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LOK SABHA SECRETARIAT
NEW DELHI

CONTENTS

COLUMNS

No. 54—Friday, May 6, 1966; Vaisakha 16, 1888 (Saka)

Oral Answers to Questions—

*Starred Questions Nos. 1513 to 1520	14961—95
Short Notice Question No. 26	14996—15001

Written Answers to Questions—

Starred Questions Nos. 1521 to 1533 and 1535 to 1540	15002—15
Unstarred Questions Nos. 4883 to 4926 and 4928 to 4953	15015—65

Question of Privilege—

Letter from the Statesman <i>re.</i> Alleged incorrect reporting of Members' Speech	15065—67
<i>Re.</i> Presentation of Portrait of Pandit Jawaharlal Nehru	15067—70
Papers Laid on the Table	15070—72
Release of Member (Shri A. K. Gopalan)	15072—74

Public Accounts Committee—

Fifty-third Report	15074
Business of the House	15074—88
Statement <i>Re.</i> Discontinuance of Blanking off of alarm chains in trains	15088—89
Shri S. K. Patil	15088—89
<i>Re.</i> Explosion in Goods Yard at Bhusaval under Direction 115	15089—95
Statement under Direction 115 <i>re.</i> Inaccuracy in statement and reply thereto	15095—15104
Shri Daji	15095—97
Shri S. K. Dey	15097—98
Resolution <i>re.</i> Continuance of President's Rule in Kerala	15105—36
Shri Hathi	15105—09
Shri Ranga	15109—17
Shri H. N. Mukerjee	15117—26
Shri Ravindra Varma	15126—34
Shri A. N. Vidyalkar	15134—35

Committee on Private Members' Bills and Resolutions—

Eighty-eighth Report	15136
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*The sign + marked above the name of a member indicates that the question was actually asked on the floor of the House by him.

Resolution *Re.* Proclamation of Emergency and Defence of India

Act— <i>Negatived</i>	15136—200
Shri Surendranath Dwivedy	15136—43, 15200—01
Shri Sham Lal Saraf	15143—47
Shri Daji	15147—53
Shri Shree Narayan Das	15153—59
Shri N. C. Chatterjee	15159—63
Shri D. C. Sharma	15163—67
Shri Ranga	15167—71
Shri Harish Chandra Mathur	15171—76
Shri Madhu Limaye	15176—80
Shrimati Lakshmikanthamma	15180—82
Shri Muhammad Ismail	15182—85
Shri Sezhiyan	15185—88
Shri Nanda	15189—99

Resolution *Re.* Indo-U.S. Foundation—

Shri H. N. Mukerjee	15203—04
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Half-an-Hour Discussion *Re.* Expulsion of Rajasthan M.L.As.

from Vidhan Sabha	15204—06
Dr. L. M. Singhvi	15204—06

LOK SABHA

Friday, May 6, 1966/Vaisakha 16,
1888 (Saka)

*The Lok Sabha met at Eleven of the
Clock.*

[MR. SPEAKER in the Chair]

OBITUARY REFERENCE

Mr. Speaker: I have to inform the House of the sad demise of Shri Dayal Das Bhagat who passed away at Kanpur on the 1st May, 1966 at the age of 92.

Shri Dayal Das Bhagat was a Member of the Constituent Assembly of India during the years 1946 to 1950. We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

The House may stand in silence for a short while to express its sorrow.

The Members then stood in silence for a short while

ORAL ANSWERS TO QUESTIONS

मोटर गाड़ी बनाने के कारखाने

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*1513. श्री कुचोब हंसदा :

श्री म० ला० द्विवेदी :

श्री भागवत ना घाजरा :

श्री ल० चं० लामन :

श्री प्र० चं० बरधवा :

क्या उद्योग मंत्री यह बनाने की कृपा करेंगे कि :

(क) प्रसिद्ध भारतीय मोटर गाड़ी

तथा सहायक उद्योग संस्था (ग्राल इंडिया मोटोमोबाइल एण्ड एग्निटिवरी इंडस्ट्रीज एमोसिएशन) के अध्यक्ष द्वारा 20 दिसम्बर, 1965 को हुई वार्षिक समान्य बैठक में दिये गये मुझाब पर कि मोटर गाड़ी बनाने के कारखानों की स्वयं कल्पुर्जे बनाने की बजाय यह काम सहायक उद्योगों पर छोड़ देना चाहिये, सरकार की क्या प्रतिक्रिया है ?

(ख) क्या यह सच है कि सहायक उद्योग मोटर गाड़ी कारखानों में बनने वाले कल्पुर्जों की मूलना में मम्ने तथा प्रच्छे कल्पुर्जे बना सकते हैं ; और

(ग) यदि हां, तो क्या इस संबंध में कोई कार्यवाही की जा रही है ?

The Minister of State in the Ministry of Industry (Shri Bibudhendra Misra): (a) to (c). A statement is laid on the Table of the House [Placed in Library. See No. LT-6241 '66].

Shri Subodh Hansda: The quality and price of the components depends upon the nature of the components as well as the volume of production. Since the price depends upon the nature of materials available in our country, I would like to know whether that type of material and steel is available in our country and whether it is cheaper in price than the imported variety.

Shri Bibudhendra Misra: There are certain types of steel used in the manufacture of automobiles not available in the country; they are to be imported. So far as price is concerned, price certainly depends upon quality and also the market.

Shri Subodh Hansda: The statement says that the role of the small-scale industries is taken into account. I would like to know, particularly in the automobile industry for the manufacture of these automobile accessories what steps have the government taken or what encouragement has been given to the small-scale industries for the manufacture of these accessories?

Shri Bibudhendra Misra: There are quite a large number of units spread over the whole country and whenever they make any application for import licences or other things they are given preference and 45 units have taken benefit out of it.

Shri S. C. Samanta: May I know whether in comparison with ancillary industries the small-scale industries are able to manufacture those components of the same quality and price and if so, whether any preference is given to them?

Shri Bibudhendra Misra: Yes, Sir.

Shri R. Barua: May I know whether the report of the sub committee for ancillary industries has been received and if so what is the position now?

The Minister of Industry (Shri D. Sanjivayya): Several sub committees have been appointed for ancillary industries at the rate of one for each state and most of them have met quite a number of times but they have not yet finalised their report.

Shri P. C. Borooah: To what extent is the demand for automobile components at present met by the ancillary industries and how far will the production of automobiles be increased by leaving this type of manufacture of components to the ancillary industry?

Shri Bibudhendra Misra: The development council for automobile industry tentatively fixed the annual production for 1965-66 at Rs. 25 crores

but the actual production has been to the tune of Rs. 40 crores.

श्री विश्वनाथ प्रसाद : बहुत सा ऐसा सामान है जैसे स्टील का जोकि यहां नहीं बन सकता है और उसे बाहर से इम्पोर्ट करना पड़ता है तो मैं यह जानना चाहता हूं कि 100 के रेशियो में कितना सामान बाहर से आता है और उन सामानों को कब तक हिन्दुस्तान में ऐसी हालत हो जायेगी कि हम उन को बनाने लग जायेंगे ?

Shri D. Sanjivayya: As was stated by my colleague, spares worth about Rs. 40 crores have been manufactured by the ancillary industry during the year 1965-66. For the import of components and raw materials Rs. 783 lakhs were allocated.

Shri R. Ramanathan Chettiar: What steps will government take to see that the prices charged by the ancillary industries do not go up if manufacture of such components is to be handed over to the ancillary industry?

Shri Bibudhendra Misra: Firstly, as I said earlier in this House, the price structure of the ancillary industries had been examined by a cost accounts officer and now it is proposed to refer the cost structure along with the other things to the tariff commission.

Bombay-Delhi and Bombay-Howrah Deluxe train service

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*1514. **Shri Madhu Limaye:**
Shri Yashpal Singh:
Shri Vishwa Nath Pandey:
Shri Balakrishnan:
Shri Ram Harkh Yadav:

Will the Minister of Railways be pleased to state:

(a) whether there is a proposal to make the present bi-weekly deluxe train service between Bombay and Delhi a daily service;

(b) whether there is also a proposal to start a Deluxe train service between Bombay and Howrah; and

(c) if so, when the proposal will be implemented.

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) to (c). It has been decided to acquire four additional air-conditioned rakes with the intention of increasing the frequency of New Delhi-Bombay and New Delhi-Howrah biweekly air-conditioned expresses to triweekly services and for the introduction of a weekly air-conditioned service between Bombay and Madras, Madras and Howrah and Howrah and Bombay via Nagpur. On present indications, the additional air-conditioned rakes are expected to be ready for use by the end of 1966, or early 1967. The aforementioned proposal is expected to be given effect to in early 1967.

श्री मधु लिमये : यह जो धारामगाड़ी के डिब्बे बनाये जा रहे हैं या मंगाये जा रहे हैं क्या यह हिन्दुस्तान में बनाये जायेंगे या विदेशों से मंगाये जायेंगे, अगर विदेशों से मंगाये जायेंगे तो उन का कितना हिस्सा विदेशों से आयेगा और कितना हिन्दुस्तान में बनेगा।

डा० राम सुभग सिंह : उन को यहां इंटरनल कोच फैक्ट्री पैरम्बूर में बनाने की बात है।

श्री मधु लिमये : पूरे ?

डा० राम सुभग सिंह : जी, हां।

श्री मधु लिमये : मेरा दूसरा प्रश्न है कि वर्तमान बम्बई-दिल्ली धारामगाड़ी पर तीसरे दर्जे के जो यात्री विभिन्न डिब्बों में, जैसे कि टू टायर्स, 'टी टायर्स और थर्ड क्लास के एयर कंडीशंड के विभिन्न डिब्बे हैं, उन में, सब मिला कर, कितने यात्रियों के सफर करने का इंतजाम है और क्या यात्रियों की संख्या इसकी ज्यादा होती है कि उन्हें काफी तकलीफ होती है, यदि हां, तो क्या जल्द

से जल्द यह गाड़ी हर दिन चालू करने के बारे में सोच विचार किया जायगा ?

डा० राम सुभग सिंह : प्रसल में जो थर्ड क्लास एयर कंडीशंड का प्रोपोजेशन है वह 70 परसेंट है यहां नई दिल्ली से हावड़ा में, 63 प्रतिशत है नई दिल्ली से बम्बई में, 40 प्रतिशत है नई दिल्ली से मद्रास में। इसमें फर्स्ट क्लास एयर कंडीशंड कोच का प्रोपोजेशन शामिल नहीं है।

श्री यशपाल सिंह : क्या कारण है कि हमारे देश में बम्बई और हावड़ा के लिए हजारों यात्री खड़े रह जाते हैं और उनको गाड़ी नहीं मिलती है एक, एक महीने पहले लोग कोशिश करते हैं फिर भी उनको इसमें जगह नहीं मिलती है तो मैं जानना चाहता हूं कि कब तक यह दिक्कत दूर हो जायगी खास कर बम्बई दिल्ली तथा बम्बई-हावड़ा के लिए ?

डा० राम सुभग सिंह : यह ट्रेन एयर-कंडीशंड बेयर्स के नाम से प्रसिद्ध है बाकी जैसा कि माननीय सदस्य ने कहा कि नई दिल्ली और दिल्ली स्टेशन पर इस गाड़ी में जगह न पाने के कारण हजारों यात्री खड़े रह जाते हैं तो मैं कहना चाहता हूं कि बहा हजार तो क्या 100 की भी संख्या नहीं होती है।

Shri Balakrishnan: May I know whether there is any proposal to attach more bogeys in the deluxe trains to meet the problem of overcrowding in these trains?

Dr. Ram Subhag Singh: As I said, the maximum occupation is only 70 per cent and on the Madras side the occupation is only 40 per cent.

Dr. Ranen Sen: The deluxe train had become very popular and in this House demands had been made by the hon. Members to increase the number of services. Last year, it was said that foreign currency was needed.

Just now the hon. Minister says that these coaches can be prepared in the ICF. If that is so, why is there so much delay? Why should there be delay in its manufacture, especially when no foreign exchange is needed?

Dr. Ram Subhag Singh: When I said that it would be manufactured here, at the Integral Coach Factory, Perambur, it did not mean that the air-conditioned plant would not be imported. All components that are required and which have to be imported will be imported. (Interruption).

श्री मधु लिमये : मेरा व्यवस्था का प्रश्न है। मैंने पूछा था कि . . .

अध्यक्ष महोदय : उन का पहला बयान ठीक नहीं था। अब वह उस को ठीक कर रहे हैं।

Dr. Ram Subhag Singh: Please hear me. So, it will be manufactured here, and as you know, in our plants some components are imported but most of the components will be indigenous, and so, it did not mean that all the components—100 per cent—will be indigenous. But this is going to be manufactured here at the ICF, Perambur.

श्री मधु लिमये : मंत्री महोदय को अनुपात बताना चाहिये। वह बतायें कि इस के लिए जो सामान विदेशों से आयेगा, उस का क्या अनुपात होगा और जो सामान पैराम्बूर कारखाने में बनेगा, उस का अनुपात क्या होगा। तब वास्तविक स्थिति का पता चलेगा।

डा० राम सुभग सिंह : इस में घबराने की बात नहीं है। इस बारे में सब चीजों के संबंध में पूरी तरह सोच-विचार कर के, फाइनलाइज कर के, जन में पैराम्बूर को आर्डर दिया जायेगा।

अध्यक्ष महोदय : माननीय सदस्य जायद वाइर से आने वाले सामान और यहां बनने वाले सामान का रेंजो या प्रोपोर्शन जानना चाहते हैं।

डा० राम सुभग सिंह : चूंकि यह इस प्रकार की पहली चीज मैनुफैक्चर होगी, इस लिए जब जून में आर्डर दिया जायेगा, तब सब बातों का विस्तृत व्योया दिया जायेगा।

श्री विभूति मिश्र : मंत्री महोदय ने बताया है कि दिल्ली से बर्ड और बम्बई से कलकत्ता के लिए गाड़ियों का इन्तजाम हो रहा है। मैं जानना चाहता हूं कि क्या सरकार ने दिल्ली से पटना होते हुए हावड़ा तक किसी गाड़ी का इन्तजाम सोचा है। इस वक्त दिल्ली से हावड़ा वाया मुगलनगरा और धनबाद गाड़ी जाती है। कलकत्ता यहां से 900 मील की दूरी पर है और डोलकम ट्रेन वहां 24, 25 घंटे में पहुंचती है। इस की तुलना में पटना यहां से केवल 600 मील दूर है, लेकिन वहां पहुंचने में 22, 23 घंटे लग जाते हैं। मैं यह जानना चाहता हूं कि क्या सरकार पटना के लिए कोई डोलकम गाड़ी चलाने के बारे में सोच रही है।

डा० राम सुभग सिंह : अभी तक डोलकम के वाया गया जाने की बात है। जहां तक पटना का संबंध है, धमूनगर से हावड़ा जो गाड़ी जाती है, उस में एयर-कन्डीशंड है और 12-डाउन में भी एयर-कन्डीशंड है।

एक माननीय सदस्य मोतिहारी कोजिए।

Shri Kapur Singh: Sir, keeping in view the great importance of Punjab Suba, do the Government propose to increase the De Luxe train services between Delhi and Amritsar to bi-weekly if not daily, and if not, why not?

Dr. Ram Subhag Singh: So far, as you know, it goes once a week from

Delhi to Amritsar. When conditions improve, that will be examined.

श्री बड़े : कांग्रेस हमेशा समाजवाद की डींग मारती है। श्री मधु लिमये ने बम्बई से दिल्ली तक डीलक्स ट्रेन चलाने के बारे में पूछा है। मैं यह जानना चाहता हूँ कि क्या सरकार वहाँ पर डीलक्स ट्रेन चलाने का इरादा रखती है या जनता ट्रेन चलाने का इरादा रखती है। डीलक्स ट्रेन में केवल धनवान बैठेंगे, जबकि जनता ट्रेन में साधारण जनता यात्रा करेगी। माननीय सदस्य, श्री मधु लिमये से, मेरी विनती है कि वह शासन पर डीलक्स ट्रेन के बजाय और जनता ट्रेन चलाने के लिए जोर दें।

अध्यक्ष महोदय : हम वक्त तो हम को डीलक्स में ही चलने दें।

Shri Daji: The Minister has said that the orders will be placed in June, and naturally therefore, it will take some time, a year or so, to fructify. In the meanwhile, is there any plan to start a Western Express like the Southern Express and to run it as a biweekly De Luxe and on the remaining days as the Western Express, so that the great concentration of passengers on the Bombay-Delhi route can be catered for?

Dr. Ram Subhag Singh: That suggestion will be given due attention, but what I said will be completed this year, by December, 1966, or at the latest, by January next year.

Shri Shivaji Rao S. Deshmukh: In view of the difficulties experienced by the Railway Ministry for the De Luxe services between Bombay and Howrah, may I remind the Minister of a long-standing decision of the Railway Standing Committee, long before the Railway Consultative Committee came into being, for immediately starting a Janata service between Bombay and Howrah?

Mr. Speaker: I have already ruled a similar question out of order.

Shri Shivaji Rao S. Deshmukh: They say that it is difficult in respect of the De Luxe trains, which also involve foreign exchange difficulties. (Interruption).

Mr. Speaker: Order, order. Next question.

Machine Tool Factory in Madhya Pradesh

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*1515. **Shri Shiva Dutt Upadhyaya:**

Shri R. S. Pandey:

Shri Ulkey:

Shri A. S. Saigal:

Shri R. S. Tiwary:

Shri Chandak:

Shri Hari Vishnu Kamath:

Shri J. P. Jyotishl:

Shri Wadiwa:

Shri Parashar:

Shri Vishwa Nath Pandey:

Will the Minister of **Industry** be pleased to refer to the reply given to Unstarred Question No. 2301 on the 10th December, 1965 and state:

(a) whether Government have finally decided to establish a Machine Tool Factory in Madhya Pradesh; and

(b) if so, the progress made so far in this regard?

The Minister of State in the Ministry of Industry (Shri Bibudhendra Misra): (a) and (b). While it has been finally decided that Hindustan Machine Tools Limited should set up a new machine tool factory in Madhya Pradesh, the details thereof and the time schedule for construction are yet to be finalised.

Shri Bade: The minister said there will be one factory in M.P. Have they decided the place where it will be set up and since when is the matter pending before the Central Government?

Shri Bibudhendra Misra: No place has been fixed so far.

Shri Bade: For how many years is it pending before you? This matter is pending for a long time.

Mr. Speaker: He says the place has not been decided upon. I cannot allow him a second question.

Shri M. E. Krishna: What is the total number of complicated machine tools required in the next 10 years in the country? What percentage of it is the ministry going to meet by expanding the existing machine tools and what percentage by starting new machine tool factories?

Shri Bibudhendra Misra: The factories set up so far are producing different types of machines. So far as the public sector is concerned, the idea is— it has not yet been finalised—that by the end of the fourth plan, the production will be Rs. 63 crores.

The Minister of Industry (Shri D. Sanjivayya): If I may supplement it, today we are producing machine tools worth Rs. 25 crores and we are importing machine tools worth about Rs. 32 crores. By the end of the fourth plan, we hope to produce machine tools worth Rs. 108 crores per year. We would be able to produce machine tools worth Rs. 63 crores in the public sector and the rest will be manufactured in the private sector.

Shri D. C. Sharma: May I know if the government has made any assessment of the different kinds of machine tools needed for the fourth plan and if so, has it been able to allocate the fabricating of these different tools between the private and public sectors or is the statement of the minister only wishful thinking?

Shri D. Sanjivayya: No, Sir. The whole question has been studied very closely in consultation with the planning Commission and then these targets have been fixed.

Shri Hari Vishnu Kamath: Is it not a fact that the government have taken a firm decision to have at least one

machine tools factory in every State during the fourth plan and if so, has the government determined the priorities inter se between the States for setting up these factories?

Shri D. Sanjivayya: We have not decided to have one machine tool factory in the public sector in each State. All that we have decided is we will have two new machine tool plants in the public sector during the fourth plan. One will be in M.P. and the other in U.P. In addition, the existing units in Kalamassery in Kerala, in Pinjore in Punjab and the unit in Hyderabad will be doubled. As for inter se priority, the doubling programme will have precedence over the setting up of new plants.

Shrimati Savitri Nigam: Is he aware that some of the machine tools are produced in great surplus and others are in great scarcity? It seems there is no coordination and no proper production plan. Is there a proper committee to plan the production in such a way that we may not have this existing situation and we may be able to export some of the machine tools?

Shri D. Sanjivayya: As a matter of fact, we are exporting some machines and probably we will have to import certain sophisticated machinery. It is not correct to say that there is no planning. There is a Development Council which sits constantly to go into this question. The experts in the Planning Commission also help them.

श्री रामेश्वरानन्द : अध्यक्ष महोदय, मैं यह जानना चाहता हूँ कि अमेरिका, इंग्लैंड, जर्मनी आदि देशों की अपेक्षाकृत हमारे यहां बनाये हुए यन्त्र तथा यन्त्र साधनों के प्रति भारतीय जनता की ऐसी भावना है कि ये निकुष्ट होते हैं। क्या यह सरकार जो नवीनतम कारखाने खोल रही है, इन में जो सामान तैयार होगा, कम पुर्जें और उन के साधन, इनको ऐसा निर्माण करायेगे जो विदेशों की अपेक्षाकृत प्रति-उत्तम हों?

Shri D. Sanjivayya: As I said a little while ago, we are exporting some of our machine tools. Unless the quality is good, we cannot compete in the international market. So far, we have not received any complaint with regard to the quality of machine tools which we have supplied.

श्री रामेश्वरानन्द : अध्यक्ष महोदय, मेरा यह प्रश्न नहीं था, मेरा प्रश्न तो यहाँ के बारे में है।

अध्यक्ष महोदय : आपके प्रश्न का उन्होंने जवाब दिया है कि हम जाँचना रहे हैं, उनकी क्वालिटी बहुत अच्छी है।

श्री रामेश्वरानन्द : ये जाँच बीजें तैयार कर रहे हैं, इनके प्रति यह निश्चित राय है कि यहाँ का सब सामान रही तैयार होता है, इस धारणा को नष्ट करने के लिए क्या प्रयत्न कर रहे हैं।

Shri D. Sanjivayya: It is unfortunate if there is any such feeling anywhere while the feeling elsewhere is that our tools are very good.

Export of Manganese

*1516. **Shri Subodh Hansda:** Will the Minister of Commerce be pleased to state:

(a) whether there is any scope to increase the export of manganese;

(b) if so, the steps being taken in this regard; and

(c) whether the prices charged are competitive?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir.

(b) Agency arrangements have been made for pushing sales in various important manganese ore consuming countries. Assessment of their requirements of manganese ore and of the market trends there have also been made. Within the country, steps

are being taken to make available financial assistance, credit facilities, technical know-how and hire purchase schemes to step up ore production for exports.

(c) There has been a slight improvement in world market prices, but they still continue to be lower than our costs. This difficulty is being met through the exports of manganese ore having been canalised through the M.M.T.C.

Shri Subodh Hansda: Can we have a break-up of the figure for the last two years, that is, 1964-65 and 1965-66? Have the targets fixed for export for both these periods been fulfilled?

Shri Manubhai Shah: There was no such target for this particular item because it had always been a difficult-to-sell item. The export of manganese ore in 1965 was 1.07 million tons and in 1964 1.40 million tons. The present difficulty is that we are short of manganese ore even though we have many liberal demands from the purchasing countries. Therefore, we have canalised the export of manganese ore through the M.M.T.C. and we are giving to the manganese mine-owners several facilities to produce more manganese ore.

Shri Subodh Hansda: It is said that the export will be canalised through the M.M.T.C. Will it mean that the private exporters will be completely eliminated?

Shri Manubhai Shah: It is not as if the private miners are excluded. With the help of private miners and manganese exporters the export of manganese is canalised through the M.M.T.C.

Shri P. R. Ramakrishnan: What is the demand in the world market for manganese ore? Is it for high grade ore or low grade ore?

Shri Manubhai Shah: For the last five years at least the production of manganese ore was stagnant. Now some new process has been developed

in the United States and other countries and there seems to be a big revival of the demand for manganese ore. From the figure of 2.8 million tons I think the world demand will go up to 4½ million tons. The main requirements are for high grade manganese ore, what is called oriental mixture, which is very popular. But there is an admixture of the low grade called, black iron of Goa. All these are now coming up.

Shri B. K. Das: May I know whether the recommendations of the committee on manganese ore have been considered; if so, with what results?

Shri Manubhai Shah: Yes, Sir; the Committee recommended that there should be a Consultative Committee of advisory capacity attached to the MMTC. We have constituted that committee. Then, we had made studies in the Board of Trade in consultation with the Ministry of Mines and Metals. Therefore very liberal assistance is now being provided for development of and modernising the manganese ore mines and for opening up new areas for manganese mining.

Shri Thimmaiah: I understand very recently that the exploitation of manganese ore is the exclusive right of the State. May I know whether any target has been fixed for the export of manganese ore both for the private mine-owners and for the State?

Shri Manubhai Shah: That is what I explained in the earlier answer that the potentialities of development themselves are now being activated; so, no target as such has yet been fixed. It will all depend on the availability of different grades of manganese ore to be produced both in the private sector and in the public sector. It is true that where new mines are to be developed, we generally favour the public sector; but we have not excluded or prevented the private mine-owners from developing manganese ore in which case we will favour

both the sectors marching together for further expansion of this one.

मशीनों और कलपुखों का निर्माण

*1517. श्री विभूति मिश्र : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बहुत से कारखानों को विदेशी मुद्रा के अभाव के कारण आवश्यक मशीनों और कलपुखों नहीं मिल रहे हैं ?

(ख) क्या यह भी सच है कि इस के परिणामस्वरूप बहुत से कारखाने बन्द होने वाले हैं ; और

(ग) क्या देश के अन्दर ही समस्त अप्रसिद्ध मशीनों और पुर्जों का निर्माण करने के लिये सरकार का कोई योजना बनाने का विचार है ?

The Minister of Industry (Shri D. Sanjivayya): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) and (b). Due to the current foreign exchange difficulties, the requirements of imported plant and components and raw materials cannot in all cases be met to the full extent. Some factories are having difficulties in running their units to their full capacity, primarily due to shortage of imported raw materials.

(c) Continuous efforts are being made to make the economy self-reliant and to reduce the dependence on imported machinery and components as far as practicable.

श्री विभूति मिश्र : स्टेटमेंट देखने से पता चलता है तथा सरकार ने लिखा है कि "कुछ कारखानों को अपने एककों को प्रायतः कच्चे माल की कमी के कारण पूरी क्षमता से कार्य करने में कठिनाई हो रही है।" मैं यह जानना चाहता हूँ कि किस हद तक हमारी

कठिनाई है, कितने कारखाने हमारे बन्द हो चुके हैं, यदि बन्द नहीं हुए हैं तो कितने कारखानों की क्षमता कमजोर पड़ रही है, हम को इन बन्द हुए कारखानों या जिनकी क्षमता कमजोर हो गई है, इन को पूरी ताकत से चलाने के लिये कितने रुपये का सामान बाहर से मंगाना पड़ेगा और इस पर कितना फारेन एक्सचेंज लगेगा और यदि इतना फारेन एक्सचेंज खर्च करे तो हमारी पैदावार इन कारखानों की किस हद तक बढ़ जायगी तथा दोनों को मिलाने से कितना लाभ होगा ?

अध्यक्ष महोदय : आपने बहुत से सवालों को इकट्ठा कर दिया है ।

श्री बिभूति मिश्र : ए, बी, सी, डी, ई, फ का न तो जवाब देते हैं और सवाल बढ़ा हो तो एतराज करते हैं, जब कि एक ही हाउस में हम दोनों सदस्य रहते हैं ।

Shri Kapur Singh: Sir, there is a distinction between the point that my hon. friend has made and the position that you have taken. He has put more than one supplementary while my hon. friend here, to whom a reference has been made, puts one supplementary with various parts inter-related. That has to be appreciated.

Mr. Speaker: I agree with Shri Bibhuti Mishra. It amounts to just the same thing.

Shri D. Sanjivayya: The real difficulty today is the difficulty with regard to foreign exchange; that is why a high-level committee with Professor V. K. R. V. Rao has been constituted to go into the question of import substitution. In addition to this an ad hoc committee of Secretaries has also been constituted. Then, the Director-General of Technical Development is constantly examining the question relating to import substitution. On account of the efforts of all these committees, in the engineering industry

alone we have been able to save Rs. 10.62 crores of foreign exchange. In a similar way, in the chemical industry we have saved Rs. 4.5 crores. In the engineering industry within another six months when we will be in a position to produce special steel, we will be able to save as much as Rs. 25 crores to Rs. 30 crores. Apart from this, earlier I had stated on the floor of this House that the Council of Scientific and Industrial Research had a get-together in December 1965 and they are also trying to give suggestions as to how best we can have import substitution. This is the only way to save these factories. Some of them are working at half capacity, some at even less and some have closed down also. In fact, the Institute of Applied Economic Research had undertaken a study of this question between 1961 and 1964 in respect of some industries. They have stated that the idle capacity is 60 to 70 per cent.

In addition to this, the Government of India appointed another Committee with Shri V. K. Ramaswamy, the Economic Adviser, along with Mr. D. C. Pouts, the Supply Adviser of the United States Agency, International Development, and they have also studied certain industries. I have got a long list which shows as to how far these industries have been affected.

Mr. Speaker: One supplementary and its answer have taken five minutes.

श्री बिभूति मिश्र : मेरे सवाल का जवाब नहीं आया है । मैंने पूछा था कि कितने रुपये की फारेन एक्सचेंज की जरूरत होगी ?

अध्यक्ष महोदय : मैं इसको दूसरा सवाल कंसिडर करूंगा ।

श्री बिभूति मिश्र : जवाब ही नहीं आया है पहले सवाल का ।

अध्यक्ष महोदय : पांच सवाल सवाल एक ही सप्लीमेंटरी में हो जायेंगे तो एक ही पार्ट का जवाब आ जाएगा तो मैं काफी समझूंगा ।

श्री बिभूति मिश्र : कितने रुपये की कारेन एक्सचेंज की जरूरत है कारखानों को चालू रखने के लिए।

Shri D. Sanjivayya: At the moment, I will not be able to say but the other day my colleague, the Commerce Minister, was saying that as much as Rs. 700 crores is to be spent on the import of raw materials.

Shri S. N. Chaturvedi: May I know whether the capacity for the manufacture of these components and parts and machine tools had continued to expand while there was not sufficient material available for the existing plants?

Shri D. Sanjivayya: That is true. We do not have adequate quantities of raw materials for the existing industries. But all the same, we cannot become stagnant. We have to start more industries and try to find out import substitution.

Shrimati Renu Chakravartty: Has the Government any idea of the main items of imported spare parts and components used in the largest quantities and whether, at end of this year, with the Special Alloy Steel Plant and the Heavy Electrical Plant, we can reduce these quantities and, if so, to what extent.

Shri D. Sanjivayya: At the moment, I will not be able to give figures. I will collect them and give them.

Shri S. Kandappan: The hon. Minister had talked of creating a reserve pool of essential raw materials for small and medium scale industries sometime back. I would like to know whether anything has materialised in that regard.

Shri D. Sanjivayya: I do not think I ever said that there will be a reserve

pool. So far as the small-scale sector is concerned, the Development Commission, Small-scale Industries, gets a bulk allotment and in his turn, he allocates to various State Governments.

Shri Sham Lal Saraf: May I know, apart from getting scarce raw materials which are necessary for the manufacture of these components and other articles, how far it is correct that the setting up of these ancillary industries has not been done in a planned manner with the result that so far as the main industries are concerned, they suffer from different angles, say, for instance, from the point of view of the location and also the transport facilities and also in respect of getting things at the nearest possible place.

Shri D. Sanjivayya: It is, to some extent, correct that ancillary industries have not been started. Take, for instance, the Heavy Electricals, Bhopal. We need quite a large number of spare-parts and components which could conveniently be manufactured in an industrial estate where ancillary industries could be started. We tried our best to attract entrepreneurs but we could not get them. Take another case, the H.M.T., Hyderabad. It has been recently started and we have given instructions to all the managements in the public sector to start industrial estates for the sake of ancillaries so that small parts and components may be manufactured. But the management of the H.M.T., Hyderabad, say that it is very difficult in the initial stages to let us know as to how many components and how many spare-parts would be needed. So, after a year, they will be able to indicate it. Meanwhile, we will also take steps to have ancillary industries.

Apart from that, a little while ago I was saying that sub-committees for the sake of ancillary industries have been constituted for each State and these sub-committees have met quite a number of times. They have not

yet given us a final report. When they give a final report, we will be able to give the information.

श्री बड़े : जितनी फैक्टरीज पिछले दो सालों में स्थापित हुई हैं उनको इंडीजिनस मशीनरी तो मिल गई है लेकिन फारेन से जो मशीनरी इम्पोर्ट होती है, वह उनको अभी तक नहीं मिली है। इसका कारण क्या है? क्या इसका कारण यह है कि यू० के० का तो फारेन एक्सचेंज मिलता नहीं है और यू० ए० ए० का मंहगा पड़ता है। क्या इसी वजह से वे पड़ी हुई हैं?

Shri D. Sanjivayya: Yes, in some cases, indigenous machinery is available and that is procured. But with regard to the imported machinery, there is some difficulty, but we are making arrangements to get them as quickly as possible.

Shri A. P. Sharma: May I know how many factories have been closed on account of want of foreign exchange and how many workers employed in them have been retrenched...

श्री कपूर सिंह : 'यू० ए० ए० का फारेन एक्सचेंज मंहगा पड़ता है'

The reply to this question has not come. This is very important.

Shri D. Sanjivayya: I shall not be able to say which costs more.

Shri A. P. Sharma: What steps have been taken to provide alternative employment to those workers affected as a result of the closure?

Shri D. Sanjivayya: My hon. friend who is a veteran labour leader knows that whenever a factory is closed, under the law, the workers are entitled to lay-off compensation and if it is a case of retrenchment, then they are entitled to retrenchment compensation and so on.

Shri A. P. Sharma: How many industries have been closed on account of the foreign exchange difficulty?

Shri D. Sanjivayya: I shall not be able to give that information now.

Dr. Ranen Sen: This crisis in our industry was accentuated during the Indo-Pakistan war, when there was actually a study or a movement by the engineers, together with the Government officials concerned, to find out ways and means to get the substitutes for the industries. As a result of that, it was found that the engineering industry and the chemical industry were the two industries which had been hit hard. In view of this vast mass movement which has now narrowed down to sub-committees, may I know whether there is any scheme before Government to rouse the consciousness again so that indigenously the components and spare parts etc. could be produced?

Shri D. Sanjivayya: I quite agree with the hon. Member. A few days ago I myself made a statement that while we encouraged scientists and technologists in the matter of invention, and there was a National Inventions Promotions Board, and every six months they gave some award, what I felt was that those who worked hard and who devoted attention to this matter of import-substitution should also be rewarded.

Trade Pact with Jordan

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*1518. **Shri P. C. Borooah:**
Shri Vishwa Nath Pandey:
Shri Himatsingka:
Shri Rameshwar Tantia:
Shri Ram Harkh Yadav:
Shri Yashpal Singh:
Shri R. S. Pandey:
Shri Firodia:

Will the Minister of Commerce be pleased to state:

(a) whether the Governments of India and Jordan recently signed a trade agreement at Delhi; and

(b) if so, the main features thereof?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). No fresh trade agreement was recently signed. However, the existing trade agreement with Jordan was signed in July 1963 and was extended by a Protocol dated 15th November 1964 signed in Amman for a period of 3 years ending 31st December, 1967. India imports from Jordan mainly rock phosphate required for the manufacture of phosphatic fertilizer and exports items like, jute, tea, engineering items, pharmaceuticals, textiles etc. During the recent visit of the Jordan Delegation to Delhi in March, 1966, a review of the progress of trade between the two countries was made by the Joint Committee set up under Article 8 of the Trade Agreement.

Shri P. C. Borooah: What is the balance of trade position with Jordan?

Shri Manubhai Shah: The balance of trade is nearly Rs. 1 crore each way, as compared with Rs. 40 to 45 lakhs, four years before.

Shri P. C. Borooah: Is it also a fact that we are going to import some machinery from Jordan, and if so, how the prices of those machinery compare with those supplied by other countries?

Shri Manubhai Shah: Jordan does not produce any machinery. Only rock phosphate is being imported from Jordan.

Shri Firodia: What are the non-traditional items that would be covered by this agreement for export?

Shri Manubhai Shah: The non-traditional items are worth about Rs. 20 lakhs; and they are: engineering goods, some ceiling fans, some sewing machines, some machine-tools and some electrical equipment.

Shri Hem Barua: In view of the fact that Jordan has supported Pakistan in a very blatant manner over the so-called Kashmir issue and also over

the last conflict, do Government take into account these political considerations while formulating trade relations with countries?

Shri Manubhai Shah: We do take note of all the developments.

Shri Narendra Singh Mahida: Do Government propose to send a delegation to Jordan consisting of businessmen?

Shri Manubhai Shah: Yes, we are expecting a Jordanian delegation very soon, in the next few weeks.

Mr. Speaker: Do we propose to send some businessmen from here?

Shri Manubhai Shah: That we are also thinking. But just now the Jordanian Government desires very rapid expansion of trade between the two countries and therefore they would prefer to send a delegation here. We had sent a delegation last year. We now expect their businessmen here.

Shri Hari Vishnu Kamath: Considering that Government has concluded trade agreements, may be rightly so, with Jordan and some other Arab countries in West Asia, what stands or comes in the way of Government concluding a trade agreement with friendly Israel which might be more beneficial to both countries?

Shri Manubhai Shah: This matter has been debated several times here.

Shri Hari Vishnu Kamath: No, no...

Shri Manubhai Shah: The foreign policy.

Mr. Speaker: It is a matter of policy. It has been debated. Government has to take a decision. He cannot say about it.

Shri Hari Vishnu Kamath: Does that mean that he has no say in the matter?

Mr. Speaker: During question hour, matters of policy cannot be gone into and clarified.

Shri Kapur Singh: I want to know whether in the event of another Indo-Pakistan conflict, which every sane man wants to avoid, Jordan—keeping in view its past conduct—has assured us that she will adhere to the terms of the agreement?

Shri Manubhai Shah: The trade agreement does not take into account these matters. These are matters of general and political nature.

Shri Hari Vishnu Kamath: On a point of order. He said it is a matter of policy. If we can have a trade agreement with East Germany, with whom we have no diplomatic relations, and no consular relations either—I am not quite sure about the latter—why can't we have a trade agreement with Israel? What is this policy, this stupid, idiotic policy?

Mr. Speaker: We cannot go on arguing. It may be a wrong policy.

Shri Surendranath Dwivedy: There is no argument. He is evading the reply. If there could be a trade agreement with East Germany, with whom we have no diplomatic relations, what prevents Government from having a trade agreement with Israel?

Shri Hari Vishnu Kamath: I do not say anything about diplomatic relations.

Shri Manubhai Shah: As the hon. House is aware, there are stages in regard to trade or economic or political relations with other countries. Whether you have or do not have depends. There are different shades. Some countries fall in one shade, some others in another. The House is aware that foreign Trade agreements are integral part of the foreign policy.

Shri Hari Vishnu Kamath: I am sure the Minister is in favour of it, he wants it, but some people higher up do not.

Mr. Speaker: Next question.

श्री रामेश्वरानन्द : अध्यक्ष महोदय, यह बड़ा महत्वपूर्ण प्रश्न है। मुझे एक प्रश्न पूछ लेने दीजिए।

अध्यक्ष महोदय : नहीं साहब, अब मैं आगे सवाल पर चला गया हूँ। अब इस पर सवाल नहीं हो सकता। आप किसी और सवाल पर पूछ लीजियेगा।

Shri J. B. Kripalani: Our foreign policy is non-alignment. How does it come in the way?

श्री रामेश्वरानन्द : इसी से संबंधित है।

अध्यक्ष महोदय : अब मैं आगे चला गया हूँ।

श्री रामेश्वरानन्द : यह तो जाईन और पाकिस्तान की बात है। क्या आप चीन के साथ भी व्यापार समझौता करने का विचार रखते हैं।

Surplus Stock of Khadi

*1519, **Shrimati Ramdulari Sinha:** Will the Minister of Commerce be pleased to state:

(a) whether Government propose to purchase surplus stock of Khadi and hand-spun yarn produced by khadi institutions in the various States; and

(b) if so, the terms and conditions thereof?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi): (a) and (b). The proposal is under the consideration of Government.

