarding the privy purses. Patriotic princes have voluntarily come forward to cut their privy purses and give the amount to the Government. But I would say that the Government should come forward to say to the princes that there will be 50 per cent cut on the privy purses of princely families, with a view to get a considerable income to our coffers.

I would also suggest one more thing. The Nizam of Hyderabad—the State from which I come—is considered to be one of the richest people in the world. He may be tackled properly

and he must be persuaded to invest his amounts in gold or defence bonds. He is supposed to have amassed enormous gold and is considered to be one of the richest people. Such men, and some of the industrialists and some of the zamindars who have hoarded money, should also be tackled properly, and if that is not possible, legislation can be brought in this House to impose certain taxes on such people so as to get revenue to the State.

Regarding small savings, as my friend has pointed out, small savings should be enforced with redoubled vigour and every effort should be made not only by the Government, but also by the non-official organisations to push through the schemes, because the mood and temper of the country today are very much in accordance with this drive and the Government should make the best of this opportunity to mobilise the resources of the country to strengthen our war efforts.

Most of the amounts have been locked up in cooperative institutions under common good funds and dividends. If necessary Government should bring in legislation that during the emergency period the common good funds and dividends that are to be given to the members should be appropriated to some extent to the Government coffers.

With these few observations, I wholeheartedly support these demands and I am confident that we will fight the war to the finish.

Shri Ranga (Chittoor): I am very much in agreement with most of the suggestions made by my hon. friends, the leader of the Jan Sangh and the Deputy Leader of the PSP. We have ourselves from our party given notice of three very important cut motions suggesting that there is need for special additional allowances of Rs 30 per month for jawans employed in the military operations on the frontiers and an additional gratuity of Rs. 1,000 for all those who meet with death in tactical military operations, we have sug-

gested these amounts at random; if the Government are willing to give more, we would be only too glad.

Shri S. M. Banerjee: Normally they get more than Rs. 1,000.

Shri Ranga: This is in addition to what they will get normally.

Secondly, there is need for increase in gratuity for the pilots and other officers associated with them on the ground and in the air while in military action against the Chinese aggression by Rs. 5,000 and for the jawans by Rs. 1,000.

I am extremely anxious that Government should give serious consideration to the suggestions and try their best not only to accept them, but also to implement them, so that we could have some feeling of satisfaction that we are not remiss to the special needs of all these brave men who are not only risking their lives, but are actually laying down their lives one after the other by thousands as it were, trying to safeguard the liberty and freedom of our people. It does not need much argument to justify these demands which we are making. Government can possibly raise two objections, namely paucity of funds and discrimination against others. Regarding discrimination, I would suggest that we have made it very clear that we want to give these special allowance for all those jawans and officers who are today actually engaged in national defence and the war associated with it. Therefore, there is no such thing as discrimination. So, that complaint ought not to be raised.

Then there is the question of paucity of funds. It is there that the suggestion made by our friends for the abolition or suspension of prohibition becomes very relevant. One of our friends was asking "Suppose you abolish prohibition immediately; would it be possible to get all this money?". You may not be able to get all that money, but it would certainly be pulling in and by the end of the year at least half of what is estimated to have been lost by us by the introduction of prohibition can certainly be realised

[Shri Ranga]

and even that would be a very big contribution indeed in this direction.

In addition to that, the abolition of prohibition will certainly raise the morale of the people, the moral standards of our officers as well as the people concerned, and it will rid our society of the new incubus that has come to play mischief with our social standards and moral levels. Therefore, I do not think I need have to stress very much more to urge Government to give fresh consideration to this matter.

I had been as much keen on the introduction of prohibition as my friends on the other side in the Congress party. I have also been guilty of having contributed my share in bringing about this demoralisation in our social standards as a result of the introduction of prohibition. By all standards and from all quarters it is admitted that it has been a failure. It has also been admitted that a new cottage industry has come into being. It is also admitted that officers who are entrusted with the enforcement of the so-called prohibition are the worst possible offenders themselves and they are making huge profits. In a sort of way all those people who are appointed as prohibition enforcement officers consider themselves as extremely fortunate because without any difficulty they are able to make huge profits. Therefore, we would be doing a very good service indeed to ourselves by scrapping prohibition. I am sure, if Mahatma Gandhi were alive today, he would be the first person to say "scrap this thing, because it has become an evil". Therefore, we would be doing a great service to ourselves if the ruling party and others agree, if not for the abolition, at least for the suspension of prohibition during the pendency of the emergency.