Shrimati Ramdulari Sinha: What is the quantity of surplus stock in each State?

Shri Shafi Qureshi: According to the Fourth Plan working group report, on khadi and village industries, the total stock of khadi with the institutions on 31st March 1964 was valued at Rs. 13 crores, of which Rs. 7-8 crore worth are of cotton khadi and Rs. 4-4½ crores worth of woollen khadi.

Shrimati Ramdulari Sinha: Has there been an *ad hoc* arrangement or some policy in this regard which will be followed in future?

Shri Shafi Qureshi: As I have already stated, the matter is under the consideration of the Government. After the matter is considered, a decision will be taken.

श्री रघुनाथ सिंह : मैं जानना चाहता हूँ कि जो सर्वेस स्टॉक है क्या उस का कारण यह है कि खादी इनकी मंहगी हो गई है कि उस को खरीदने की शक्ति लोगों में नहीं है। जो कुर्ता १३ रु० में बनता था वह अब 16 रु० में बनता है।

अध्यक्ष महोदय : आप कुर्ता उठा कर क्यों दिखलाने हैं ?

श्री शफी कुरेशी : जी नहीं, हकीकत बिस्कुल वरक्स है। खादी आजकल इतने उम्दा तरीके पर बनती है जिस का ठिकाना नहीं है। खादा का कपड़ा बड़े अच्छे मेघार का है। जो सब-स्टैंडर्ड खादी स्टॉक में है उस की कीमत 3 लाख रु० से ज्यादा नहीं है।

श्री प० ला० बाबूपाल : राजस्थान के बीकानेर जिले में करीब प्राचा दर्जन खादी गोष्ठापरेटिव सोसायटीज हैं। उन के द्वारा जो कपड़ा बनाया गया है वह भी स्टॉक में है। मैं जानना चाहता हूँ कि क्या वह कपड़ा भी इस स्टॉक में शामिल किया जायेगा?

Shri Manubhai Shah: I would like to supplement the answer of my hon. colleague, which includes the answer

to the hon. Member. While these are the stocks in the normal course of things, it is felt that there is a stock of Rs. 3 crores which will have to be sold at a concession. I would not like to leave the House under the impression that it is only a small quantity.

These Rs. 3 crores are being negotiated for the last 12 months between the Khadi Commission and the Government as to how it should be disposed of.

श्री रामेश्वरानन्द : खादी के संबंध में जिनकी बातें कही गई हैं उन में मैं यह बात भी बतलाना चाहता हूँ कि खादी का धागा बहुत रूढ़ी होता है, फिर उसको तेजाब से धुलवाया जाता है, इसलिये वह चलता नहीं है। उस का कपड़ा बड़ी जल्दी कट जाता है। मैं जानना चाहता हूँ कि क्या इसी लिये लोग उस को खरीद नहीं रहे हैं कि वह कम चलता है? यदि हां, तो इस खराबी को दूर करने के लिये क्या खादी भंडारों से कुछ कहा गया है ?

श्री मनुभाई शाह : माननीय सदस्य की बात पूरी सही नहीं है, कुछ हद तक ही सही है। सवाल मारा यह है ।

श्री रामेश्वरानन्द : मंत्री महोदय ने उस दिन भी कहा था कि मैंने वैज्ञानिक शब्द का प्रयोग नहीं किया। यह छल हुआ है। और अब भी यह कह रहे हैं कि मेरी बात सत्य नहीं है ।

श्री मनुभाई शाह : मैंने कहा कि माननीय सदस्य की बात कुछ हद तक सही है, पूरी सही नहीं है। मैं माननीय सदस्य का ध्यान दिलाना चाहता हूँ कि देश में इतने बड़े व्यापक पैमाने पर खादी बन रही है कि उस से 10 लाख 14 हजार खानदानों को रोटी मिल रही है, वह विकेन्द्रीत तरीके पर। इसलिये इस में मानव मुश्किलें और कमजोरियाँ ज्यादा घाती हैं। कोशिश तो खादी कमिशन की यही रही है कि किसी तरह से इसकी ब्यासिटी

का बढ़ाया जाये। जो लोग खादी पहनते हैं वह बतला सकेंगे कि दरअसल खादी की क्वालिटी बढ़ती जा रही है। लेकिन जो नये नये एन्ट्रेंट्स हैं इस उद्योग में जैसे कि ग्राम्बर चरखा है, उन में जो खादी बनती है उस का ग्राम्बर भी बढ़ता जा रहा है। इस में कुछ लो क्वालिटी हो जाती है।

श्री त्यागी : क्या मिनिस्टर साहब मेहरबानी कर के बतलायेंगे कि अब तक कितने ग्राम्बर रुपये खादी कमिशन को दिये जा चुके हैं इस काम के वास्ते, और जब दूसरे तमाम कामों में एक आदमी ज्यादा रुपया कमा सकता है तब यह कहाँ तक एकानामिक है कि अनएकानामिक कामों में मजदूरों को लगाया जाये।

श्री मनुभाई शाह : पहले भी माननीय सदस्य को इस बारे में कहने का मौका मिला था। मेरे पास इस समय पूरे फिगर्स नहीं हैं। दरअसल हम रिपोर्ट हर साल सदन की मेज पर रखते हैं। कोई डेढ़ या दो सौ करोड़ रुपये

श्री त्यागी : 1 ग्राम्बर 50 करोड़ रु०।

श्री मनुभाई शाह : ग्रांट और लोन के द्वारा कई सालों में दिया गया है।

श्री त्यागी : यह सारा ग्रांट है या कि लोन भी है ?

Shri Manubhai Shah: Grant plus loan. I think a portion of it is a grant. I cannot off hand say. From this sub-standard stock I do not want the hon. Member to jump to a general conclusion. I want to remove that misapprehension of the hon. Member. On the one hand production is continuously going up; on the other hand, employment is also going up, which is the basic credo or ideology behind a decentralised industry such as khadi. And the amount of subsidy, about which naturally the hon. Member will be worried, is of a

nominal character compared to the vast social and economic objectives.

Shri Tyagi: What is the percentage of subsidy?

Shri Manubhai Shah: We have given about Rs. 70-80 crores over all these years and I have several times in the past given these figures. That comes to Rs. 4-5 crores of grants per year out of the budget on different accounts, training, etc. and certain development expenditure. This is a nominal thing compared to the vast employment.

Shri Ranga: Let it not be understood that the House is in any way opposed to the ideology behind it or the relief that is being given to all these lakhs of people. Is the Khadi board taking any steps to ensure that the tensile strength of the yarn is maintained and the durability of the khadi cloth is maintained; at one time it used to be very high. Today the durability of the khadi cloth is less than the mill-made cloth.

Shri Manubhai Shah: I am grateful to the hon. member for the broad support, strong support he has given to the concept of khadi. Coming to the second part, I totally disagree with him that the tensile strength has gone down. But it is true that as we train new entrants on ambar charkha, due to the vast organisation, there may be human weaknesses creeping in, and I assure the hon. Members that with the permission and consent of the Khadi Commission we are constituting a review committee which will go into the entire working of the khadi programme and the village industries programme, in which I am going to invite the hon. members of the House and some of the Ministers of the State Governments and some of the Chairmen of the Khadi Boards and independent economists, so that the committee of 20 or 25 people can go into the whole aspect.

श्री प्रकाशवीर सास्त्री : श्रीमन्, भारत सेबक समाज की तरह भारत सरकार की दूमरी

लाइली संस्था खादी कमिशन है जिसके ऊपर मंत्री महोदय ने अभी, पीने दो ग्रन्थ रुपया व्यय हुआ है, इस प्रकार की सूचना दी । मैं यह जानना चाहता हूँ कि क्या इस खादी कमिशन के संबंध में पैसे के दुरुपयोग के लिए संसद की पब्लिक एकाउन्ट्स कमेटी ने प्रति वर्ष कुछ रिमार्क्स दिये हैं ? यदि हाँ, तो उतने रिमार्क्स देने के बावजूद भी क्या खादी कमिशन को करोड़ों रुपया बराबर उसी प्रकार, दिया जा रहा है या उसके अन्दर किसी प्रकार हाथ रोक कर खादी का काम करने वाली दूसरी गांधी आश्रम जैसी संस्थाओं को वह पैसा देने का प्रयास किया गया है ।

श्री मनुभाई शाह : इस प्रश्न में बहुत से प्रश्न माननीय सदस्य ने सामने रखे हैं ।

As to the first part of the question, there is nothing *ladla* or any special privileged body that we have created.

श्री प्रकाशवीर शास्त्री : लाइली है इसलिए कि पब्लिक एकाउन्ट्स कमेटी की रिपोर्ट में कहा था ।

श्री मनुभाई शाह : मैं सदन के सामने अर्ज कर रहा हूँ ।

Khadi has been the livery of Indian freedom and it has been one of the vital objectives of the party in power . . . (Interruptions.)

Shri Ranga: All this we do not want.

Mr. Speaker: Let him explain.

Shri Ranga: Let him answer what has been said in the Public Accounts committee's report.

Shri Manubhai Shah: I am coming to that . . . (Interruptions.)

Shri Ranga: As if we need all this lecture from him.

Shri Kapur Singh: Why is public money drained down the drain? Answer that.

Shri Raghunath Singh: It is not going down the drain; it is going to the villages (Interruptions.)

Mr. Speaker: The minister might be allowed to answer the questions.

Shri Surendranath Dwivedy: But will you tell him to reply to the question put? He says that khadi had been the livery of freedom, etc.

Shri Manubhai Shah: I can assure the hon. House that any amount of dissociation with the government policy on which we take a complete review both financially and economically is not going to deter us from the path that we have adopted. (Interruptions.)

Mr. Speaker: He must be heard. After he has finished, then of course some objection can be taken but before he has finished, he is interrupted. Let him complete and if it is not satisfactory, if something more is required, then certainly I will allow.

Shri Manubhai Shah: Regarding the Public Accounts Committee comments from year to year we have placed the action taken before the house through a formal resolution of the government. The latest report is in our hands; it was received only a week back. I assured the House already that as far as the general working of the commission is concerned, in addition to the PAC report, we are ourselves anxious to view and review critically and sympathetically the entire working of the khadi programme and therefore a very high powered committee is being constituted in consultation with the Khadi Commission to go over the entire working of the Khadi

Commission plus future policy . . .
(Interruptions).

Mr. Speaker: Shri A. P. Sharma.

श्री प्रकाशबीर शास्त्री: अध्यक्ष महोदय, सवाल सीधा सा था कि पब्लिक एकाउन्ट्स कमेटी की इतनी रिपोर्टों के आने के बाद कुछ पैसा बन्द किया है क्या ?

Shri Manubhai Shah: I have answered that every year whatever the comments of the PAC, the due steps taken have been placed before the House. The latest report.... (Interruptions.)

Mr. Speaker: Order, order. Money has been given even after the report of the Committee. That is what he says.

Shri Hem Barua: It is contempt of Parliament.

Shri Ranga: It does not mean that the PAC recommendations are dead just because money has been granted for the next year. PAC recommendations are permanent and the follow-up action has got to be taken by the government and they are obliged to make a submission to the PAC in regard to the action taken on the recommendation. We cannot weaken the PAC in this manner.

श्री प्र० प्र० शर्मा : अध्यक्ष महोदय, करोड़ों रुपये की खादी रेलवे मंत्रालय की तरफ से खरीदी जाती थी। मैं जानना चाहता हूँ कि क्या वह उसी माता में खादी अभी भी खरीदी जा रही है और अगर खरीदी जा रही है तो कितने रुपये की खादी रेलवे मंत्रालय खरीदता है ?

श्री मनुभाई शाह : मेरे पास सेपरेट रेलवे की फिगरम नहीं हैं। लेकिन गवर्नमेंट के सारे डिपार्टमेंट मिलकर जिसमें रेलवे भी आ जाता है, कोई एक करोड़ पचास लाख से लेकर एक करोड़ 75 लाख रुपये की खादी खरीदते हैं।

Public Sector Corporations

*1520. **Shri Joachim Alva:** Will the Minister of Industry be pleased to state:

(a) the number of Secretaries of the Union Government who are at present heads of public sector industrial units of Corporations; and

(b) whether Government propose to make any change in the system in regard to the combination of the post of Secretary of the Communications Ministry with the Chairmanship of the Indian Airlines Corporation?

The Minister of State in the Ministry of Industry (Shri Bibudhendra Misra): (a) Nine.

(b) Secretary, Department of Aviation, is the Chairman of the Indian Airlines Corporation. His continuance or otherwise is being examined by that Department.

Shri Joachim Alva: Has the minister seen the report of the Estimates committee where it has opened that the combination of the office of the secretary of the ministry with that of the chairmanship of IAC is improper and not correct?

The Minister of Industry (Shri D. Sanjivayya): Yes, Sir, not only the Estimates Committee but the Public Undertakings Committee have recommended to the government that this is an unsatisfactory position and that it should be ended. Therefore, the Minister of transport has already made a statement that he is examining the whole question.

Shri Joachim Alva: Why has the government not placed the list of secretaries, to government, especially ICS who hold office of chairmanship of the public utility companies?

Shri D. Sanjivayya: I have given the number as nine; if you permit me, I will read out the nine names; I have got them here or I will place the list on the Table.

Mr. Speaker: It might be placed on the Table.

SHORT NOTICE QUESTION

Export of Tea

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S.N.Q. 26. Shri P. C. Borooah:
Shri Indrajit Gupta:

Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that India has lost to Ceylon the position of the leading supplier of tea in the world market last year;

(b) if so, the reasons therefor; and

(c) the steps proposed to be taken to regain the position this year?

The Minister of Commerce (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [*Placed in Library. See No. LT-6242/66.*]

Shri Surendranath Dwivedy: It is not only the IAC. Is it not a fact that the committee on Public Undertakings have recommended that the appointment of secretaries to ministries to the chairmanship or managing directorship of public corporations is undesirable and improper and it should be discontinued by the government? Has the government taken any decision?

Shri D. Sanjivayya: I stated in my answer that not only the Estimates Committee but the committee on Public Undertakings also made a similar recommendation.

Shri Surendranath Dwivedy: Not on this particular matter but in regard to the other appointments.

Shri D. Sanjivayya: With regard to this also, wherever secretaries are appointed as chairman of the various public sector undertakings, that question is being examined by the government in the light of the recommendations made by both the EC and PUC.

Shri P. C. Borooah: Ever since tea has been accepted as an international drink, India and China were fighting against each other for the leadership of the world so far as tea supply is concerned, and after the fall of China to India in the year 1918, India was reigning supreme in the world so far as the tea market is concerned. After enjoying this good position for the last 50 years or so, India has lost to Ceylon, a country which is infinitely smaller than ours in area and also in population. That is why this question is very important. Viewing it in this context, in the statement that has been laid before the House, in one part of the statement, it has been stated that "during these eight years, both production and exports from India have been steadily rising". But then, if reference is made to the other part of the statement, it will be found that in the year 1965....

Mr. Speaker: What is the question?

Shri P. C. Borooah: There is a discrepancy. In one part of the statement, it has been said that production and exports have been increasing. But

in the same statement, there is another remark by which I want to show....

Mr. Speaker: He knows the statement that has been placed on the Table of the House. He can only put a supplementary.

Shri P. C. Borooah: That is why I want an explanation for the discrepancy. The hon. Members do not know this.

Mr. Speaker: The Members may not know that, but the Minister knows it.

Shri P. C. Borooah: In the year 1956, we had raised our production by 15 million kilograms, while Ceylon also had the same amount of increase. But so far as the export of tea is concerned,....

Mr. Speaker: The Minister has not made the statement orally but has placed it on the Table of the House. And the hon. Member is reading the whole statement.

Shri P. C. Borooah: There is a discrepancy in the statement, Sir. In export, we have lost to the extent of 38 million kilograms. But the statement says the other way. While Ceylon is 50 million kilograms up, India is about 38 million kilograms down. In the first part of the statement, it says that we are increasing our exports, while . . .

Shri Manubhai Shah: I have placed all the figures of the last 10 years of production.

Mr. Speaker: The part that I could hear was that in one part of the statement, it is said that there is some stepping up of our production, while, in the other part, it is said we have lost to other countries. That can be explained,—the contradiction can be explained.

Shri Manubhai Shah: The two are not contradictory. I have given in the statement the figures of production for the last 10 years; for the in-

formation of the House, because the statement is not with them, I may point out that production has increased by 59 million kilograms over what it was before a decade with 308 million kilograms. The production last year was 367 million kilograms. So, the statement is right in indicating to the House that production has gone up. The real problem is one of internal consumption. If the hon. House sees the second column, it will find that from 71 million kilograms in 1956, before a decade, the consumption has jumped up to 168 million kilograms during the past 10 years. This makes the export of surplus difficult, and that is why our exports, when compared to Ceylon in 1965, are on the smaller fringe.

Shri P. C. Borooah: The discrepancy is that the export is not rising.

Mr. Speaker: He has finished now.

Shri P. C. Borooah: The second question is this. The main reasons have been shown for the fall in export and the loss in production and the rise in internal consumption. If that is so, may I know why the Government has not been able to give thought to the question of liberalisation of the tea plantation loan scheme which aims particularly at an increased production of tea, and also, in regard to the fiscal policy, may I know why it has not possible to see that Indian tea is not priced out in the world market?

Shri Manubhai Shah: These are relevant questions. Government have now accorded to the tea industry a priority status in the recent Finance Bill. Over and above that, depreciation has been allowed by the Finance Minister in the current year's budget only to this industry and to no other industry. There is a demand from the tea industry for a tax rebate, which is still under consideration.

Shri A. C. Guha: Is it true that one of the reasons for the fall is the high price of Indian tea as compared to

Ceylonese tea and if so, what steps do government intend to take to counter-act this?

Shri Manubhai Shah: It is a fact that slightly, by 5 per cent or so, Indian tea is more expensive than the counterpart quality in Ceylon. The reason is obvious. India is a country where tea is in short supply because of rising internal demand. In Ceylon with a population of 8 million, 98.7 per cent of the tea is surplus. So, it is bound to be depressed.

Shri Hari Vishnu Kamath: There is a disconcerting, rather astounding observation in the tail-piece of the statement:

"The continuously rising internal consumption of tea in India is a matter of great and serious worry and anxiety as it reduces the export surplus."

Is it the policy of the government to discourage tea-drinking in India and if so, is it the policy of the government to dump inferior on the poor Indian people and export superior tea abroad?

Shri Manubhai Shah: The worry is obvious because tea is a big exchange earner for India and at the same time, population is fast increasing and living standards of working class and other people are going up. Therefore, it is a matter for anxious enquiry and worry. We have to do something to restrain consumption.

Shri Hari Vishnu Kamath: They can put it better, not in this way that drinking of tea by the people in India is a matter of great anxiety and worry to the government.

Shri Hem Barua: In view of the fact that once India was the queen of exporters of tea and she had lost that position now to Ceylon, may I know what special steps the government have taken to restore that distinction to India now?

Shri Manubhai Shah: Firstly in the Tea Board, we have extended the tea financing advisory scheme by giving hire purchase, artificial irrigation and long-term replantation and new plantation finance. Secondly, we have made the tea profession more paying by including depreciation and 60 per cent development rebate in the recent Finance Bill. Over and above that, 2 per cent tax credit to loose tea and 5 per cent to the packed tea was announced in the previous year's budget. Further financial assistance to make tea industry more paying is always under the consideration of the government.

Shrimati Renu Chakravartty: Has the attention of government been drawn to the fact that the publicity which we are doing is being done in common with Ceylonese as well as Kenyan tea owners? Is it not a fact that we are not only losing steadily on this score to Ceylon but in the very near future we are going to lose to Kenya also?

Shri Manubhai Shah: We are interested in earning more and more foreign exchange through tea. We are the world's biggest producer. Kenya does not produce even 1 per cent of the world tea. Some years later it may grow into a competitor. We cannot allow other countries' growth to be retarded. What we have to do is to promote our own growth. That is what we are doing.

Shri S. Kandappan: In view of the shortage in tea production, which leaves on surplus for export, I would like to know whether the Government has taken any efforts to extend the tea-growing area in the country. In this connection, I would also like to know what has happened to the efforts made in Andamans to grow tea.

Shri Manubhai Shah: As far as land area is concerned, very little surplus land is available for any crop, whether wheat, rice, tea or anything. So, our effort has been to raise producti-

vity per acre in the existing plantations. Secondly, we want to replant the old bushes which are more than 40 or 50 years old, because when they are rejuvenated we are getting better yields. That is all what we can do. Here I would like to say this much. So far as productivity of tea is concerned, we are the biggest producers in the world, 1200 lbs. per acre, as against 900 lbs. in Ceylon and 850 lbs. in Kenya. But that is not enough. We have to get more land for tea and also to replant in the existing areas. So far as Andamans is concerned, whether the climatic and other conditions are suitable for tea cultivation has to be provided before we can have tea plantations there in a minor way.

श्री यशपाल सिंह : क्या सरकार ने यह बात समझने की कोशिश की है कि दूध की पैदावार घटी है और इतनी घटी है कि जो लोग दूध पीते थे, उन्होंने भी चाय पीना शुरू कर दिया है, इस लिए हम ने अपना प्रैन्टीज खोया है ; यदि हां, तो क्या सरकार सोच रही है कि दूध की पैदावार बढ़ाई जाये, तो हम एक बार फिर खंका को सारपास करेंगे ?

अध्यक्ष महोदय : श्री किशन पटनायक ।

श्री किशन पटनायक : क्या यह सही है कि चाय बागान के विदेशी मालिक यहां से बड़ा मुनाफा ले कर अफ्रीका में नये प्लान्टेशन लगा रहे हैं ; यदि हां, तो इस को रोकने के लिए सरकार क्या कर रही है ?

श्री मनुभाई शाह : सरकार किसी दूसरे मुल्क में किसी को रोकने के लिए क्या कर सकती है ? हम अपने मुल्क में बढ़ाने की कोशिश कर रहे हैं ।

श्री किशन पटनायक : वे यहां से बड़ा मुनाफा ले कर ऐसा कर रहे हैं ।

WRITTEN ANSWERS TO QUESTIONS

Manufacture of Tractors

*1521. **Shri R. Barua:** Will the Minister of Industry be pleased to state:

(a) whether any steps are being taken to have cheap and light tractors for use for small holdings;

(b) whether any measures are being taken to manufacture tractors and ploughs suitable for varying climatic conditions of India; and

(c) if so, the nature thereof?

The Minister of Industry (Shri D. Sanjivayya): (a) to (c). Agricultural tractors fall into three different broad categories; viz:

(i) Below 20 H.P. range

(ii) Between 20 and 35 HP range; and

(iii) Above 35 HP range.

The demand for tractors in all the ranges is estimated at 40,000 Nos. per annum by the end of the Fourth Five Year Plan. Five firms have already been licensed for the manufacture of tractors above 20 HP, with matching implements, for a total capacity of 30,000 Nos. per annum. All the licensed units are in production. To meet the demand for tractors below 20 HP, it is proposed to set up a public sector project with an annual capacity of 12,000 Nos. with matching implements. For this purpose, an agreement for the preparation of a Detailed Project Report was entered into with M/s. Motokov of Czechoslovakia in August last year. The report is expected to be ready by the end of this year.

Two wheeled tractors generally known as Power Tillers are usually in the range below 10 HP. It is estimated that the demand for Power Tillers would be around 60,000 Nos. per annum by the end of the Fourth Five Year Plan. One unit with an annual capacity of 3,000 Nos. is already in production, and this unit is being permitted to effect substantial expansion

so as to produce 6,000 tillers per annum. In addition, Letters of Intent have been issued to 5 parties for a total capacity of 57,000 Nos. per annum. Two other schemes for a total capacity of 27,000 Nos. have also been approved in principle.

सहायक उद्योगों सम्बन्धी उप-समिति

1522. श्री हुकम चन्द कट्टबाय :
श्री बड़े :

क्या उद्योग मंत्री 1 अप्रैल, 1966 के तारंकित प्रश्न संख्या 902 के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) क्या सहायक उद्योगों संबंधी उप-समिति ने इस बीच अपना प्रतिबदन दे दिया है ;

(ख) यदि हां, तो उस में की गई सिफारिशों का मोटा व्यौरा क्या है ; और

(ग) उन के बारे में सरकार ने क्या निर्णय किया है ?

उद्योग मंत्री (श्री ब० संजीवैया) : (क) जी, नहीं। उप समिति की अब तक केवल एक बैठक हुई है। रिपोर्ट देने से पूर्व इसकी कई बैठकें होने की संभावना है।

(ख) तथा (ग). प्रश्न ही नहीं उठता।

Import of Books through S.T.C.

*1523. Shri Flordia: Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that books and periodicals are proposed to be imported through the State Trading Corporation; and

(b) if so, the reasons therefor and the benefit that would accrue therefrom?

The Minister of Commerce (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

Textile Mill in Nepal

*1524. Shri Panna Lal:
Shri Vishwa Nath Pandey:

Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that Nepal's Industrial Development Corporation has agreed to extend to M/s. Birla Brothers of India a loan for the setting up of a textile mill at Simra under the Indo-Nepal Industrial Corporation;

(b) if so, the total amount thereof; and

(c) Government's reaction thereto?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). The Nepal Industrial Development Corporation, Kathmandu, propose to extend to M/s. Indo-Nepal Industrial Corporation to be managed by M/s. Birla Brothers (Pvt.) Ltd. a loan of Rs. 37.5 lakhs for setting up a modern composite textile mill at Simra in Nepal for manufacture of cotton yarn and finished cloth. Of the aforesaid amount, a sum of Rs. 32,81,250.00 is proposed to be provided out of the loan granted by Government of India to Government of Nepal in 1964.

(c) The proposal is under consideration.

Sale of Cars

*1525. Shri P. C. Borooah: Will the Minister of Industry be pleased to state:

(a) whether with the increase in the production of cars in the country since February 1966, the time taken for delivery of different types of Indian Cars against the new bookings has been considerably reduced; and

(b) if so, to what extent and the time expected to be taken for the delivery of different types of cars against new bookings?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). Production

of only one make of car, namely, Ambassador, has increased since February 1966. The increased availability will, to a certain extent, reduce the period of delivery of this make of car. The period of delivery varies for different makes of cars and from place to place.

Manufacture of Scooters

*1526. **Shri Solanki:** Will the Minister of Industry be pleased to state:

(a) whether it is a fact that Messrs Birla Industries have undertaken the manufacture of scooters costing Rs. 1200 each; and

(b) if so, the amount of foreign exchange involved in the production of such scooters and the ways and means of its procurement?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). As many as 189 applications (including applications from parties belonging to Birla Group of Industries) have been received for grant of Industrial licences for the manufacture of Scooters/Autocycles. No firm by the name of M/s. Birla Industries has applied for the licence. All these applications are still under consideration.

Narrow-Gauge Lines on Western Railway

1527. **Shri Jashvant Mehta:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Western Railway is losing 20 percent revenue in the running of narrow-gauge lines; and

(b) if so, the steps Government propose to take to dieselise the narrow-gauge lines on the Western Railway?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) The earnings of the Narrow Gauge sections of the Western Railway come only to 67 per cent of

the working expenses in 1963-64 and 60 per cent in 1964-65.

(b) In view of the shortage of foreign exchange it has been possible to introduce diesel traction only on sections which were saturated for steam traction. This condition does not exist on the sections in question.

Export Performance Awards

*1528. **Shri D. C. Sharma:** Will the Minister of Commerce be pleased to state:

(a) whether it is proposed to institute the export performance awards; and

(b) if so, the broad features thereof?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). The Board of Trade at its 23rd meeting held in New Delhi on 30-4-1966 considered a proposal that exporters with outstanding performance or promotional effort to their credit should be recognised in a concrete way by the Government. The Board approved the institution of ten Presidential Awards each of two classes (class I and class II) every year to firms, organisations, institutions and individuals. The selection of the best performance awardees will be made by a Committee consisting of distinguished experts and economists.

The matter is now under the consideration of Government.

A note on this scheme is laid on the Table of the House. [Placed in Library. See No. LT-6243/66].

Prices of Cloth

*1529. **Shri Indrajit Gupta:** Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that the existing 18 per cent margin between the ex-factory prices and retail prices of controlled varieties of cloth has recently been increased to 20 per cent;

(b) if so, the factors determining this increase by the Textile Commissioner; and

(c) the method, if any devised to ensure fair allocation of this margin between the wholesale and the retail trade?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi) (a) to (c). Having regard to the increased cost of distribution, higher interest charges, enhanced railway surcharge, cost of transport, financing etc., Government have raised the margin for the textile trade, in respect of controlled varieties of cloth, from 18 per cent over the ex-mill price to 20 per cent over the ex-mill price, the intention being that the retail cloth dealers should get at least 10 per cent of the ex-mill price as their margin. How this intention is to be implemented is being examined by a Committee under the chairmanship of Shri R. G. Saraiya. The Committee's recommendations are awaited.

New Government Electrical Factory, Bangalore

***1530. Shri Hari Vishnu Kamath:
Shri P. C. Borooah:**

Will the Minister of Industry be pleased to state:

(a) whether Government have decided to hand over the management of the New Government Electrical Factory Ltd., Bangalore to a West German firm;

(b) if so, the reasons therefor; and

(c) the name of the German firm together with the terms and conditions of the deal?

The Minister of Industry (Shri D. Sanjivayya): (a) There is a proposal to entrust the management of the New Government Electrical Factory Ltd., Bangalore to a new Company in which the State Government, M/s. A.E.G. of West Germany, International Finance Corporation, Washington and the public will hold shares

in the following manner:

AEG	... 40%
Mysore Govt.	... 30%
IFC, Washington	.. 11%
Public	... 19%

(b) and (c). The Government of Mysore have been finding that the New Government Electrical Factory, Bangalore owned by the State is a heavy financial burden on their resources. The day-to-day management of the new Company will rest in a Committee of Management consisting of three directors of AEG and two directors nominated by the Mysore Government.

The Chairman being a nominee of the Mysore Government.

The proposals are under the consideration of the Government of India at present.

लघु उद्योग निगम

1531. श्री म० सा० द्विवेदी :

श्री प्र० चं० बरुआ :

श्री भागवत झा झाजाब :

श्री सुबोध हंसदा :

श्री स० चं० सामन्त :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) लघु उद्योग निगम उद्योगपतियों को किन किन शर्तों और निबंधनों पर मशीनें तथा कलपुर्जें दिलवाता है ;

(ख) जो मशीनें और कलपुर्जें किस्त-बन्दी के आधार पर खरीदे जाते हैं, वे उद्योग-पतियों को कहाँ से और कैसे मिल सकते हैं, इस की जानकारी उन को कराने के लिये निगम ने क्या व्यवस्था की है ; और

(ग) जो मशीनें और कल पुर्जें किराये पर मिल सकते हैं, क्या उनकी प्रदर्शनी कराने और उनकी सूची तैयार कराने का प्रयत्न किया गया है ?

उद्योग मंत्री (श्री व० संजीवैया) (क)
राष्ट्रीय लघु उद्योग निगम लि० द्वारा केवल

मशीनें ही किराया/खरीद के आधार पर दी जाती हैं। किराया/खरीद के आधार पर दी गई मशीनों की मुख्य शर्तें इस प्रकार हैं :

(1) औद्योगिक धमन भट्टियों के अलावा जहां मूल्य का 30 प्रतिशत अग्रिम भुगतान के रूप में दिया जाता है, मशीनों के मूल्य का 20 प्रतिशत अग्रिम भुगतान के रूप में लिया जाता है ?

(2) 7 प्रतिशत की दर से व्याज लिया जाता है।

(3) वर्गीकृत मशीनों के लिए पुनर्भुगतान का समय मान वर्ष है तथा गैर वर्गीकृत मशीनों के लिए 5 वर्ष है। भुगतान की पहली किश्त एक वर्ष बाद शुरू होती है तथा दूसरी और बाद की किश्तों का भुगतान हर छमाही के बाद किया जाता है।

(4) मशीनों के मूल्य का 6 प्रतिशत सेवा खर्च के रूप में लिया जाता है।

(ख) प्रार्थियों द्वारा छांटी गयी मशीनों की पूर्ति का प्रबन्ध निगम करता है अतः वह उसकी उपलब्धि के साधनों के बारे में जानकारी नहीं देता। लेकिन कुछ विशेष मामलों में जब प्रार्थी इसके बारे में पूछताछ करते हैं निगम अपनी ओर से किसी भी प्रकार बाधित हुए बिना अपनी जानकारी के अनुसार यथासम्भव पूर्ण सूचना देता है।

(ग) जी, नहीं, क्योंकि इसे आवश्यक तथा प्रमल के योग्य नहीं समझा गया।

सूती कपड़े का मूल्य-नियन्त्रण

† 1532. श्री मधु लिष्ये :

श्री यशपाल सिंह :

श्री कपूर सिंह :

श्री प्र० के० देव :

श्री प्र० च० बल्लभा :

श्री धोंकार लाल बेरवा :

श्री हुकम चन्द कछवाह :

श्री पुंड्रबोर सिंह :

डा० लक्ष्मीमल्ल सिधवी :

श्री बड़े :

श्री बी० चं० शर्मा :

क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार को सूती कपड़े से मूल्य-नियन्त्रण हटाने के बारे में मिल मालिकों से कोई मुझाव मिला है ; और

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

वाणिज्य मंत्रालय में उपमंत्री (श्री शकी कुरैशी) : कुछ सुझाव मिले हैं, परन्तु ये समय समय पर वशावरियों अथवा मिल मालिकों ने भेजे हैं।

धोनियों, साड़ियों आदि मिल के बने कुछ विशेष किस्मों के कपड़ों के मूल्य और उत्पादन का नियन्त्रण करने का उद्देश्य सामान्य जन के लिये उचित मूल्यों पर लोक-प्रिय किस्मों के कपड़ों का पर्याप्त संभरण सुनिश्चित रखना है। सरकार इस लिये वर्तमान व्यवस्था को गड़बड़ नहीं करना चाहती।

पटना में तांबा पकड़ा जाना

*1533. श्री बिइबनाथ पाण्डेय : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नवम्बर, 1965 में पटना मिट्टी स्टेशन से अवैध रूप से एक रेलवे पार्सन के द्वारा भेजा जा रहा 50 मन तांबा पकड़ा गया था ; और

(ख) यदि हां, तो संबंधित व्यक्तियों के विरुद्ध क्या कार्यवाही की गई है ;

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) जी हां।

(ख) पटना के सरकारी रेलवे पुलिस स्टेशन में भारत रत्ना नियम की धारा 125

के घनत्वगत एक मामला दर्ज किया गया है और इसकी जांच की जा रही है।

Stainless Steel Project in Madras

*1535. **Shri Firodia:** Will the Minister of Iron and Steel be pleased to state:

(a) whether it is a fact that Stainless Steel Project is likely to be set up in Madras with the collaboration of Japan;

(b) if so, the capacity and cost of the proposed project; and

(c) the foreign exchange involved therein?

The Minister of Iron and Steel (Shri T. N. Singh): (a) and (b). A licence has been issued to Madras Alloy and Stainless Steels Ltd., to set up a plant in Madras State for the manufacture of 7,000 tonnes of stainless steels per annum. Technical collaboration and major part of equipment is being obtained from Japan. The total cost of the project is estimated to be Rs. 850 lakhs.

(c) Approximately Rs. 284 lakhs.

Prices of Exportable Goods

*1536. **Shri P. C. Borooah:**

Shri Onkar Lal Berwa:

Shri Sidheshwar Prasad:

Will the Minister of Commerce be pleased to state:

(a) whether the Board of Trade at its last meeting took note of the fact that high costs of Indian goods have made them uncompetitive in the World Market;

(b) if so, the decisions taken by the Board to reduce the cost of production; and

(c) what other decisions were taken at the Board's meeting?

The Minister of Commerce (Shri Manubhai Shah): (a) The Board of Trade at its 23rd meeting held on the

30th April, 1966 considered a paper which showed that exports from India were becoming more and more uncompetitive in the world markets due primarily to rise in raw material prices and wages, under-utilisation of capacity and allied factors.

(b) As the question of cost reduction is of a complex and integrated character, the Board decided that the paper should be circulated to a "Workshop" to be called in Delhi at an early date. The "Workshop" which will consist of eminent economists, manufacturers and industrial organisations, exporters, representatives of Export Promotion Councils, Cost Accountants, Scientists and Government representatives, will take into account cost norms, materials management research, technology and all related factors going into the cost of production. The "Workshop" will also recommend to the Board the pattern of institutional arrangement or authority that should be set up to tackle this problem.

(c) A copy of the Press Release on the 23rd meeting of the Board of Trade held on 30th April, 1966, is laid on the Table of the House. [Placed in Library. See No. LT-6244/66].

Kandla Free Trade Zone

*1537. **Shri Jashvant Mehta:** Will the Minister of Commerce be pleased to state:

(a) the number of export-oriented industrial licences issued for free trade zone of Kandla;

(b) how many industrial units have actually gone into production in this free trade zone;

(c) the reasons for the delay in establishing new industries, and

(d) the steps Government propose to take to make the scheme a success?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b) So far 104 applicants have been approved

for setting up industries in the Kandala Free Trade Zone out of which 54 have taken possession of the plots. Factories of three parties are nearing completion out of which one will go into production during this month.

(c) and (d). The main causes for delay in establishing industries in the Zone are (i) hesitancy on the part of entrepreneurs to make new investments because of border skirmishes in the Rann of Kutch in May-June, 1965 and also recent Indo-Pakistan conflict (ii) difficulties in securing foreign exchange for machinery and raw materials and (iii) lack of regular shipping services for General Cargo traffic. The business climate is, however, changing with passage of time and entrepreneurs are now taking more interest. A scheme of Revolving Foreign Exchange Credit Fund is also being finalised to enable the units to import their requirements of raw materials etc. Director General of Shipping has also been requested to arrange for provision of necessary shipping facilities for General Cargo traffic at Kandala Port.

A list of the approved applicants (104) is laid on the Table of the House. [Placed in Library. See No LT-6245/66].

Excess Wagon Capacity

*1538. **Shri Madhu Limayc:** Will the Minister of Railways be pleased to state:

(a) whether there is any excess wagon capacity with the Indian Railways;

(b) whether it has affected the wagon production in India;

(c) if so, to what extent;

(d) whether Government have also seen reports about the fear, of collieries that the Railways may not be able to handle movements of coal for the steel plants and other purposes in the next few years; and

(e) if so, the steps taken to dispel these fears?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Due to less materialisation of traffic, there was some stalling of wagons during the second half of 1965-66.

(b) and (c). To some extent.

(d) A few such reports have appeared in the press.

(e) The fears expressed are groundless. On the floor of this House and through the medium of radio broadcasts and the press, the Railways have emphasised their ability to meet all demands for coal.

Trade with Nepal

*1539. **Shri Firodia:** Will the Minister of Commerce be pleased to state:

(a) whether Government held discussions with the Prime Minister of Nepal on trade collaboration during his recent visit to this country; and

(b) if so, the result thereof?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). During the recent visit of the Prime Minister of Nepal to India, the question of joint ventures as well as the question of supply to Nepal by India of consumer goods under our Aid Programme like motor cars, motor cycles, scooters, cycles, radios, textiles, garments, high quality hosiery, and various other consumer goods etc. was discussed in general terms. The discussions would be continued at the next round of trade talks, for which HMG, Nepal have been invited to send their delegation to India. No date for the visit has as yet been communicated by HMG Nepal.

Loan from the World Bank

*1540. **Shri P. C. Borooah:** Will the Minister of Railways be pleased to state:

(a) Whether the World Bank has recently granted a loan of about \$ 66 million;

(b) the precise terms of the loan; and

(c) the projects to be financed therewith?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) to (c). Assistance has been sought from the International Development Association (an affiliate of the World Bank) to cover the foreign exchange payments necessary for the Railway Programme, mainly during 1966. Intimation has not yet been received of the precise amount, the period and terms of the credit and the list of goods to be financed under the credit.

Land along Railway Lines in Kerala

4883. Shri A. K. Gopalan: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the land near the Payangadi (Kerala) Railway station has been given for cultivation;

(b) how many acres of land adjoining the Railway lines in Kerala are kept idle; and

(c) whether Government propose to lease out these lands for cultivation?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) About 171 acres.

(c) Yes, Permission to cultivate Railway land up to the current season by adjacent land owners and Railway employees is being given as and when applications therefor are received.

Manufacture of Agricultural Implements

4884. Shrimati Ramdulari Sinha: Will the Minister of Industry be pleased to state the steps taken so far to manufacture agricultural implements in the Co-operative Sector in each State?

The Minister of Industry (Shri D. Sanjivayya): The information is being collected and will be laid on the Table of the House.

Rail Link between Bailadilla and Vishakhapatnam

4885. Shri Ram Harkh Yadav: Will the Minister of Railways be pleased to state:

(a) which of the new Railway line connecting Bailadilla and Vishakhapatnam to ease shipment of Iron ore to Japan has been completed and commissioned to work recently;

(b) the details of the new Railway line;

(c) the details of the track; and

(d) the total expenditure on the layout?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) to (d). The new BG railway line from Bailadilla to Kottavalasa (448 KMs) via Jagadapur-Jeypore and Koraput for movement of iron ore for export via Visakhapatnam Port is nearing completion. The track is being laid with 90 lbs. rails on N + 3 wooden, steel and cast iron sleepers. The line is estimated to cost Rs. 56.67 crores.

Cotton Textile Consultative Board

4886. Shri Ram Harkh Yadav: Will the Minister of Commerce be pleased to state:

(a) whether Government have recently reconstituted the Cotton Textile Consultative Board; and

(b) if so, the reasons therefor and the composition and functions of the new Board?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi): (a) Yes, Sir.

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-6246/66].

Pneumatic Instrument Factory

4847. Shri Manoharan:

Shri A. V. Raghavan:

Will the Minister of Industry be pleased to state:

(a) the progress made so far in the setting up of the mechanical hydraulic and pneumatic instrument factory in Kerala;

(b) the cost of the project; and

(c) the amount spent so far; and when the plant will be commissioned?

The Minister of Industry (Shri D. Sanjivayya): (a) Land has been acquired. The scheme has been included in the annual plan by the Planning Commission and necessary budget provision has been made. The Detailed Project Report was examined by the Technical Committee and a final decision is expected to be taken shortly.

(b) Rupees 7.55 crores as per tentative estimates.

(c) The only expenditure incurred so far is an amount of Rs. 3.70 lakhs paid to M/s. Prommash export towards the cost of Detailed Project Report. The Plant is expected to be commissioned sometime in 1968-69.

गडरा रोड से मुनाबाब तक रेलवे लाइन

4888. श्री तन सिंह : क्या रेलवे मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या भारत-पाकिस्तान संघर्ष के दौरान उत्तर रेलवे के जोधपुर डिबीजन पर गडरा रोड से मुनाबाब तक जो रेलवे लाइन बन्द कर दी गई थी उसे अभी तक चालू नहीं किया गया है ;

(ख) क्या उस स्थान के निवासियों ने गडरा रोड से नीलमा तक पुनः रेलगाड़ियां चलाने के बारे में सरकार को एक ज्ञापन दिया है ; और

(ग) इस लाइन पर यात्री यातायात कब तक चालू हो जायेगा ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) जी नहीं ।

(ख) जी हां ।

(ग) रेल पथ आदि की मरम्मत हो जाने और मैनिंक अधिकारियों तथा रेल संरक्षा के अपर आयुक्त से निर्बाधता-पत्र मिल जाने पर यातायात चालू हो जायेगा । इस काम को जल्दी करने के लिए पूरा प्रयास किया जा रहा है ।

ट्रैक्टरों का निर्माण

4889. श्री बे० सि० पाटिल : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या महाराष्ट्र में कृषि संबंधी ट्रैक्टरों के निर्माण के लिये एक कारखाना स्थापित करने के संबंध में महाराष्ट्र सरकार में कोई प्रस्ताव सरकार को मिला है ; और

(ख) यदि हां, तो क्या कृषि उत्पादन को बढ़ाने की अविलम्बनीय आवश्यकता को दृष्टि में रखते हुए सरकार ने प्रस्ताव पर विचार किया है तथा क्या राज्य सरकार की प्रार्थना स्वीकार कर ली गई है ?

उद्योग मंत्री (श्री ड० सजीवरा) : (क) और (ख) कृषि संबंधी ट्रैक्टर बनाने वाला कारखाना लगाने का कोई प्रस्ताव महाराष्ट्र सरकार से नहीं प्राप्त हुआ है । हां, उस सरकार ने यह अनुरोध प्रवर्ण्य किया है कि कृषि संबंधी ट्रैक्टर बनाने का जो कारखाना सरकारी क्षेत्र में स्थापित किया जाने वाला है उसकी स्थापना उसी राज्य में की जाये । अन्य सरकारों में भी इसी आशय का अनुरोध प्राप्त हुये है । भारत सरकार ने इस संबंध में अभी कोई अन्तिम निर्णय नहीं किया है :

Coal Advisory Council

4890. Shri Ram Harkh Yadav: Will the Minister of Mines and Metals be pleased to state:

(a) whether the Coal Advisory Council has been reconstituted;

(b) if so, the constitution of the new Committee and its tenure of office; and

(c) its powers and functions?

The Minister of Mines and Metals (Shri S. K. Dey): (a) The composition of the Council has been enlarged by inclusion of all the coal producing States and some more coal consuming States;

(b) The present composition of the Council is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-6247/66]. The term of the Council has been extended for a further term of two years from March, 1966; and

(c) The functions of the Council are to advise Government in regard to all matters of general character relating to coal, and in particular to problems pertaining to planning for the development, utilisation and due conservation of the coal resources of the country.

Ticketless Travel

4891. Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of Railways be pleased to state:

(a) the names of sections of the South-Eastern Railway, where the largest number of ticketless travellers were detected during 1965-66; and

(b) the steps taken in the matter?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Howrah-Kharagpur, Raipur-Kantabanji and Bilaspur-Anupur sections.

(b) Checks in the sections have been intensified.

Concentrated cross-country surprise checks, in which police force are also associated, are being conducted.

Thefts in Khadi Gramudyog Bhawan, Delhi

4892. Shri Lakshmu Bhawani: Will the Minister of Commerce be pleased to state:

(a) the total number of thefts committed during the period from April, 1955 to April, 1966 in Khadi Gramudyog Bhawan, New Delhi and the total amount involved in those thefts; and

(b) the steps taken in this regard and the result thereof?

The Deputy Minister in the Ministry of Commerce (Shri Shaif Qureshi): (a) Total number of thefts during the period from April, 1955 to largest number of ticketless travel—April, 1966—Four. Total amount involved—Rs. 15,338.10.

(b) The cases were reported to the Police who made investigations. The stolen goods could not, however, be traced so far.

लखनऊ तथा वाराणसी के बीच रेलवे स्टेशनों पर बिजली

4893. श्री रणजय सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) लखनऊ तथा वाराणसी के बीच मुख्य लाइन पर कितने रेलवे स्टेशनों पर बिजली की व्यवस्था की गई है।

(ख) उक्त लाइन पर ऐसे स्टेशनों के नाम क्या हैं जहाँ शहरों प्रथवा कस्बों में बिजली है और इन स्टेशनों पर वह लगाई जा सकती है।

(ग) क्या उक्त लाइन पर घरेली स्टेशन के निकट बिजली के खम्भे हैं परन्तु

इम स्टेशन पर बिजली की व्यवस्था नहीं की गई है; और

(घ) सरकार का इम स्टेशन पर कब बिजली लगाने का विचार है ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) तैरह।

(ख) केवल छमेटी रेलवे स्टेशन ऐसा है जहां शहर के नजदीक बिजली उपलब्ध है ?

(ग) जी हां।

(घ) छमेटी स्टेशन पर 1-9-1966 तक या उससे पहले बिजली लगा दी जायेगी।

Freight Concession on Movement of Goods

4894. Shri Ram Harkh Yadav: Will the Minister of Railways be pleased to state:

(a) whether Government propose to offer freight concessions for the movement of goods to scarcity areas;

(b) if so, the details thereof and the nature of goods involved therein; and

(c) whether Government propose to offer special concessions on the movement of fodder and coal fuel to conserve cowdung used for fuel in rural areas?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) and (b) The Railways have agreed to provide free transport, by coaching/goods trains from the port of landing to the first destination, for gift consignments of milk powder, multi-vitamin tablets and medicines and vitamin biscuits being

donated to India by some Governments and voluntary organisations in foreign countries for free distribution in scarcity affected areas.

No other freight concession is contemplated.

(c) Special concessional rates for fodder are introduced by the Railway Administrations during periods of fodder scarcity at the request of the State Governments.

It is not proposed to make any reduction in the rates for coal as the existing rates are already very low.

Central Small Industries Organisation

4895. Shri A. V. Raghavan: Will the Minister of Industry be pleased to state:

(a) the total number of gazetted and non-gazetted Technical officers in the Central Small Industries Organisation;

(b) their distribution with reference to each State;

(c) whether the regional set-up has been revoked and if so, whether the concentration of Gazetted Officers continues in the offices; and

(d) whether dearth of Officers in certain States has resulted in the slow growth of small industries in those States?

The Minister of Industry (Shri D. Sanjivayya): (a) The number of Technical Gazetted Officers and Technical non-Gazetted Officers is 286 and 319 respectively.

(b) The required information is given below:—

SISIs including Extension Centres

No. of Tech. Gazetted Officers

No. of Tech. non-Gazetted Officers

Ahmedabad	13	14
Bangalore	12	14
Bombay	18	24
Calcutta	27	28

SISIs including Extension Centres	No. of Tech. Gazetted Officers	No. of Tech. non-Gazetted Officers
Cuttack	8	6
New Delhi	35	32
Gauhati	4	13
Hyderabad	14	15
Indore	10	14
Jaipur	12	13
Kanpur	25	26
Ludhiana	16	24
Madras	26	35
Patna	7	14
Srinagar	5	2
Trichur	19	31
Goa	5	4
Headquarters	30	10
TOTAL	216	

The above staff is the fixed strength of the Institutes subject to minor variations according to the requirements of the Institutes. Besides this, there are also some vacant posts; action for filling up these posts is being taken. As soon as men become available against these vacancies, they will be posted in the Institutes according to the requirements.

(c) The regional set up was replaced by a Statewise system of administration in 1959. By that time each State had been given a full-fledged Institute headed by a Director and carrying a complement of technical personnel. There is no concentration of gazetted officers in the offices, these having been largely spread out in extension centres which number over 60.

(d) The problems of small industries development in the country are so great that no provision of technical personnel can be called too great. The Government of India is endeavouring to bring about balanced regional growth and with this end in view the technical staff, both gazetted and non-gazetted, have been distributed in the States according to the needs of each State. The growth of

industries depends on a number of factors including the provision of technical assistance and therefore it would not be correct to suggest that the dearth of officers has slowed down the pace of growth in any State.

Ream of Papers

4896. **Shri Jedhe:** Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that there are 500 sheets of paper in one ream;

(b) whether it is also a fact that each ream contains 20 quires but every quire contains only 24 sheets;

(c) if so, the reasons for this anomaly; and

(d) the action Government propose to take in this regard?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi):
(a) Yes, as standardized by the Indian Standards Institution.

(b) According to an old British practice, a quire of 24 sheets and a ream of 20 quires was in use earlier.

(c) The old British practice is now being discarded. There may be some retailers who may be still adhering to the old practice.

(d) As the Standards of Weights and Measures Act, 1956 applies only to weights and measures and not to numbers, it is not possible to take legal action to strictly enforce the use of 500 sheets in retail trade. The Government can only impress on the trade the desirability of adopting the use of 500 sheets.

Cyclostyled Notices in the Railway Compartments

4897. Shri Jedhe: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the cyclostyled notices displayed in the Railway Compartments in various languages are illegible as every alphabet is broken at 3 to 4 places;

(b) if so, the reasons for this defective stencilling; and

(c) the steps taken in this regard?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Cyclostyled notices are not displayed in the Railway Compartments.

(b) and (c). Do not arise. Printed notices in glass frames, painted notices with full letters and some notices with stencilled letters are properly displayed with due care to ensure legibility.

बल्लियारपुर स्टेशन पर रेल का पुल

4898. श्री सिद्धेश्वर प्रसाद : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पूर्व रेलवे पर बल्लियारपुर स्टेशन पर एक पुल बनाने का कार्य पूरा हो गया है;

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

(ग) इस पुल के कब तक पूरा हो जाने की संभावना है ?

रेलवे मंत्रालय में उपमंत्री (श्री शाम नाथ) : (क) जी नहीं ।

(ख) विलम्ब होने का कारण यह है कि राज्य सरकार से योजनाओं और अनुमानों की औपचारिक स्वीकृति देर से मिली । संशोधित अनुमान तैयार कर लिया गया है और शीघ्र ही मंजूर कर लिया जायेगा ।

(ग) यदि राज्य सरकार ने अपने हिस्से के खर्च की रकम दे दी तो प्राप्ता है यह पुल 1967-68 में पूरा हो जायेगा ।

D.A. to Railway Workers

4899. Shri Siddheshwar Prasad: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the workers of the Arrah-Sasaram and Futwah-Islampur Light Railways are not getting dearness allowance;

(b) whether they have not been paid any bonus based on the contract of service after 1964;

(c) whether employers are also violating the tripartite agreement of the 14th October, 1965; and

(d) if the reply to parts (a), (b) and (c) above be in affirmative, the action being taken by Government in this regard?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) These are not Government Railways. According to the information supplied by the Managing Agents, the workers are getting dearness allowance, but the question of quantum of dearness allowance is now pending before a Labour Court.

(b) They have been offered interim bonus by the Managing Agents.

(c) Government are informed that there was not tripartite agreement on the 14th October, 1965.

(d) Does not arise.

Export of Coconut

4900. Shri V. V. Thevar: Will the Minister of Commerce be pleased to refer to the reply given to Unstarred Question No. 3218 on the 5th April, 1966 and state:

(a) whether there is any proposal to give licences to growers of coconut on co-operative basis for exporting coconut, copra and coconut oil to foreign countries in view of the decline in prices of these commodities during the last one year; and

(b) the names of countries where the demand for these commodities is high?

The Minister of Commerce (Shri Manubhai Shah): (a) No, Sir.

(b) Principal importing Countries of Copra and Coconut oil are U.S.A., West Germany, U.K., Italy, India, France, Sweden and Norway.

Welfare Inspectors on Railways

4901. Shri Seshliyan: Will the Minister of Railways be pleased to state:

(a) the total number of posts of Welfare Inspectors on the Railway except the ex-cadre posts of Inspectors for Sports and Cooperative Work;

(b) the number of Welfare Inspectors working in the scale of Rs. 450—575(AS) and Rs. 370—475(AS) and also their percentage to the total;

(c) the basis of fixation of the number of higher grades on each zonal Railway, and

(d) whether the same principle is adopted in fixing the cadre of Welfare Inspectors in the Railway Board also?

The Minister of State in the Ministry of Railways (Dr. Ram Subhas Singh): (a) 627.

(b) 21 (3.4 per cent).

(c) On the basis of the worth of charge subject to a maximum of 5 per cent.

(d) No.

Assistant Personnel Officers and Assistant Welfare Officers

4902. Shri Seshliyan: Will the Minister of Railways be pleased to state:

(a) the number of posts of officers in the Personnel Deptt. from C.P.Os. to A.P.Os. on various Railways, zone-wise;

(b) whether it is a fact that the Welfare/Personnel Inspectors are required to seek promotions along with the Engineering Chargemen, Inspectors, Traffic Inspectors, Commercial Inspectors, Accountants and Stock Verifiers who do not work in the Personnel Deptt; and

(c) whether the Railway Board propose to limit the promotions to the posts of A.P.O./A.W.O. to the staff of the Personnel Deptt. only?

The Minister of State in the Ministry of Railways (Dr. Ram Subhas Singh): (a) A statement showing the number of posts of officers in the Personnel Deptt. from C.P.O. to A.P.O. on the various Railways zone-wise is laid on the Table of the House. [Placed in Library. See No. LT-6248/66].

(b) Under the extant orders, the following categories of permanent staff are eligible for selection to the posts of A.P.O./A.W.O.:

(i) All staff in grade Rs. 235—425 and above provided they have rendered a minimum of 3 years non-fortuitous service after reaching the stage of Rs. 335 either in these grades or in a lower grade.

(ii) Junior Accountants in scale Rs. 270—435 (A).

(iii) Stenographers in scale Rs. 210—425 (A).

(iv) Inspectorial and Depot staff in scale Rs. 250—380 (A); and

(v) Office Clerks in scale Rs. 210—380 (A). Staff referred to

in items (ii) to (v) are eligible only on completion of 3 years' service after reaching the stage of Rs. 335.

(c) No such proposal is under consideration.

Remodelling of Stations on S.E. Railway

4903. Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri P. C. Borooah:

Will the Minister of Railways be pleased to state:

(a) whether the remodelling of all the stations on the Kharagpur-Howrah section of the S.E. Railway has been completed;

(b) if not, when this will be done;

(c) whether agricultural lands have been acquired for earth work at the stations; and

(d) if not, from where the earth was taken to raise the station compounds?

The Deputy Minister in the Ministry of Railways (Shri Shyam Nath):
(a) The remodelling of all the Station Yards in Howrah-Kharagpur Section has not been completed yet.

(b) This is expected to be completed by December, 1987.

(c) No agricultural land was acquired for earthwork. 0.34 acres of land at Andul and 2.62 acres at Bauria were acquired for road diversion and extra lines.

(d) The earth was mostly taken from waste and arable lands outside railway limits, arranged by the Contractors themselves. In a few cases, however, where sufficient railway land was available, earth was taken from within the existing railway land.

Development of Handloom Industries in U.P.

4904. Shri Vishwa Nath Pandey:
Will the Minister of Commerce be pleased to state:

(a) the total output of handloom products manufactured in Uttar Pradesh during 1965-66;

(b) the total consumption of yarn during the same period; and

(c) the total amount granted to Uttar Pradesh for the development of handloom industries in the State during 1965-66?

The Deputy Minister in the Ministry of Commerce (Shri Shaif Qureshi): (a) 465.2 million metres

(b) 32.1 million kgs.

(c) Rs. 8.73 lakhs.

G.C. Sheets for U.P.

4905. Shri Vishwa Nath Pandey:
Will the Minister of Iron and Steel be pleased to state:

(a) the total requirements of G.C. Sheets for Uttar Pradesh during 1965-66;

(b) the quantity allotted to that State during the same period; and

(c) the quantity actually supplied to the State during 1965-66?

The Minister of Iron and Steel (Shri T. N. Singh): (a) 25,940 tonnes

(b) During 1965-66 no general allocations of G. C. sheets were made to any State under the 'States Pooled Quota' due to heavy backlogs with the main producers. However, 1,358 tonnes of G. C. Sheets were allocated to Uttar Pradesh through Special Agricultural and Small Scale Industries quotas.

(c) Total despatches of G. C. Sheets from indigenous production during 1965-66 (up to October 1965) amounted to 5,214 tonnes approximately. Despatch figures from October, 1965 onwards are not yet available.

Stainless Steel requirements for U.P.

4906. Shri Vishwa Nath Pandey: Will the Minister of Iron and Steel be pleased to state:

(a) the requirements of Uttar Pradesh for Stainless Steel during 1965-66; and

(b) the quantity of stainless steel actually allotted to that State during 1965-66?

The Minister of Iron and Steel (Shri T. N. Singh): (a) The requirements of stainless steel for Uttar Pradesh for the year 1965-66, according to the State Government, are as follows:

Stainless Steel sheets—1490 tonnes.

Stainless Steel rods—430 tonnes.

The actual requirements are likely to be considerably less since generally there is an inflation of demand.

(b) No allotment of stainless steel for the manufacture of utensils has been made to any State during the year 1965-66. Foreign exchange worth Rs. 13.11 lakhs was allocated to the State of Uttar Pradesh for import of all steel (including Stainless Steel) for actual users. Out of this the State Government had recommended import of stainless steel worth Rs. 6,435 only for actual users other than for utensil manufacture and import licences have been issued accordingly.

Special Steel for Surgical Instruments

4907. Shri Kolla Venkatah:

Shri M. N. Swamy:

Will the Minister of Iron and Steel be pleased to state:

(a) whether any private Indian firms have been given licences for the manufacture of special varieties of steel that are required for the manufacture of surgical instruments;

(b) if so, when;

(c) the number of firms granted such licences;

(d) the reasons for the delay in the implementation of the plans by the firms; and

(e) the steps taken by Government in view of the scarcity of foreign exchange for the import of that steel?

The Minister of Iron and Steel (Shri T. N. Singh): (a) Yes, Sir.

(b) A few units were licenced in 1955, 1957 and 1959. The remaining during the period from 1960 onwards.

(c) 21.

(d) and (e). Difficulty in obtaining the technical know-how for production and shortage of foreign exchange are the major causes for the long time taken in the implementation of schemes for the manufacture of alloy and special steels. Progress of licensed scheme is constantly under review and licences, where satisfactory progress has not been made, are also revoked from time to time.

Export Incentive Scheme

4908. Shri Madhu Limaye: Will the Minister of Commerce be pleased to state:

(a) whether Government have examined the cases of the firms which violated the rules of the export incentive scheme and rules about foreign exchange during 1964-65 and 1965-66; and

(b) the details of the action taken by Government and the Reserve Bank against the defaulting firms?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir.

(b) The parties who had violated the rules of the Export Promotion Schemes were ordered to show cause why panel action should not be taken under the provisions of the Imports (Control) Order, 1955 and Exports (Control) Order, 1962. After due consideration of explanations offered, decisions were taken depending on the merits of each case whether to accept the explanations or to debar the

persons/firms concerned from getting licences for specified periods and in addition, to refer to the Central Bureau of Investigation for launching prosecution under Section 5 of the Import and Exports (Control Act, 1947. Such parties who were found guilty of the offences under the ITC/ETC Rules were also de-registered from participation in the Export Promotion Schemes. Non-realisation of foreign exchange in respect of overdue exports proceeds also amounts to violation of ITC/ETC rules and Government have taken action in the manner mentioned above.

Similar action was taken by RBI against exporters who failed to realize the export proceeds within the prescribed period under the Foreign Exchange Regulation Act.

However it may be noted that such cases of default are few as compared to the very large number of exporters and the large volume of exports.

Booking Office at Howrah Station

4909. **Shri Subodh Hansda:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a new platform booking office has been constructed at the Howrah Station by the Eastern Railway;

(b) if so, the total expenditure involved; and

(c) whether this was done departmentally or through a contractor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhas Singh): (a) to (c). No. However, a platform-cum-cab road ticket booth at Howrah station has since been replaced by a spacious one at an estimated cost of Rs. 16,000. The construction work of the booth has been done through a contractor.

उत्तर बिहार में भ्रष्टाचारी कागज और कागज की लुब्धी बनाने का कारखाना

4910. **श्री लहटम चौधरी :** क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर बिहार में भ्रष्टाचारी कागज तथा कागज की लुब्धी बनाने का एक कारखाना स्थापित करने की सम्भावना का पता लगाने के लिये अमरीका के कागज उद्योग विशेषज्ञों के एक दल ने हाल में बिहार राज्य का दौरा किया था; और

(ख) यदि हाँ, तो उक्त दल द्वारा दिये गये प्रतिवेदन की मुख्य-मुख्य बात क्या है तथा उनके बारे में सरकार की क्या प्रतिक्रिया है ?

उद्योग मंत्री (श्री डा० संजीवराय) :

(क) अमरीका के कागज उद्योग के विशेषज्ञों के इस तरह के किसी भी दल ने बिहार का दौरा नहीं किया था। इस प्रकार के ब्रिटेन के मेसर्स साइमन हैरिडिंग इंजीनियर्स तथा मैक्सिको के मेसर्स जिया इंस्ट्रियल डे सैन क्रिस्टोबल के विशेषज्ञों का एक दल भारत आया था इसने बिहार राज्य समेत विभिन्न राज्यों में कुछ स्थानों पर दौरा किया था।

(ख) उपर्युक्त दल से रिपोर्ट मिलने की प्रतीक्षा की जा रही है।

Flag Station at Brahmpur

4911. **Shri Daljit Singh:** Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 2426 on the 18th March, 1966 and state:

(a) whether it is a fact that the Bhakra Dam has been completed and the Government of Punjab do not require the Rupar-Nangal Dam Railway line for their use;

(b) whether it is also a fact that the Railway line from Rupar to Nangal Dam is in profit and monthly income from Nangal Dam station amounts to about Rs. 10 to 12 lakhs; and

(c) if so, the reasons as to why the Railway Administration are not ready to undertake the job for providing a flag station at Brahmpur between Nangal Dam and Bhanupali on the Rupar-Nangal Dam section?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath): (a) No. Some portion of the Bhakra Dam works i.e. the Right Bank Power Plant, are still in progress.

(b) The Rupar-Nangal Dam Section is running at a loss.

(c) The question of providing a flag station at Brahmpur is being re-considered taking into account the latest developments in the area.

Public Sector Undertakings

**4912. Shri Yashpal Singh:
Shri Maheshwar Naik:**

Will the Minister of Industry be pleased to state:

(a) whether it is a fact that the idle capacity in certain Public Sector Undertakings is increasing;

(b) if so, the names of those undertakings; and

(c) the measures contemplated in the matter?

The Minister of Industry (Shri D. Sanjivayya): (a) Of the 18 units which were working below full capacity, at the end of 1965, 10 units have subsequently reported improvement in the production level.

(b) The remaining 8 units are:

1. Rourkela Fertilizer Plant of Hindustan Steel.
2. Rourkela Pipe Plant of Hindustan Steel.
3. National Coal Development Corporation.
4. Heavy Water Plant, Nangal Unit of Fertilizer Corporation.
5. Alwaye Unit of Hindustan Insecticides.

6. Watch Unit of Hindustan Machine Tools.

7. Hindustan Salts.

8. Mining and Allied Machinery Corporation.

(c) Every effort is being made to step up production by tackling the problems in each undertaking.

पश्चिम रेलवे की गाड़ियों में चलने वाला बदमाशों का गिरोह

4913. श्री हुकम चन्द कछवाय :

श्री वाणी :

श्री बड़े :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मथुरा तथा बड़ौदा के बीच चलने वाली अप तथा डाउन पार्सल गाड़ियों में गंगापुर तथा भिवानी मण्डी स्टेशनों के बीच बदमाशों का एक दल चलता है जो यात्रियों को ताश के पत्तों के खेल दिखाकर लूटता है और विरोध करने वालों को मारपीट कर भाग जाता है;

(ख) क्या यह भी सच है कि इस गिरोह के बारे में रेलवे पुलिस और रेलवे अधिकारियों को भी जानकारी है; और

(ग) यदि हां, तो उन बदमाशों, रेलवे पुलिस और रेलवे अधिकारियों के विरुद्ध क्या कार्यवाही की गई ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) और (ख). वास्तविक स्थिति यह है कि पश्चिम रेल प्रशासन को कुछ संमद मददियों की ओर से शिकायतें मिली थीं कि रत्नाम-मन्दमौर, कोटा-महीदपुर और नागदा-बड़ौदा खंडों की स्थानीय गाड़ियों में ज़प्पा खेला जाता है। इस पर इस सम्बन्ध में जांच की गयी और इस मंडल में सक्रिय अपराधियों के एक दल के

5 मरगनों को अक्टूबर 1965 में गिरफ्तार कर लिया गया और उनके विरुद्ध आरोप-पत्र जागे किये गये ।

(ग) पुलिस द्वारा कड़ी कार्रवाई किये जाने के बाद से कोई शिकायत नहीं मिली है । रोकथाम की कार्रवाई के रूप में राजकीय रेलवे पुलिस भी दिन और रात को चलने वाली सभी गाड़ियों में तैनात रहती है ।

Profitability of Tea Industry

4914. **Shri P. C. Borooah:** Will the Minister of Commerce be pleased to state:

(a) whether Government's attention has been drawn to the fact that while the percentage of profit after tax on net worth for all industries has declined from 10.9 in 1960-61 to 9.3 in 1963-64, the percentage of profit after tax on net worth for Tea industry declined from 9 in 1960-61 to 4.9 in 1963-64;

(b) if so, the reasons for the sharp decline in the profitability of tea industry as compared to the other industries; and

(c) the steps, if any, envisaged to improve the position of tea in relation to other industries?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi): (a) Yes, Sir.

(b) The reasons for the decline in profitability of tea industry as compared to other industries are:

- (i) lesser turn-over rate (sales to Capital employed);
- (ii) fluctuations in production from year to year; and
- (iii) increase in cost of production.

(c) A comparison of the tea industry's performance with the averages of all companies will not lead one to any meaningful conclusion: nor can

any effective step be taken to keep parity in the rate of profits after tax as percentage of net worth between the tea plantations and all companies. Nevertheless, to assist the tea industry in producing more, the following measures of fiscal assistance have been adopted:

- (i) Tea is proposed to be included in the list of articles and things relating to priority industries in the Fifth Schedule to the Income-tax Act, 1961 with effect from 1st April, 1966.
- (ii) The rate of development allowance under Section 33-A of the Income-tax Act in respect of actual cost of planting of tea bushes in new plantations is proposed to be increased from existing quantum of 40 per cent to 50 per cent thereof, and for the replanting of tea bushes in area already under cultivation from the existing quantum of 20 per cent to 30 per cent thereof. Further, it is proposed to provide that development allowance will be allowed in two stages, one after two years and the other after four years of the actual start of planting or replanting.
- (iii) Government are providing finance in the form of loans on favourable terms to tea companies for new plantings and extensions and providing machinery for factories and irrigation facilities under Hire-Purchase Scheme.
- (iv) Assistance for exports in the form of tax credits under the Tax Certificate Scheme is allowed at the following rates:

- I. All teas—2 per cent.
- II. Green tea and tea in packets—5 per cent.

Plywood Industry in Assam

4915. Shri R. Barua: Will the Minister of Industry be pleased to state:

(a) the growth potential of plywood industry in Assam and the extent to which it has progressed so far,

(b) the steps taken to maintain forest supply, i.e., of green timbers without denuding the forestry in the State;

(c) whether any survey is being conducted to ascertain the resources for the supply of timbers for building purposes and other needs of the State at a reasonable price; and

(d) whether Government propose to ensure better utility of low grade timbers for building purposes by adopting scientific methods for treating timbers, and if so, the steps taken in this regard keeping in view that Assam being on seismic belt, timber is widely used for Assam type of houses?

The Minister of Industry (Shri D. Sanjivayya): (a) The growth potential of plywood industry in the State of Assam is great firstly because Assam is comparatively a forest rich State and secondly because the tea gardens in the State require substantial quantities of plywood for the packing of tea. The production of plywood in Assam has gone up during the last five years and at present this State is alone producing nearly 50 per cent of the plywood produced in the country. The actual production of plywood in Assam during the year 1965 was 11.47 million sq. meters.

(b) I would suggest that this question may be appropriately addressed to the Ministry of Food and Agriculture.

(c) Government of Assam do not seem to have made any detailed survey so far to ascertain the availability of timber for building construction etc. The Planning Commission have,

however, set up a Study Group to study productivity in the timber industry in the country as a whole and it is likely that the Group may suggest that the forests in Assam may be systematically sampled to ascertain their present production and potentiality.

(d) Research carried out at the Forest Research Institute has established that besides the naturally durable woods, which are in short supply, several species of woods available in the evergreen forests of Assam could be utilised for building purposes after seasoning and preservation treatment. With a view to popularising the use of secondary timbers for constructional purposes, the National Buildings Organisation have also circulated a note among the State Governments including the State of Assam for their comments.

Handicrafts Industry in Punjab

4916. Shri Daljit Singh: Will the Minister of Commerce be pleased to state:

(a) the amount given to the Punjab Government for the development of handicrafts industry in the State during 1965-66 and 1966-67 so far; and

(b) the amount utilised so far?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi): (a) 1965-66:

Grant—Rs. 3,59,000

Loan—Rs. 1,21,000

Total: Rs. 4,80,000

1966-67:

The quantum of Central assistance is still under consideration.

(b) Details have not yet been received from the State Government.

भारतीय फिल्मों का निर्यात

4917. श्री श्रीकार लाल बेरबा :

श्री हुकम चन्द कछवाय :

श्री बड़े :

क्या वाणिज्य मंत्रों यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अफ्रीका में भारतीय फिल्मों तथा हानीवुड की फिल्मों में परस्पर कड़ी प्रतियोगिता हो रही है, और वहां उनकी बहुत मांग है; और

(ख) यदि हां, तो अन्य देशों को हमारी फिल्मों का निर्यात बढ़ाने के लिये क्या कार्यवाही की गई ?

वाणिज्य मंत्री (श्री मनुभाई शाह) :

(क) जी, हां ।

(ख) भारतीय फिल्मों के निर्यात सम्बन्धन के कार्य की देखभाल के लिये, भारतीय चलचित्र निर्यात निगम लिमिटेड की स्थापना के अतिरिक्त, उठाये गये अन्य अधिक महत्वपूर्ण कदम ये है : विदेशों में फिल्म सप्ताह और फिल्मोत्सव मनाना, फिल्म प्रतिनिधिमण्डल भेजना और निर्यातकों को, चलचित्र सम्बन्धी तैयार की हुई फिल्मों (काली एवं सफेद) के लिये निर्यात सम्बन्धन योजना के अन्तर्गत कच्चे मान, स्टूडियो उपकरण फोटोग्राफी के रमायन आदि के आयात के लिये लाइसेंस देना ।

Trade Agreement with Kenya

4918. Shri Firodia: Will the Minister of Commerce be pleased to state:

(a) whether a trade agreement is proposed to be concluded with the Government of Kenya; and

(b) if so, when Kenya Government's delegation is likely to visit New Delhi in this connection?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). Yes,

Sir, Drafts of the Trade Agreement were exchanged during my visit to Kenya last year. A trade delegation from Kenya was expected to visit India last month to finalise discussions and sign the agreement between the two Governments. The visit of the Delegation was, however, postponed and an indication of a fresh date for the visit of the Delegation is awaited.

Fell-Mongering Industry

4919. Shri Firodia: Will the Minister of Commerce be pleased to state:

(a) whether steps have been taken to establish a fell-mongering industry in India as a result of the Indo-Australian discussions held in October, 1965; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi):

(a) and (b). During the first round of talks between the representatives of the Government of India and the Government of Australia on economic cooperation and other allied matters held in November, 1963, the establishment of fellmongering industry in India was considered. This item was also discussed at the Indo-Australian talks held in October, 1965. The matter is still under consideration in consultation with the industry and the Australian Government.

Hunger Strike by Ex. Accounts Clerk, Bhavnagar Division

4920. Shri Madhu Limaye:

Shri Yashpal Singh:

Shri Hukam Chand

Kachhavalaya:

Shri S. M. Banerjee:

Shri Balmiki:

Shri Bade:

Dr. Ram Manohar Lohia:

Shri Kishen Pattanayak:

Shri Narendra Singh Mahida:

✓ Shrimati Ganga Devi:

Shri N. N. Patel:

Shri U. M. Trivedi:

Shri Hem Barua:

**Shrimati Basant Kunwar Ba:
Shri Solanki:
Shri Priya Gupta:
Shri Yajnik:
Shri Bagri:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that letters and or representations from a number of Members of Parliament have been submitted to him during the period from 1959 to 1965 in connection with some Railway employee who contested Municipal elections in 1957 at Bhavnagar (Gujarat);

(b) if so, the main contents and the nature of the representations;

(c) whether Government have considered the matter mentioned in those representations and the replies to individual M.Ps given; and

(d) if so, the contents of those replies?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) The gist of the representations is that Shri M. T. Parekh had been granted leave for contesting the election and, therefore, he took it for granted that permission for contesting the election had been granted to him and the letter refusing permission was received by him after the Election.

(c) Yes, and replies sent generally.

The contents of the replies were that Shri Parekh's request for permission to contest the Municipal election was not acceded to and he was informed accordingly. Although he admitted having received the communication rejecting his request, he did not withdraw his candidature. After election, he was called upon to resign the Membership but this, too, was evaded by him. Since repeated attempts to make him resign failed, he was removed from service as a result of disciplinary proceedings initiated against him

and there was no justification for reviewing the orders regarding his removal.

होशियारपुर में कागज बनाने का कारखाना

**4921. श्री हुकम चन्द कछवाय :
डा० लक्ष्मीमल्ल सिंघवी :
श्री युद्धवीर सिंह :
श्री बड़े :**

क्या उद्योग मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या यह मच है कि होशियारपुर जिले में कीर्तिपुर नामक स्थान पर कागज बनाने का जो कारखाना लगाने का विचार था, अब उसे हिमाचल प्रदेश में किसी अन्य स्थान पर लगाने का विचार किया गया है;

(ख) यदि हां, तो इस कारखाने का निर्माण कार्य कब तक पूरा हो जायेगा;

(ग) इस कारखाने के लिये कितना और क्या-क्या सामान आयात करना पड़ेगा; और

(घ) उक्त कारखाने के स्थापित किये जाने से देश को प्रति वर्ष कितना लाभ होगा ?

उद्योग मंत्री (श्री डा० संबोबैया) :

(क) से (घ). माननीय सदस्य का ध्यान 22-4-66 को उत्तर दिये गये अतार्गकित प्रश्न संख्या 4210 के उत्तर की ओर आकर्षित किया जाता है। तब से स्थिति में कोई परिवर्तन नहीं हुआ है।

इलाहाबाद में लोको शॉट स्टोर में आग लगने की घटना

**4922. श्री श्रीकार लाल बेरबा :
श्री हुकम चन्द कछवाय :
डा० लक्ष्मीमल्ल सिंघवी :**

श्री यशपाल सिंह :
श्री विश्वनाथ पाण्डेय :
श्री बड़े :
श्री किम्बर लाल :

दौरान कौन-कौन सी रेलवे लाइनें बन्द कर दी गई थीं:

(ख) क्या उन्हें फिर से खोल दिया गया है; और

(ग) यदि हां, तो उसका व्यौरा क्या है ?

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 14 अप्रैल, 1966 को इलाहाबाद स्थित उत्तर रेलवे के लोको शेड स्टोर में हजारों रुपये का सामान जल गया था;

(ख) यदि हां, तो उसका क्या कारण था;

(ग) क्या इसकी जांच कारवाई गई है; और

(घ) यदि हां, तो जांच के क्या निष्कर्ष निकले हैं ?

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) यह सच है कि 12-4-66 को (न कि 14-4-1966) को इलाहाबाद के लोको शेड के मूतर गोदाम में आग लग गयी थी ।

(ख) से (घ). आग लगने के कारण का अभी पता लग सकेगा जब इस के लिये नियुक्त जांच-ममिति, जांच का काम पूरा कर लेगा । जांच-ममिति ने अभी अपनी रिपोर्ट नहीं दी है ।

भारत-पाकिस्तान संघर्ष के दौरान रेलवे लाइनों का बन्द किया जाना

4923. श्री श्रीकार लाल बेरवा :
डा० लक्ष्मीमल्ल सिन्घवी :
श्री हुकम चन्द कछवाय :
श्री युद्धवीर सिंह :
श्री बड़े :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत-पाकिस्तान संघर्ष के

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : (क) से (ग). भारत और पाकिस्तान के बीच युद्ध छिड़ जाने के फलस्वरूप उत्तर रेलवे के बलटोहा-खेमकरन तथा गडरा रोड-मुनाबाव खण्डों और पूर्व रेलवे के बनगांव-पेट्रापोल खण्ड को यातायात के लिये बन्द कर दिया गया था । इन में से केवल बलटोहा-खेमकरन खण्ड को 9-4-66 से यातायात के लिये खोल दिया गया है ।

Welding Contract for a Pipeline in West Germany

4924. Shri R. Barua: Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that an Indian firm has got a contract from a West German firm for welding a pipe line from Frankfurt to Mainz; and

(b) if so, whether it is proposed to encourage more such firms to secure orders likewise and earn foreign exchange?

The Minister of Commerce (Shri Manubhai Shah): (a) Yes, Sir. M's Dodsai Private Ltd., Bombay have entered into a contract with Messrs. MANNESMANN, Dusseldorf, West Germany under which M's Dodsai will do the complete welding for a twenty inch product pipeline from Frankfurt to Mainz over an approximate distance of 120 km.