Then, I find we are still unprepared to face our responsibilities in regard to the present war. I was told on good authority—nevertheless, I speak subject to correction—that some

friends from abroad connected with other Governments, friendly governments, were asking for details as to what kind of support we needed from them, and some of their representatives were also here and they were waiting for the convenience of our government. It was told that in the first instance they had to wait for fifteen days before they could possibly get any kind of detailed assessment of our needs and the kind and magnitude of the help that we needed in different aspects of defence equipment. Even now it is not yet quite clear to them, as press reports go, as to how many aeroplanes we want, what type of aeroplanes, when, from which country and so on. It appeared in the newspapers that America was asked to send aeroplanes, the American Government agreed to it but afterwards when our representatives were asked by the American authorities as to the details of the type we require, our representatives told them that they were awaiting advice from India with the result that they did not get it. We do not know how many aeroplanes are being supplied—we need not be told about it, but we would like to be assured that our Government are first of all alive to our needs and our Government have got sufficient number of experts to advise them in this particular regard.

There are very many rumours afloat, the truth of which we do not know, but we feel very apprehensive about the possible unpreparedness of our Government to assess their own needs in great detail and then decide how much of these needs can be satisfied by whatever we have today in our possession, whatever we can possibly get repaired or rehabilitated and then put into action, and how much more we need and from which countries we could possibly get them conveniently and readily.

We have no idea whether it would be advisable or necessary for us to invite experts from some friendly countries to come over to us and co-operate with our own experts in assessing our needs

and in deciding to what extent and in what manner we can possibly ask for assistance from different countries; and what are those countries and so on. Would it be too harmful to us—I would like the Government to examine this very carefully—to invite these experts from abroad? Would it not be, on the other hand, advantageous to us to invite these experts and welcome their co-operation and ask our own experts to work in co-operation with those expert; and then assess our needs? All these things have got to be considered very carefully at the highest possible level and not merely by the Defence Minister or by the Foreign Affairs Minister but by whosoever is placed in charge of the whole defence responsibility of India. All those Ministers will have to sit together in a conference with our experts and then decide about these matters. I would like to be assured what Government are now trying to do in this direction what they achieved till now and what they propose to do in the near future.

This matter does not brook any delay. Only this morning we heard the melancholy news. It was a big loss indeed for us. With very great difficulty and after making so many sacrifices we were able to build that air-strip at that great altitude. We have lost it. What would be the military significance of it? That is not for me to assess. It is for the Defence Ministry as well as the Government as a whole to do. Whatever advantages we thought we would be gaining by constructing it and keeping it ready. I am sure, the enemy would be able to get very much more advantage because it is better equipped and better prepared. Their armies have already come into our land in such huge numbers and with such heavy equipment. Now that they have got this air-strip in their possession. We do not know how much more they will be able to bring in the very near future, possibly in the next few days.

Under these circumstances would it not be wise on the part of the Govern-

ment to think in terms of obtaining support from abroad on a massive scale? You cannot possibly have this kind of a massive support from other countries unless you make up your own mind in regard to your own political attitude. It is in that connection that so many of us have been repeatedly demanding that the Government must make up its mind as to whom it wishes to invite as friends and on whom it is going to depend primarily. It is no good going on dreaming of some kind of support that might possibly come or materialise either from Soviet Russia or from any of her satellite countries in Europe. We have waited long enough and it is time now that the Government make up its own mind. We have said so much in the other debate that I do not think it is necessary for me to say anything more in regard to this matter and to bring to the notice of the Government the urgency of this particular situation.

Then there is a question of the Cabinet. It is a vexed question. If we suggest, as many people have been suggesting that there should be a national government, the question arises whether it should include representatives of the Communist Party. I am opposed to that. There also, the Government has to make up its mind in regard to its attitude towards the Communist party. It is high time for my hon. friend the Prime Minister to revise his own views. He has expressed his views the other day. I did not wish to interrupt him while he was speaking. I am clear in my mind and I am sure a large number of people belonging to various other political parties, excluding the Communist party also are clear in their own mind that in this national crisis, we cannot very well depend upon the Communists to play a patriotic role as we can expect from the other political parties. My hon. friend the Prime Minister is not prepared to make up his mind.