(b) Yes, Sir.

Cement Factory in Assam

4925. Shri R. Barua: Will the Minister of Industry be pleased to state:

(a) whether the question of setting up a cement factory in Assam was

considered by the Cement Corporation Government;

(b) if so, the reasons why nothing has been done to proceed with the project for which Bokajan was selected as a suitable site; and

(c) when the cement factory is likely to be established and to start production?

The Minister of Industry (Shri D. Sanjivayya): (a) to (c). A cement factory with a daily capacity of 250 tonnes is expected to be commissioned at Cherrapunji in June, 1966. The Government of Assam also propose to expand the unit by another 500 tonnes per day. They have submitted an application for the issue of a letter of intent for this expansion, and it is under consideration. As regards Bokajan, the Cement Corporation is in constant touch with the Government of Assam. Detailed investigations by geological mapping and drilling of the limestone deposits in the Mikir Hills area of Assam are being carried out by the State Directorate of Geology and Mining. 10 bore holes have been drilled over a total of 448.10 running metres. Analysis of the core samples is being done in the field laboratory. A decision to set up a cement factory can be taken only after the full investigations have been carried out.

Trade Commissioners Abroad

4926. Dr. P. Srinivasan: Will the Minister of Commerce be pleased to state:

(a) whether there are any countries where India has not posted any Trade Commissioner; and

(b) if so, the names of such countries and the reasons for not posting a Trade Commissioner there?

The Minister of Commerce (Shri Manubhai Shah): (a) and (b). There are some countries where India has not yet posted trade representatives. Two lists giving the names of coun-

tries where India has commercial representatives and where commercial work is looked after by India's diplomatic Missions are attached. Having regard to the volume of trade, trade potential, our limited foreign exchange resources and other politico-economic considerations it has not yet been found practicable to post commercial representatives in the other countries. laid on the Table of the House. [Placed in Library. See No. LT-6249/66].

India Productivity Year

4928. Shri D. C. Sharma: Will the Minister of Industry be pleased to state:

(a) the impact of the India Productivity Year 1966 so far; and

(b) the details thereof?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). The information is furnished in the statement laid on the Table of the House. [Placed in Library. See No. LT-6250/66].

Reservation and Enquiry Clerks

4929. Shri Onkar Lal Berwa:
Shri Hukam Chand
Kachhavalaya:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the selections on the Western Railway for the posts of Reservation and Enquiry Clerks, grade Rs. 150-240 and class III catering staff grade Rs. 110-180 were held in 1965;

(b) if so, whether the results have been declared; and

(c) if not, the reasons therefor, and the action taken against the official concerned?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No.

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

**Demonstration at Talandu Station
(E. Railway)**

**4930. Shri Panna Lal:
Shri Vishwa Nath Pandey:
Shri D. C. Sharma:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the train services on the Howrah division of the Eastern Railway were badly disrupted for about eight hours on the 19th April, 1966 following a squatting demonstration on the track by a section of passengers at Talandu Station;

(b) if so, the reasons therefor; and

(c) the action taken in this regard?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) Due to No. M138 Dn. Burdwan-Howrah Local being detained at Talandu station after its arrival there at 08-48 hrs. owing to the section ahead being blocked due to an accident caused by the parting of a goods train between Talandu and Magra.

(c) Squatting by the passengers resulted in suspension of train services on Bandel-Burdwan section. Civil and police authorities were immediately apprised. Long distance services scheduled to run on this section were diverted via Howrah-Burdwan chord. Normal services were resumed at 16-47 hours after the track was cleared by the passengers.

P.W.Is.

**4931. Shri Vishram Prasad:
Shri Hukam Chand
Kachhavalaya:
Shri Mohan Swarup:
Shri Yashpal Singh:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the selection for the post of P.W.Is. was held in July, 1965, on the Northern Railway;

(b) if so, when the result is going to be declared; and

(c) the number of vacancies and the posts reserved for the Scheduled Castes and Scheduled Tribes?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) The proceedings of the selection board can not be finalised as the High Court, Jodhpur has issued a stay order. Consequently the question of declaring the result does not arise.

(c) At present there are 10 vacancies but a panel of 25 is to be formed taking into account anticipated vacancies for two years. The quota reserved for Scheduled Castes and Scheduled Tribes is 6.

P.W.Is. and I.O.Ws.

**4932. Shri Vishram Prasad:
Shri Hukam Chand
Kachhavalaya:
Shri Mohan Swarup:
Shri Yashpal Singh:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that grade selections have not been held in the recent past in the Northern Railway for the posts of P.W.Is. and I.O.Ws. in Class III;

(b) if so, the reasons therefor; and

(c) when such selections are proposed to be held?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) Panel for I.O.Ws. is already available. As regards P.W.Is. the selection for the grade of Rs. 250-380 (AS) was initiated in July, 1965 but could not be finalised as a result of stay order from the High Court, Jodhpur.

(c) Selection for the I.O.Ws. will be held after the expiry of the existing panel. As regards P.W.Is., action will be taken after the stay order is vacated.

Manufacture of Heavy Gas Cylinders

4933. **Shri Jashvant Mehta:** Will the Minister of Industry be pleased to state:

(a) the number of licences issued by Government during the last two years for the manufacture of heavy gas cylinders which are not useful for domestic purposes; and

(b) the present installed capacity in that regard?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). Manufacture of Gas Cylinders does not attract the provisions of the Industries (Development and Regulation) Act, 1951 and only approval of the Government is necessary. No capacity has yet been installed, for the manufacture of High Pressure Gas Cylinders, but two schemes for an aggregate capacity of 127,000 nos/annum have been approved about four years ago and these are under implementation.

मझौला हाल्ट

4934. **श्री किशन पटनायक :**

श्री मधु लिमये :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि मझौला हाल्ट को, जो चन्दीसी और बहजोई के बीच गेट नं० 40 पर स्थित है, वहां से हटा कर गेट नं० 41 पर ले जाने के लिये जनता से एक प्रार्थनापत्र माया था, जिसे रेलवे प्रशासन द्वारा मंजूर कर लिया गया था और लोगों ने श्रमदान से वहां पर हाल्ट तथा प्लेटफार्म बनाया था, किन्तु इस हाल्ट को अभी तक उपयोग में नहीं लाया जा रहा है;

(ख) यदि हां, तो उसके क्या कारण हैं;

(ग) क्या यह भी सच है कि इस हाल्ट के लिये रेलवे प्रशासन द्वारा सर्वेक्षण करवाया गया था और प्लान तैयार किया गया था; और

(घ) इस सम्बन्ध में सरकार ने क्या कार्यवाही की है ?

रेलवे मंत्रालय में उप-मंत्री (श्री शाम नाथ) : (क) में (घ). जनता से कुछ प्रार्थना-पत्र मिलने पर मझौला हाल्ट को फ़ाटक नं० 40 से हटा कर फ़ाटक नं० 41 के पास एक स्थान पर ले जाने का विचार किया गया था और उस क्षेत्र की जनता ने नये स्थान पर मिट्टी की खुदाई-भराई का कुछ काम भी किया था। लेकिन बाद में कुछ अभ्यावेदन इसके विरुद्ध भी मिले और इस मामले पर प्रागे और विचार करना पड़ा। प्रागे और जांच करने पर जो तथ्य सामने आये उन्हें ध्यान में रखते हुए यह निश्चय किया गया है कि इस हाल्ट को उसके मौजूदा स्थान पर ही बना रहने दिया जाय।

Paper Mills in Orissa

4935. **Shri Ramachandra Ulaka:**
Shri Dhuleshwar Meena:

Will the Minister of Industry be pleased to state:

(a) whether there is any proposal to establish new paper mills or to expand the existing paper mills in Orissa State during 1966-67; and

(b) if so, the details thereof?

The Minister of Industry (Shri D. Sanjivayya): (a) No, Sir.

(b) Does not arise.

Industrial Development of Orissa

**4936. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:**

Will the Minister of Industry be pleased to state:

(a) whether it is a fact that the pace of the industrial development of Orissa State has been very slow and unsatisfactory; and

(b) if so, the reasons therefor?

The Minister of Industry (Shri D. Sanjivayya): (a) and (b). The pace of industrial development of any State or region is dependent upon a number of factors, including the efforts of the Government of India, the State Government, as well as of private parties. Every effort has been made by the Government of India to secure rapid and balanced industrial development of Orissa State, as well as of other States and regions in the country.

Passenger Fare and Goods Freight

4937. Shrimati Johrabai Chavda:
Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the passenger fare and goods freight is charged at 195 per cent on the 'Bhildi-Raniwara' section of the Northern Railway;

(b) whether there is a pressing public demand to decrease that freight so as to bring it in line with the other normally running railway routes; and

(c) when Government propose to take a decision to reduce the freight?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Passenger fares and goods freight on 'Bhildi-Raniwara' section of the Northern Railway are charged on the actual distance inflated by 90 per cent.

(b) Some representations requesting this were received.

563 (Ai) LS-4.

(c) It has been decided to remove the inflation in respect of coaching traffic and to reduce the inflation on goods traffic to half its present level i.e. to 45 per cent with effect from 1st August, 1966.

Artisan Staff on the Northern Railway

4938. Shri Omkar Singh: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Northern Railway Administration has fixed 33 1/3 per cent quota of posts of Sub-Overseers Ministries Grade I for promotion in the Engineering Department for the Artisan staff;

(b) whether the promotion of artisan staff of the Delhi division has been made according to the above quota;

(c) whether direct recruits are being given preference for promotion by the Northern Railway Administration; and

(d) if so, the reasons therefor?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes.

(b) and (c). No.

(d) Does not arise.

Transfer of Commercial Clerks on the Western Railway

4939. Shri Solanki: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Commercial Clerks on the Western Railway are being transferred annually regardless of the availability of having accommodation at the place of transfer;

(b) how many such transfers took place in Baroda Division during 1965; and

(c) whether this Ministry propose to discard this rule?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) No.

(b) None during 1965.

(c) Policy regarding periodical transfers every five years is under review.

Railway Guards of N.E. Railway

4940. Shri Ram Harkh Yadav: Will the Minister of Railways be pleased to state:

(a) whether the Guards of the N.E. Railway have formed an Association to ventilate their grievances towards their emoluments and status;

(b) if so, the precise nature of their demands;

(c) Government's reaction thereto?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Government have no information.

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

Small Scale Industries in Kerala

4941. Shri A. V. Raghavan: Will the Minister of Industry be pleased to state:

(a) whether Government are aware of the difficulties of small scale entrepreneurs in Kerala in making repayments under the Hire Purchases Scheme due to the closure of factories for want of power;

(b) if so, whether National Small Industries Corporation propose to extend the period of repayment without charging penal interest; and

(c) the number of small scale units in Kerala whose power connections have been disconnected by the Kerala Electricity Board during 1966-67 so far?

The Minister of Industry (Shri D. Sanjivayya): (a) Government are aware that due to shortage of electricity small scale units in Kerala are facing difficulties.

(b) The matter is under consideration of the National Small Industries Corporation Ltd.

(c) The information is being collected and will be laid on the Table of the House.

Cement Factories in Gujarat

4942. Shri Jashvant Mehta: Will the Minister of Industry be pleased to state:

(a) the number of licences granted to set up new cement factories in the Gujarat State with their location and capacity;

(b) whether it is fact that some licencees have not taken any steps to set up these factories; and

(c) the steps being taken to avoid delay in executing the projects already licensed?

The Minister of Industry (Shri D. Sanjivayya): (a) A statement is laid on the Table of the House. [*Placed in Library.* See No. LT-6251/66].

(b) and (c). It is a fact that the progress made so far by some of the licencees is not satisfactory. Government is in constant touch with these parties and makes a periodical review of the progress. Extension of validity of letters of intent/licences is granted only after detailed examination of the causes for delay. All possible steps have already been taken to avoid delay in executing the projects.

Machine Tool Plants in Gujarat

4943. Shri Jashvant Mehta: Will the Minister of Industry be pleased to state:

(a) the up-to-date steps taken to set up the Machine Tool Plant at Bhavnagar in Gujarat State;

(b) the total cost of the project; and

(c) the type of machine that will be manufactured there?

The Minister of Industry (Shri D. Sanjivayya): (a) In April, 1965 an agreement was entered into with Messrs Technoexport of Czechoslovakia for the preparation of a detailed project report for the machine tool plant to be set up at Bhavnagar in Gujarat. The report is expected to be received shortly. Further action can be taken only after the report is received and examined. Meanwhile, the Government of Gujarat have taken steps to acquire the necessary land for the project. The question of forming a company to implement the project is under consideration.

(b) The capital cost of the Bhavnagar project (including a foundry) is estimated to be Rs. 11.16 crores.

(c) The details of the machine tools to be manufactured in the factory are yet to be finalised. The following production programme has been tentatively proposed:

Centre Lathes—450 numbers a year

Turret Lathes—250 numbers a year

Horizontal Boring

and Milling Machines—150 numbers a year.

All India Handloom Fabrics Marketing Cooperative Society

4944. Shri P. C. Borooah: Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that a delegation led by the President of the All-India Handloom Fabrics Marketing Co-operative Society recently called on Government to explain their difficulties;

(b) if so, what difficulties were put forth and the demands made by them; and

(c) the reaction of Government thereto?

The Deputy Minister in the Ministry of Commerce (Shri Shafi Qureshi):

(a) Yes, Sir.

(b) The delegation had requested:-

(i) lifting of excise duty on yarn NF 34 (old 40s) and below and restoration of duties in respect of NF 34 to last year's levels;

(ii) reverting to the old method of levying duties on art silk, rayon and wollen fabrics at the cloth stage instead of at the yarn stage;

(iii) withdrawal of concession-giver, to 'Cottage Power-looms' in units of 4 and below;

(iv) lifting of levy of income tax on Apex Handloom Weavers' Cooperative Societies;

(v) lifting the levy of sales tax on handloom cloth by the Government of Maharashtra;

(vi) reserving the production of coloured sarees and dhoties 60s and below exclusively for handlooms.

(c) The duty on cotton yarn cleared in the form of hanks in the count group 22-23 nf. has since been restored to the pre-Budget level i.e. hank yarn in the count group of or more than 22 nf. but less than 29 nf. has been totally exempted and in the count group of or more than 29 nf. but less than 34 nf. has been reduced to 5 paise per kg.

The demands at (ii) to (iv) under (b) above have been examined and found not acceptable to Government.

The question of Sales Tax was taken up with the Government of Maharashtra but that Government have not agreed to the lifting of the sales tax on handloom cloth.

The question of reservation of certain lines for Handlooms is already under consideration and Government's decision on this is expected to be announced shortly.

Stay of Officers of Northern Railway in Delhi

4945. Shri Vishram Prasad: Will the Minister of railways be pleased to state:

(a) whether it is a fact that some of the Officers in the Northern Railway Headquarters office are stationed in Delhi alone, though in various capacities in various branches for the past 10 to 15 years and, if so, the reasons therefor;

(b) what is their number; and

(c) how many such officers are working in the Stores Department?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes. They have been kept in Delhi keeping in view the administrative requirements:

(b) Eleven.

(c) Nil.

Fire in Dining Car of Calcutta-Bombay Mail

**4946. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Ram Harkh Yadav:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Dining Car of the Calcutta-Bombay (via Allahabad) Mail caught fire between Banapura and Paghda Stations on the Itarsi-Bhusawal section of the Central Railway on the 24th April, 1966;

(b) if so, the causes of the accident; and

(c) the action taken in this regard?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Yes, but on 23-4-66.

(b) The cause of the accident is under investigation by a Committee of senior scale officers.

(c) Necessary action will be taken after the results of the investigation are known.

A.P.Os. and A.W.Os. on the Railway

4947. Shri Sezhiyan: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Railway Board have fixed a minimum of three years in grades of Rs. 335-425 and above for eligibility of staff for promotion to class II posts of Asstt. Personnel Officers/Asstt. Welfare Officers;

(b) whether it is also a fact that the change has adversely affected the prospects of Welfare Inspectors as most of them are in the lowest grades; and

(c) if so, whether Government propose to modify the rules to rectify this anomaly?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) Under the extant orders, the following categories of permanent staff are eligible for selection to the posts of Asstt. Personnel Officers/Asstt. Welfare Officers.

(i) All staff in grade Rs. 335-425 and above provided they have rendered a minimum of 3 years non-fortuitous service after reaching the stage of Rs. 335-either in these grades or in a lower grade.

(ii) Junior Accountants in scale Rs. 270-435(A).

(iii) Stenographers in scale Rs. 210-425(A).

(iv) Inspectorial and Depot staff in scale Rs. 250—380(A); and

(v) Office Clerks in scale Rs. 210—380(A).

Staff referred to in items (ii) to (v) are eligible only on completion of 3 years' service after reaching the stage of Rs. 335/-.

(b) No.

(c) Does not arise.

Tirunelveli-Kanyakumari-Trivandrum Railway Line

4948. Shri P. Muthiah: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 1115 on the 25th February, 1966 and state:

(a) whether the survey reports on the Tirunelveli-Kanyakumari-Trivandrum Railway line have been submitted to the Railway Board;

(b) if so, whether the Railway Board have considered the reports and approved them; and

(c) whether the Railway Ministry propose to take the necessary steps to construct the first stage of the line, that is, from Tirunelveli to Kanyakumari in the Fourth Plan?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):

(a) Yes.

(b) The survey reports are under examination.

(c) A decision regarding the construction of this line will be taken only after a detailed examination of the survey reports. Inclusion of this line in the 4th Plan is dependent on the results of the survey, the extent of funds that will be earmarked for construction of new lines in the IV Plan and the relative priority that this line will merit among various such proposals.

Over-bridge at Itarsi Station

4949. Shri Hari Vishnu Kamath: Shri Vishwa Nath Pandey:

Will the Minister of Railways be pleased to state:

(a) whether any progress has been made with regard to the construction of over-bridge at the two level crossings near Itarsi Railway Station on the Central Railway so as to obviate inconvenience and inordinate delays to the movement of the growing vehicular traffic there;

(b) the reasons why the implementation of the three year old proposal has not been even taken up; and

(c) when the over-bridge is likely to be commissioned?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):

(a) No.

(b) Construction of road over/under bridges at the existing level crossings is the joint responsibility of the Railway as well as the Road Authority.

The Government of Madhya Pradesh proposed construction of a road overbridge at the north end of Itarsi station, in place of the existing level crossing at mile 463/12-13 only during 1963-64. No proposal has been received either from the State Government or from the local Municipal Body for the construction of the over-bridge in lieu of second level crossing at Itarsi.

The question of locating the bridge, however, remained under the consideration of the State Government for a long period and it was only in February 1964 that final proposal and necessary technical data were received by the Railway. The Scheme has already been included in the Railway's Programme since 1965-66. The general layout plan for the Scheme sent to the State Government in April 1965 was accepted by them in

November 1965. The detailed estimate has also been finalised and sent to the State Government in February 1966 for acceptance of their share of cost. Despite issue of a reminder, State Government's acceptance is still pending.

(c) The Railway's portion of the work will be taken up on receipt of State Government's acceptance to the estimate and completed within about a year. The Road over-bridge will, however, be brought into commission only after the approaches are completed by the State Government at their cost.

Enquiry Office at Itarsi Station

4950. Shri Hari Vishnu Kamath: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Itarsi (C. Rly.) though a big and important junction still lacks a separate Enquiry Office working day and night;

(b) if so, the reasons therefor; and

(c) when it is proposed to open a full-fledged Enquiry Office worthy of that junction there?

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): (a) to (c). An Enquiry Office is already functioning at Itarsi from 6.00 to 10.00 hrs. and from 18 hrs. to 22 hrs. The question of providing an Enquiry-cum-Reservation Office round the clock is under examination.

Flag station at Brahmpur Station

**4951. Shri Daljit Singh:
Shri Sadhu Ram:**

Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 2426 on the 18th March, 1966 regarding the flag Station at Brahmpur Station on the Rupar-Nangal Dam section and state:

(a) whether it is a fact that the Rupar-Nangal Dam Section is working at a profit and income of only one

Railway station of Nangal Dam is about Rs. 10 lakhs to 12 lakhs per month; and

(b) if so, why a demand is made from the Punjab Government for such a small amount keeping in view the interest of the general public?

The Deputy Minister in the Ministry of Railways (Shri Sham Nath):

(a) No. The Section Rupar to Nangal Dam as a whole is running at loss.

(b) The question of providing a station at Brahmpur is being reconsidered taking into account the latest developments in the area.

Cement Factories in Mysore State

4952. Shri Linga Reddy: Will the Minister of Industry be pleased to state:

(a) the number of cement factories working at present in Mysore State with their names, production capacity and the period from which they are working;

(b) the quantity of cement required by the Mysore State and the quantity of cement these factories are capable of producing and are actually producing;

(c) the names and number of places recommended by the State Government for sanction to locate the new cement plants in the State; and

(d) the action taken thereon?

The Minister of Industry (Shri D. Sanjivayya): (a) to (d). A statement is laid on the Table of the House. [Placed in Library. See No. LT-5952/66].

Manufacture of Wine in Bangalore

4953. Shri Linga Reddy: Will the Minister of Industry be pleased to refer to the reply given to Unstarred Question No. 4272 on the 22nd April, 1966 and state:

(a) the acreage of land on which grapes are grown in and around Bangalore;

(b) whether there is a Grape Growing Cooperative Society in Bangalore, assisting the grape growers in several ways except in marketing;

(c) whether the State and Central Governments have so far issued licences to any industrialists to manufacture wine and if so, the names of those belonging to the State and of those from outside the State; and

(d) whether any wine is already being manufactured out of grapes and if so, how much?

The Minister of Industry (Shri D. Sanjivayya): (a) to (d). The information is being collected and will be laid on the Table of the House.

12.12 hrs.

QUESTION OF PRIVILEGE

LETTER FROM THE 'STATESMAN' RE. ALLEGED INCORRECT REPORTING OF MEMBER'S SPEECH

Mr. Speaker: On the 3rd May, 1966, Sardar Kapur Singh had given a notice of question of privilege regarding publication of an alleged factually incorrect report and comment on his speech in the Lok Sabha on the 27th April, 1966, by the *Statesman*, dated the 28th April, 1966. The matter was referred, under my directions, to the Editor of the *Statesman*, New Delhi, for stating what he had to say in the matter.

I have now received the following reply from the Editor of the *Statesman*:

"Mr. Kapur Singh's letter correcting our story appeared in the Calcutta edition of the *Statesman* on May 3 and in the Delhi edition on May 4.

We hope that Mr. Kapur Singh will be satisfied with the fact that

his letter was published without any avoidable delay, considering that he posted it on the 28th and it had to be sent to Calcutta also. But it remains for me to assure the hon. Speaker that no disrespect was intended either towards the House or Mr. Kapur Singh.

What our news story attempted to bring out was that Members' interest in the Home Minister's statement was less pronounced during the debate than while Mr. Nanda was speaking.

Mr. Kapur Singh confirms in his letter that he used only one sentence at the start of his speech, with reference to Mr. Nanda's statement. The use of the word "altogether" by us was factually incorrect and is regretted. But it will be seen that the sense of Mr. Kapur Singh's speech or any other Member's has not been misrepresented in any way."

I hope that in view of the explanation received from the Editor of the *Statesman*, the House will agree to treat the matter as closed.

Some hon. Members: Yes.

Shri Kapur Singh (Ludhiana): Now that you have asked us to close the matter, the matter should be closed and I would raise no further objection to that. Although the letter, as it stands, is not what I would have liked it to be, in view of your recommendations, in view of what the letter says, in view of the fact that we hold the *Statesman* in high esteem, all of us, and also in view of the fact.....

Shri H. N. Mukerjee (Calcutta Central): What is this attempt to flatter the press and try to get publicity? What is this? It is not.....

Shri Kapur Singh: I am not trying to flatter the press... (interruptions).

Shri H. N. Mukerjee: They have been given the freedom to say what they like... (Interruptions).

Shri Kapur Singh: I want to say that although our relations with the press have been very correct and this House has always adhered scrupulously to the principle that the press should be free from any interference whatsoever, that does not give the press the freedom to do what they sometimes do.... (*Interruptions*).

Mr. Speaker: This is not needed at this moment. We have taken a decision now and he also says that he does not want to press that. Then that should finish; that should be concluded now. Where is the opportunity for saying all this?

Shri Kapur Singh: The press has the freedom to select items of news but the press does not have the freedom to do whatever the press wishes to do with individual Members. The press sometimes is unfair to some of us (*Interruption*).

Mr. Speaker: That should suffice so far as this matter is concerned. It is closed. We can have some other opportunity for criticizing or applauding the press. That would be a different thing altogether. So far as this is concerned, this matter ought to be considered as closed.

Shri Kapur Singh: I want it to go on record that I am not satisfied with this letter.

Mr. Speaker: All right.

Shri D. C. Sharma (Gurdaspur): Sir, the reporting of the *Statesman* is very fair and objective.

12.16 hrs.

RE: PRESENTATION OF PORTRAIT OF PANDIT JAWAHARLAL NEHRU

Shrimati Renu Chakravartty (Barrackpore): Sir, yesterday when we met in the Central Hall to pay our respects to Pandit Jawaharlal Nehru for the unveiling of his portrait, we were very surprised to find that in the programme it was said

that Shri Raghunath Singh was to offer the portrait on behalf of Members of Parliament. On such an occasion we would have expected that either you as the Speaker of the Lok Sabha and the Chairman of the Portraits Committee or the Leader of the House or even, I would say, the leading Opposition led by Shri Ranga—one of these three—should have been asked to present it on behalf of Members of Parliament. Why was Shri Raghunath Singh asked to do this? After all, we did not make it a party issue; we made it an issue which was a national issue. We all contributed towards it. Who decided that? When that committee met, there were only four people.

Mr. Speaker: The decision was mine. I take full responsibility for that. If anybody is to blame, it is I and nobody else.... (*Interruption*). I am sorry if it has been taken that way, but as he was one of the members of the Statues Committee, he was asked to offer it.... (*Interruption*).

Shri Daji (Indore): Shri Mukerjee was senior to him.

Mr. Speaker: He has taken keen interest in that. That was all. There was nothing else in that.

Shri Kapur Singh (Ludhiana): Was he chosen because he is from Banaras?

Shri N. Sreekantan Nair (Quilon): At the time of contributions you wanted the co-operation of the Opposition. Why did you not consult them now? We also paid our contribution.

Mr. Speaker: There is no question of payment now. The money is there. If Members want that back, it would be given to them.... (*Interruption*).

Shri Kapur Singh: It is not a question of money.

Mr. Speaker: He has referred to that.

Shri N. Sreekantan Nair: That is not the attitude that the Speaker should take.

Shri H. N. Mukerjee (Calcutta Central): Sir, I did not expect it. It was rather ungracious of you to say that some Members wanted the money back. That was not the idea at all. You have already expressed your regret that perhaps by mistake or inadvertence you had requested only one member of the Committee instead of any other; or, you had not done it yourself. You have expressed your regret in regard to this matter and the matter should be left at that. But what you have said in regard to the return of the money is very graceless. I am very sorry that we have to hear it from your lips.

Mr. Speaker: Shri Mukerjee should also realise that the question of collection was referred to. Where was the need to refer to that? (Inter-ruption). This should not continue in this manner. I have already expressed that if it was a mistake, it was mine. Because he was a member of the Committee, he had been taking active interest and in helping me there, it was simply on that account that I asked him. There was nothing else.

Shri Daji: Other members were also there on the Committee.

Shri N. Sreekantan Nair: The Opposition ought to have been associated with it.

Mr. Speaker: I had been calling the meetings twice or thrice and there were only two Members who were coming to them.

Shrimati Renu Chakravartty: We are always in the House. When it is such an occasion, we would like to be associated.

Shri D. C. Sharma (Gurdaspur): The choice of Shri Raghunath Singh for presenting the portrait was most happy one.

श्री मधु लिमये (मुंगेर): क्या आप तस्वीर के बारे में कहने देंगे ? मैं एक वाक्य कहना चाहता हूँ । इस तस्वीर में राष्ट्रीय झंडा इस ढंग से पृष्ठभूमि में लगाया गया है कि वह जमीन को छू रहा है ।

अध्यक्ष महोदय : श्री मनुभार्द शाह ।

श्री मधु लिमये : अध्यक्ष महोदय, क्या आप इस बारे में कुछ नहीं सुनेंगे ? आप मेरी बात तो सुन लीजिये ।

अध्यक्ष महोदय : मैंने सुन लिया है कि आपको इस बात पर एतराज है कि तस्वीर में झंडा जमीन पर लगा हुआ है ।

श्री मधु लिमये : तो फिर चित्रकार की मार्फत उस में तब्दीली की जाये ।

अध्यक्ष महोदय : यह मैं नहीं कर सकता हूँ कि झंडा बदल दिया जाये ।

श्री मधु लिमये : तो क्या लोक सभा के सेंट्रल हाल में राष्ट्रीय झंडे का प्रपमान होता रहेगा ?

12.19 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER EXPORT (QUALITY CONTROL AND INSPECTION) ACT

The Minister of Commerce (Shri Manubhai Shah): Sir, I beg to lay on the Table—

(1) A copy each of the following Notifications under sub-section (3) of section 17 of the Export (Quality Control and Inspection) Act, 1963:—

(i) The Export of De-oiled Rice Bran (Quality Control and Inspection) Rules, 1966 published in Notification No. S.O. 969 in Gazette of India dated the 25th March, 1966.

- (ii) The Export of Cashew Kernels (Quality Control and Inspection) Rules, 1966 published in Notification No. S.O. 1023 in Gazette of India dated the 26th March, 1966.
- (iii) The Export of Steel and Steel Products (Inspection) Rules, 1966 published in Notification No. S.O. 1041 in Gazette of India dated the 30th March, 1966. [Placed in Library. See No. LT-6233/66].
- (2) (i) A copy of the Report (Part II) of the Study Team on the Import and Export Trade Control Organisation. [Placed in Library. See No. LT-6234/66].
- (ii) A copy of the Government Resolution publishing the decisions of the Government on the recommendations made in the above Report. [Placed in Library. See No. LT-6235/66].

ACCOUNTS OF COAL BOARD

The Minister of Mines and Metals (Shri S. K. Dey): Sir, I beg to lay on the Table a copy of Report of the Comptroller and Auditor General of India on the Accounts of the Coal Board for the year 1964-65, under sub-section (2) of section 12 of the Coal Mines (Conservation and Safety) Act, 1952. [Placed in Library. See No. LT-6236/66].

ANNUAL REPORT OF HINDUSTAN AERONAUTICS ETC.

The Minister of State in the Ministry of Defence (Shri A. M. Thomas): Sir, I beg to lay on the Table a copy each of the following Reports under sub-section (1) of section 619-A of the Companies Act, 1956:—

- (i) Annual Report of the Hindustan Aeronautics Limited,

Bombay for the year 1964-65 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-6237/66].

- (ii) Annual Report of the Garden Reach Workshops Limited, Calcutta for the year 1964-65 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-6238/66].

- (iii) Annual Report of the Mazagon Dock Limited, Bombay for the year 1964-65 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-6239/66].

ANNUAL REPORT OF PLANTATION CORPORATION OF KERALA LTD.

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): Sir, on behalf of Shri Mohammad Shafi Qureshi: I beg to lay on the Table a copy of the Annual Report of the Plantation Corporation of Kerala Limited, Kottayam for the year 1964-65 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (3) of section 619A of the Companies Act, 1956, read with clause (c) (iv) of the proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [Placed in Library. See No. LT-6240/66].

12.19½ hrs.

RELEASE OF MEMBER

(SHRI A. K. GOPALAN)

Mr. Speaker: I have to inform the House that I have received today the

following communication, dated the 30th April, 1966, from the Superintendent, Central Jail, Vijayur:—

"I may report that Shri A. K. Gopalan, Member, Lok Sabha, who was detained in this Jail under the Defence of India Rules, has been released on the 27th April, 1966, since the detention order issued against him was cancelled by the Government of India."

Shri Daji (Indore): Again, the same question. The Member came and spoke here but the communication is slower than the Member.

Mr. Speaker: I will find out.

Shri Hari Vishnu Kamath (Hoshangabad): This is the second time.

Mr. Speaker: Can the Home Minister or the Minister of State tell me what is the reason for this?

Shri Hari Vishnu Kamath: This is a repetition.

Mr. Speaker: Mr. A. K. Gopalan was released on 27th. He has joined us and he has also made a speech. Only now we are getting this communication.

Shri Hari Vishnu Kamath: This is dated what?

Mr. Speaker: This is dated 30th April.

Shri Hari Vishnu Kamath: Why has it taken so long?

Mr. Speaker: It was after four days that the communication was despatched. That must be found out.

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): I shall look into it.

Shri Hari Vishnu Kamath: Will they make an enquiry?

Mr. Speaker: Yes.

Shri Surendranath Dwivedy (Kendrapara): The Minister of Communications should also look into it.

12.21 hrs.

PUBLIC ACCOUNTS COMMITTEE

FIFTY-THIRD REPORT

Shri R. R. Morarka (Jhunjhunu): I beg to present the Fifty-third Report of the Public Accounts Committee on Appropriation Accounts (Railways) 1963-64 and Audit Report (Railways), 1965.

12.21 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government Business in this House for the week commencing 9th May, 1966 will consist of:—

- (1) Consideration of Government Business carried over from today's Order Paper.
- (2) Consideration and passing of the following Bills:—

The Produce Cess Bill, 1966.

The Orissa Legislative Assembly (Extension of Duration) Bill, 1966.

The Asian Development Bank Bill, 1966.

The Constitution (Nineteenth Amendment) Bill, 1966.

The Delhi Administration Bill, 1965 as reported by the Joint Committee.

- (3) Discussion to be raised by Shri Kishen Pattnayak and others on the famine conditions and starvation deaths in Orissa to be taken up at 2-30 P.M. on Wednesday, the 11th May, 1966.

- (4) Discussion on the statement made in the House by the Minister of Home Affairs on the 18th April, 1966 regarding the reorganisation of the present State of Punjab on a motion to be moved by Shri Prakash Vir Shastri and others at 3-30 P.M. on Thursday, the 12th May, 1966.

Shri Hari Vishnu Kamath (Hoshangabad): Sir, this, I believe is practically the last Friday—I do not know whether he will make a statement next Friday—as then there will be only two more days left in the week after that.

I would remind him that there is one matter to which I had drawn his attention and your attention also about the part-discussed Vigilance Commission's First Annual Report. I do not know whether he will find time for that. Many things will go to the next session. There are some important matters to which I referred last time and you were pleased to give your immediate reaction. In brief—I do not want to take much time of the House—I submit there are underground rumblings.....

Mr. Speaker: Very kindly give me a second.

I would request him not to raise this here because in this matter it does not improve the mutual relations of both the Houses. Let me discuss it again because I have also heard and I have seen the Vice President also. I will meet him again and then report to the House what finally can be decided. If we raise the thing here and in the other House there is the reaction and we continue to do that, there will be no end to it.

Shri D. C. Sharma (Gurdaspur): The most remarkable thing is that the Secretary of the Lok Sabha who was here for so many years is now running down the Lok Sabha there.

Mr. Speaker: He has not done that.

Shri Hari Vishnu Kamath: May I submit in all humility that the matter was discussed in *extenso* in the Rajya Sabha? I thought the matter was closed. The Leader of the Rajya Sabha was present here, but he has now resiled from the stand he had taken. He took a definite stand here, and he has resiled from it. That was not expected of him. It is not that we have no regard or love for the other House. May I submit an analogy—it may not be a complete analogy—just as God has made man and woman unequal and yet they have love and regard for each other, so the Constitution has made the Lok Sabha and the Rajya Sabha different and unequal in powers and functions. Yet we have love and regard for each other. Therefore, I would request you that this should not be made a prestige issue. Article 113 is quite clear.

Mr. Speaker: We have discussed that here many times. We need not go into that now.

Shri Hari Vishnu Kamath: Why should he resile? Let him explain why he resiled from that stand.

Shri H. N. Mukerjee (Calcutta Central): Unlike certain Members of the other House, whom I need not name, we are not interested in a recriminatory discussion in this House. But what disturbs us is that certain categorical imperatives in the Constitution about which there can be no conceivable difference of opinion are being noised about in the other House, and because the proceedings of Parliament are open to the gentlemen of the press to report, they have been noised about in the country. So, what completely beats me is that we have a Government where a certain party is dominant, which has a majority, an overwhelming majority in this House and that House, which nominates Members to

the other House in large numbers, and this Government is unable even to pursue the categorical imperatives of the Constitution and to at least cloak the enthusiasms which run to excess in the other House, which bring about a state of things which we do not welcome at all.

I do not want to discuss in this House, the relations between the two Houses, which have got to be cordial under the Constitution. But under the Constitution, this House has certain rights in relation to money Bills and similar things, which should be above and beyond all question.

Now, questions are being raised, and controversies are being put up, and you yourself are being put in an embarrassing position. I know that you, Sir, want to keep the dignified appearance of things intact, and you are being driven to the uttermost extremity by the formulation of certain demands which by no conceivable stretch of imagination can come within the ambit of constitutional intelligence and understanding. The Government, the principal party is there sitting mum and numb with whatever kind of feeling which has been chronic with them, and the result is this sort of thing. I am not discussing the Houses, but I am discussing the Government of the country. I am asking you: Are you getting an assurance from the leadership of the party in power, from the Leader of the House, for instance, from whomsoever is the representative of the party in the other place? Are you getting an assurance from them that they are not going to allow this kind of absolutely gratuitous controversy to sully the relations between our two Houses? We do not want to enter into a game, a slanging game with the other House; that is the last thing that we desire. But it is the failure of the Government party which is in a majority in both the Houses, to do anything decent in this regard on a purely constitutional matter, which I want to point out.

We are supposed to belong to a party which does not care for constitutional forms and dignities, but I find myself in the position of having to defend constitutional propriety which is being violated with impunity by my hon. friend over there.

This kind of thing is going on for too long, and you, Sir, have been exercising your patience for far too long, but there is a limit to patience and forbearance, and some sort of decent behaviour has got to come from the Government, not from the other House; the other House is a creature of the Government in very large part.....

Some hon. Members: No, no.

Shri H. N. Mukerjee: I am very sorry to have to say this....

Mr. Speaker: Order, order, in his over-excitement he should not say such things.

Shri H. N. Mukerjee: I do not mean any reflection on anybody. But I want an assurance from you that you are getting in the meantime,—because you are going to tell us something more about it, and more decisively later on—co-operation and assistance from Government in a manner which gives rise to a hope that without a slanging match being instituted between the two Houses, this matter would be settled in conformity with constitutional propriety.

Shri Ranga (Chittoor): May I make one suggestion? Some of us would like to offer our observations, after we hear the Leader of the other House, who also happens to be here and who is the Minister of Education.

Shri Hari Vishnu Kamath: Why has he shifted his ground?

The Minister of Education (Shri M. C. Chagla): May I say a word?

Mr. Speaker: I shall allow him afterwards.

श्री मधु लिमये : अध्यक्ष महोदय . . .

अध्यक्ष महोदय : आप इस पर जो कांस्टीट्यूशन की धारा है

श्री मधु लिमये : मैं कांस्टीट्यूशन की धारा पर नहीं बोल रहा हूँ। मैं सिर्फ इतना निवेदन करना चाहता हूँ कि राज्य सभा और लोक सभा का यह जो झगड़ा है, यह स्वामत्वाह खड़ा हो गया है और यह इसलिये हुआ है कि राज्य सभा की मांगों और लोक सभा की मांगों के बारे में, आपके निर्णय के कारण संविधान की धारा 113 और हमारे जो नियम हैं, 208 से 210, उनके ऊपर इस सदन में पालन नहीं हो रहा है। मैं आप से मदद के साथ कहना चाहता हूँ कि आप इस पर पुनर्विचार कीजिये, राज्य सभा को इन मांगों पर विचार करने, पास करने, बटाने आदि का कोई अधिकार नहीं है। आप संविधान की इस धारा के अनुसार निर्णय कीजिये।

Shri Hari Vishnu Kamath: Let them amend article 113, if they want.

Shri M. C. Chagla: I have great regard for my hon. friend, Shri Mukerjee, but sometimes he gets carried away with his indignation and gives expression to words which he will regret afterwards.