One thing at least he must be prepared to agree, that you cannot possibly have a place in any National Gov-

[Shri Ranga]

ernment for the Communists in this country. We have heard so many horrible things happening in Assam and also in Bengal. Of course, my hon. friends the Communists would disclaim all responsibility. But, my fear is, knowing as we do about the activities, intrigues, schemes, machinations and plans of the Communists not only in this country, but all over the world, it is not impossible—I do not accuse my friends here and now; it is not impossible I say—for the Communists to play the game of being patriots on the one side loyal to their resolution which they are supposed to have passed and for another group to disagree with it—the minority group to play the role of international communists and the majority group to play the role of patriotic communists, both of them going in the same way, hoping for the same results in the end.

In these circumstances, the only thing one can suggest is a coalition Government. How can we think of suggesting a Coalition Government standing as we do from the Opposition? We are not over-anxious to share responsibility with the present Government unless and until the Government itself, unless and until the ruling party, their own Prime Minister make up their mind that it is time for them to invite the co-operation of all non-Communist parties in order to fight the Chinese. Therefore, I dismiss that consideration also.

Then, I come to the third consideration, that is not only about the size of the Cabinet, but also the quality of the Cabinet, content of the Cabinet. I can say that they themselves have confessed by having to go out of the House and beg a Chief Minister from one of the States, to come over here as God coming down from Heavens, to be the Defence Minister,—they have confessed that out of the 62 Knights Templars, they do not have one other man apart from Shri Krishna Menon in whom the Prime Minister has

enough confidence to call upon him to be the Defence Minister. I am sure, it cannot be said by the Prime Minister himself that the gentleman who has been fortunate enough to be called here as Defence Minister has some special qualifications to be the Defence Minister which are not possessed by his other colleagues. There was a time when an old man Dr. Katju was good enough to be the Defence Minister. The late Shri Gopalaswami Ayyangar was considered to be good enough to be the Defence Minister. The Prime Minister considered himself to be good enough to be the Defence Minister.

Shri Shivaji Rao S. Deshmukh: You remember Professor, these are peacetime leaders.

Shri Ranga: Unfortunately, I do not happen to come from Sahyadri. Therefore I am not obliged to play to the gallery of Sahyadri.

Shri Sonavane: The co-operation of the hon. Member would not be forthcoming unless he is taken in the Cabinet. *(Interruption).*

Mr. Chairman: Order, order.

Shri Ranga: Therefore, I am coming to this conclusion. I have shown to the House that through their own failure, it is clear that they do not rate very high their own abilities to provide the necessary leadership for the defence of this country at this stage from the Cabinet's end. My hon. friend Shri Kamath has suggested that a smaller Cabinet would do. He has also suggested that there should be a Defence Committee or Council, smaller in size than what has been constituted. I do not wish to say anything about it because they are matters especially within the realm of power and the exercise of power by the present Government.

Mr. Chairman: The hon. Member should try to conclude now.

Shri Ranga: I am speaking for my group, and, there is no need for you to

remind me to conclude. I know when to start and when to stop, and I am going to stop very shortly too.

Mr. Chairman: The hon. Member began at 4-30 P.M. How much more time does he want?

Shri Ranga: I am going to conclude very shortly. I do not wish to take even one minute more than what is necessary.

As I was saying, the Defence Council is their own look-out. It is our duty here to judge them by their achievements. As for their achievements, a part of their achievements was detailed this morning by the Prime Minister. So, by every count, this Ministry stands self-condemned. It was not because we did not agree with the idea of moving a vote of censure that we did not support our friends of the Socialist Group when they sought leave for a vote of censure, but it is our duty to say quite frankly and boldly that this Cabinet has lost the confidence of the Opposition. They have even gone beyond the limit of tolerance on the part of the Opposition. That is all that I can say, because, after all the Cabinet has got to have its own majority, and they have got 370 of them and they are in such overwhelming numbers that the moment they raise their voices, we are all completely silenced here in this House. Should they not take a leaf from the experience of Great Britain? They refuse to do so. They just want to hug one another and warm themselves, as our jawans are not able to do. But, however much they may warm themselves, a time will come when they have got to try and present a better Cabinet smaller and a more powerful cabinet a Cabinet that will inspire confidence in the country, and what is more, evoke toleration and co-operation from the Opposition. As things are today, it is time that this Cabinet comes to be reconstituted as soon as possible.

In conclusion, I would only say one thing. Is not the Prime Ministership

a big enough responsibility? Does it not call for almost a superman today? Is it right that this country should be blessed with a leader who is not satisfied and who thinks so low or so small about the responsibilities of Prime-Ministership that he must continue to load himself and burden himself as he has been doing over all these years with the various other responsibilities that he has been burdened with? Is it proper? Are they doing their duty towards the country as well as they could possibly be expected to do? Therefore, I sincerely hope that the Prime Minister will soon come to a conclusion that he should divest himself of all other responsibilities and begin to play the role of Prime Minister, as hundred per cent Prime Minister, as an effective and dynamic Prime Minister giving the lead and providing the leadership that this country has got a right to expect from its Prime Minister.

Shri Harish Chandra Mathur (Jalore): I must compliment my hon. friend Shri Ranga on his extraordinary ability and capacity to distort and twist facts and present them in his own way. He was just saying that since we had to import a Defence Minister it meant that the Prime Minister had no confidence in his present colleagues. I think that he should have gone a little further and said that he had no confidence not only in the 62 friends but in the 370 Congressmen here. I think that he could have taken his argument to that length. May I know if he would agree with me that when we asked Shri C. Subramaniam to join here as the Minister of Steel and Heavy Industries, the same was the reason, because there was nobody here and we wanted to import somebody from Madras?

An Hon. Member: He was reluctant.

Shri Harish Chandra Mathur: I wish my hon. friend Shri Ranga to understand that there are various considerations. Most particularly, in

[Shri Harish Chandra Mathur]

a matter of emergency like this, I do not think that it behoves a man of his stature in public life to exploit a situation like this and present a picture in that form.

He also made a brief mention about the Prime Minister. I think he will understand me properly when I advance certain argument. I think he will understand much better when I quote the Prime Minister of U.K. when he analysed the causes of this big conflict between China and this country. The first cause he mentioned was that China was feeling envious of the great reputation which the Prime Minister of this great country has built up in the international field. I wish any hon. friend to understand that it is not the bigness of an individual, it is not the bigness of this Government, it is the bigness of this country, a bigness of which he should be equally proud as I am or anybody sitting in this House. So at least in a time of emergency, let us cast aside these petty considerations and see things in their proper perspective.

Shri Vasudevan Nair (Ambalapuzha): Why don't they take the Swatantra Party into the Cabinet?

Shri Harish Chandra Mathur: I have a great affiliation with my hon. and esteemed friend, Shri Ranga. We were together for four years in the Rajya Sabha and now we have been here for quite a long time.

Now, I would like to devote myself exclusively to these Supplementary Demands before us. These Demands have assumed a special importance because they make a special provision to meet this emergency. There is provision for our defence need in this respect. Otherwise, we pass these supplementary demands without much discussion. I am happy that the entire House has rivetted its attention on this particular crucial demand to meet the emergency. But I am afraid that I do not find that spirit of emer-

gency, that business like attitude, in the Demands as they have been presented and have been discussed. I think everyone in this House will bear me out when I say that when the Finance Minister represents his annual budget here, the whole House is full and all the galleries are full. And what does he come out with? He just comes every year with a certain amount of fresh taxation amounting to Rs. 50—80 crores. Last time, we had about Rs. 70 crores. The country had expected that it would be about Rs. 40—50 crores. But for that there is so much awareness and consciousness and everybody thinks so much about those proposals.

Here now we have before us these Supplementary Demands totaling about Rs. 95 crores, and they are to last us only for four months. Working on this base, we need another Rs. 300 crores extra. I do not know on what promises these estimates have been based. I wish the hon. Finance Minister had taken good care of the mood and temper of the country at the present moment and presented, as a matter of fact, a supplementary budget to meet the defence liabilities of this country. At this time, he should have taken this House into confidence. In this emergency, everybody is in a proper frame of mind, in a proper mood to come forward and do anything needed for meeting the emergency. We would need not less than Rs. 300—400 crores—it is obvious to me—to meet the emergency we have to face.

If we have to face this emergency and when they present these Demands, I think we must take it for granted that it is not by putting certain paper currency into circulation that he wants to meet these Demands. I do not think it is only by drawing treasury bills that he wants to meet these demands. He should have taken this House into confidence, and we must have heard simultaneously how he is

going to meet the demands of our requirements for defence. He should have at the same time given a very good proof as to how the Government is going to gear itself up to bring about an amount of economy. There is a lot of room for economy. In all war times we had always taken certain strong measures to bring about certain economies, we had tried to inject a certain efficiency in the administration, we had tried to do so many things. While standing here, I would be prepared to make quite a few suggestions as to how we can bring about quite a large amount of economy, what other measures we can adopt to gear up and create a fresh climate in the country and make people understand and also take forward the enthusiasm which has already been generated.