It is entirely wrong to say that that House, of which I have the privilege to be the Leader, is the creature of Government.

Shri Ranga: All right: he has amended it.

Shri M. C. Chagla: I do not know why such things should be said.

As regards my hon. friend, Shri Kamath saying that I have resiled from the position I had taken up. I am not going to go into that. What matters is, what are the wishes of that House. That House—as I said, I am

the Leader of that House. But before that I am the servant of that House—has unanimously taken a particular view. The two principles . . .

श्री मधु लिमये : आपके सदन का अधिकार नहीं है।

Shri M. C. Chagla: that that House has enunciated are these: mutual understanding between this House and that House and good relations between the two Houses . . .

Shri Hari Vishnu Kamath: That we are all for.

Shri M. C. Chagla: . . . and no friction between the two Houses, as far as possible, and the dignity of that House must be upheld as much as the dignity this House.

श्री मधु लिमये : डिगनिटी का सवाल नहीं है। संवैधानिक अधिकारों का है।

Shri Hari Vishnu Kamath: Uphold the Constitution. You have been a Chief Justice for some time.

Shri M. C. Chagla: These are the two principles, and I have not the slightest doubt in my mind that we can come to an understanding and compromise which will enhance the dignity of this House and of that House. But if you allow speeches to be made like this, it will only embitter relations between the two Houses.

Shri Hari Vishnu Kamath: Wholly unworthy of a former Chief Justice.

Some hon. Members rose—

Mr. Speaker: Members might kindly resume their seats (*Interruptions*). This much of course I will say. I also support what has been said by Shri Mukerjee that when the Government is in a majority in both Houses, it should take some initiative to see that things are settled smoothly.

Shri Tyagi (Dehra Dun): Yes.

Mr. Speaker: If some Members here make some observations and I have to make any observations on that, then Members in the other place might react to that, and then again if we take up the matter here, this will go on endlessly. But this cannot be tolerated. There has to be a decision in this matter. It ought to be the duty of Government, when it commands a majority in both Houses, to sit together, just consult the Presiding Officers also and then come to a decision which might be acceptable to both Houses. That is what is required.

Shri Hari Vishnu Kamath: On a point of clarification . . .

Shri A. P. Sharma: This is the difficulty in having two Houses.

Shri Hari Vishnu Kamath: Abolish the other House?

श्री प्रकाशवीर शास्त्री (बिजनौर)

अपर हाउस को खत्म कर दो ।

Shri Satya Narayan Sinha: I agree with what you have said. As regards my hon. friend, Shri Mukerjee, as has been pointed out by my colleague, sometimes in indignation he gets carried away and says something which he regrets later on.

Shri Hari Vishnu Kamath: Not now.

Shri Satya Narayan Sinha: I would tell my hon. friend, Shri Mukerjee and others also opposite that it is not a question of parties . . .

Shri Hari Vishnu Kamath: That does not matter. It is a constitutional question, and rightly so.

Shri Satya Narayan Sinha: This matter was discussed amongst us and was submitted to you. You are also discussing this matter with the Chairman of that House. I hope some solution will be found. But if both of you fail to find one, then Government will certainly step in and do the right thing.

Shri Hari Vishnu Kamath: On a point of clarification. He has made a wrong statement. Let me refer to the proceedings of the House . . .

Shri H. N. Mukerjee: I did not want to make any observations. I have just received by courtesy of your secretariat details of the Charu Chandra Biswas incident in 1953. After studying this document, I find that on that occasion things very similar to what appears to be happening now did happen. But there was a settlement arrived at on the intervention of the Prime Minister, the Prime Minister at that time being Jawaharlal Nehru. It was settled after discussion. I do hope Government takes note of this. I am passing on this document to you for your information; perhaps on the lines of the settlement which was arrived at then, something could be done which would pour oil on troubled waters.

Shri Hari Vishnu Kamath: If I might put the record straight, here is the record of the Lok Sabha proceedings of the 22nd April. Here you made it quite clear that you had had talks with the Chairman and the Leader of the Rajya Sabha and then there was reached a categorical understanding between you on the one hand and the Chairman of the Rajya Sabha and Leader of that House on the other.

Mr. Speaker: I never said I had any understanding.

Shri Hari Vishnu Kamath: Agreement arrived at.

Mr. Speaker: No, no, I never said. He can read it. I said I had talks.

Shri Hari Vishnu Kamath: That you had talks with the Chairman.

Mr. Speaker: I had talk with the Chairman, not that I had arrived at an understanding.

Shri Hari Vishnu Kamath: It reads:

"The Minister of Education (Shri M. C. Chagla): The suggestion I made to you for your kind consideration and the consideration of the House was that if the

[Shri Hari Vishnu Kamath].

estimates of the Rajya Sabha have to be examined, they should be examined by a Joint Committee of the Lok Sabha and the Rajya Sabha."

From this he has resiled.

Shri M. C. Chagla: I have not, because I was only dealing with the Rajya Sabha. I did not say, as the Rajya Sabha wants, that if there is a joint committee, it should examine both the estimates.

Shri Hari Vishnu Kamath: You said it was a *via media*.

Mr. Speaker: I have followed him. What does he want?

Shri D. C. Sharma: I wanted to submit very respectfully that nothing should be said on the floor of the House which spoils our relations with the other House. Certain expressions have been used today which will surely show that there is not good relationship between this House and that House. But at the same time, I want to submit very respectfully that if the Leader of the other House makes a certain statement here and is not able to carry that statement out in the other House, I do not know what I can make of it.

You said that first of all there was a discussion between you and the Chairman of that House and then the two Leaders would meet. Suppose you do not agree and the Leaders do not agree, what is going to happen? I think we should evolve some kind of scheme by means of which this House, which is the custodian of the finances of this country, has the upper hand at least in this matter. I do not talk of an upper hand in any other matter, but I think we have to control the finances of the country, and therefore since this relates to the estimates of the Lok Sabha and the Rajya Sabha, I am sure that it is you who should—I am not trying to flatter you, because

it is no use—see to it that the estimates of the Lok Sabha and the Rajya Sabha are scrutinised by a committee which is constituted by you with proper consultation with the other party. If that is not done, I do not know what this democracy is coming to, what the Leaders of the Houses are doing . . .

Mr. Speaker: Order, order.

Shri D. C. Sharma: Therefore, I feel that this knot has got to be unravelled at the earliest opportunity, so that the constitutional . . .

Mr. Speaker: I agree with him. He will resume his seat.

Shri Hari Vishnu Kamath: You have agreed yourself. I want to read out.

Mr. Speaker: I know that. He should not continue.

श्री डी० शि० पाटिल (यवतमाल) :
प्रध्यक्ष महोदय, . . .

Mr. Speaker: Nothing further.

श्री डी० शि० पाटिल : सदन के नेता ने जो स्टेटमेंट दिया है, उसके बारे में मैं कुछ थोड़ा सा पूछना चाहता हूँ .

प्रध्यक्ष महोदय : ठहर जाइये । एक चीज को खत्म होने दीजिये ।

At least I was misled. I had an impression that the Leader of the House was agreeing to this proposition that the Lok Sabha Committee would scrutinise its accounts and about the Rajya Sabha he had agreed to—I got the impression, he might not have had that in his mind . . .

Shri Surendranath Dwivedy (Kendrapura): The whole House got that impression.

Mr. Speaker: I got, the impression that the Leader of the other House

was agreeing to the accounts of Rajya Sabha, the estimates of the Rajya Sabha, being scrutinised by a joint committee, and I said that a way had been found which was agreeable to both sides. That was my remark. I never said that the Chairman had agreed or we had arrived at a settlement, but because the Leader was here, I requested him to give his impression, and what I understood at that moment was this, and probably others also understood like that, and that is how that mistake has crept in. If it is a mistake, it should be said so, because now the Minister has said that he was only talking about the Rajya Sabha and not about the Lok Sabha, but there was no dispute about the Lok Sabha. Therefore, that impression was created, and that has put me in a very wrong position, because the Chairman yesterday met me and we had a discussion, and he said he had never agreed. I said the Leader of the House was here, I only consulted him, and his words conveyed that impression, and I was obliged to make that observation that we had arrived at an understanding.

Shri Hari Vishnu Kamath: The Constitution is sovereign. The question is not personal. *(Interruption).*

Shri M. C. Chagla: The Chairman gave me clearly to understand that if there was to be a Joint Committee it should examine the estimates of both the Houses. Well, there are three possibilities: one is to adhere to the convention we have been following so far, and if I may say so with the greatest respect to you and to the House, it was a very good convention. The convention was that the estimates of each House should be left to the presiding officer of each House. The second suggestion was that the Lok Sabha should have its own Committee to look into the estimates and the Rajya Sabha should have its own Committee. The third suggestion was about the Joint Committee, and the Chairman gave me clearly to understand that if there was to be a Joint Committee, it should

certainly examine the estimates not only of the Rajya Sabha but also of the Lok Sabha.

Some hon. Members: No, no. *(Interruption).*

Shri M. C. Chagla: If I conveyed to you a wrong impression, I apologise to you and I apologise to the House. But I would like to make one suggestion: one way out of the difficulty is, you and the Chairman and the two Leaders of the Houses could meet and work out a fair solution, a fair compromise, which might be one that might be acceptable to both the Houses. Then it is for the Government to take any action. *(Interruption).*

Mr. Speaker: If a compromise can be arrived at, that would be good but the only factor that has to be kept in mind is that the spirit of the Constitution must be taken into account. *(Interruption).*

Order, order. That is the one thing which must be predominant; that the spirit of the Constitution is preserved. *(Interruption).*

श्री मधु लिमये : अब आप बतलाइये कि मिर्क कमेटी नियुक्त करने से संविधान की गिरफिट कैसे बच जाती है ।

अध्यक्ष महोदय : यह बहस की बात नहीं है ।

श्री मधु लिमये : इसी से मारा झगड़ा और झंझट खत्म हो जायेगा ।

अध्यक्ष महोदय : झगड़ा खत्म होगा या नहीं, हम फैसला कर चुके हैं और उस से हम हट नहीं सकते । कमेटी के सामने जाने के लिये हम तैयार नहीं हैं ।

श्री मधु लिमये : हम राज्य सभा—लोक सभा की मांगों पर बहस की मांग कर संविधान के खिलाफ क्या कर रहे हैं ।

Shri Tyagi: What is the practice in the United Kingdom?

श्री बे० शि० पाटिल : मदन के नेता ने जो कुछ कहा है उस के सम्बन्ध में मुझे दो बिलों के बारे में पूछना है। एक बिल तो सोशल वेलफेयर डिपार्टमेंट से सम्बन्धित है। आदिवासियों के सम्बन्ध में उस दिन श्री सेन ने आश्वासन दिया था कि यह बिल जल्दी लाया जायेगा। 20 तारीख को हाफ ऐन प्रवर डिस्कशन हुआ था। उस दिन भी डिपार्टमेंट के मिनिस्टर ने कहा कि यह बिल इसी सत्र में लाया जायेगा। पंडित जवाहरलाल नेहरू और श्री शास्त्री की ओर से भी आश्वासन दिया जाता रहा है कि आदिवासियों पर जो अन्याय हो रहा है उस को दूर करने के लिये बिल जल्द लाया जायेगा। मैं आप की मार्फत पूछना चाहता हूँ कि यह बिल स सत्र में लाया जायेगा या नहीं। मैं कहना चाहता हूँ कि उसे जरूर लाया जाना चाहिये। अगर नहीं लाया जायेगा तो इसका बहुत बुरा असर होगा।

दूसरी बात मैं पूछना चाहता हूँ फसल बीमा बिल के बारे में। सन् 1963 में राष्ट्रपति ने अपने भाषण में कहा था . . .

अध्यक्ष महोदय : अब तकरीर तो नहीं हो सकती।

श्री बे० शि० पाटिल : मैं यही जानना चाहता हूँ कि आदिवासियों के बारे में कास्टि-ट्यूशन प्रमेंडमेंट बिल और फसल बीमा बिल इस सत्र में लाया जायेगा या नहीं।

अध्यक्ष महोदय : बहुत अच्छा।

Shri Ranga: The people of the Food Corporation, about 20,000 of them, have served notice to an hunger-strike and they have actually started their hunger-strike two days ago. A calling attention notice was sent to you but you were pleased to disallow it. May I request you to ask the Ministers

concerned, either the Home Minister or the Food Minister, to make a statement as to how they propose to deal with this matter, either today or on Monday?

श्री रघुनाथ सिंह (वाराणसी) : मैं जानना चाहता हूँ कि बनारस हिन्दू यूनिवर्सिटी बिल जो है वह कब आयेगा। आप ने जो बिजिनेस रखा है उसमें उसका कोई उल्लेख नहीं है।

Shri Satya Narayan Sinha: We have decided to sit till the 17th. So far as the time at our disposal is concerned, we have cut it to the bone. Whatever important things there are—there may be important things—it is impossible for us to take any other item in this session, if the House has to sit till the 17th, unless the House decides to sit till late hours.

श्री रघुनाथ सिंह बनारस हिन्दू यूनिवर्सिटी बिल तो छः महीने के अन्दर आना चाहिये।

अध्यक्ष महोदय : बस, अब और कोई चीज नहीं ली जा सकती।

12.43 hrs.

STATEMENT RE: DISCONTINUANCE OF BLANKING OFF OF ALARM CHAINS IN TRAINS

The Minister of Railways (Shri S. K. Patil): In the course of interpellations on the statement I made in the Lok Sabha on 26-4-1966 regarding fire in a coach of the Varanasi-Bombay Express near Ugrasenpur station of the Northern Railway on 25-4-1966, I had stated that a policy decision had now been taken that the blanking off of alarm chains must stop.

I might mention that as a result of a discussion in the Lok Sabha in 1961 on the subject of blanking off of alarm chains on trains, a review was made by the Railways and it was decided that blanking off should be restricted to the minimum number of

trains; the alarm chain apparatus was accordingly restored in nearly 150 trains on Indian Railways. There was, however, a spurt in the incidence of unauthorised pulling of alarm chain adversely affecting punctuality of trains and as a result of a further review undertaken in 1962, alarm chain apparatus had to be blanked off on a number of trains.

As in the present incident, passengers could not stop the long-distance train when fire broke out in a coach, resulting in casualties, I thought we should put a stop to the system of blanking off of the alarm chain apparatus. Instructions have accordingly already gone out that this practice should be discontinued forthwith in all non-suburban trains.

Honourable Members will, however, appreciate that conditions are different as far as suburban trains are concerned. Stations are situated close to each other and in case of any incidence of fire, etc., it cannot remain un-noticed for more than perhaps a few minutes. Railways now blank off the alarm chain apparatus in a number of suburban trains and I am afraid this practice will have to continue in the interest of smooth running of trains. On suburban sections, trains follow each other in quick succession and stopping of a train by an unwarranted use of the alarm chain apparatus will immediately cause queuing up and dislocation of services. Also, the punctuality of suburban trains will be severely affected, creating more problems.

I thought I should clarify what I had in mind when I made the announcement on 26th April regarding discontinuance of the practice of blanking off of the alarm chain apparatus.

12.4 hrs.

RE EXPLOSIONS IN GOODS YARD AT BHUSAVAL

Mr. Speaker: About the railway accident, I would now permit some

clarificatory questions. Anyone who is signatory to it may put the question. Only signatories and not others.

श्री बिश्वाम प्रसाद (लालगंज) : जो स्टेटमेंट रेलवे मिनिस्टर ने दिया है उस को देखने से ऐसा मालूम पड़ता है कि एक गड़डा 46 फीट व्यास का और 13 फीट गहरा और एक गड़डा 65 फीट व्यास का और 18 फीट गहरा बना। इसका अर्थ यह हुआ कि रेलवे बैगन के अन्दर बड़े ही विस्फोटक पदार्थ भरे हुए थे। रेलवे के अन्दर रेड ट्रैफिक रुकस है कि किम तरह से बैगन्स में सामान रखा जाना चाहिये और सारी हिदायतें बरती जानी चाहियें मैं जानना चाहता हूं कि जो आपका रेड ट्रैफिक रुक बना हुआ है उसके मुताबिक सारा सामान लदा था या नहीं।

रेलवे मंत्रालय में राज्य-मंत्री (डा० राम सुभग सिंह) : उम्मी के अनुसार लदा था।

श्री प्रकाशचौर शास्त्री (बिजनौर) : जैसा कि असम मेल के सम्बन्ध में रेलवे मंत्री महोदय ने कुछ विदेशी तत्वों का हाथ होने की सम्भावना प्रकट की थी, उसी तरह से क्या भुसावल में जो रेलवे दुर्घटना हुई है उसके पीछे भी कुछ अनुमान लगा है। मैं जानना चाहता हूं कि क्या पाकिस्तानी या दूसरे तत्व भारत भर में फैल गये हैं जिनका इस प्रकार की दुर्घटनाओं के पीछे हाथ है।

डा० राम सुभग सिंह : मारी बातों की जांच की जा रही है।

श्री बड़े (खारगोन) : भुसावल के पास बरगगांव में अम्बूनिशन फैंक्ट्री है और वहां से पठानकोट और फंटियर के लिये माल जाता है। यह बात सब को मालूम थी कि इन पांच बोगियों में विस्फोटक पदार्थ भरे हुए थे। मैं जानना चाहता हूं कि जो डब्बे लगे हुए थे उनमें क्या इस प्रकार के प्रिकाजन लिये गये थे कि कोई सैबाटेज न हो सके।

डा० राम सुभग सिंह : सारी सावधानी बरती गई थी ।

एक साननीय सदस्य : फिर यह दुर्घटना कैसे हो गई ।

सभापति महोदय : यह तो तहकीकान में पता लगेगा ।

Shri Hem Barua (Gauhati): It has been reported this morning that 13 live bombs have been discovered in a nalah in Sahranpur. All these things and explosions and violent activities in the country speak of a certain pattern. In that context, may I know whether the Government have been able to hold any preliminary or primary investigation into these accidents at Bhusawal and, if they have, whether they have come to the conclusion that this might belong to the broad pattern of things that are evolving in this country the CBI, I mean.

Dr. Ram Subhag Singh: As I said earlier, the entire matter is under investigation and the government will have to be guided by the report of the investigation authorities.

श्री मधु सिमर्ये (मुंगेर) : अध्यक्ष महोदय, जब भासाम में यह घटनाएं हो गईं तो उस वक्त प्रधान मंत्री जी ने यहां कहा कि नागा विद्रोहियों के साथ उनका सम्बन्ध नहीं जोड़ना चाहिए और चालिहा साहब ने कहा है कि उन्हीं का यह काम है । जब इस तरह की घटनाएं होती हैं तो पूरी जांच प्रइताल किये बिना किसी को सिफारिश-पत्र देने का जो काम होता है उससे काफी गलतफहमी हो सकती है । तो क्या वे झाइन्दा से इस तरह की बात बन्द करेंगी ? दूसरी बात यह है कि यह जो विस्फोट हुआ है इसमें काफी जायदाद का नुकसान हुआ है तो क्या उसका कोई अनुमान बता सकते हैं कि कितना नुकसान हुआ है ?

डा० राम सुभग सिंह : जायदाद की क्षति के बारे में अनुमान लगाया जा रहा है

और सारी बातों का पता लगाकर यहां उस आंकड़े को रख देंगे कि कितने रुपये की जायदाद बर्बाद हुई है ?

Shri Swell (Assam—Autonomous Districts): With regard to the incidents in Assam, the Minister of State for Railways answering questions last week had stated that there was a foreign hand behind the incidents, although the investigations were still going on. On the same basis, may I know whether he suspects a foreign hand behind the explosion at Bhusawal also?

Dr. Ram Subhag Singh: Actually when I made that statement, I had certain proof at my disposal. Here the matter is under investigation. So, I do not want to be categorical.

श्री प्र० ना० विद्यालंकार (होशियारपुर) : क्या मैं यह जान सकता हूं कि जो एक्सप्लोजन हुए हैं उसमें जो बम या दूसरी चीजें हैं वह कहां की बनी हुई हैं ?

The Minister of Railways (Shri S. K. Pathi): These explosives belong to our own defence. What was in it, where they were made, etc. is not known to us, nor is it proper to divulge it.

Shri A. P. Sharma (Buxar): From the statement, I find that the wagons were booked from Pathankot to Pulgaon on 23-4-66 and the explosion took place on 2-5-66 at 23.15 hours when they were standing in Bhusaval goods yards. I want to know when these wagons started from Pathankot, when they arrived at Bhusaval and how long they had been waiting in Bhusaval goods yard. When the wagons contained explosives, why were they detained so long in the yard?

Dr. Ram Subhag Singh: The wagons arrived at Bhusaval at 3.10 hours on 2-5-66 and the explosion occurred at

23.15 hours on 2-5-66. So, there was not much of a detention there.

Shri A. P. Sharma: When did they start from Pathankot, because it has taken a considerably long time to reach Bhusaval.

Dr. Ram Subhag Singh: They were booked on 23-4-66 from Pathankot to Pulgaon.

Shri A. P. Sharma: I am asking a specific question. These wagons contained explosives. It has taken about 9 or 10 days. Why should explosive material take so long a time in its movement?

Dr. Ram Subhag Singh: The movement depends on the line clearance, etc.

Mr. Speaker: Are there no special precautions take when there are explosives?

Dr. Ram Subhag Singh: It was standing in the marshalling yard at that time. There was no question of the explosion occurring while the train was in motion.

Mr. Speaker: When the wagons contain explosives, they should be left to the ordinary routine to remain in some yard for some days as other wagons would remain. Is not any special precaution taken when the wagons contain explosives?

Shri S. K. Patil: There is a manual that governs the carriage of explosives. But it has nothing to do with time; that is a new problem. The manual contains how they are to be booked, what precautions the consignor has to take, etc. It also contains what must be the distance between the locomotive and the wagons, etc. There is very scrupulous adherence to all these things, but the time factor is not mentioned there.

Shri A. P. Sharma: It has taken 10 days to move from Pathankot to

Bhusaval. Is there no time limit for the movement of explosives?

Mr. Speaker: He says there is no time-limit mentioned in the manual. What can I do?

Shri Hari Vishnu Kamath (Hoshangabad): Amend the manual.

Mr. Speaker: If this is not included, this aspect may be examined.

Shri S. K. Patil: We shall certainly do so. We shall also find out why that much time was taken.

Shri D. C. Sharma (Gurdaspur): The minister has given a very conventional and stereotyped reply to this question which is engaging the attention of the whole of India. He has said that it is under investigation. May I know whether the Chief Inspector of Railways is going to investigate into the matter? He can investigate it on a human level, operational level and mechanical level. What efforts is the Minister of State going to make in order that the element of sabotage, which most of us believe is 100 per cent correct, is taken note of? May I know whether some other kind of inquiry will be set up to find out that there has been sabotage about which I have no doubt?

Dr. Ram Subhag Singh: Every precaution will be taken to find out whether there has been sabotage or not. The Inspectorate of Explosives as well as the CBI representatives are included in this along with the investigating authorities, which consist of four railway officials.

Shri Shree Narayan Das (Darbhanga): What are the usual precautions that are to be taken by railways when they accept such explosives for transport from one station to another? When these wagons were lying in the yard, were any persons posted there to keep watch against any sabotage being carried out. If so, what arrangement was made?

Dr. Ram Subhag Singh: There are certain conditions. It runs to 20 lines. If you allow me, Sir, I will read it.

Shri Tyagi (Dehra Dun): Are proper arrangements made to keep watch?

Dr. Ram Subhag Singh: Yes; there were proper arrangements to watch.

13.00 hrs.

STATEMENT UNDER DIRECTION
115 RE. INACCURACY IN STATE-
MENT AND REPLY THERETO

Shri Daji (Indore): Sir, during the discussion on....

Shrimati Renu Chakravartty (Barackpore): Where is Mr. Sanjiva Reddy?

Mr. Speaker: Mr. S. K. Dey will make the statement.

Shrimati Renu Chakravartty: Why? Mr. Sanjiva Reddy must be here to apologise.

Shri Daji: Mr. Speaker, Sir, during the discussion on the Indian Copper Corporation I had pointed out that the Indian Copper Corporation was under the technical management of New Consolidated Goldfields South Africa Ltd. and had referred to Bulletin of the Geological Survey of India, p. 55. In his reply, the Hon'ble Minister Mr. Sanjiva Reddy denied my statement as based on false information. A reference to the speech will show that he was silent on the question of the matter having been referred to in the Bulletin of Geological Survey of India and only denied my statement and held it up to ridicule.

I thereupon tried to get the copy of the Bulletin from the Parliamentary Library but I was informed that it had been withdrawn. My efforts to obtain the Bulletin from the other sources was met with a similar reply. However, I have now been able to find the relevant page and a photostate copy of the same is in my possession.

In the Bulletin of the Geological Survey of India, Series A, Economic Geology No. 23, Copper, by J. A. Dunna as revised and enlarged by

A. G. Jhingram, S. P. Nautiyal and M. K. Roy Chaudhuri, p. 55, it is mentioned "in 1924, exercising their auction the Cordoba Copper Company purchased the mining rights at Mosabani from the Cape Copper Company. Simultaneously the company was reconstructed as the Indian Copper Corporation.

"In 1931, the technical management of the Corporation was handed over to the New Consolidated Goldfields South Africa Ltd. under whose management operations still continue."

The year of publication, as given on the Bulletin, is 1965. I had therefore right and reasonable reason to believe that the technical management of New Consolidated Goldfields South Africa Ltd. continued on the day when I spoke in the House. If during the Africa Ltd. continued on the day when period after the publication and my speech in Parliament, the technical management had been changed the Minister could have made such a clear statement and the matter could have rested there. Instead he totally denied the whole of my statement regarding Indian Copper Corporation being technically managed by New Consolidated Goldfields South Africa Ltd. In this context the withdrawal of the relevant Bulletin from circulation is also very significant.

It is clear that the Government of India in their publication Bulletin of Geological Survey of India gave wrong information or the information given was correct but the technical management by the South African firm was terminated before I raised the issue in Parliament. The Minister's statement does not give any clear indication as to the actual fact. It is regrettable that the Minister instead of clarifying the position satisfied himself by a general statement denying what I have said and also went further to make some unsavoury remark about me. It is now clear that the Minister's statement amounts to *suppressio veri* and *suggestio falsi*, and the statement made by me is correct as based on

information in the Bulletin of the Geological Survey of India.

The Minister of Mines and Metals (Shri S. K. Dey): Mr. Speaker, Sir, during the course of discussions on the Bill for the acquisition of the Undertaking of the Metal Corporation of India in the Parliament on 22nd November, 1965, the Hon. Member Shri Daji made a reference to the Volume on Copper "published in 1964" by the Geological Survey of India and said that according to the information contained in this book, "the Indian Copper Corporation apparently owned by Birlas is being managed by none other than the South African foreign companies, the bankers of Rhodesia's Prime Minister, Mr. Ian Smith". He went on to say "that in the Volume on Copper on page 55 there is a clear mention that the Indian Copper Corporation's technical managements are the New Consolidated Goldfields South Africa Ltd. It is a foreign company in South Africa belonging to the bankers of Rhodesia's Prime Minister, Mr. Ian Smith....." The Minister of Steel and Mines, Shri N. Sanjiva Reddy in course of his speech denied that the Indian Copper Corporation was being managed with the Rhodesian capital and stated that this company's consultants are an English firm and not the Consolidated Goldfields South Africa Ltd. as mentioned by Shri Daji. However, as the following statement appearing at page 55 of the G.S.I. Bulletin on Copper in India 1965 publication:

"In 1931, the technical management of the Corporation was handed over to the New Consolidated Goldfields, South Africa Ltd., under whose management operations still continue."

was at variance with the fact that the consultants of the Indian Copper Corporation are M/s. John Miles and Partners with registered office in U.K., a reference was made to the Director-General, Geological Survey of India. The Director-General has, after making necessary inquiries, confirmed that

the information in question as given in the above-mentioned Bulletin is incorrect and out of date. It seems to have been reproduced from an older publication without checking. The Indian Copper Corporation terminated their arrangements with M/s. New Consolidated Goldfields South Africa Ltd. in 1960 and appointed M/s. John Miles and Partners of U.K. as their consultants.

The misunderstanding and inconvenience caused to the Hon. Member and others from publication of wrong information in the Bulletin of the Geological Survey of India on Copper is regretted. Arrangements have been made to print and issue the appropriate errata slips incorporating the correct statement of facts regarding the present consultancy arrangement of the Indian Copper Corporation.

The Ministry of Mines and Metals has no knowledge of the reported withdrawal of the publication of Geological Survey of India from the library of Parliament. There has been no attempt at suppression of correct information on this subject. On the other hand, the factual position stated by the then Hon. Minister of Steel and Mines that the present technical consultants are a British firm viz. M/s. John Miles and Partners, is correct and cannot be controverted.

Shrimati Renu Chakravarty: Sir, after hearing the statement I feel that, firstly, you must make a thorough inquiry how that particular bulletin of the Geological Survey of India disappeared from the library and who was responsible for it, as say that they are not responsible for it. Somebody else's unknown hand is there.

Mr. Speaker: It should be my responsibility.

Shrimati Renu Chakravarty: Secondly, certain very unsavoury and unwarranted remarks were made by Shri N. Sanjiva Reddy in the course of his statement on this particular

[Shrimati Renu Chakravarty].

matter against my colleague and comrade, Shri Homi Daji. Since it was known that this question was going to be raised today, why is it that he is not present here. He should have been here since he has unwarranted spoken in such brash manner. He should withdraw those remarks and express regret.

Shri H. N. Mukerjee (Calcutta Central): I want to reinforce what my hon. friend has said, because you will appreciate that in the Library Committee we may be in a very embarrassing situation if it so happens that a Member of Parliament is precluded from using a document. I really want to know how it happened and I wish you lay down the law about it. I noticed Shri Sanjiva Reddy's presence here some time ago but now he has gone away. He may have very important business elsewhere which might warrant his presence there, but there are certain parliamentary proprieties which I am trying to stress with whatever strength I have. Is it not necessary and obligatory for a Minister of Government who is to be here because of this item being on the agenda—he does not always favour us with his presence—to inform you and to express to you his regret at his having to be absent for some unavoidable reason or is it that, being a member of the other House, he forgets the constitutional obligation that he is responsible to this House for his job, that it is at our good pleasure he holds his employment? It is very distressing that Ministers treat this House with contempt, particularly Ministers from the other House, who do not seem to know the Constitution at all.

Shri Hari Vishnu Kamath (Hoshangabad): May I submit that the matter is serious in both its aspects? Firstly, the theft or disappearance—I do not know whether it is theft really—a certain vanishing trick performed by this document....

Mr. Speaker: Why does he make these comments of vanishing trick and so on?

Shri Hari Vishnu Kamath: I am referring to the vanishing trick performed by this document, not by any person.

Mr. Speaker: He has said disappearance. That is enough.

Shri Hari Vishnu Kamath: I think this is the first time in parliamentary history that this has happened. If that has happened earlier, we are not aware of it. This is the first time this has happened, and it needs a thorough and sifting inquiry. Secondly, a rule might be formulated, that when a Minister has made a statement, which is called into question later on, objected to later on, and it is found to be incorrect and another statement is going to be made on that statement, if it is in the order paper of the House and the Minister is present in the House, you should kindly ensure that the Minister does not leave the House without your permission. If he has got some urgent business or if the portfolio has changed hands, that is all right but even then, he should not leave the House without getting your permission.

Shrimati Renu Chakravarty: He must apologise.

Shri U. M. Trivedi (Mandsaur): Apart from the impropriety by the hon. Minister, Shri Sanjiva Reddy, in just making himself scare on the very occasion when he had to listen to what is being said, the point that strikes me as the most important and which cannot be brushed aside is that such an ignorance that has been exhibited in the highest circles, by the heads of departments who govern the whole machinery of Government, existed. We, as outsiders, who had to move about in the Jawar mines and the Copper Corporation and all that, knew that certain things did exist and that the statement could not be true and the bulletin issued could not be true. How

could such a statement be issued in the bulletin itself and what action does the Government contemplate to take against the officer or officers concerned who issued such a statement?

Shri Ranga (Chittoor): All that has followed from the lips of my hon. friends, I am sure, has the support of almost all the Members of this House. I need only add one point. In the course of our parliamentary talks, it is true that we do make observations and indulge in a certain amount of...

Shrimati Renu Chakravartty: Polemics.

Shri Ranga: mutual criticism and making jokes; but when we are found to have made a mistake or an incorrect statement and all the consequences follow of asking for correction and when a correction is made, it is only proper on our part to withdraw all those parliamentary sallies, replies, criticisms and witticisms that we indulge in. That has not been done by my hon. friend. He has only regretted the inconvenience caused to Shri Daji. It is not specially the experience of Shri Daji alone; it is the inconvenience caused to every Member of this House when one Member is dealt with in that fashion.

Mr. Speaker: "To others also", he has said.

Shri Ranga: The remarks that the Minister had made following upon that particular question must be regretted and must be withdrawn. They have already said that we would like you to give a definite direction to the Leader of the House to see that the Minister, whose statement is called in question and who has to make a correction in the course of his own statement, must himself be prepared to do it in the House and not get it done through one of his deputies.

Shri Daji: Sir, my first submission is to you and, through you, to the House. The Rules Committee should re-examine the question of Direction

115. It has got to be re-examined because we are only permitted to make a statement, the Minister replies to that and the whole thing goes to rest. But, sometimes the matter must be gone into depth to find out ultimately who is wrong. This reply of the Minister itself has given an occasion for me to counter-reply. At the present moment I am once again submitting that the information given by the Minister to the House is wrong, that the information given by the concerned officers to the Minister is wrong, that the Geological Department had withdrawn it not only from the Parliament Library but also from the University Library and public libraries, wherever it was issued. It was withdrawn by the orders of this Department itself. Once again, the officers have misdirected the Minister.

Secondly, in such a case when we find that the Minister rests on the advice of officers and comes and says that it is wrong, is it not a contempt of the House committed by the officers who directly and deliberately mislead the Minister? On the last occasion also I read out from the Bulletin and pointed out the page number; but even then the Minister does not even consult the bulletin and says, "All your information is false and you are in the habit of giving such information."

Thirdly, I can understand that it can be withdrawn from other libraries by a Government directive, but can it be withdrawn by an executive direction from the Parliament Library? It is a very serious matter. It pained me more. If I do not get it in the Delhi University Library, I do not mind. But can a book be withdrawn from the Parliament Library which is in your custody?

Mr. Speaker: It was here with us. It was taken away for correction and it has already been returned.

Shri Daji: When was it returned? Whose permission was obtained to withdraw it?

Shrimati Renu Chakravartty: Why should they take it away for correction?

Mr. Speaker: It was taken in October and returned in November. In the beginning of December that was done.

Shri Hari Vishnu Kamath: A long time for correction.

Mr. Speaker: The crucial point is that when under Direction 115, a Member has to make a statement asking for the correction of a reply or a statement made by a Minister, whether it is necessary for that Minister to be present in the House when that correction is to be made. I think, all of us should agree, that when that statement concerns one particular Minister, he ought to be present. That appeals to commonsense and should be a regular procedure. I hope, the Ministers would take note of that, that when it concerns a particular Minister, he ought to be present.

The Minister of External Affairs (Shri Swaran Singh): He has ceased to be in charge of it.

Mr. Speaker: Even though the portfolio is changed.

Shri Daji: Who had withdrawn it? Who has corrected it?

Mr. Speaker: The Geological Department.

Shri Daji: The Minister just now said in his statement that his department did not take any book for correction. That statement is false....
(*Interruption*).

The Leader of the House (Shri Satya Narayan Sinha): Regarding your observation about the previous Minister in charge of steel and mines, I quite agree that the Minister concerned should be present; but, I tell you that he has not done it deliberately. Perhaps, it was because he was under the impression that the portfolio has changed; inadvertently he must have done it. It was nothing deliberate.

I think, in future we shall see that your observation is implemented.

Shri Barrow (Nominated—Anglo-Indians): May I ask, Sir, how a book from the Library can be taken? If the Department wants to make a correction, the normal procedure is to send a correction slip.

Shri H. N. Mukerjee: How can a book be taken away for correction?

Mr. Speaker: I will find out how a book can be taken away.

Shri H. N. Mukerjee: Please make an inquiry and let us know.. (*Interruption*).

Mr. Speaker: I will convey it....
(*Interruption*).

Shri Hem Barua (Gauhati): Sir, what I wanted to know is: (a) when certain facts were disclosed on the floor of this House regarding that notorious Jorhat jeep accident on 7th March....

Mr. Speaker: How can that be asked now?

Shri Hem Barua: you were pleased to direct the hon. Minister to collect the information and give that information to us. I just wanted to know whether the information has been collected. (b) When it was disclosed that two delegations, one of Naga hostiles and another of Mizo hostiles, had gone to Dacca, the capital of East Pakistan, and met there Marshal Chen Yi and Dr. Bhutto, the Pakistani Foreign Minister, the hon. External Affairs Minister said that he did not have the information. We would like to have the information from him if he has collected it by now and enlighten us on that.

Mr. Speaker: I cannot ask him just now. If he has the information, he may give it sometime later when he speaks.

13.19 hrs.

**RESOLUTION RE: CONTINUANCE
OF PRESIDENT'S RULE IN KERALA**

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathil): Sir, on behalf of Shri Gulzarilal Nanda. I beg to move the following Resolution:—

"That this House approves the continuance in force of the Proclamation dated 24th March, 1965, in relation to the State of Kerala, issued under article 356 of the Constitution by the Vice-President of India, discharging the functions of the President, for a further period of six months with effect from May 11, 1966."

13.19½ hrs.

[MR. DEPUTY-SPEAKER in the Chair]

I need not recapitulate the history leading to the issue of the Proclamation on the 24th March by the Vice-President, as the House had approved of this Resolution on the 7th May, 1965. This Proclamation was extended by resolution of this House on 8th November, 1965 for a period of six months from 11th November, 1965, and this period expires on the 10th May. The grounds for which the Proclamation had to be continued in force are well known to the House and the continuance in force of that Proclamation has been approved by this House.

Members would, naturally, be anxious to see that a popular government is set up in Kerala as quickly as possible. I may say that the Government also shares the same view because however benevolent and democratic a manner in which the President's rule may be carried on by the Governor and his officers, it cannot substitute a democratic responsible Government and the people of Kerala would always feel that they are deprived of a popular responsible Government. I appreciate these feelings and share the view. It is, there-

fore, that the Government is also keen to see that the President's rule is not continued any longer than is necessary.

The Government has examined all the possibilities. Having considered this question whether the present Proclamation should be extended for a further period of six months or not and after considering all the relevant factors, the Government have come to the conclusion that further continuance of the President's rule has to be extended for another period of six months.

Shri Vasudevan Nair (Ambalapuzha): Where is the Governor's Report this time?

Shri Hathil: The circumstances which led the Government to this conclusion are that, if the elections are immediately held after the expiry of the present Proclamation, in the Government's opinion and judgment, no political party has any clear chance of winning elections. Even if the judgment of the Government may not be right and even if it is decided that the Proclamation should cease, it will not be possible to hold fresh elections just now, at least till the monsoon is over, that is, before October-November, 1966.

In view of the General Elections to be held in February, 1967, holding elections in Kerala earlier will not be worthwhile. Under these circumstances, it is rather reluctantly that I come forward before the House with this Resolution.

I would like to mention that, as I have said already, the President's rule however benevolent it may be cannot substitute a democratic responsible Government.

Shri Vasudevan Nair: Who said it is a benevolent Government? It is such a useless Government.

Shri Hathil: I have already said it. With that end in view, if something could be done, we have been trying to meet the Members of Kerala. We have met during this year and we

[Shri Hathi]

have met for about five times out of which twice we held a meeting of the Consultative Committee in Trivandrum itself so that the Members of the Committee also could know the local problems and also discuss them with the local people there. More than a dozen Bills were discussed and issues relating to the economic development of Kerala in the field of food, irrigation and power were also discussed. The Committee had also the opportunity of having the Food Minister, the Railway Minister, the Deputy Chairman of the Planning Commission and the Minister of State for Planning for discussing various questions of importance.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order, Sir. When the affairs of Kerala which have been wrongly deprived of its Legislature are being discussed and the Minister is reading out an interesting speech, I think, there should be a quorum in the House.

Mr. Deputy Speaker: The bell is being rung...now there is quorum.

Shri Hathi: The most important question which had been baffling the Government of Kerala for all these years is the problem of encroachment on Government forest lands. A sub-committee, as the Members know, has been appointed to look into the question. Its report has been received and is under the consideration of the Government and the decision which will emerge out of this will be a policy decision and a State policy will be evolved about this problem which has remained unsolved all these years. It is also decided that pending consideration of the report, the *status quo* will be maintained. There seems to be some misapprehension amongst some Members that evictions will continue pending this. I may assure, the *status quo* will be maintained and no evictions will be had.

Shri Vasudevan Nair: May I know whether the hon. Minister is correct-

ing the answer that he gave to the question sometime back?

Shri Hathi: In case any land is acquired for the purpose of a project, then, naturally, eviction will have to be done—that is a different matter—but not on the ground of encroachment. If some land is acquired for the purpose of a project, then eviction will be had.

Shri Vasudevan Nair: The Parliamentary Sub-Committee took into consideration all these factors and they submitted a report. You have promised that report will be considered first and then only a decision about the evictions will be taken. Are you going back upon that assurance?

Shri Hathi: I am not going back. That is why I am again mentioning very clearly that pending the decision which the Committee will take on the report, there will be no eviction. This is what I say. There is a slight misapprehension or misunderstanding that supposing some land is acquired for a project, what will happen? I am sure it cannot be acquired in so short a time. Therefore, that question also should not arise. I want to make this clear that no eviction will be had and that the *status quo* will be maintained till the Committee takes a decision.

There were a number of other questions which were raised. I would not like to go at length into all these questions now because we will have an opportunity of discussing these questions within the next two days when the Kerala Budget will be before the House. My Resolution is for the continuance of the President's rule for a further period of six months.

I move.

Mr. Deputy-Speaker: Resolution moved:

"That this House approves the continuance in force of the Pro-

clamation dated 24th March, 1965, in relation to the State of Kerala issued under article 356 of the Constitution by the Vice-President of India, discharging the functions of the President, for a further period of six months with effect from May 11, 1966."

Shri Ranga (Chittoor): Mr. Deputy Speaker, Sir, I rise to oppose this Motion.

I am extremely sorry that the Union Government should have reduced itself to this position that instead of becoming the author of democracy, it becomes the author of dictatorship and tyranny. They say that they themselves do not want dictatorship or tyranny, that they are very much in love with popular responsible Government, but what actually they are doing is just what any dictator would do. It would only mean this that if the present ruling Party were to succeed in any general elections, and even in States, in getting a workable majority or emerging as the single largest Party with only a few votes more needed to gain a majority, they would like to allow popular institutions to function there but not otherwise. Even when they do not have a majority, they wish to exercise the privilege of distributing power or selling power, as it were, among other Members of the Legislature belonging to the other parties in order to manufacture a workable majority and run the whole show. When they fail to achieve these two objectives, when these two means are denied to them, that is of getting a clear majority by themselves and manufacturing a majority somehow or other by political prostitution, they have no interest in democracy and democratic institutions, and they would like to take advantage of this constitutional provision in order to bid good-bye to popular institutions and responsible government.

This Government stand self-condemned in the methods that they have

adopted, in their vain efforts to gain a majority in Kerala. They have gone out of their way to put in jail a large number of the political leaders of Kerala belong to one political party, namely the Left Communists.

Shri Bibhuti Mishra (Motihari): All the political parties combined together also could not form a government.

Shri Ranga: They imprisoned them under the DIR.

Shri Hathi: Now, they are not in jail.

Shri Ranga: At that time they were imprisoned. Government had put them in jail and hoped for a majority for themselves. But as ill-luck would have it for them, the people in Kerala refused to accept the decision made by the Government against those leaders and elected those very same leaders to the Assembly. And why did Government put them in jail? They wanted the country as a whole to accept those people as traitors. They looked upon them as traitors, and then appealed to the people to accept their judgment that those people were traitors, but the people of the State refused to accept that judgment. Today, Government themselves have accepted the decision of the people that those people are not, after all, traitors but they are also citizens, and they are also patriotic people and they are entitled to exercise all the civil liberties and fundamental rights that all the rest of us are entitled to exercise and enjoy, and that is why Government have released them all unconditionally. What does this show? This shows that the Government stand self-condemned. That is, the step taken by the Government at that time which was not approved of by the people at that time is not approved of by the very same Government now. The only difference is that two years have elapsed since then. In these two years Government might say that things have

[Shri Ranga]

changed. But have they changed to such an extent that the DIR should go? Government themselves say that they have not changed much, and they have not changed to such an extent that the DIR should go, and that the Left Communists should be branded as traitors or as enemies of the country but the Left Communists are entitled to function as a political party just as well as any other political party. Therefore, what other judgment can any reasonable man come to except this that this Government had made a wrong judgment on that occasion and they have continued to make that wrong judgment till today, and, therefore, they stand self-condemned?

Then, where is the guarantee, now that this Government have got used to this method of making short shrift of our democratic institutions, that they are not going to set aside democratic institutions in other States also at the end of the general elections if they were to find themselves in a minority, that is, if they were to find the ruling party to be in a minority in a number of States? And where is the guarantee that in a number of States the ruling party is not going to be in a minority? And if they are going to be in a minority and if they are going to pursue the same undemocratic methods that they have pursued in Kerala, how can this House in all conscience give this power repeatedly to Government to continue to set aside these democratic institutions?

Thirdly, why do they not want elections now? Did they not have elections in similar circumstances once before in Orissa, just a few months only before the general elections were going to take place in the whole of India? But why is it that in this State they do not wish to do it? For, for the last two years, they find that they have not done enough and they want another six or ten months to carry on their political log-rolling and a regular political process of prostituting our

political leadership in the different political parties to such an extent that it would be possible for them to manufacture a workable majority, and for this, they want to have some more time. They do not want this additional time in order to improve the State by having some developmental plans; they do not want to implement the developmental plans to improve the economy of that area and then present an improved State of Kerala on a silver platter to the democratic leaders who would be expected to come into power at the end of the next general elections. They do not want to do any such thing. All that they want to do is somehow or other to go on managing or mismanaging their politics in that State and use the funds that are placed so arbitrarily at the disposal of the Governor and the Administration in an irresponsible manner. I am saying that with all due sense of responsibility, because this Advisory Body has no real power at all and has no power to control the administration there. So, they use these funds, powers and privileges of Government in an irresponsible manner in order somehow to gain more and more support for their own party and help it to install itself in a majority at the end of the next general elections. Anyhow, this part of the House cannot be a party to allowing the Government to use this—it is not a privilege but—this nefarious opportunity to destroy democracy and democratic freedoms and democratic decencies.

In the meanwhile, even the development of Kerala is being dwarfed. If only there had been a responsible Government there it would have been possible for them to negotiate with the Union Government in making their so-called one year's plan for the first year of the Five Year Plan period and get many of their developmental plans accepted and get them introduced and also dovetailed into the national plan so that the people of Kerala could be assured that all that would be

possible and that could be possible would be done such as in regard to the development of their forests, their fisheries, their industries, and even in regard to the total amount of food that could be placed at the disposal of the people there and also the power that is so badly needed by the industries there. It is a notorious fact that unlike in the other States, the industries in Kerala are suffering from a power cut, a more serious degree of power cut so much so that most of their industrial plants are obliged to function only at 50 per cent of their total capacity, if not less than that, with the result that thousands and thousands of workers are forced to be unemployed....

Shri Vasudevan Nair: About 50,000 of them.

Shri Ranga: About 50,000 of them are forced to be unemployed and the industries themselves are obliged to pay lay-off compensation to the workers and thereby also they are running into losses. All this is happening there. Much of this could have been avoided if there had been a popular Government.

The only point that my hon. friend and the Government could raise in their favour is that not one single political party could be expected to achieve a majority. I have already said so, and I repeat it now, that there is no need for them to go on waiting for some one political party to achieve a majority. They can have an all-parties' Government there. I make that offer to our friends and ask them to investigate into this matter. My hon. friend said in the first instance that he did not know much about it and he did not know whether that would be consistent with our Constitution. On the second occasion he said that he was going to study it. On the third occasion now, God alone knows what he is going to say. Let me give this warning to my hon. friend as well as this Government. There is no guarantee that

at the end of the next general elections, in all the States of this country, the ruling party is going to get a majority. I should be very much surprised indeed, and I should be very much disappointed with the people, knowing as I do the sense of discontent and dissatisfaction and disaffection that is prevailing in their heart of hearts all over India, if in not less than three States the ruling party were not to find itself in a minority. It would not be possible for them to form the Ministry in those cases. Then, what are Government going to do? Would they like it? It can easily be seen from their past behaviour that they would not like the communists alone to come into power in any of these three or four States. They would not like it. You can see it. They would play all sorts of tricks, as they have been playing here in the case of Kerala; whether they are scrupulous or unscrupulous, honest or dishonest, constitutional or unconstitutional, they would certainly leave no stone unturned in order to prevent the communists from coming into power.

Under those circumstances, what is the best thing for them to do? Would it not be better from their own point of view to take the opportunity under these circumstances to have an important say in the governance of those States where the communists are likely to come into power? If they do not do that now, how would it be possible for them to do that? If they were to hang on to the present idea that a majority party alone can come into power and the rest of them go beyond the pale of political partnership in the governance of any one of the States, how can they do that? If they are generous, if they are really democratic-minded they should make up their mind here and now when in power to do this so that later on when the communists happen to come into power as the ruling party, it would be made possible for them to become part and parcel of the governance of

[Shri Ranga]

that State by having a coalition government. Let them start it now. Let there be an all-party government today having the communists also, right and left, everybody, as partners in the government. If they do that today, later on when the communists achieve a majority it would be possible for them to demand and indeed to expect the Governor as well as the President to constitute a government in which both the communists as well as the Congress and other political parties would be partners in a coalition, which will be a politically responsible democratic governance and partnership, a composite all party ministry which we would be able to have. That is the only way we can safeguard democracy in this country.

I have already indicated that there is a precedent existing in Switzerland. They may say that it would not be possible for an all-parties government to take quick decisions. What are the decisions they are taking in Kerala now? For the past two years, they have not been able to take any decision at all. Surely an all-party government cannot be as deadened and cannot behave as wooden as is the case in Governor's rule. It would not be impossible for them to make those decisions but they should make those decisions by consensus. The communists cannot have it their own way, nor can the Congress have it its own way. Both of them have got to negotiate and work, try to reach agreement by mutual discussion and understanding. It would be possible to reach agreement that way and proceed; but if they are unable to reach an agreement on any one matter, if there is something which would not be agreeable to almost all of them, the status quo would continue, whatever might be that position.

In regard to forest, it has happened; in regard to fisheries it has happened; in regard to this power cut, it is happening. In regard to industrial development of Kerala, it is happening. There is no development today, what

to talk of quick development, either in the right or in the wrong direction. If one party alone is there in power, it has all the monopoly which it exercises, as this government has been exercising in an arbitrary manner. Nevertheless, under the other arrangement I propose, the government would move, it would be dynamic and progressive. Let them take courage in both hands and become generous and be willing to have an all-party government in as many States as possible, certainly in all those States where this ruling party may find itself later on, after the next election, in a hopeless minority, so that they can also share in that government later. But they cannot very well expect that to happen unless they are agreeable to that now.

Now, all these people have been released, almost all of them. Shri Gopalan and the other left communist leaders have been released; the Right communist leaders are also all now outside jail. Let them invite them instead of extending Governor's rule. Let them agree to form a coalition government in Kerala. If they are not willing to form a coalition government, do they expect us to believe that they, the Congress people, are not the enemies of democracy and the enemy of people's raj? Let them take the courage and agree to form a coalition government of all parties. Let that government run the show till the next general elections in 1967. The elections have already been held there in Kerala, and those elected members are there all alive; only this Government has perpetrated a constitutional impropriety in not inviting the elected members to take their oath of allegiance so that they become politically regular members. Let them invite all those people now. They are the real representatives of the people and not the Governor or the advisers nor this Union Government. They are the real leaders of the people, they are the real spokesmen

of the people there. Let them be called in all sworn in and asked to form an all-party government in Kerala. In that way alone, the safety and progress of democracy, not only in Kerala but in all other states, can be safeguarded now as well as in the future.

Shri H. N. Mukerjee (Calcutta Central): Mr. Deputy-Speaker. I join my friend, Prof. Ranga, in our opposition to the noxious Resolution which our friend, the Minister of State, has placed before the House. I do not have to flatter our esteemed colleague, Prof. Ranga. But he has made a first-class parliamentary speech, and yet we see in this House a listless atmosphere, and if a technical objection is raised, we will have to adjourn.

This happens because there seems to be an almost fatalistic conception in some parts of the country that this Government being what it is, you cannot expect anything better, that in relation to Kerala, this Government has made up its mind with the accomplished fact, a very nauseating fact, namely the continuation of an utterly undemocratic state of things, not because of any fault on the part of the people of Kerala, but because of the addiction to power which is the only recognisable passion which characterises the ruling party in the country today.

So we had the delectable spectacle of a reluctant Mr. Hathi moving this Resolution. He is a good friend of ours; none of us ever wishes to say a harsh word about him and he deserves that kind of feeling so far as we are concerned. But it really made us laugh—at least it made me laugh—when he said he was very reluctantly moving this Resolution because, like the rest of his colleagues, he is wedded to democracy and parliamentary system of government and all that kind of thing. As I said once in this House, like many wedded couples, our friends of the Congress leadership live apart from what they are supposed to be wedded to, namely democracy and the parliamentary system.

Mr. Hathi said that he was very unhappy about having to move this Resolution. Why bring all this unhappiness over your devoted head? Why not do the decent thing about Kerala? Why pursue these policies which are the very negation not only of democracy but also of decency? Why go on paying for the original sin which the Congress party committed when in 1959, they pushed out of the picture the Communist Government of Kerala? And since that time, they have never been able to have a moment's peace with their own conscience; since that time, they have never been able to satisfy either the country or themselves that what is being done in Kerala is the right thing.

He is asking us now to extend for another six months the position when the President's rule continues in Kerala and he is invoking article 356 of the Constitution. How long are we going to rely upon these emergency provisions of the Constitution? How long are we going to rely on a continuation of such ugly hangovers of the pro-independence past, namely section 45 and section 93 of the Government of India Act of 1935 which were incorporated bodily into our Constitution, and for which the makers of our Constitution gave an apology that these are transitory, temporary, emergency provisions which would be removed as soon as possible out of the picture and which would be taken resort to in the most special circumstances?

In America we find that after all the Union Government can intervene when there is resistance to federal law to the authority of the Federal Government, in order to maintain what is called the indissoluble union of the United States of America, but there is no provision for suspension of the State Constitution by the Union Government on the ground of failure of the constitutional machine. And in Kerala, what actually has happened that it requires this kind of thing, and how long are you going to do it? Even the transitory provisions of

[Shri H. N. Mukerjee]

the Constitution allow for a maximum period of three years. This Government is continuing with an emergency proclamation for more than three years now. They never bring the spirit of emergency to tasks which need doing, to problems of food, to problems of economic reorganisation in their battle for economic advance, they do not think of an emergency spirit, but only in order to put down the opposition to itself, only in order to keep this monopoly of power all over India intact, only in order to prevent any other political party, whether communist or any other, to break the Congress monopoly of power at the weak links which are coming up emerging in province after province, only because of that they persist in the policies which they are pursuing.

Mr. Ranga was absolutely correct when he prognosticated that if present indications are any criteria, then in the elections to come in 1967 there would be a number of States where the Congress Party would never conceivably, if elections have any sense about them, be able to come back in a majority. What does the Government propose to do about it? Doing what it has done in regard to Kerala, imposing President's rule? If it cannot win by the power of money which alone it controls, if it cannot win the votes of people because it has got all the moneybags on its side, does it propose to pursue these methods?

Mr. Ranga referred very rightly to the case of Orissa. How was it that in late 1961 elections were held in Orissa in spite of the objection which I myself, along with some of our colleagues in this House like Mr. Dwivedy, had gone to the then Prime Minister to place before him? Our objections were overruled. We had put forward arguments which were much more valid and reasonable. I can claim to say, than the arguments

now being put forward, for not having elections in Orissa.

And the reasons are absolutely patent for anybody who has eyes to see. They are not able, in the conditions prevailing either in Orissa or in Kerala, to have a majority, and that is the long and short of it, they are not going to have elections.

Mr. Hathi says "Oh, the weather is unpropitious, we cannot have elections." In which country do we live? Do we come from Switzerland? Switzerland may have some political models which might be pursued, but do we live in Switzerland or Greenland or what? This is a tropical country where there is rain and sun, and summer and winter of whatever sort we have got, and we have to make do with our own country.

Who tells Government that there cannot be elections for six long months? Is it democracy? In England, in three weeks' time they can hold elections. We are a bigger country, we are a more complicated country, a more difficult country, but for that reason, I am not letting anybody get away with the statement that for six months you cannot possibly have an election, and in November naturally you can wait till February, 1967. All this is procrastination, which is being practised with the most mischievous purpose, and that purpose is something which shows up the utter lack of scruple, the complete lack of principle which pervades the activities of the Congress Party.

The way the Congress is going ahead can be seen from what Mr. Hathi has said. He referred again to another astrological performance of his own and of the then Governor. Mr. Jain, the prediction that no party can have a majority. On the last occasion there was a party with a majority, there was a majority in spite of the Government claiming, on the basis of the Governor's report, which

was unauthenticated as the House knew to its distress. We never like the idea of a Governor being shown up as having said something which is not true, but this House did discover that. We told Government on that occasion, and we had the facts at our disposal, that there was a majority on behalf of my party which may have had a small representation in the actual elected House in Kerala. I had said in this House, and I repeat what I had said was true, that we were ready to join hands with the left Communists to form a Government, and there were other people who would have joined hands in forming a Government. The Left Communists, with the support of others, could muster a majority to form a Government. They say no party can have a majority to form a Government. Who has put that idea into Government's head? Why should Government collect an idea which is very favourable to the continuation of its own grip on power, and thereby deny the people of the opportunity of electing their own representatives? But that is exactly what they are doing.

In Kerala, therefore, it is something which stinks, something which is nauseating, which is noxious—the principle or lack of principle which the Government has been pursuing for so long. This is a matter which has been said in this House over and over again. I do not want to labour the point.

But when I see this kind of listlessness, this propensity towards fatalistic acceptance. I would warn the Government: Do not judge by the tempo of this House. Things are seething outside, and if you do not see the handwriting on the wall, you would know it to your cost, and your cost, unfortunately, may also be the cost of the country, and that is why I am concerned that you should drop those democratic proprieties which you have no business to discard, and that is why there is no reason for us to continue to give sanction for the continuation of

President's rule over Kerala, no reason for continuation in Kerala of a state of things where the people of that region are treated *de facto* as third class citizens who are deprived of the opportunities of access to fundamental rights in our country.

In the very satisfactory administration which the Government claims to have set up under the President's dispensation in Kerala, what exactly is happening? At this very present moment, the non-gazetted officers, NGOs as they are commonly known, are on the war path in Kerala. They have been agitating for many months. On the 24th May, I understand, they are going on a strike. They waited for a long time, and then when the Pay Commission was appointed, its recommendations were disappointing, and uptil now the only idea which Government has in its head is that the movement of the NGOs has to be suppressed. That is the only thing that the Government knows, it never applies its mind to the solution of problems in a human and decent way, it wants to depress popular desires and popular feelings, and that is the idea which it has got already in regard to the NGOs, and there again I warn the Government that any attitude which smacks of that kind of authoritarian tyranny in regard to the legitimate claims of the NGOs would defeat itself.

In relation to the teachers I discover that they are also going on a strike. They have given notice of their intention to strike on the 22nd June. I have got here a representation from the All Kerala Private College Teachers' Association. We discover that for a long time the college teachers in that part of our country were paid scandalously low wages, that they had been assured that the all-India UGC scales would be adopted from 1st October, 1964, and private college teachers in a majority would be brought on a par with those of lecturers in Government colleges, but these assurances were never

[Shri H. N. Mukerjee]

fulfilled. Now, they are pinning their hopes on the Government declaration recently that the Union Government is ready to bear 80 per cent of the financial burden involved in the University Grants Commission's scheme regarding the latest pay-scales for college teachers, and they are claiming that since Kerala is under President's rule this pay revision should be given effect to at once without any delay. This is the kind of feeling which is germinating in Kerala, this is the kind of grievance which has overtaken the most sedate sections of the population, which are threatening to take resort to strike if their demands are not accepted.

14 hrs.

I know that for a time there was in Kerala so much despair and depression that some people had come to think that perhaps political stability was a kind of goods which were beyond the reach of the people of Kerala, and some people might even have welcomed President's rule. I have even heard of talks, which were not really representative of the feelings of the people, that if this instability continues, a part of Kerala can go to Mysore and a part to Madras, as it used to be before, and we can at least be restored our constitutional rights of citizenship of this country, whether in one State or the other. That of course is an idea which can no longer pass muster because the people of Kerala have got their own province, where they have their own language which they love dearly and which they cherish for very right reasons. But on account of the continuously manipulated political instability there was a feeling growing amongst sections of the people that possibly one might never get any results by having these elections held from time to time. But nearly a year's experience of President's rule, the entire people today are feeling that they should have and must have a democratic set-up as soon as ever that is possible.

Then, as Shri Ranga has already suggested, the advisers at the top bureaucratic hats are having a heyday. Basic policy questions are being decided by the people who should merely be the implementing agency and no more than that. All parties including the Congress party in Kerala, I understand, have recently criticised the Government for making changes in the system of reservations for backward classes in technical and educational institutions. I understand also— I am speaking subject to correction—that the Governor made a statement that he had every right to take policy decisions. I am amazed to hear of this kind of thing. We are told what is being done or is sought to be done by the Parliamentary Committee on which some of our colleagues here in the House are members, along with the Ministers concerned. What about this Parliamentary Committee? Who makes the policy decisions? Why is it that the Governor claims that he has the right, as a nominee of the President, to make policy decisions? As a Member of Parliament who does not belong to this Parliamentary Committee, I have been saying in this House repeatedly, what about the work of this Parliamentary Committee; why don't we get reports of this Parliamentary Committee? It is a Committee just as we have the Estimates Committee, the Public Accounts Committee and the Committee on Public Undertakings, and the Punjab Suba Committee. All these are organisations which report to Parliament. Where are the reports of the Kerala Committee? How is Parliament looking after Kerala? How is a modicum of democratic representation being offered to the people of Kerala? How is it that a Parliamentary Committee functions in such a way that from time to time we read reports in the papers, saying that the Opposition Members, perhaps with some Congress Members also, are walking out of the meetings of the Parliamentary Committee because of the attitude of the Home Minister, which was by no

means satisfactory to the interests of the people of Kerala? But this kind of thing goes on, and the Parliamentary Committee is perhaps functioning in a situation where it is bound hand and foot and does not function in an atmosphere where the wind blows freely and where the cobwebs of prejudice could be removed because of the wind blowing freely, and this is not the way in which we can have anything like a decent democratic set up in our country.

Therefore, I feel that this repeated continuation of an emergency situation cannot be tolerated. We feel that this continuation of President's rule over Kerala which amounts to the people of Kerala being deprived of their citizenship rights altogether, is not a matter which could be compromised. We say, if in regard to Orissa in 1961 that kind of decision would have been taken—Orissa is possibly more subject to rainfall than Kerala, with heavier rainfall—if that can be done in Orissa, I do not see why an election cannot be held in Kerala. In Kerala, if elections are held, there is no doubt as to the result. Shri Ranga had already referred to our hon. friend and colleague, Shri Gopalan having returned to this House. He has referred very rightly to the idea which Government were trying sedulously to propagate till the other day, that these left Communists whom they have put behind the bars—though having not one of them tried for one single instance of dereliction of duty—were traitors to the country, and that the Government are now bound to eat their own words and let them off unconditionally because their argument about the left Communist being traitors to the country has not got anything like a foot to stand upon. It is a completely fabricated statement of which Shri Nanda, as the Home Minister, ought to have been thoroughly ashamed; but it is a good thing that at long last, they have been constrained and compelled by the force of popular pressure to release the left Communists. If the elections were held, naturally, they would

have come back with a very large proportion of membership, and there is no doubt about that. I want to repeat the same thing that Shri Ranga has said—about the utterly scandalous phenomenon of the last Legislative Assembly, which was dissolved even before it had the opportunity of coming together, of making the oath or the affirmation, of meeting each other and of really and truly forming themselves into a body corporate. Even before they could become a body corporate, they were dissolved. That kind of thing has been practised for far too long. It is utterly undignified, utterly unjustified and utterly undemocratic; and this practise is going on for such a length of time that the country cannot possibly tolerate it, but like the Government of the present day, possibly we have to tolerate so many noxious things.

Since the elections are not too far away, Government should find out how the temper of the people is being formulated, how the grievances of the people are today coming up in such large numbers. This Government, the way it is functioning, will never be able to continue in the manner in which it has done so far. That is the only streak of hope and light that I see in an atmosphere of gloom and listlessness. This Government is happy to capitalise that listlessness and darkness which pervade the country's political atmosphere from time to time. It does not see the rainbow in the rain; and that is the hope that people have of driving this Government out of power in many States in the next elections and this action of the Government is only an indication of its complete inability to confront the people and approach them in any kind of human, decent, democratic manner.

Shri Ravindra Varma (Thiruvella): Sir, I rise to support the motion that has been moved by the Minister of State in the Ministry of Home Affairs.

An hon. Member: Is he supporting it?

Shri Ravindra Varma: I support it, and I hope that that word has the same meaning for him and myself. I support the motion not because I believe that the President's rule is a substitute for popular rule in Kerala or in any other State. I share the feeling of my hon. friend opposite, Shri Ranga, as far as the need for ensuring a popular government is concerned. We are all devoted to democracy and it is not necessary for the hon. Member opposite to remind us that our Constitution is based on democracy and the rights of the people to administer themselves which are enshrined in the articles of the Constitution. The history of the Indian National Congress, the history of the elections that have been held in this country, the exemplary manner in which our government has given evidence of its devotion to the fundamental rights of the people, would convince any dispassionate student of the deep devotion that Members on this side of the House have to the canons and the practices of democracy.

My hon. friends opposite, Professor Ranga and Professor Mukerjee—two professors—treated the House to very erudite discourses on the demands of democracy on the people who are in authority. I shall not question their devotion to the cause of democracy. But I am afraid that in their anxiety to criticise the Government, in their anxiety to use the Government as a peg to hang all their aspirations and their aspersions on, they did not try to do justice to truth in every thing they said.

Sir, Prof. Ranga castigated the government and said that the Government had shown that they were willing to conduct elections only if they were confident that the Congress would come to power. This is an old burden that he has been singing in this House, for which there is no evidence or proof. My hon. friend from Khargone knows that in Kerala elections have been held and parties other than the Congress have secured majorities. At that time, those

parties were not prevented from forming governments there. My hon. friend is very much interested in Kerala today. He certainly knows that in the past there have been non-congress governments in Kerala not once, but more than once. There have been other States too in which parties other than the Congress have come to power. How then can it be said on the floor of this House, how then can the hon. member opposite expect the House to believe him when he says that the congress will order elections only if it is sure that it will come to power?

I wish to remind Prof. Ranga and critics on the other side that, actually, the elections in Kerala took place when the emergency was on. It was open to this government and this party to say: "There is a grave emergency in this country. We are facing the threat of aggression. Let us not therefore have elections; let the President's rule continue". But that was not the attitude which this government and this party took. On the other hand, the government said, we should have elections. There was election. What was the result? Unfortunately for us, and for the opposition parties, no party secured a majority. My hon. friend opposite who spoke before me said that he believed that one of the parties did secure a majority. I am afraid there is a lapse of memory that is afflicting him. Otherwise, he would not have said that any single party secured a majority. It was found that not only did no single party secure a majority but no combination of parties could command a majority. It was in those circumstances that the Governor found that he had no option but to recommend to the President that the Assembly should be dissolved and the President should take over the administration of the State, as provided for in article 356 of the Constitution.

Sir, Prof. Ranga was very vehement in his criticism of the government for their attitude to the left communists. In fact, Sir, I found today that two poles were gravitating to each

other. The House was treated to an unusual, abnormal spectacle of Prof. Ranga and Prof. Mukerjee speaking almost with the same voice. I do not know; I have heard it said that adversity makes strange bed fellows. I am not suggesting that they have jumped into the same bed, but they are suffering from the adversity of being out of power and this is what is prompting them to fling such allegations at the government, though both of them in their own hearts would not believe what they are actually telling the House.

Sir, It was said that the government tried to secure a majority by putting the left communists in prison. There can be no greater travesty of truth than this. I am surprised that a distinguished member of this House like Prof. Ranga could have indulged in this casuistry. He said the left communists were put in prison, elections were held and they were returned by the people. Was this an action which the government took only in Kerala? When the government had evidence to conclude that there was going to be an attempt made to disrupt the economic and industrial life of this country, which would adversely affect the defence efforts of this country, government had to act to protect law and order. The White Paper which was placed before the House by the government was discussed by the House at that time. When the government, therefore, came to the conclusion that there was enough evidence to believe that there was a move to start subversive activities, the government took action. It was not confined to Kerala alone. The left communists were arrested all over the country. How then can it be said that they were arrested and put in prison only because the government wanted to secure a majority?

It was said that the people returned them to power, thereby showing that they did not approve of the Government's description of the activities of left communists as traitorous. I wish to remind the hon. member

that we did not fight the election on this issue. The election in Kerala, as he should know as a student of democracy, was conducted to enable an Assembly to be elected, an Assembly that would constitute a government. A government which is to be in power for five years does not depend purely on the question whether the left communists' activities were to be condoned or condemned. For him, therefore, to turn up in the House and say that the fact that a few left communists were elected by the people meant that the people repudiated the allegations that the government had to make about their suspected activities is something that does not hold water, and certainly does not do credit to a distinguished member like Prof. Ranga.

Sir, he said things have changed today and the government has had to eat its words. I do not know where Prof. Ranga saw the government eating its words. Government has not said that what was suspected at that time was based on false information. On the other hand, what has been said is that conditions have changed and that danger of immediate aggression on this country has receded. Therefore, a situation has been created in which it is possible for us to take more risks than we could take in the year when action was taken on the left communists. All that has been said, therefore, is that the situation has improved to the extent that more risks can be taken today. Nothing has been said from this side for him to say that the apprehensions about the intentions of the left communists have changed.

Prof. Ranga made almost a pathetic reference to what might happen in the next elections. I can understand that the next elections are an obsession with him. He and Prof. Mukerjee said, what is the guarantee that the government will not perpetrate the same sin if the ruling party does not secure a majority in other States as well in the next elections? In fact, Prof. Ranga indulged in a little bit of

[Shri Ravindra Varma]

astrological exercise, which is not unheard of in Delhi and said he believed that in many States the Congress might not secure a majority. I do not want to cross swords with him on his astrological proclivities. Maybe the ruling party does not secure a majority in one, two or more States. This is not the first time that hon. members opposite have expressed this hope and this may not be the first or last time that this pious hope of theirs is belied by the electorate of our country. He said, in many States the Congress may not get an absolute majority or working majority, therefore, we should think in terms of a coalition government. This is not the first time that Prof. Ranga is making this suggestion. He is consistent in making this suggestion. He has, therefore, recommended that we should adopt the Swiss model. It is very clear that the Swiss model cannot apply to one State only. If, in the future, it is found that there is a multiplicity of political parties, that no party can secure a majority and no combination of parties can assure a majority for a stable government, then certainly it is a new situation, which will have to be analysed by the whole country, not in reference to Kerala alone. It cannot be that there is a Swiss type of Constitution which applies to Kerala and a British type of Constitution which applies to States in which the Swatantra Party or the Communist Party hopes to come to power. Professor Ranga gave us a warning. He said that because you may have to come on your knees and secure the support of the other parties since you may not get a majority, and because you may have to share power to be in power, why not hand over some of the power that you have today. When the argument is put in the crucible and melted it means this: we ourselves are not sure that we will secure a majority anywhere, but we are sick of being in the wilderness for 15 or 18 years; please, therefore, agree, because you are in adversity in one part of the country, that all over

the country you will allow us a finger in the pie.

He referred to many other questions. It is a fact that Kerala is suffering because there is no popular government, especially when the Plans are being formulated. I began by saying that I do not believe for one moment that the President's Rule will be a substitute for popular democratic rule. But a situation has arisen in the State where it is found that there is no reasonable chance of any party securing a majority if the elections are held tomorrow.

I would like you to consider the ring in the voice in which the hon. Members opposite spoke about the need for an immediate election: I found that the usual timbre was missing in their voice when they demanded an immediate election.

It is true that the State of Kerala has been suffering in many ways because of the fact that we have not had the benefit of a stable government; that many other States have had.

My hon. friend, Professor Mukerjee, referred to the dismissal of the Communist Ministry as the original sin. I do not know which pontiff described it as the original sin. He said that these are the wages of sin which are being paid out to the Congress, that it is the ghost of the infanticide that is haunting the Congress. Now I would like to remind Professor Mukerjee that after the Communist Government was dismissed for gross violation of democratic norms of behaviour, there was a Government in the State and the Assembly went through almost its whole term. There was a Government which was in power for more than four and a half years, and it was only a few months before its term expired that because of some unfortunate developments the Assembly had to be dissolved. Therefore, to say that the wages of sin are being paid out to the

Congress is to say something which is not borne out by the facts of history.

Sir, I shall not refer in detail to the other matters that Professor Mukerjee referred to, about the NGO strike, the Pay Commission's recommendations, the plight of the poor college teachers and so on, not necessarily because I do not agree with him but because I believe very soon this House is going to discuss the budget for Kerala, and at that time I will have an opportunity to deal with these questions.

This reminds me of what Professor Ranga pointed out about the way public money is being squandered in Kerala. All of us are very much concerned about the manner in which the funds of the exchequer are spent. But was he right when he said that there is no control at all, that it was a purely bureaucratic exercise? The budget for the State of Kerala is adopted by this House, and he cannot ignore this fact. Not only the budget of Kerala is adopted by this House, but the Public Accounts Committee of this House has on more than one occasion scrutinised the way expenditure is incurred by the Government of Kerala, even when there is no popular Ministry in Power.

Shri Sham Lal Saraf (Jammu and Kashmir): Legislature also.

Shri Ravindra Varma: Yes, Legislature too. I am thankful to my hon. friend for adding to what I have said. Therefore, it is clear that one cannot say that there is no parliamentary control over expenditure in Kerala.

Sir, Prof. Mukerjee referred to the role of the Parliamentary Consultative Committee. I think I would agree with him, not necessarily for a change—that the reports of the Parliamentary Consultative Committee should be placed before the House, but in view of the fact the scope of the work of the Consultative Committee has expanded by common consent. It has not expanded by virtue of any amendments

to the statutory provisions or an Act but it has expanded because the present Home Minister and those who are in charge of running the Home Ministry have realised that when the Presidential Proclamation extends for a long period of time it is necessary to have some sort of a machinery which will enable the representatives of the people to bring up for consideration matters of urgent public importance. It is, therefore, well-known that, unlike the previous Consultative Committees, this Consultative Committee has discussed practically every matter affecting the lives of the people in that State.

My hon. friend, the member for Quilon, for example, will recall that even the appointment of the Vice-Chancellor was discussed by this Committee. No one can gainsay the fact that the discussions in this Committee, though they are technically informal, have led to a series of steps being taken by the Government which have corrected some of the mistakes that are bound to occur when there is no popular government.

I do believe that this innovation, this expansion of the scope of the work of the Consultative Committee has proved to be a corrective which was needed. I shall not take more time of the House, but I would like to say in the end that because of the circumstances that prevail in Kerala, there is no option for us but to recommend that the President's Proclamation, taking over the functions of the Legislative Assembly of the State under article 356, be continued. I therefore, support the Resolution moved by the Home Minister.

Shri A. N. Vidyalkar (Hoshiapur): Mr. Deputy-Speaker, Sir, I entirely agree with the previous speaker that at present there is no option but to support the Resolution that the existing Presidential Rule should continue for a further period. Having said that, I only desire to make it clear that I do not like that the President's rule

[Shri A. N. Vidyalankar]

should be used in such a common manner and that we should look at it from an angle of political expediency.

President's rule was imposed earlier in some other States also. I come from Punjab, where also President's rule was imposed once. So also in PEPSU. Even now there is quite a lot of talk of President's rule being imposed in Punjab, not because the democratic machinery has actually failed there but because we looked at certain problems from the point of view of political expediency. When a political party is in majority in a Legislature, as the Congress was, I do not think there was any valid ground for the imposition of President's rule only to solve immediate difficulties due to inner party conflicts.

If we cherish democratic values and we were wedded to democratic values genuinely, we should feel deeply concerned and pained when we had to impose President's rule and we had to suspend normal working of democratic institutions. Democracy required a special climate for its functioning. If the representatives of the people were in doubt whether they could exercise fully their rights at a time of difficulties, if they thought that it was not for them to solve the problems, and it was the headache of somebody else, who could apply the correctives, then democracy cannot prosper or function in such a set-up. The representatives of the people should always think that it is they and they alone who could solve the problems even when there is a break-down of democracy.

In the Constitution there were no provisions for President's rule or any provision for exercising executives authority, what would have been the position? Suppose a situation arose in England where no party had a majority or the majority of the party was precarious, only a difference of one or two members, what would they do? They would order re-elections by asking the King or Queen to dissolve the Parliament

Mr. Deputy-Speaker: The hon. Member may continue his speech the next day. We will now take up non-official business.

14.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

EIGHTY-EIGHT REPORT

Shri Shree Narayan Das (Darbhanga): Sir, I beg to move:—

"That this House agrees with the Eighty-eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1966."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Eighty-eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th May, 1966."

The motion was adopted.

14.30½ hrs.

RESOLUTION RE: PROCLAMATION OF EMERGENCY AND DEFENCE OF INDIA ACT—contd.

Mr. Deputy-Speaker: The House will now take up further discussion of the following Resolution moved by Shri Surendranath Dwivedy on the 22nd April, 1966:—

"This House calls upon the Government to take steps to revoke the Proclamation of Emergency and to repeal the Defence of India Act without delay."

Time taken is 14 minutes. 1 hour and 46 minutes are left. Shri Dwivedy may continue his speech.

Shri Surendranath Dwivedy (Kendrapara): Sir, when I was speaking the other day, I was pointing out

that during the course of the Emergency, whatever might have happened or not happened, one thing is very evident and that is that the Central authority in this country has completely surrendered itself to the provincial satraps, the Chief Ministers. Even in the matter of the Emergency and the Defence of India Rules, which are primarily the concern of the Parliament and the Central Government, this Government is not in a position to take any independent decision after making a proper assessment of the situation as it prevails in the country today. The powers given under the Emergency have made the State Governments trigger-happy. Therefore, even if normal circumstances prevail, they are reluctant to give up these powers and restore the fundamental rights to the people.

This matter has been debated, during these 15 days after I moved the Resolution, at different places and in the other House also and the Home Minister has come out with a statement about Government's policy in this matter. Sir, in this country we are acquainted with statutory rationing and modified rationing. This Emergency that is prevailing in the country is a statutory emergency, but now he has come out with a modified emergency. This statement is nothing but that he wants to continue a modified emergency in this country.

Again, he repeats the same arguments trying to mislead the people as if the Emergency powers will not be exercised for the normal functioning of the administration of this country. He again emphasizes that the intention of Government is not to continue the emergency for a day longer than is absolutely necessary for the defence of the country. Again, he warns that there has been a chain of incidents involving sabotage and attempted subversion.

As I have already dealt with detail, whenever an occasion arises and there

is a danger or threat of war or of internal subversion, this country and this Parliament are prepared at a moment's notice to vest the Government with all emergency powers needed to meet the contingency. We have not failed in that. I do not think the country will ever hesitate to vest this Government with adequate powers to meet situations like this.

But here what we are concerned with is what is the position today. We agree that in the border areas there are certain elements which are really working against the interests of the country. But I would humbly submit that the present law that we on the statute are sufficient to deal with this. There is the Criminal Law Amendment Act which deals with persons who question the territorial integrity and the frontiers of India. The Criminal Law Amendment Act of 1961 contains adequate provisions to deal with such contingencies. The Indian Penal Code, section 153A also, in matters like this would be sufficient to deal with offences of this nature.