It is obvious to all of us that this war is not going to be financed by these donations. So far as donations are concerned, we are deeply appreciative, and I am quite aware, and am one with my hon. friend Shri D. C. Sharma who said that at present the donations by far and large have been coming from the lower strata of society—I would not call them lower strata, they are rather the top strata because these are the people who have given a good account of their patriotism and come forward with all sorts of donations. When you accept a donation from a mercantile clerk who is giving you all his life savings, you must understand what a tremendous responsibility we are taking upon ourselves; we must also realise the tremendous responsibility we are accepting when we are taking the life earnings, the ornaments etc., from the lowly people who have through their sweat and toil earned a little and come forward quite readily and willingly to put them in the coffers of this Government to meet this emergency. While we deeply appreciate this, we must have a clear understanding of the entire situation, what it means if we are to

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raise even only Rs. 40 or Rs. 60 crores annually.

I have certain suggestions to make as to what we can do to meet this emergency and raise our revenues in the present tempo. I just enquired the other day to find out what the wage bill of organised industry and mining only in this country was. It is about Rs. 1,000 crores. That means, if they contribute only 10 per cent, it will come to Rs. 100 crores per annum. We have got a provision here in the emergency provisions by which we can ask for a certain percentage out of the salaries drawn by people. Most of the people are willing and coming forward to do that, but the Finance Minister must give it his first attention. There will be no objection, particularly because the people at the lower ladder are quite willing to give 10 per cent, and some of them are prepared to give even 15 per cent. If the people in the higher strata, higher level, are not in tune with that patriotic spirit, I care a tuppence for their feelings. We must put in 10 per cent for a particular income, and 15 per cent for the higher income which will give this country about Rs. 100 to Rs. 150 crores.

Shri Ranga: For the civil section.

Shri Harish Chandra Mathur: This does not include the government services. I was speaking of organised industry and mining. Then there are the commercial houses. If the wage-earner can contribute Rs. 100 crores, there is absolutely no justification, no reason why these profit-making big concerns should not be able to give twice what the wage-earner is giving as a matching grant. That is, they must be made to pay Rs. 200 crores per annum out of their profits.

You may ask how we can get Rs. 200 crores. I will give you an example. Instead of sales tax being realised by the State Governments, if the Centre takes over the organisation of the sales tax, and if there is no

[Shri Harish Chandra Mathur]

leakage and if it is realised at origin as a turnover tax, what will happen? The Chief Minister of Punjab the other day told in a public meeting that in Punjab alone the leakage of sales tax amounts to the tune of Rs. 2 crores per annum. Just consider what is the leakage all over the country? It means that without additional taxation of a single naya paisa, you can get about Rs. 39 crores additionally simply by taking over sales tax administration and making it foolproof. You will also earn the gratitude of lakhs of people who are being harassed by the small man who wants them to come to him and present his books and so on.

I will take another five or six minutes.

Mr. Chairman: He may continue tomorrow.

Cut motions nos. 1 to 6 and 15 to 20. by other hon. Members may also be moved by them subject to their being otherwise admissible.

Need to implement Raghuramaiah Committee Report for army personnel

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective Army be reduced by Rs. 100." (1)

Need to grant permanency to those civilian employees employed in lieu of army men

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective Army be reduced by Rs. 100." (2)

Need to expand the manufacturing capacity of the ordnance factories

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective Army be reduced by Rs. 100." (3)

Need for co-ordination of ordnance factories, army workshops and Technical Development Establishments to step up production

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective Army be reduced by Rs. 100." (4)

Urgent need to expand the M.E.S. Organisation

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective Army be reduced by Rs. 100." (5)

Need to expand the Border Road Organisation

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services-Effective-Army be reduced by Rs. 100." (6)

Immediate need to revive negotiating machinery at three levels in all defence establishments to maintain absolute industrial peace.

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective-Army be reduced by Rs. 100." (15)

Urgent need to use the army workshops for production purposes

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective-Army be reduced by Rs. 100." (16)

Need to put E.M.E. and station workshops under Controller General of Defence Production

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective-Army be reduced by Rs. 100." (17)

Immediate need to recall the technical experts who are able-bodied and utilise their services in Ordnance factories.

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective-Army be reduced by Rs. 100." (18)

Need to have three shifts in Ordnance factories

Shri S. M. Banerjee: I beg to move:

"That the demand for a supplementary Grant of a sum not

exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective-Army be reduced by Rs. 100." (19)

Need to expand the Defence Liaison Unit at Delhi to expedite procurement to material.

Shri S. M. Banerjee: I beg to move

"That the demand for supplementary Grant of a sum not exceeding Rs. 67,00,00,000 in respect of Defence Services, Effective-Army be reduced by Rs. 100." (20)

Mr. Chairman: These cut motions are also before the House.

BUSINESS ADVISORY COMMITTEE
NINTH REPORT

Shri Rane: Sir, I beg to present the Ninth Report of the Business Advisory Committee.

17.08 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the November 20, 1962/Kartika 29, 1884 (Saka).

[Monday, November, 19, 1962; Kartika 28, 1884 (Saka)]

ORAL ANSWERS TO QUESTIONS		COLUMNS	WRITTEN ANSWERS TO QUESTIONS—contd.		COLUMNS
S.Q. No.	Subject		S.Q. No.	Subject	
243	Manufacture of tanks	2155—95	536	Development of Nagaland	2201—02
244	Houses for defence personnel in Delhi	2157—58	537	Delhi Foreign Exchange	2202
245	Central Tea Wage Board	2158—60	538	Indian soldiers killed in Katanga	2203
246	Children's Film Society	2160—63	539	Land acquisition for Delhi Master Plan	2203—04
247	Second Bandung Conference	2163—66	540	Passports	2204
248	Indian Nationals kidnapped by Pakisthanis from Rajasthan	2166—68	541	Factory Inspectorate in Tripura	2205
249	Obscene film posters	2168—72	542	Staff artistes of A.I.R.	2205
250	Sarpanches as Claims Commissioners	2172—73	543	Persons injured in border road organisation work	2205—07
251	Indians in Burma	2173—75	544	Mine sweepers	2207
252	Employment and population	2176—79	545	Korean Cultural Mission	2207—08
253	Fake passports	2179—80	546	Ex-servicemen of Goa	2208
254	Indian embassy building at Jakarta	2180—82	547	Defence Civilian Clerks Association	2209
256	Warships	2182—83	548	Edinburgh Military Tattoo	2209—10
257	Pak. towers on Indo-Pak border	2183—84	549	U.N. Assistance to India	2210—11
258	Report of Jute Wage Board	2184—55	550	Institute of Flight Science	2211
261	Interim award of Jute Wage Board	2185—86	551	Institute of Physiology	2211—1
259	Press Advisory Committee	2187—92	552	Gun and Shell Factory, Cossepoore	2212
260	Development Schemes in Goa	2192—95	553	Controller of Emigrant Labour	2212—13
WRITTEN ANSWERS TO QUESTIONS 2195—2215			554	C.H.S. Scheme for Defence employees	2213
<i>U.S.Q. No.</i>			555	Police Training School at Goa	2213
527	Capital investment	2195	556	Quarterly Reports about Third Plan	2213—14
528	Former French possessions in India	2195—96	557	Recruitment to Army	2214—15
529	Naga rebels	2196—97	559	Visit of foreign army officers	2215—16
530	Desai Bank award	2197	560	<i>Per capita</i> income	2216
531	Production in Ordnance factories	2198	561	Radio Relay Station at Coimbatore	2216
532	Wage Boards	2199	PAPERS LAID ON THE TABLE 2217—20		
533	Report on Central Government employees' strike	2199—2200	The following papers were laid on the Table :—		
534	Army Officers' wife in U.S.I.S.	2200	(1) A copy of Notification No. G.S.R. 1510 dated the 11th November, 1962 under clause (3) of articles 359 of the Constitution, publishing an amendment to Order No. G.S.R. 1454		
535	Hostile Nagas	2200—2201			

COLUMNS

COLUMNS

PAPERS LAID ON THE
TABLE—contd.

dated the 3rd November, 1962, issued by the President under clause (1) of the said article.