The whole thing is that the Congress Governments today want to deprive the right of appeal to courts for the people. I want to put it to the Home Minister: Is the situation such as to deprive this fundamental right of protection of courts to the citizens of this country? It raises a basic issue of fundamentals of a democratic government. Suppose, as he argues, the situation is very serious in the border areas. Is it, therefore, for the sake of a few areas that you want to deprive 490 million people of this country of their fundamental rights? That is the question. I think, we will be going beyond the intentions of the Constitution as well because the Constitution clearly stipulated when there is a grave emergency, then only the Proclamation of Emergency should come.

I would think that after the experience that we had of these areas, it is

[Shri Surendranath Dwivedy]

time, if we really want the development of a healthy democracy in this country, some serious thought should be given to this aspect. It is very necessary because we see what is happening in all parts of the world. We should be the guardians of this constitutional and democratic development and it is for us, for the Parliament and the Government, to see and seriously think, whether we should not revise the constitutional provisions as exist today in regard to the Proclamation of Emergency.

But without doing that, what he has announced, I think, has profoundly shocked public opinion. In 1948 when we were confronted in Kashmir with various problems of the same nature as are prevailing now, was there an Emergency then? The Naga problem was there in 1956 also and yet, there was no Emergency. I think, the Government dealt with that problem as successfully as they could. So, if you want to deal with these problems and the Government makes out a case that in the border areas there are certain elements which cannot be dealt with or that there are certain offences which are being committed deliberately and which cannot be dealt with under the ordinary law that is prevailing in the country, they should come out with some legislation wherein for purposes specifically meant these powers may be given to the Government. That is a different thing altogether. But you are going to create two classes of citizens in this country by this modified Emergency. The Emergency is all over the country, but what is this private arrangement? They are requesting the State Governments not to use it. With the mercy of the State Governments will this Government function?

According to his own statement, if in certain areas they commit the same offence, it will not be justiceable and they will be deprived of their right; but in the rest of the areas it will be justiceable. If what he says is correct, then you are creating two

classes of citizens in this country which is untenable and unthinkable. I take exception to it because it is not very clear. He has not clarified the statement. He not only mentions border territories but he mentions States also. So, it is not only some areas here and there but probably he has some States in mind too, which will be under this Emergency.

When he mentions this, my apprehension is probably true that the States do not agree that the Emergency should go. They want to enjoy these powers fully for their own purposes. That will be dangerous. That will create more complications, that is, these half measures. What we find today, which he has admitted, is that there is a spate of resistance to the continuation of Emergency in this country. Of course, we want the support of the people for any move, for any preparation that we make for the defence of the country, and the people will support you only when they feel that you are moving in the right direction and that you are not going to curb the fundamental rights of the people. You have curbed the fundamental rights for a long time and you have reached the last stage now. I really do not understand it. Even now, for every little incident in the States, not only the D.I.R. but all the Emergency powers are being used. Sir, I know it myself that he himself condemned it when he visited Orissa during the students' strike there and he had the courage to say in a public meeting of students that he disapproved the use of the D.I.R. and the requisition of army and military to quell disturbances like the students' disturbances. But all this is happening because the Emergency powers are there. The civil administrations in the States, for every little thing, call in the army and they take recourse to the D.I.R. Not only the people are deprived of their fundamental rights but this creates a feeling that civil administration in the country has failed completely and

that we are more and more depending on the army. One would not be surprised that you will reach a stage—God forbid, that should never happen in this country—by continuing in normal circumstances such Emergency measures, which would create a feeling as if this country cannot be ruled and the civil administration cannot be maintained without the support of the military. That will be a bad day, a sad day, for this country.

Shri Tyagi (Dehradun): God forbid.

Shri Surendranath Dwivedy: We want to prevent that and to prevent that, it is necessary to give complete freedom to the people of this country to express themselves, to organise themselves as they like, as they have got under the Constitution.

After the Second World War, as soon as the war was over, all countries withdrew the Emergency rules immediately. Here, for four years, we are continuing them and we are thinking probably to continue them till the next General Elections. They want to fight the next General Elections under Emergency. They want to tell the people that Emergency conditions still prevail and they want to instil fear in the minds of the people. Some people are afraid, because of the D.I.R., to express themselves freely. They do not know at what time they will really apply them. Therefore, they do not freely express themselves. If these conditions prevail, I do not think in this country we are going to have free and fair General Elections. Because of certain circumstances, one does not know what would happen in some of the States to the present Congress Governments. Therefore, it is to prevent that calamity to yourself that you want to continue this. So, we are not going to have free and fair General Elections in the country.

Now, he has agreed to modify this. I would like to know the areas which according to him, are excluded from

the application of the Emergency powers at the present moment.

Shri Tyagi: Does my hon. friend honestly feel that there is no danger from outside?

Shri Surendranath Dwivedy: There is danger from outside. We have been warning this Government of that danger and we shall meet that danger if we prepare ourselves, if we become strong enough, for the defence of our country. What have you done all these four years? I would have welcomed this Emergency to continue for a longer period in this country, even if there were no threat at all—I will be the first person to support the continuation of Emergency—if I had seen during the course of these three or four years that this Government has overhauled the administration, they have taken steps to fight the hoarders, the profiteers, to bring about economic equality in the country, to take measures by which the exploitation is removed and the people as a whole, 48 crores of people of this country, are prepared as equal citizens to meet the dangers, whether external or internal. Nothing of the sort has been done. The Government machinery is continuing as normal as before. Rather, under the shelter of the D.I.R., they are sheltering all sorts of corruption, mal-administration, mis-use of power and authority in this country, thereby violating the very basic principles of democracy.

I would not like to go more into details. I only make an appeal to him; I make an appeal to the Members of Parliament. The Government now is in a very difficult position because there is a pressure from the State Governments. I find that there is the general desire in this Parliament that this should not continue longer. I, therefore, request my fellow colleagues in this Parliament to say that my Resolution is very simple. I say that they should revoke the Proclamation of Emergency and repeal the Defence of India Act without delay, and let this Parliament give its

[Shri Surendranath Dwivedy]

mandate and let this Resolution be accepted unanimously. Whatever the State Chief Ministers might say, let us say here to the Government that we all want that Emergency Proclamation should be revoked without any delay and that fundamental rights of the citizens be restored to them.

Mr. Deputy-Speaker: Resolution moved:

"This House calls upon the Government to take steps to revoke the Proclamation of Emergency and to repeal the Defence of India Act without delay."

There are some amendments to this Resolution. Shri Shree Narayan Das.

Shri Shree Narayan Das (Darbhanga): I am not moving amendments Nos. 1 and 2. I move No. 4:

"That for the original resolution, the following be substituted namely:—

"That House is of opinion that the time has come that the Government should reconsider the desirability and necessity of continuing or revoking of the Proclamation of Emergency or limiting the operation of such emergency only to such areas as are threatened or likely to be threatened by external aggression or by internal disturbances." (4).

Mr. Deputy-Speaker: Shri Banerjee—he is not here; Dr. Singhvi—he is also not here. So, the motion and the amendment are before the House.

Shri Sham Lal Saraf: Mr. Deputy-Speaker, Sir, I heard very attentively the speech that my hon. friend Shri Surendranath Dwivedy delivered not only today but also the other day. He and many other friends here had very much justified the declaration of Emergency at the time it was proclaimed. There can be no two opinions about that and I must say that in a number of ways it has worked well.

We, whether on this side or on the other side, when the country is in danger and the danger is external as well as internal, must keep our heads cool and only after a cool thinking we must give our opinion to say what to do or not to do. As far as the Central Government is concerned, I can vouchsafe for it, from my own personal experience also, that they have done well and that it was very timely that this proclamation was made. But I must say this much also that some of our State Governments have not done well, that they have not carried out the policies of the Central Government in the way they ought to have done with the result that today, in any State, you see a number of mal-practices that have been brought into operation of this Emergency and also the D.I.R. The name of the Central Government is tarnished. If you kindly permit me to speak about my State, I can tell you a few things very frankly. The Home Minister is here and let him know them. Firstly, under the cover of Emergency and the D.I.R., honest political elements who swore by India and worked for the country's cause for many decades have been suppressed, have been prosecuted under the D.I.R. and have been put behind the bars. Many things are coming to light and I may not say in detail about them now because I know what my responsibilities are as a Member of the Congress Party. Therefore, keeping that in view, may I respectfully ask the hon. Home Minister, with all this responsibility that his Government has taken, whether it is not equally his responsibility to see how it is implemented in all parts of the country. I know you will not have a direct hand in it. But all the same, nobody can absolve you from that responsibility if it not implemented with the same approach with which this Emergency had been declared.

One point which is very important is this. This morning I had read an article written by some Mr. Malhotra

in *The Statesman* about the functioning of the intelligence services. I can say with a full sense of responsibility and without any fear of contradiction that the intelligence has very much failed our Government, particularly in my State of Jammu and Kashmir, I know of a number of instances in which they have not correctly reported to the Centre, and they have not correctly reported to the Government and to the Minister, with the result that many things have come up on the surface. Again, I would submit that I know my responsibility and it will not be in the fitness of things if I were to speak about these things in detail. But there is one thing that I would like to submit to the Home Minister and it is this that the time has come now when he should do a lot of re-thinking about our intelligence services. I have spoken a number of times about the Army intelligence and how it needed improvement, and I had pointed out a number of such improvements. I am very thankful to the Defence Minister that he has certainly made certain strides in regard to the improvement of the Army intelligence, which have given very good results and very good dividends today. But with regard to the civil intelligence, particularly the Central civil intelligence, a lot of things have to be done yet.

I have had occasion to know some of the top officers or the top ranks during the last decade and a half, who are highly placed in the Central intelligence services, and I can say very honestly that I have always seen them functioning not as intelligence officers but as police officers. Whether it be a sub-inspector or a kotwal or a superintendent of police or any such officer, the way he would approach a problem is the way of a police officer and not an intelligence officer; even if the thing has to be viewed from the intelligence point of view we find that the same police approach is applied to intelligence. We see all over the world how intelligence has

very much improved, and how scientific approaches have been brought into this matter all over the world. Why should we lag behind? Why should there not be some re-thinking about it? And why should we do not make it function in the correct manner, and why should we not have a kicking intelligence, as it is called, as far as the civil intelligence is concerned?

Again, I can quote a number of instances in a number of States where our intelligence services have failed and absolutely failed. In a democratic set-up, I must very frankly admit that the Ministers form the bridge between the people and the administration, and both must work honestly and sincerely. We in the Congress Party are under a certain discipline. As far as that matter, my hon. friends in the Opposition have a lot of freedom because they can speak with a certain amount of freedom. But I would submit that if a fair amount of responsibility also goes with it, then they can serve the country very well. There is no doubt about that. But what is happening today? We in our party meetings sometimes do not honestly express our viewpoint; we do not adopt an honest approach in placing the things which would really be in the best interests of the country. All the time, we are interested only in seeing how we can strike the Minister or strike the Government and how one could say all the things that could in any way tarnish the face or the look of the Government individually as well as collectively. Similarly, as far as the administration is concerned, there are very good officers at the Centre as well as in the States, but there are also officers who are not functioning properly and who do not allow this Government to form a bridge between the two wings, namely the people and the administration. Therefore, it is for the hon. Ministers and the Government collectively as well as individually to see how the proper conventions could be developed to establish the correct working of

[Shri Sham Lal Saraf]

the administration. In a certain number of cases, I have seen that the hon. Minister will not budge even an inch this way or that way from what is written on the brief, and he merely reads it out. I think that that would not be the correct thing to do. What is the reason why these discrepancies have come in the working of the administration? Firstly, the correct approach is not there on the part of the administrators at the Centre as well as the State level. That approach has to be corrected. Then the correct functioning of the political parties has also to be kept in view. Keeping these things in view, I would again say that it is a really welcome step, and a very bold step on the part of the Government, the Prime Minister and the Home Minister and the Government, as a whole, that they have in a way revoked this emergency. Again, I fully support the emergency being continued in some of the border States. But I would submit one thing that in no case should any administrator be permitted to make use of this emergency and DIR for political purposes against any political person.

Shri Surendranath Dwivedy: If it is there on the statute-book how could that be prevented?

Shri Sham Lal Saraf: I am speaking out my mind. That should not be allowed, and I hope that the Home Minister and the Central Government will take the responsibility to see that that is not done. And if that is assured, then I can assure the Government that the majority of the people in the country will be with them.

Shri Daji (Indore): I rise to support wholeheartedly the resolution moved by my hon. friend Shri Surendranath Dwivedy. I submit that the continuance of the emergency from now onwards, even for one minute more, is morally unconscionable, legally unconstitutional and politically anti-democratic. Not only today, but within a short period after it was proclaimed, the emergency has ceased to exist. You will recall that when the emergency was really necessary

and even the drastic powers under the DIR were required, this House including the Opposition, including all sections of the House(unanimously supported the Government in the proclamation of the emergency and the promulgation of the DIR. In fact, in the informal committee formed for drafting the DIR, some of us found a place. The legal authority for the emergency may be a declaration by the President and an endorsement by the Parliament, but the moral basis of the emergency was the united support given by all sections of the House and all sections of the people to the declaration of the emergency, and I say that since now those very sections which supported Government wholeheartedly during the time of Chinese aggression for issuing a Proclamation of Emergency, and even some sections of their party have come out openly against the emergency, the moral basis for continuing the emergency is now gone. To continue the emergency now may have some legal force but it has no moral binding any longer. This itself should be sufficient to make the Government pause. After all, all of us are not so irresponsible in the Opposition. Let it be said to the credit of this House and to the credit of the different political parties in the country that all of us had unitedly rallied round for the defence of the country and we did not grumble even the most draconian powers that Government wanted under the DIR, though they were sugarcoated by Shri Shastri's assurance on the floor of the House and in the committee that the DIR would never be used for political purposes or to suppress a political opponent.

Shri Tyagi: And that was not done.

Shri N. C. Chatterjee (Burdwan): It was done.

Shri Daji: It was done. I myself stand here as an example of one who had been detained under the DIR for having gone on a peaceful Gandhian hunger-strike against the rise in wheat prices: the wheat prices were controlled but I was detained.

Shri Tyagi: That was for his personal safety.

Shri Daji: That is one example. Now, I shall give another most glaring example. I ask Shri Nanda who is a trade unionist of a much longer standing than I, what justification there was to use the DIR against the strike of the scavengers in Bombay. Does he mean to say that the scavengers' strike would facilitate the Chinese aggression or the Pakistani attack? But even the strike of the scavengers was sought to be suppressed by resorting to the DIR. Hundreds of them were put in jail because the strike could not be broken. But ultimately the strike was successful and ultimately Government had to negotiate and settle. So, let not my hon. friend say that the DIR was never misused. Not merely some sections of this House, but even a cross-section of the people in this country, political and non-political are opposed to it.

Legally, what is the statement of the Home Minister amounting to? The Home Minister's statement for modifying the emergency is a standing document of indictment which goes against the constitutionality of the Proclamation of Emergency. My hon. friend Shri Nanda perhaps never realised it; the bureaucrat had drafted the statement and he had just read it out. That statement itself, really speaking, not only condemns the continuance of the emergency but makes it less constitutional. What does the Constitution visualise? Shri Tyagi had interrupted my hon. friend Shri Surendranath Dwivedy when he was speaking, whether he did not think really that there was any danger from outside. I had actually noted down those words that Shri Tyagi had uttered. I respectfully submit that the Constitution does not visualise a Proclamation of Emergency when there is danger from outside. I would request my hon. friend to please read the constitutional provision again. Let him read the de-

bates on this particular article. There is no word "danger" used there, for that would mean that the Fundamental Rights of the citizens of our country would be determined by the whims of Ayub or the mood of Mao.

15. hrs.

Shri Tyagi: All the parties agreed only on account of foreign aggression.

Shri Daji: Not danger. There is a difference between danger and actual factum of aggression. Constitutionally, emergency can be justified not by any danger, howsoever imminent it may be, but a state of affairs where internal disorder or external aggression makes it impossible for normal civil administration to be carried on. Only then can emergency be justified. From the document read out by the Home Minister himself, it can be shown that there is no national emergency to justify the proclamation of emergency. Therefore, any further continuation of it is unconstitutional.

Politically, it has been said, the entire administration has been turned into a constitutional dictatorship. Yesterday, my friend, Shri Seo Narain—he is not here—used a sentence from my speech wherein I said that there would be a rise in people's movement, you will have to face a people's movement. He picked it out and said that DIR is justified on that ground. He said this on the floor of the House.

It seems there is a gross misunderstanding as to the meaning of emergency. What is the effect of emergency? Constitutionally, it has two effects. First, it suspends the citizen's fundamental right to enforce his fundamental rights. Secondly, it abridges the States' rights. I want to know for what reasons the Home Minister can refuse to lift the emergency and continue to suppress our right to enforce our fundamental rights. Or take the second category, the States' rights, which is not that important. There have been errant States, but in not one case has the

[Shri Daji]

Central Government been able to exercise any check, even where it is for a good purpose. Even when the Prime Minister was there in Calcutta, she was made to look like a clown by the Chief Minister of West Bengal.

The Minister of Home Affairs (Shri Nanda): That is a very wrong aspersions to make.

Shri Daji: I say she was made to look like a clown because she had given an appointment to an Opposition leader to meet her at 2 p.m., but at 12 Noon that leader was whisked away into jail. It was known that he was due to meet her at 2 P.M. but even before that, at 12 noon, he was arrested. I say no self-respecting Prime Minister would have tolerated such a thing.

Shri Harish Chandra Mathur (Jalore): Why go on repeating it?

Shri Daji: I say no Government can afford to deny to its citizens their fundamental right to enforce their fundamental rights when there is no real emergency.

Therefore, I say it is a dangerous development. When the emergency was proclaimed, the Prime Minister and the Home Minister consulted us, but when it is to be removed, they consult the Chief Ministers. As I said on an earlier occasion, consulting the Chief Ministers on the revocation of the emergency is like consulting a college of cardinals and asking for a vote in favour of atheism or consulting a body of tycoons and asking them to give up the profit motive. It is absurd. You cannot expect the Chief Ministers to give up this power. And the leader of the group of Chief Ministers wanting continuation of the emergency is the Chief Minister of Madhya Pradesh whose borders are not touched by any foreign

power. He is the leader of the group of Chief Ministers opposing revocation of the emergency.

Shri Ram Sewak Yadav (Barabanki): Bastar is there.

Shri Daji: That itself shows the guilty conscience. They have got into a mental habit, a crippling habit, an anti-democratic and dictatorial habit of relying on the DIR to suppress all opposition to their rule. There is no longer a national emergency. Of course, an emergency exists for the Congress Party with its policy of high prices, rising popular movements against it. But the graph shows that you cannot control or check it by the emergency powers or by DIR. You have not been able to prevent the Naga rebellion or the Mizo rebellion. Have the emergency powers of Government been successful in preventing the Bengal Bundh? Did it prevent the Kerala Bundh? Did it prevent their defeat in the Kerala elections? Is it going to prevent Government's isolation from the people, their political isolation from the people? Is it going to save them from defeat in the coming elections? By making use of these draconian measures against the people and adopting these anti-democratic measures, they have not been able to prevent any of these things.

Therefore, I say in the name of democracy, in the name of the fundamental rights of the citizens which cannot be trifled with, the emergency must be lifted immediately. The Home Minister will give an excuse and say that it will be applied only to the border areas and that there is growing support for it in responsible quarters. What does it mean? Here I am reminded of a story. Once a woman asked her husband, 'I have been away for 100 days. Have you been faithful to me?' The husband said 'Yes, for 99 days'. The wife was worried. But the husband said, 'You must be thankful. For 99 days I was faithful and only for one day I was

not. Why should you be angry?" This story applies to the Home Minister, who now says that he is withdrawing the emergency, only it will apply to the border areas. This is like being faithful for 99 days and unfaithful for one day. You cannot be 99 per cent democratic and one per cent anti-democratic. Either you are democratic or you are anti-democratic.

Shri Nanda: Hundred per cent anti-national?

Shri Daji: I have not called him anti-national. I hope I will not have occasion to do so. But I do call him anti-democratic. People will not forget or forgive the draconian measures he has used against them to suppress their popular demands and movements. They will not forget the arbitrary arrests that have been made under DIR. Before the DIR and the Government and the party in power are bundled out of power in the next elections, it will be better and graceful for Government to themselves revoke the emergency even at this late stage, though it is already late. But better late than never. Withdraw the emergency now before the people's movement rises in a crescendo not only for lower prices, higher standard of living and better employment, but on this specific issue itself I want that before the next elections, or as early as possible before that, this emergency must be done away with giving to the people the guaranteed rights which the Constitution makers gave to them.

श्री धीनारायण दास उपाध्यक्ष
महोदय, सदन के समक्ष जो प्रस्ताव विचारार्थ प्रस्तुत किया गया है उस प्रस्ताव की जो भावना है जो क्या है उस से कोई भी प्रजातन्त्र का प्रेमी इन्कार नहीं कर सकता है। अभी यह संकटकालीन स्थिति की घोषणा और भारत सुरक्षा कानून जो हमारे देश में लागू किया गया है वह किस परिस्थिति में लागू किया गया यह सभी लोगों को मालूम है। जब सन् 1962 में चीन की बढ़ाई

हमारे देश पर हुई थी तब इस संकटकालीन स्थिति की घोषणा की गई थी और उस के अनुसार भारत सुरक्षा कानून का नियम हुआ। उस के कुछ बिन्दुओं के बाद पाकिस्तान की बढ़ाई से जो परिस्थिति पैदा हुई उस से यह स्पष्ट हो गया कि जिस संकटकालीन स्थिति की घोषणा की गई थी उस घोषणा को जारी रहना चाहिये और भारत सुरक्षा कानून के अन्दर जितने नियम बनाये गये उन नियमों की आवश्यकता थी।

यह बात सही है कि हमारे संविधान में जो मौलिक अधिकार दिये हुए हैं वह प्रजातन्त्र के लिए बहुत ही आवश्यक हैं और उन मौलिक अधिकारों का जब हनन होता है तो किसी भी प्रजातन्त्र के प्रेमी को उस से दुःख हो सकता है। मौलिक अधिकार प्रजातन्त्र की रीढ़ हैं अगर उस पर घाघात हो तो प्रजातन्त्र के ऊपर आघात समझा जाता है। लेकिन साथ ही साथ इस संविधान में जिसमें मौलिक अधिकारों का नियमन किया गया है उसी संविधान में 352 और 353 धाराओं के अन्दर संकटकालीन स्थिति घाने पर कैसे नियंत्रण होना चाहिए इस बात का भी उल्लेख किया गया है। जहां प्रजातन्त्र की रक्षा के लिए आवश्यक है कि हम संविधान में दिये गये मौलिक अधिकारों की रक्षा करें वहां यह भी कभी कभी आवश्यक होता है कि प्रजातन्त्र की रक्षा के लिए कुछ ऐसी कार्यवाही की जाये ताकि प्रजातन्त्र का हनन न हो।

जैसा कि सभी माननीय सदस्य मानते हैं देश में ऐसी स्थिति पैदा हुई थी कि जिस स्थिति में संकटकालीन स्थिति की घोषणा होनी चाहिए थी। सभी राजनैतिक दलों ने इस का समर्थन किया था। आज इस बात की विवेचना करने की आवश्यकता है इस बात को जानने की आवश्यकता है कि इस संकटकालीन स्थिति की बढ़ी अभी बिल्कुल खत्म हो गई या कुछ अभी है बाकी? जैसा कि सभी लोग जानते हैं कि उत्तर से चीन का खतरा हमारे देश पर बना हुआ है.....

श्री सुरेन्द्रनाथ द्विवेदी : वह हमेशा रहेगा । 1000 माल रहेगा ।

श्री श्रीनारायण बास : पाकिस्तान का भी खतरा हमारे ऊपर बना हुआ है उस परिस्थिति में भी हमारे देश में जो राजनैतिक पार्टियां हैं और उन राजनैतिक पार्टियों का जो व्यवहार है तो जैसे सरकार की जिम्मेदारी है कि संविधान में जो अधिकार दिये गये हैं उन का ठीक ठीक इस्तेमाल करे उसी तरीके से हर एक राजनैतिक पार्टी के लिए हर एक नागरिक के लिए भी यह आवश्यक है कि वह प्रजातंत्र की रक्षा के लिए अपने कर्तव्य का नियमन भी उसी तरीके से करे ताकि प्रजातंत्र पर किसी प्रकार का खतरा न आ जावे ।

लेकिन हमारे देश में मित्रो पहाड़ियों और नागा भूमि में जो स्थिति है, या बंगाल में जो कार्यवाहियां हुई हैं—वे किस वजह से हुई है और किस के द्वारा हुई है, इस की जांच हो रही है —, क्या उन के कारण प्रजातंत्र के लिए खतरा उत्पन्न नहीं हो गया था ? मैं मानता हूँ कि देश के हर एक नागरिक को अपने हक के लिए, अपनी मांगों को मनवाने के लिए, लड़ने या आन्दोलन करने का अधिकार है, लेकिन इस अधिकार का प्रयोग संविधान के अन्दर रह कर ही किया जाना चाहिए । लोग आन्दोलन कर सकते हैं, हड़ताल कर सकते हैं, लेकिन केवल अहिंसात्मक तरीके से, केवल ऐसे तरीके से, जो देश के किसी कानून के खिलाफ न हो । लेकिन मैं समझता हूँ कि बंगाल में जो कार्यवाहियां और घटनायें हुई हैं, उन से सभी प्रजातंत्र प्रेमियों की आंखें खुल जानी चाहिए और उन को मालूम हो जाना चाहिए कि हमारे देश के लिए बाहर से तो खतरा है ही—इस में कोई सन्देह नहीं है—, लेकिन देश के किसी किसी भाग में भी ऐसी स्थिति है, जस में प्रजातंत्र के लिए पूरा खतरा है ।

माननीय सदस्य ने अपने प्रस्ताव को सदन के सामने रखते हुए कहा कि यह गर्वन-मेंट देश में भारत सुरक्षा कानून और संकट-कालीन स्थिति को जारी रख कर उन के साथे में आम चुनाव कराना चाहती है ।

श्री सुरेन्द्रनाथ द्विवेदी : यह बिल्कुल ठीक और सही बात है ।

श्री श्रीनारायण बास : इस सरकार पर कोई भी अभियोग लगाया जाये, लेकिन अगर इस पर यह अभियोग लगाया जाये कि यह सरकार लोगों के प्रजातांत्रिक हकों और मौलिक अधिकारों की रक्षा नहीं करना चाहती है, तो यह अभियोग किसी भी तरह से इस पर लागू नहीं होगा, क्योंकि सभी जानते हैं कि कांग्रेस शासन के अन्तर्गत इस देश में आज जितनी स्वतंत्रता राजनीतिक पार्टियों को मिली हुई है उतनी अन्यत्र कहीं भी नहीं मिली हुई है ।

श्री हरि बिष्णु कामत (होशंगाबाद) : वह स्वतंत्रता संविधान ने दी है । उस का श्रेय कांग्रेस को नहीं है ।

श्री श्रीनारायण बास : आज साधारण जनता और राजनैतिक पार्टियों को संगठित होने, बोलने, लिखने, मिलने और भाषण करने आदि की जितनी आजादी हिन्दुस्तान में है, उतनी आजादी शायद किसी भी दूसरे देश में नहीं है ।

श्री हरि बिष्णु कामत : वह आजादी हमें संविधान के द्वारा मिली हुई है, कांग्रेस के द्वारा नहीं ।

श्री श्रीनारायण बास : इस लिए यह आरोप बिल्कुल गलत है कि यह सरकार भारत सुरक्षा कानून को जारी रख कर

देश में चुनाव करवाना चाहती है। हमने इस देश में सभी राजनीतिक पार्टियों को पूरी स्वतंत्रता दे कर तीन बार आम चुनाव में भाग लिया है। इस अवस्था में हिन्दुस्तान की मौजूदा सरकार पर किसी भी तरह से यह आरोप नहीं लगाया जा सकता है कि वह साधारण जनता और राजनीतिक पार्टियों को उनके प्रजातंत्रिक अधिकारों से वंचित करना चाहती है या उन को दबा कर स्वयं सत्ता सुरू रहना चाहती है। आज कांग्रेस सत्ता सुरू है, अधिकार में है—इस लिए कि हिन्दुस्तान की जनता यह चाहती है कि कांग्रेस अधिकार में रहे। भगले आम चुनावों के सम्बन्ध में कुछ माननीय सदस्य की अपनी कल्पना हो सकती है, जिस को उन्होंने इस सदन में प्रगट किया है, लेकिन मैं समझता हूँ कि यद्यपि परिस्थिति गम्भीर है, तो भी हिन्दुस्तान की जनता भगले चुनावों में कांग्रेस के मित्रान्तों और नीतियों का समर्थन करेगी। इस लिए विरोधी दल का यह कहना गलत है कि भारत सरकार भारत सुरक्षा कानून को इस लिए जारी रख रही है कि दूसरी राजनीतिक पार्टियों को दबा कर उन के कार्यकर्ताओं को जेल में रख कर कांग्रेस पार्टी भगले आम चुनाव लड़ना चाहती है। भारत सरकार की कभी भी यह नीति नहीं रही है।

माननीय सदस्य, श्री द्विवेदी, ने कहा कि देश में जो चुनाव आने वाले हैं, वह तब तक निष्पक्ष चुनाव नहीं हो सकता है, जब तक कि इमरजेंसी को घोषणा को बिल्कुल रद्द न कर दिया जाये। मैं समझता हूँ कि इमरजेंसी की घोषणा किसी के राजनीतिक अधिकार को छीनने या उस का हनन करने के लिए नहीं की गई है। हो सकता है कि कहीं कहीं किसी किसी जगह, जहाँ तहाँ, इक्के-दुक्के भारत सुरक्षा कानून के नियमों का दुरुपयोग हुआ हो, लेकिन मैं समझता हूँ कि साधारणतः इस देश में भारत सुरक्षा कानून का प्रयोग किया गया है, वह केवल

देश की सुरक्षा को दृष्टि में रख कर या देश में भीतरी गड़बड़ी को रोकने के लिए ही किया गया है।

इन कारणों से हम उस प्रस्ताव का पूरे तौर से समर्थन नहीं कर सकते हैं, जो कि सदन के सामने उपस्थित किया गया है। हमारे गृह-मंत्री ने अपने वक्तव्य में कहा है, इस कानून का उपयोग कम से कम किया जायेगा और खाम कर उन्हीं क्षेत्रों में किया जायेगा, जहाँ बाहरी आक्रमण और अन्दरूनी गड़बड़ी का खतरा होगा। मैं समझता हूँ कि उन के इन वक्तव्य को देखते हुए अभी इस बात की जरूरत नहीं है कि हम संकटकालीन स्थिति की घोषणा को पूरे तौर से रद्द कर दें या भारत सुरक्षा कानून की धाराओं को बिल्कुल खत्म कर दें।

मैंने इस सम्बन्ध में एक मन्टीट्यूट रेजोल्यूशन उपस्थित किया है। मैं समझता हूँ कि देश की वर्तमान अवस्था कैसी है, बाहर से कितना खतरा है या देश के किसी प्रदेश में अन्दरूनी खतरा कितना है, यद्यपि इस बात की जानकारी हम लोगों को है, लेकिन अपने माधनों के कारण बाहरी और भीतरी स्थिति का जितना ज्ञान सरकार को है, उतना हमें नहीं हो सकता है। इस लिए संकटकालीन घोषणा और भारत सुरक्षा कानून को जारी रखने या रद्द करने का मामला सरकार पर छोड़ देना चाहिए। इस सम्बन्ध में सरकार की नेकनीयती पर शक करने की कोई गुंजायश नहीं है। इस बात को सरकार पर छोड़ देना चाहिए कि संकटकालीन परिस्थिति का कम से कम समय के लिए जारी रखा जाये और भारत सुरक्षा कानून के अधीन बनाए गए नियमों का कम से कम उपयोग हो और केवल तभी और देश के उन्हीं हिस्सों में उपयोग हो, जहाँ देश की सुरक्षा को खतरा हो या कोई भीतरी उपद्रव होने की सम्भावना हो।

[श्री श्रीनारायण दास]

इन शब्दों के साथ मैं माननीय मंत्री जी से अनुरोध करूंगा कि मैं ने जो सक्टीड्यूट रजोल्यूशन रखा है, वह उम को मान लें।

Dr. L. M. Singhvi (Jodhpur): I hope you would give me special permission to move my substitute motion, so that that may also be before the House.

Mr. Deputy-Speaker: You were not here when you were called.

Dr. L. M. Singhvi: I want your permission.

Mr. Deputy-Speaker: All right.

Dr. L. M. Singhvi: I beg to move:

That for the original resolution, the following be substituted, namely:—

"That this House constitutes a special Committee consisting of the following members to consider the immediate revocation of the emergency:—

Shri Gulzarilal Nanda
Shri G. S. Pathak
Dr. Asoke K. Sen
Shri Harekrushna Mahatab
Shri Surendranath Dwivedy
Shri M. R. Masani
Dr. L. M. Singhvi

with instructions to report to the House within a week." (5)

Shri N. C. Chatterjee: One year back there was an important civil liberties convention held in Bombay which was attended by members of different parties, not merely one party but different parties, and I had the privilege to be associated with that. There, the members of the different parties unanimously asked for the revocation of the emergency.

Thereafter, I had the privilege to attend the civil liberties convention in Patna, and I was amazed to know that out of hundreds of people arrested under DIR, not one belonged to the

Left Communists. We are here having this special plea that in order to go for the pro-Chinese communists, this thing has to be kept on the statute-book, but not one, I was told, who was arrested was a Left Communist. It has been used, and I am sorry to say, it has been abused. This power has been abused and grossly abused. This is not my statement.

Shri K. N. Tiwary (Bagaha): I come from that province. My information is that Left Communists were arrested.

Shri N. C. Chatterjee: I was told that most of them were right Communists and also trade unionists, P.S.P., S.S.P. and students and other people. May be one or two were Left Communists, but the majority of them were not Left Communists surely.

Then I ought to remind this House that a distinguished Judge of the Bombay High Court has said that things have gone on in such a way under the administration of DIR that practically India has become a police State, and that in a totalitarian State things could not have been worse.

Shri K. N. Tiwary: Question.

Shri N. C. Chatterjee: You know that in the Patna High Court there was an allegation that the orders passed under DIR by the Chief Minister were *mala fide*, and when the Chief Minister was asked by the Chief Justice to file an affidavit to repel the allegation against him, he asked for time again and again, but never filed the affidavit. Ultimately the man was released on bail. Then, instead of complying with the order of the High Court and replying to the allegations of *mala fides*, the Government of Bihar came up to the Supreme Court and challenged the jurisdiction of the High Court to grant bail in a DIR case. Of course, the Supreme Court repelled that argument of the Bihar Government and said that the High Court was justified in ordering bail.

It is not so in one case. DIR has been used against trade unionists like Mr. George Fernandes; editors of the standing of the Editor of the *Searchlight*, Mr. Joseph, Mr. Atreya and others. It has been used against trade union leaders and other leaders indiscriminately. It has been abused and grossly abused and you know in many cases the courts have had to strike down the orders under the DIR. When the emergency is really gone, especially after the Tashkent declaration, this is a fraud on the Constitution. It is not a constitutional dictatorship as Shri Setalvad, the former Attorney-General described, but it is an unconstitutional dictatorship. What I am feeling is that the people and all sections of the House here should ask the Home Minister to put an end to it.

What is being done under article 358? I am sorry to say that what they are doing is a blot on the Constitution; article 358 provides for an automatic suspension of article 19. What is article 19? Article 19 enshrines the sacred freedoms, the freedoms that are sacred to man. You know in our Constitution, there is a distinction as compared to other constitutions: namely, we have not merely said that there shall be fundamental basic human rights; we have declared that they shall be justiciable rights. We have also said that any man whose fundamental rights are threatened can come up to the Supreme Court and make a writ petition under article 32. He can also go to the high court under article 226. Article 19 is the most sacred thing. It concedes the right to freedom of speech and expression; to assemble peaceably and without arms; to form associations or unions; to move freely throughout the territory of India; to reside and settle in any part of the territory of India; to acquire, hold and dispose of property; and to practise any profession, or to carry on any occupation, trade or business. All these are now put in cold storage by one stroke of the pen under article 358. The rights are completely gone so far as the procla-

mation of emergency is in existence. Therefore, what happens is that the executive is clothed with dictatorial powers.

Article 358 says that so long as this emergency continues all fetters on legislative powers, all fetters on executive action are removed. The Government can take any action against the defiance of fundamental rights. Therefore, I am saying that this sort of dictatorial powers should not be assumed when there is not really any emergency, and when you have entered into an agreement, or declaration, with Pakistan a solemn declaration, and when you are saying that you are going to implement it.

Under article 359, there can be suspension of the enforcement of the rights conferred by Part III of the Constitution. There is a provision, and I do not find what is the difficulty. It says: "an order made as aforesaid may extend to the whole or any part of the territory of India." Therefore, sub-clause (2) of article 359 does say that by a suitable amendment of the proclamation of emergency, you can restrict it to any part of India. Then, why have the whole thing clamped on the citizens of India? The truth is, power corrupts and absolute power corrupts absolutely.

The State Chief Ministers have been using these powers liberally and they got these powers very handy; they abused the powers and are now loathe to part with these powers. Therefore, I am submitting that this is not fair, when the emergency is really gone, to stick to the proclamation and to continue this blanket power which really puts in cold storage all the basic fundamental rights which adhere to every human being. Therefore, I think that as Shri Dwivedy has said, the result will be two classes of citizens: one with fundamental rights and the other without any fundamental rights. In this territory of India. And this will lead to all sorts of anomalies. I submit that this should not be tolerated

[Shri N. C. Chatterjee]

any more, and this should be completely scrapped. Otherwise, we shall be guilty of violation of all those rights which we cherish. It will be reducing the fundamental rights which we have made deliberately justiciable, and we have also conferred remedial rights on the citizens.

You remember the judgment of Justice Patanjali Sastri. We have made the remedial rights themselves the fundamental rights. You know that Chief Justice Gajendragadkar, in his great judgment on the DIR case, has said, on the blank admission by the Attorney-General of India, "I warn the Government that although they are passing these laws and taking this action in defiance of the fundamental rights, they are all illegal under the Constitution." The courts are barred, and you have no access to the courts so long as the proclamation of emergency is there. One day, when you revoke it, then you shall remember that you will be saddled with a number of actions for unconstitutional acts; that is what the Chief Justice said. Because, they are clearly in defiance of the basic human rights guaranteed under the Constitution. When the real emergency is not there, when you have entered into a solemn pact with Pakistan which you are anxious to implement, when there is no immediate Chinese threat—for two years, there is nothing; this kind of threat will continue for ever—is any government justified in putting in cold storage all basic human rights simply because there is some danger of some clash with a foreigner or a neighbouring State? Then it will be unending. That is not the purpose of this emergency. Therefore, I am strongly pleading for complete revocation of both the proclamation of emergency and the DIR.

Shri D. C. Sharma (Gurdaspur): Sir, I think most of the speakers who have preceded me have been giving academic discourses on fundamental rights, class room lectures, modern

sermons on morality and very enlightening discourses on political science. I do not think any one has read the resolution sponsored by my hon. friend, Shri Dwivedy. If anyone were to read it, he will find it to be very very innocuous. Shri Dwivedy himself is convinced that the proclamation of emergency should not be revoked straightway. He is himself sure of the fact that the Defence of India Act should not be done away with forthwith, because the resolution says:

"This House calls upon the Government to take steps to revoke the proclamation of emergency".

We should bear in mind this operative phrase in the resolution. I think the Home Minister has been taking steps to revoke the emergency. He has said that the emergency would be applied only to border areas and it would not be operative in other areas. He has taken a very major and big step forward so far as the revocation of the proclamation of emergency is concerned.

Then the resolution says:

"to repeal the Defence of India Act without delay".