(2) A copy each of the following papers under sub-section (2) of section 16 of the Tariff Commission Act, 1951 :—

- (i) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Sheet Glass Industry.
- (b) Government Resolution No. 14(2)-T.R./62 dated the 16th November, 1962 (together with its Hindi version).
- (c) Statement explaining the reasons why a copy each of the documents at (a) and (b) above could not be laid on the Table within the period prescribed in the said sub-section.
- (ii) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Plastics (Phenol Formaldehyde Moulding Powder) Industry.
- (b) Government Resolution No. 27(1)-T.R./62 dated the 16th November, 1962 (together with its Hindi version).
- (iii) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Ball Bearings Industry.
- (b) Government Resolution No. 18(1)-T.R. 62 dated the 16th November, 1962 (together with its Hindi version).
- (iv) (a) Report (1962) of the Tariff Commission on the continuance of protection to the Non-Ferrous Metals Industry
- (b) Government Resolution No. 22(1)-T.R. 62 dated the 16th November, 1962 (together with its Hindi version).

PAPERS LAID ON THE
TABLE—contd.

- (c) Notification No. 22(1)-T.R. 62-1 dated the 16th November, 1962, issued under sub-section (1) of section 3A of the said Act (together with its Hindi version).
- (d) Notification No. 22(1), T.R. 62-II dated the 16th November, 1962 issued under sub-section (1) of section 4 of the said Act (together with its Hindi version).
- (e) Statement explaining the reasons why a copy each of the documents at (a), (b), (c) and (d) above could not be laid on the Table within the period prescribed in the said sub-section.
- (3) A copy of the Annual Accounts of the Employees' State Insurance Corporation for the year 1960-61 together with the Audit Report thereon, under section 36 of the Employees' State Insurance Act, 1948.
- (4) A statement on the flood situation in the country.
- (5) A copy each of the following papers :—
- (i) Annual Report of the Film Finance Corporation Limited Bombay, for the year 1961-62 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (ii) Review by the Government on the working of the above Corporation.
- MESSAGE FROM RAJYA
SABHA
- 22.0
- Secretary reported a message from Rajya Sabha that at its sitting held on the 15th November, 1962 Rajya Sabha had passed the Employees' Provident Funds (Amendment) Bill, 1962.

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BILL PASSED BY R AJYA SABHA—LAID ON THE TABLE	2220
Secretary laid on the Table the Employees' Provident Funds (Amendment) Bill, 1962, as passed by Rajya Sabha.	
STATEMENT RE ORDINANCE—LAID ON THE TABLE	2221
A copy of the explanatory statement giving reasons for immediate legislation by the Pondicherry (Administration) Ordinance, 1962 (No. 8 of 1962) was laid on the Table.	
GOVERNMENT BILLS INTRODUCED	2221-23
(1) The Pondicherry (Administration) Bill, 1962.	
(2) The State-Associated Banks (Miscellaneous Provisions) Bill, 1962.	
(3) The All-India Services (Amendment) Bill, 1962.	
(4) The workmen's Compensation (Amendment) Bill, 1962.	
(5) The Indian Tariff (Amendment) Bill, 1962.	
STATEMENT BY PRIME MINISTER	2230-42
The Prime Minister (Shri Jawaharlal Nehru) made a statement regarding the situation in NEFA and Ladakh	
BILLS PASSED	2242-2301
(i) The Minister of State in the Ministry of Home Affairs (Shri Datar) moved for consideration of the Foreigners Law (Application and Amendment) Bill, 1962. The motion was adopted and after clause-by-clause consideration the Bill was passed.	

COLUMNS

(ii) The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat) moved for the consideration of the Metal Tokens (Amendment) Bill, 1962. The motion was adopted and after clause-by-clause consideration, the Bill, was passed.

(iii) The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajarnavis) moved for consideration of the Petroleum Pipelines (Acquisition of Right of User in Land) Bill, 1962. The motion was adopted and after clause-by-clause consideration the Bill was passed.

SUPPLEMENTARY DEMANDS FOR GRANTS FOR (GENERAL)

1962-63.
2302-52

Discussion on the Supplementary Demands for Grants in respect of the Budget (General) for 1962-63 commenced. Seventeen cut motions were moved. The discussions was not concluded.

REPORT OF BUSINESS ADVISORY COMMITTEE PRESENTED

2352

11th Report of the Business Advisory Committee was presented.

AGENDA FOR TUESDAY, NOVEMBER 20, 1962/ KARTIKA 29, 1884 (SAKA).

Further consideration and passing of Supplementary Demands for Grants (General) for 1962-63, Consideration and passing of Appropriation (No. 5) Bill, 1962 and the Customs Bill, 1962, as reported by Select Committee.