Of course, we are taking steps to repeal the Defence of India Act. We have mitigated its effect; we have taken away the teeth from it. We have reduced its area of operation and tried to see to it that it is not used against any citizen of India in a spirit of vengeance or in the spirit of destruction of liberties. "Without delay" is a phrase which can bear many interpretations. My hon. friend there went from emergency to matrimonia! infidelity. He said, a husband may be faithful to his wife for 99 days, but he may not be faithful to his wife for 1 day. I do not understand what is the connection between emergency and matrimonia! infidelity. But I cannot understand one thing.

Shri Surendranath Dwivedy: How can you understand when you have become old?

Shri D. C. Sharma: Of course, I look old, but I am not yet as old as my hon. friend, Shri Surendranath Dwivedy.

I was submitting very respectfully on the question of "without delay" that Government is the best judge of time and of the measures and of the situations, when the Defence of India Act is to be abrogated or curtailed, so far as its operation is concerned.

15.30 hrs.

[SHRI SHAM LAL SARAF in the Chair]

Therefore, I think it is a very harmless and innocuous Resolution which my hon. friend has brought forward.

Shri Surendranath Dwivedy: So, it should be accepted.

Shri D. C. Sharma: I believe that the Government of India, under the aegis of the Home Ministry and under the aegis of our Home Minister is already doing that.

A constitutional point was raised that the Constitution does not recognise any emergency which comes from outside. An emergency may come from outside or from inside. It may come from across the border or it may come from the core of the country. It can still be an emergency.

When I look at the map today I find that, as one of my friends has already stated, our country is passing through a state of unrest, and that unrest is being fanned into a fire, sometimes a big fire, by some interested persons. I do not say that they are inside the House; they may be outside also, and that unrest is connected with internal troubles.

A friend of mine was asking what the scavengers' strike has got to do with it. The scavengers' strike or any

strike, the bandhs, the Delhi Bandh, Bengal Bandh, all these are symptoms of a deep-rooted disease. It may be internal but I think it is very often external. Therefore, the stage of emergency is needed, and needed very badly.

Only this morning we were discussing about the explosion accident. When the report of the accident comes before the House we will find that the hand of some external power is there. Who is supplying arms to the Mizos? Who is giving arms to the Nagaland people? All these things are there, and they are as a result of the operations of external powers, either openly like China or insidiously and treacherously by some other powers. Therefore, as long as there are people or powers interested in keeping the country in a state of perpetual difficulty, these provisions have got to be there.

But one thing I will say. Some friends have said that some State Chief Ministers have abused the provisions of the Defence of India Act. I myself took one or two cases to the hon. Home Minister in connection with the Defence of India Rules and he was pleased to say that it is a matter which concerns the State Government. I cannot understand it. When the Labour Party was fighting the last elections, in which they came out victorious, one of the slogans they raised was that the Labour Party can govern. Similarly, I think our Indian Government should be able to govern. If our Home Minister feels helpless in the face of these Chief Ministers, I think it is a very very sad situation. I would, therefore, submit that if the State Chief Ministers have abused this power anywhere.

Shri Surendranath Dwivedy: Arrest them under the DIR.

Shri D. C. Sharma: . . . it should be looked into. I think, the necessary steps are being taken and the wishes of my hon. friends are being met; but, at the same time, I must say that

[Shri D. C. Sharma]

this has got nothing to do with the elections. Elections or no elections, DIR or no DIR, Emergency or no emergency, the Congress will be returned with a thundering majority here and also in the States, whatever my hon. friends may say.

Shri Surendranath Dwivedy: Very haltingly you say that.

Shri D. C. Sharma: Shri Ranga, like a dreamer, indulges in wishful thinking. I also do it sometimes. Therefore I would say to Shri Ranga that he should not indulge in that kind of imaginative flights into the land where nobody exists. The Congress Party will come into power again. Therefore these things have got nothing to do with the elections.

Shri Dwivedy himself has been good enough to say to us to do this, to take steps without any delay, any time it suits us. He has been a good friend of the Home Minister and nobody has any right to find fault with him. I think, the Home Minister will look into it and do whatever is necessary.

Mr. Chairman: How much time does the hon. Minister want?

Shri Nanda: About half an hour.

Shri Sezhyan (Perambalur): Sir, I propose that time be extended.

Mr. Chairman: The whole debate should be completed at 4.16.

Shri Surendranath Dwivedy: We can continue it till 4.55 and Shri Mukerjee could be given a chance to move his Resolution at 4.55.

Mr. Chairman: The time allocated for this debate is up to 4.16. Within that period it has to be completed.

Dr. L. M. Singhvi: Time can be extended.

श्री रामसेवक यादव : बहुत से माननीय सदस्य इस पर बोलना चाहते हैं। मैं प्रस्ताव करता हूँ कि समय बढ़ाया जाए।

Mr. Chairman: The question is:

"That the time for this Resolution be extended up to a quarter to five."

Shri Surendranath Dwivedy: Up to five minutes to five.

Mr. Chairman: The question is:

"That the time for this Resolution be extended up to five minutes to five."

The motion was adopted.

Shri Ranga (Chittoor): Mr. Chairman, Sir, I rise to support this Resolution. I have heard very carefully the speech of my hon. friend, Professor D. C. Sharma. I was wondering whether I was hearing a speech being delivered at a College Union.

It is clear that even within the Congress Party, the majority of the Members are in favour of the withdrawal of the DIR and the revocation of the Emergency, if only they could be assured by the Home Minister that it would be possible for him to run the show without its aid. Again and again we learn from the papers that within the Congress ranks there are discussions about this. Over months these discussions have ranged and we learn that there is an overwhelming majority on their side in favour of the removal of the Emergency and the DIR. But somehow or other they are again persuaded to allow the Home Ministry and the Government to carry on with this infamous piece of legislation on their statute book.

Supreme Court advocates, large numbers of them, have also favoured its withdrawal and their president, the ablest of the Supreme Court advocates, has condemned this Government, because of this DIR, as a constitutional dictatorship.

Sir, in this House, during the debate on the President's Address, all the Opposition Parties were unanimous in supporting the amendment that was moved by me and my Party in this House favouring the removal of the D.I.R. Now, under these circumstances, one would expect the hon. Home Minister to rise in his seat to say, late though it is, that he is prepared to accept this Resolution. But we know that he is not yet ready to do so. Why? For what interest? Can it be said that this Emergency and the law in favour of it and all the powers that the Government has taken for themselves have been used to good purpose during the past years? Only this morning we discussed it. In Kerala, my hon. friend was unwise enough to rush in where angels would have dreaded to tread, to swoop down on a large number of Left Communists and to put them in jail in such an irresponsible manner, according to me; and holding the position that he did, one would have thought that he would not have behaved in that manner. But he did. He put them all in jail. He found his particular Act so very convenient for him. And what were the results? Did they redound to the credit of the country or of the Congress Party or of the democracy that we have established here in this country? No, Sir. The results have proved quite conclusively what a calamitous mistake the Home Minister has made in the application of the D.I.R. Afterwards, many of the Chief Ministers have found themselves very happy in applying this to all and sundry for various offences, offences which have nothing to do with the Emergency, offences which have nothing to do with any ideas or activities connected with patriotism or the lack of it and yet it was so misused by all of them, and no wonder, when my hon. friend was thinking of withdrawing this, he felt bound to ask all the Chief Ministers to come over here, to make a pilgrimage once again to Delhi, in order to advise him as to its withdrawal.

Sir, some of our Members were saying, in the other House, I think, and

in other places also and even within their own Party, that he had no warrant to send for these Chief Ministers because it was not within their province, it was entirely the Central Government's responsibility, and yet they had to call them. Why? It is because, for their own good reasons, they have come to depend for their present power on the Treasury Benches upon the goodwill of the Chief Ministers and the Chief Ministers have found it a very useful instrument in this and therefore, they wanted to consult them, as they have become indirect masters of themselves, before they could take any action at all. To this pitiable position, the Union Government has reduced itself. Why should the Chief Ministers agree with the Union Government when they find it so very convenient to take hold of anybody and everybody without any hindrance, without any difficulty, without any inhibition, without any necessity to have to consult whether they are impinging the fundamental rights, without having to consult whether they are going against the fundamental rights or the Directive Principles or even the human rights?

Sir, I was once a detenu. On two occasions, I was taken as a detenu. For years and years I was kept there and for months I was not allowed to have correspondence even with my wife. We were simply being tossed over from one State to another, from pillar to post. I know what the rigors are of being a detenu. But at least, even then, we were told why we were taken in. Now, there is nothing of that kind at all; there is no need to serve any notice giving the reasons why anybody is being put in detention; then, there is no time-limit, and no chance is given to have any one of these distinguished lawyers to plead one's case in the Supreme Court on a *habeas corpus* petition demanding that one should be produced before the court. None of these things need be done now; all that the Government or the administration has to do is to go mad one fine morning and then say that so-and-so or such-and-such people

[Shri Ranga]

are simply being taken into account today; neither Parliament nor anybody else can question the fiat of a mad Home Minister or a wise Home Minister. Often times, power makes even a wise man mad, and unfortunately that is so with so many of our friends. However good the Home Minister is as a person, one could easily see what mischief power can do. By watching the political career of Shri Nanda himself one could see that personally he is a good man, but the moment he became the Home Minister, he had gone mad, and when he got the DIR he had become madder; now he finds it difficult; he is trying his best to become sane-minded, but he finds it difficult to come back to the sane world of our common men. He would become a sane person only when he is shorn of these powers. I do not want him to be driven out of the Home Ministry, but I want him to be rid of this power, of this cloak, of this *kavacham* which he has put on himself on the urging of devils, and not of gods.

Mr. Chairman: May I ask the Home Minister to reply to the debate at about 4.30 p.m. so that he could take about 25 minutes?

Shri Nanda: Yes.

Mr. Chairman: Again, I would say one thing to hon. Members. There are hardly about 40 minutes left, and there are a number of Members who are wanting to speak. If hon. Members would take note of that, perhaps, a larger number of Members could be accommodated.

Shrimati Lakshmikanthamma (Khammam): May I bring one thing to your notice and for your consideration? We find that the same Members are speaking on the Home Ministry's Demands, on the resolution regarding Kerala Proclamation and the same Members get a chance to speak on the private Members' business also.

Mr. Chairman: It is likely that the hon. lady Member may get a chance.

श्री रामसेवक यादव : सभापति महोदय, मेरा एक निवेदन मुन नें । यह बड़ी महत्वपूर्ण बहस हो रही है । इस लिये इस बात का ध्यान रखें कि हर ग्रुप का एक मध्यम अवश्य बुलाया जाये ।

Shri Harish Chandra Mathur: The question of external aggression and internal security has hardly anything to do with this party or that party. This question of emergency and the powers under the DIR which have a relevance only to the external aggression and internal security is a matter for just the same concern for any party in this House. As I submitted the other day, it was with the willing support of all sections of this House that we had adopted these provisions.

I would have very much welcomed this resolution if it had come about a couple of months earlier. I say this only because I wish to tell my hon. friend Shri Surendranath Dwivedy, the Mover of the resolution, that the death-knell of the DIR and the emergency was rung on 20th April this year, when in the Executive we discussed this matter and came to the definite conclusion that we should do away the emergency and the DIR, and it was in consequence of the discussion which we had been carrying on in the party for a considerable time, as Shri Ranga had rightly pointed out, that we had come to a certain conclusion on that day, and that decision had already been taken.

Now, let us not feel that what the Home Minister has announced in this House is the end of it. It does concern the Chief Ministers also, and I think very rightly so. It is not that they have, as Shri Ranga has said to take the decision. It is an all-India decision which has to be taken by the Central Government in consultation with Parliament. But the Chief Ministers are the implementing authorities. The Chief Ministers have been

implementing, and, therefore, they had to be consulted, not in regard to whether we should do away with the emergency or not, but with regard to the difficulties that may be there, and the steps which have got to be taken. So far as that part is concerned, I think that there should be no grouse at all. Let us balance the things. There should be no complaint and no grouse if the Home Minister asks the Chief Ministers to come and consults them on particular issues. It would be absolutely wrong not only if the decision is not taken by the Centre but even if it is permitted to appear that the decision is not taken by the Centre.

It is our responsibility as guardians to see to it that decisions are taken and correct decisions are taken by the Centre.

I would advise the Home Minister to sit with the Opposition Leaders as well as certain members of his own party to discuss all the aspects and see what are the difficulties in the way of immediately revoking the DIR. Then we will have to hammer out a course of action. On the question of national interest, nobody, either on this side or on the other, would refuse the Home Minister any remedies for the genuine difficulties which we may have to face. But I would make it clear to the hon. Home Minister that the decision which he has already taken, at the instance both of the Party as well as of the Opposition, is not the end of it at all.

Shri Surendranath Dwivedy: It is a haphazard decision.

Shri Harish Chandra Mathur: That was what could immediately be done. That was the decision which could be immediately taken without any difficulty. Now if they have certain difficulties in the border or whatever it is, let us make an assessment of it. After all, when the difficulties are in connection with the maintenance of internal security, there is no reason

why you cannot take every one into confidence and discuss the thing.

Shri Chatterjee talked about a convention. Even they as a matter of fact had come to a certain conclusion which was subject to certain provisos; they also never came to the conclusion that it should be done away with immediately and without conditions. I have been one who has been asking for the revocation of the emergency and the DIR immediately. But if there are things which the other side has got, if there are difficulties which the administration can put before us or if the legal profession has any suggestions to make, it is for the Opposition leaders as well as for Government to sit together and discuss them and come to certain conclusions so that we reach an agreed conclusion in the matter.

I do not think it is correct to go into extraneous discussion and say that because the Congress Party wants to win the election through the instrumentality of the DIR, it wants to retain the emergency. There is nothing more absurd than this. There are people in the Congress Party—I can assure the House and my friends sitting in the Opposition—who would never like to go to elections if they are not free, fair and independent elections. (Interruptions). We have gone through them three times and we will do so for the fourth time (Interruptions). If my hon. friend is so much at it, may I say that even in spite of the present difficulty and all the trenchant criticism of the party, when an intellectual opinion poll was taken, it was very much in favour of the Congress Party? Only last month this was taken. It was not the Congress which took the poll. So let us not cloud the issue (Interruptions). Let us not cloud the major issue by unnecessary extraneous things being brought in.

Shri Surendranath Dwivedy: On this question, let us go to the polls and find out whether the Congress enjoys majority support for the continuation of the emergency. Let him

[Shri Surendranath Dwivedy]

accept this and let us go to the people of India and find out whether they want the emergency or not . . .

Mr. Chairman: Order, order. Every body heard the hon. Member with rapt attention when he was speaking.

Shri Surendranath Dwivedy: I am sorry you are not correctly interpreting it. This is a mutual interruption. It is done.

Mr. Chairman: A word or two by way of interruption is in order, but not a speech for a minute or two.

Shri Surendranath Dwivedy: You have not taken it in the right spirit.

Shri Harish Chandra Mathur: What is the opinion poll which my hon. friend wants to take? The Prime Minister herself has made a clear and categorical statement to us and to those outside that she does not want the emergency to continue if it is possible. My hon. friend, Shri Nanda, has been absolutely clear in his mind about it and that was why Shri Dwivedy who moved the Resolution was speaking with tongue in his cheek. He knew what the views of the Home Minister are and how the Home Minister's mind is working, that he has tried sincerely and conscientiously for revoking the emergency.

Shri Surendranath Dwivedy: Then accept the challenge. Let that be the test.

Mr. Chairman: No dialogue like this.

Shri Harish Chandra Mathur: There is no question of arguing on this. We do not even need any goading in this matter. It is a question to which we have given consideration and come to a certain conclusion. As I said, the death-knell of the emergency was sounded on 20th April. That is a fact. This is definitely a fact, and we are going ahead about it. There is no need to further influencing the Government, because the Prime Minister

tells us not only in confidence but also outside, so also the Home Minister. The only question left is: what are the difficulties which have got to be sorted out? And they must be sorted out in consultation with the leaders of the Opposition as well as with the legal luminaries and members of the party. Let us not import. I submit again, other considerations in this matter. This is a national matter in which party considerations have little to play, and they should not be permitted to go into it.

श्री मधु लिमये (मुंबई) : अध्यक्ष महोदय, आपको याद होगा कि इसी विषय पर 18 मार्च को संविधान में मैं एक संशोधन लाया था। उस पर जो बहस हुई थी उसके उत्तर में मैंने भारत सुरक्षा कानून के दुरुपयोग के उदाहरण पेश किये थे। उस वक़्त हीरेन्द्र मुखर्जी साहब ने कहा था कि यह आरोप कार्यवाही में आ गए हैं और सरकार को इन आरोपों का जवाब देना चाहिए। महाराष्ट्र के गृह मंत्री द्वारा जो सत्ता का दुरुपयोग किया गया था उसके सम्बन्ध में यह आरोप थे। उसी समय सभापति जी, आपने भी फरमाया था कि यह चूंकि बहुत गम्भीर आरोप हैं इसलिए मैं गृह मंत्री जी को मौका देता हूँ इन आरोपों का खंडन करने के लिए। लेकिन खेद की बात है कि गृह मंत्री जी ने इस सदन में न तो उस दिन, न उसके बाद, कई मौके उनका मिले थे, लेकिन उन्होंने उन मौकों का इस्तेमाल करके मेरे आरोपों का कोई खंडन नहीं किया। अब कल के प्रखबारों में निकला है कि महाराष्ट्र विधान सभा में मुख्य मंत्री ने मेरे आरोपों के बारे में निवेदन किया है और प्रसत्य साबित करने का प्रयत्न किया है। लेकिन मैं ने यहां पर जो कहा, उसका एक एक करके खंडन करना चाहिये था, वह मुख्य मंत्री जी नहीं कर पाये हैं। अभी आज नन्दा साहब मौजूद हैं सदन में, इसलिए मैं उनसे बिनती करूंगा कि

मैंने उस वक्त जो कहा था उसके बारे में वह सफाई दें। महाराष्ट्र के मुख्य मंत्री ने जो स्पष्टीकरण देने का प्रयास किया है उससे मेरे श्रमों का खंडन नहीं होता है, यह मैं आपके सामने रखना चाहता हूँ। मैंने सवाल उठाया था कि एक लड़की जिसका नाम पैमी दत्त था उसका भारत सुरक्षा कानून के अन्तर्गत गिरफ्तार किया गया...

सभापति महोदय वह बात आ चुकी है। आप कह चुके हैं। समय कम है, आप अपनी बात जल्दी कहिए।

श्री मधु लिमये मुख्य मंत्री जी ने जो उत्तर दिया है उसमें मे कुछ सवाल उठते हैं। तो मैं केवल सवाल पूछता हूँ। पहला सवाल यह है कि मुख्य मंत्री जी ने कहा कि हमने सोच विचार करके छः मात दिन वह कहाँ जाना है, उसके यहाँ कौन आते हैं, यह सब देख कर के गिरफ्तारी की। तो मैं यह जानना चाहता हूँ कि जब इतना सोच समझ कर उनको पकड़ा गया तो सात ही दिन के अन्दर उनको फिर क्यों छोड़ा गया? दूसरा मेरा सवाल है कि उनके खिलाफ आरोप क्या थे तीसरा मेरा यह कहना है कि क्या उनसे जबरदस्ती कोई बयान लिखवाया गया कि वह पाकिस्तान की जासूस हैं या अन्य इसी किस्म का बयान उनसे लिखवाया गया? इसी तरह चौथा सवाल है कि क्या एक पुलिस अफसर उनकी माँ और उनकी बहन को ले कर यरवदा जेल में उनको यह मनवाने के लिए गया था कि इस तरह का बयान दोगी तो छुट जाओगी और नहीं दोगी तो भारत सुरक्षा कानून के अन्दर न जाने छः महीने, बारह महीने या कितने दिन जेल में रहना पड़ेगा?

बात उसमें यह है गृह-मंत्री जी के लड़के की जो खानगी बान है, उसमें मुझे कोई दिक्कत नहीं है उस लड़के के साथ उनकी मुहब्बत थी और वह शादी करने वाले थे या नहीं, यह कोई महत्वपूर्ण

सवाल नहीं है। मेरा सवाल यह है कि भारत सुरक्षा कानून के अन्तर्गत यह जो ज्यादा अधिकार सरकार को प्राप्त हुए हैं, जिनको लेकर अदालत में भी नहीं जा सकते, उनका दुरुपयोग हो रहा है या नहीं? इस लड़की की गिरफ्तारी के बाद हमारे दल की बम्बई म्युनिमिपल कार्पोरेशन की एक बहुत जिम्मेदार कार्यकर्ता है श्रीमती मृणाल गोरे, वह उनसे मिलने के लिए गई थी, उनसे यह सारी बातें उन्होंने कही थीं। गोपालन साहब के दल की एक औरत यरवदा जेल में थी, उनसे इन सारे तथ्यों का पता चला है। और इंगलिन मैं गृह मंत्री के द्वारा चुनौती देना चाहता हूँ महाराष्ट्र के गृह-मंत्री, यदि उन्होंने सत्ता का दुरुपयोग नहीं किया है, तो वह एक स्वतंत्र निष्पक्ष जांच समिति के सामने आये, मैं इन आरोपों का साबित करने के लिए तैयार हूँ।

अगर उस लड़की को, गृह मंत्री के लड़के को और पुलिस के अफसरान को हम सवाल पूछने का मौका मिलेगा तो एक, एक बात जो मैंने यहाँ पर कही है वह साबित कर के मैं छोड़ूँगा यह मैं माफ़ बतलाना चाहता हूँ।

16 hrs:

साथ साथ मैंने यह भी कहा था कि भारत सुरक्षा कानून के अन्दर गृह मंत्रियों को इतने ज्यादा अधिकार हाँ गये कि लोग डरने लगे हैं। गृह मंत्री जी के लड़के की जब शादी हुई तो एक सरकारी गजेटेड अफसर के द्वारा न्योता दिया गया। पाँच हजार लोगों को न्योता दिया गया और इन पाँच हजार लोगों के द्वारा उनको कितने उपहार और घंटे दी गई उस की तफसील मैं गृह मंत्री जी से जानना चाहूँगा क्योंकि लोग डरते हैं और कई लोगों ने हम से कहा कि भारत सुरक्षा कानून के अन्दर उनके हाथ में इतनी ज्यादा सत्ता है कि कुछ कहना नहीं है। व्यापारियों ने और कई बड़े लोगों ने कहा कि अगर हम उनकी शादी में नहीं जाने और उपहार

[श्री मधु लिमये]

नहीं देते तो हो सकता है कि ब्लैक लिस्ट में हमारा नाम आ जाता और वह जेल में हम को बंद कर देते।

एक तरफ तो अकाल की स्थिति है, आप बात कर रहे हैं सोमवार को खाना मत खाओ, मंगल को मत खाओ और बुध को मत खाओ और दूसरी तरफ हम देखते हैं कि महाराष्ट्र के गृह-मंत्री जी के लड़के की शादी में 4,4 और 5,5 हजार लोगों को खाना खिलाया जाता है तो यह आखिर चल क्या रहा है ? मैं गृह-मंत्री से कहूंगा कि उन्होंने कई बार आश्वासन दिया है कि भारत सुरक्षा कानून का दुरुपयोग नहीं करेंगे। उन्होंने यह भी कहा है कि सरकारी अधिकारी और मंत्री आदर्शों को लेकर अपना व्यवहार करें तो मैं उन से जानना चाहूंगा, हमेशा वह सदाचार की बात करते हैं तो गजेटेड अधिकारी जो कि सरकारी अधिकारी हैं हम उनको सरकारी खजाने से पैसा देते हैं, तो क्या किसी मंत्री के लड़के की शादी का न्योता वह अपने हस्ताक्षर से दे सकते हैं ?

माथ माथ जब अकाल की स्थिति है, भुखमरी में लोग मर रहे हैं तो मंत्री अगर यह आदर्श समाज के सामने रखेंगे, चार, पांच हजार लोगों को खिलाने का काम करें, ऐय्याशी और फिजूलखर्ची पर पैसा बर्बाद करेंगे तो वह क्या खाक आदर्श सामने रखेंगे यह भी मैं जानना चाहता हूँ ?

श्री द्विवेदी ने इस वक्त जो प्रस्ताव रखा है मैं समझता हूँ कि वह बहुत अच्छा प्रस्ताव है और सरकार को इसे स्वीकार कर लेना चाहिए। बार-बार आप आश्वासन देते हैं कि हम इस का दुरुपयोग नहीं करेंगे लेकिन व्यवहार में दुरुपयोग हो रहा है। आज भी हमारे दल के हिन्दू मजदूर पंचायत के अग्र-वाल जेल में बंद है। जब सब लोगों को छोड़ा जा रहा है तो उन को क्यों नहीं मुक्त

किया गया है यह समझ में नहीं आता है ? मैं चाहता हूँ कि इसके बारे में गृह मंत्री जी विचार करें।

Shri Nanda: Where is that?

श्री मधु लिमये : यहीं दिल्ली में है। आप के ही मार्फत बंद है।

Shri Nanda: We shall deal with it.

श्री मधु लिमये : इसलिए इन सारी चीजों पर सोच-विचार करें। उन से निवेदन है कि द्विवेदी साहब के प्रस्ताव को वह माने और यह संकटकालीन स्थिति एक बिल्कुल थोड़ी चीज बन गयी है उसको हटा दें। भारत सुरक्षा कानून की कोई जरूरत नहीं है उस को समाप्त करके वह एक प्रजातंत्र का और नागरिक स्वतंत्रता का वातावरण देश में कायम करें।

Mr. Chairman: Shrimati Lakshmi-kanthamma. Five to six minutes. She need not repeat the arguments already placed before the House.

Shri Lakshmi-kanthamma: Some Members place the same arguments before the House off and on. I wanted new persons to be given a chance.

Mr. Chairman: It is for everybody; not for you only.

Shrimati Lakshmi-kanthamma: Mr. Chairman, Sir, Shri Dwivedy said that the police are trigger-happy. I would like to bring to the notice of the House under what difficult circumstances the police have to discharge their duties. If we read the papers and see the reports, we find that near Delhi some 10 police officers were beaten like anything and they were taken to the hospital; there are examples where they are stoned and at some places, they are attacked with arrows and in some other places petrol or some other liquid is poured over them. In demo-

cracy, just as we have the right to discharge our duties to the public, and to preserve democracy, they also have the right and the duty to protect the lives and properties of individuals and the public.

It is not as though we want the DIR or the emergency to continue for a day longer than it is necessary, as the Prime Minister, in her first major speech, has said in this House.

After that assurance of the Prime Minister, so many steps have been taken in each State. In my own State of Andhra Pradesh, all those detained under DIR including the left communists have been released in spite of the fact that today it is not as though there is no threat to our country. The opposition members shouted when the three Nagas in the jeep were not arrested and asked why they were not arrested and why those documents were given to them. But when somebody is arrested, they again ask, why have you arrested him? Who is to decide under what circumstances anybody should be arrested in the interest of national security?

Shrimati Renu Chakravartty (Barrackpore): Why DIR? Why not take action under the ordinary criminal laws?

Shrimati Lakshminanthamma: Why did you support the DIR when it was first proclaimed here? Even then the ordinary laws were there. There is no change in the situation. From the Defence Minister's statement, from the President's Address and from reports from border areas, it is clear that the build-up of the Chinese is more than in 1962. They are dumping arms, ammunitions and modern types of weapons all along the border. Pakistan has gone against the Tashkent declaration and there is the Peking-Pindi axis. With all this threat to our borders, if our friends including Prof. Ranga certify that the left communists are patriots, we have to sit up and think what is to happen to this coun-

try. Is it on certain principles and having regard to the interests of national security that we take decisions from time to time or is it only on the hatred to certain parties that we take decisions?

DIR was not misused. When Mr. EMS Namboodiripad was making statements prejudicial to the interests of the security of this country, opposition members said, how is this man allowed to move about and talk as he likes? Only after a very long time he was arrested. In Andhra, what kind of treatment was given to Mr. Sundarayya, the renowned left communist leader? We know from the White Paper and other reports about the activities of the left communists—displaying of Mao's photo, acid bulb tactics and so on. Only when the government was fully convinced about their activities, they were arrested. When Mr. Sundarayya was ill in jail, he was allowed to go to Moscow for treatment. When he returned, he was released. There is not a single left communist in jail in our State.

We learn from reports that so many subversive activities are going in West Bengal, pre-meditated, pre-planned, with the help, inspiration and instigation of the Chinese. They are planning to cut down communications by attacking vital installations, railways, signal equipment, telecommunications, etc., so that they can seize power.

Shri Daji was speaking about the people. Which people, I ask? The goonda elements, the anti-social people, are these the persons whom he calls the common people? I can say with all confidence that the people of this country will see to it that democracy is protected from the hands of a few people who do not believe in democracy. The revocation of the emergency depends on the behaviour of China and the Left Communists in this country. It is not in our hands.

Shri Muhammad Ismail (Manjeri): Mr. Chairman, Sir, I strongly support

[Shri Muhammad Ismail]

the Resolution that is placed before the House, demanding the revocation of the emergency and the Defence of India Rules. At the outset, I would make a proposal, a demand and a request. I have been trying to put forward this idea for the past several weeks, but I did not get any opportunity to speak in the House on such subjects. Therefore, I will now put forward this idea, this request and this demand, which is that the Government must appoint a committee consisting of high judicial personnel to inquire into the causes of arrests that were made under the Defence of India Rules, to find out whether there was any evidence—not to speak of evidence—whether there was any justification, whether there was any strong suspicion of *mala fide* or dangerous action on the part of these people for justifying their arrests. If the ideal of democracy is still left in our country and if there is proper and constitutional respect for the freedom of the people, such a committee must be appointed, whether the Government accepts this Resolution or not. Most probably from what I have been witnessing in the House, the Resolution may not be accepted by the Government. But whether they accept it or not, this Committee which I am now proposing must be appointed in the interest of the people and in the interest of the freedom of the country, so as to restore the sense of security in vast sections of people in the country.

How were the Defence of India Rules administered? Were they administered, for one thing, by responsible officials under the direct control of even the State Governments? The Chief Ministers and the administrators under them were the agents of the Centre, so far as the Defence of India Rules were concerned. But, then, they have now turned....

Mr. Chairman: He should conclude now.

An hon. Member: He has just started.

Shri Muhammad Ismail: I am having this chance of speaking after so many weeks. Every time I have been trying to catch the eye...

Mr. Chairman: I would request him to resume his seat. There is hardly any time left. This debate has to close 5 or 10 minutes before 5 O'Clock so that the other Resolution can be taken up. Because Shri Ismail had not spoken earlier, I have accommodated him. Now he should conclude.

Shri Muhammad Ismail: It is a matter of consideration on your part to have allowed me to speak because I was not speaking previously, but consideration ought to have been shown to me because I have got a particular point of view to represent before the House. That has not been shown to me and that is very unfair to me, because I have to put forward my idea.

Mr. Chairman: There is no time.

Shri Muhammad Ismail: So far as the administration of the DIR is concerned, I do not think even the Chief Ministers of States were responsible for many of those arrests. It is the constables, the village officers, the volunteers of the ruling party and the volunteers of the parties which were favoured by the ruling party, who were responsible for those arrests.

My hon. friends spoke of scavengers having been arrested in one part of our country. Mere working men, labourers, who have been working in a factory belonging to the public sector for seven or eight years, who were very dutiful and loyal servants, all of a sudden found themselves out of jobs. When questioned they were told that in the interest of the security of the country they were sent away. Not because of the security but, I say, it was because all of them belonged to one community, that is, the Muslim

community and that too in far away Andhra Pradesh which is not a border State or anything of the sort. Yet, they found themselves out of jobs.

There are instances where a collector has been commending the services of certain people in the defence or war effort but those people who were commended by the Collector only the previous day have been arrested without the knowledge of the Collector. The Chief Ministers or important administrators did not know whom they were arresting. They were only saying that they depended upon the police for information. That is all that they could say. They did not go into the merits of the case, not in any one single case.

Ex-ministers have expressed such cases of the DIR being abused. Only the other day two ex-ministers spoke in this House about how people's freedom was taken away on very flimsy grounds. Therefore all these things must be gone into by a committee to reinstate and restore the sense of security amongst the citizens of the country.

Mr. Chairman: Dr. Singhvi, if he is interested in speaking for five minutes.

Dr. L. M. Singhvi: I will try to conclude as soon as possible. I have a substitute motion which I have moved and which I am bound to support.

Mr. Chairman: Only five minutes.

Dr. L. M. Singhvi: If you want to steamroller the debate, you can do so in your jurisdiction, but even the Chairman does not have jurisdiction to oust debate altogether.

Mr. Chairman: The hon. Minister wants half an hour for his reply.

Dr. L. M. Singhvi: That you have repeated three times.

Mr. Chairman: The hon. Mover has to get about 10 minutes. We have to

conclude the debate by five minutes to five when another Resolution has to be moved. Keeping that in view, I ask you to speak if you are interested in speaking for five minutes.

Shri Sezhiyan: May I speak?

Mr. Chairman: Yes, for five minutes only.

Shri Sezhiyan: Mr. Chairman, Sir, the Resolution brought forward by the hon. Member, Mr. S. N. Dwivedy, requires the attention of the whole House irrespective of party affiliations. Those who believe in the democratic rights of the country will support it.

The fundamental question that has to be considered is that the Proclamation of Emergency issued by the President under article 352 of the Constitution and the Order by the President under article 359 (1) of the Constitution, create two specific issues. We should not bother about the internal or external security. The more fundamental question concerning this one is that these measures have got a two-fold effect on the fundamental rights in the country because these two measures taken by the Government and the President have combined effect.

The first thing is that all rights of the citizens throughout the country under article 19(1) of the Constitution remain suspended. Secondly, the citizen is debarred all over the country from moving any court in respect of the infringement of his rights under articles 14, 21 and 22 of the Constitution. That is the whole question. Not only persons have been put behind the bars and trapped inside the jails, even the fundamental rights enshrined in the Constitution have been put inside the jail. I cannot go to the courts and move a writ. That is the basic defect in the Emergency being continued even though there is no necessity for this.

Some hon. friends who were speaking from the other side, the ruling party, stated that political bias has

[Shri Sezhiyan]

not entered into it and the police has not utilised these powers for other than legitimate use. I can quote only two judgments—one given by the Punjab High Court and the other by the Supreme Court.

In the writ petition of Sham Lal and four others, the Supreme Court, on the 11th November, 1965, observed:

"D.I.R. are not to be applied in cases of the type where the police for one reason or other have been unable to get individuals adequately convicted."

If they cannot convict a person, if they cannot prove in the court by due process of law the charges made against any person, they immediately apply D.I.R.

Also, justice Bedi of Punjab High Court made the very same observation on the 22nd November, 1965. He said:

"If the police for one reason or the other could not get them convicted adequately under the law of the land, it does not mean that they should resort to the provisions of the D.I.R."

The Judge was constrained to make this observation because the Government and the executive have all along been taking resort to the D.I.R. Whenever they want to put anybody inside the jail, they resort to the D.I.R. If they honestly feel that somebody is against the security of the country, let them bring forward a Bill, an anti-national Bill or a sedition Bill, whatever it is, and put it on the statute books. But the question should be decided by the court and not by the Home Minister.

Therefore, the due process of law should be allowed to take place.

Mr. Chairman: He should try to conclude now.

Shri Sezhiyan: Let me here also quote Shri A. K. Sen who was responsible for the introduction of the D.I.R. He has made a categorical statement now:

"The Emergency must be withdrawn because the purpose for which it was introduced did not exist any more. So far as the Chinese are concerned, it is a continuous menace and should be fought out. If the Emergency is withdrawn, no harm will be caused to anyone."

Therefore, it is high time that the Government withdraws this Emergency and the D.I.R.

Mr. Chairman: He should conclude now.

Shri Sezhiyan: Mr. Mathur was saying that the Congress Party is not going to use the D.I.R. for political ends. I quote one more person who is a non-political person, who was the then Attorney General of India. While delivering Sir Alladi Krishna-swami Iyer Endowment Lectures at Madras University, on 18th August, 1965, Mr. M. C. Setalvad has this much to say:

"The Congress Government at the Centre had employed the Emergency powers to take over State administration, to promote party interests."

This is the verdict of the ex-Attorney General of India. He has stated that the Party in power has utilised the D.I.R. for its own use and the police is utilising powers to put anybody inside the jail.

Mr. Chairman: He must conclude now.

Shri Sezhiyan: This is against the fundamental right. This is unconstitutional, undemocratic, and this is a blot on our Constitution which should be removed not as early as possible.....

Mr. Chairman: He should resume his seat now.

Shri Sezhiyan: The term "as early as possible" is a very dubious term.

I say, this should be immediately withdrawn.

Dr. L. M. Singhvi: On a point of order. I protest very emphatically that first you take an undertaking from Members before they rise to speak with effect that they will not speak for more than five minutes and if they do exceed, you can do nothing about it. This is most unfair, if I may say so.

Mr. Chairman: May I know under what rule he is raising that point of order? Let him quote the rule and then I will give him my ruling.

Dr. L. M. Singhvi: Mr. Chairman, I would like to know the rule under which you can demand the citation of a particular rule which has been violated. This is the practice of the House that when time is fixed, when instructions are given by the Chair, it should be followed by the Chair. The Chair is not entitled to ask for an undertaking in advance and if the Chair asks for it, it is bound to see that it is implemented. This is basic and plain commonsense, if I may say so.

Mr. Chairman: I may tell the hon. Member that it is absolutely in the hands of the Chair to regulate the time and to fix the time. The hon. Minister.

Shri Nanda: Mr. Chairman, Sir, in spite of the fact that here and there strong expressions were used but, I feel, the general trend of discussion discloses very near unanimity regarding the approach in the matter of how to deal with the question, the problem of Emergency. Therefore, while speaking to the hon. Mover of the resolution, I wish to convey this to him that really there is no occasion

for me to join issue with him, because we agree in substance and it is on that basis that we have already moved forward. As Shri D. C. Sharma has stated, that is the crux of the matter. Whatever my hon. friend may urge again when he replies to the discussion, let us at least understand that on the essence we are agreed, and really there is no question of any strong divergence on this major national issue.

I recall that occasion, that grim day, when this nation faced the challenge from a foreign power invading the soil of this country, and how at that time this whole country, all the people of this land rose in unison, and also in Parliament, without a single exception, everyone, all parties and all the Members established it beyond any question for all time that when it was a question of the security of the nation or the defence of this country there were no parties. It was very heartening. So, it was not any recourse to a particular article of the Constitution or some special powers on which we relied. That is subsidiary and secondary. The main thing is that reservoir of patriotism which was obvious then. We shall have to draw again, whenever that occasion comes, on that great fund of good-will and of deep patriotism of the people of this country and the representatives here in Parliament. That is going to be our sheet-anchor. Therefore, there is no great insistence on adhering to any one clause or the other. As I stated before also, if, with that broad framework of reference, namely the interests of the nation and the security of the nation, we could sit together and come to any conclusion that it could be done in some other way and these powers were too severe and extraordinary and exceptional and therefore they could be dispensed with today, then I would submit that I am not going to wait for giving them up till tomorrow. That should be a sufficient assurance for the hon. Member who has moved the resolution and all others that here we are treating it as a national issue, and therefore, there

[Shri Nanda]

is no question of any kind of insistence on retaining any special powers for a single day, as I have said before.

I want first of all to clear this one point. Is it any question that whenever there is a grave emergency, as visualised in the Constitution, these powers have to be available to the country and to the nation? I raise this question because Shri N. C. Chatterjee had said something in this regard, as if there was inherently something wrong with the emergency powers and there was going to be, for the time being when the emergency is in force, the suspension of fundamental rights, and as such these were infamous provisions, something which was a constitutional dictatorship and for that reason something bad and so on. I think we part company there, because I think that it was the wisdom and the vision of the Constitution-makers that they introduced those provisions in the Constitution; and later on, as he said, it was unanimously that the whole House and all the Members passed the resolution approving of the Proclamation and gave support to whatever action had later on to be taken for the purpose of the defence of the country in terms of those special provisions in the Constitution. I, therefore, need not justify that at all, but I would like to elucidate one or two points which have been raised. What are the objections now to the statement of policy in which there is a drastic revision of the terms of the original statement, amounting to taking away the operation of the emergency from more than nine-tenths of the country and retaining it only for a relatively small part of the country?

The hon. Member, Shri Daji, referred to 99 days and one day. I do not want to go into that. But I say this. If I plead that this Government has kept the border safe for 99 per cent in respect of one per cent it was not safe and something happened there to the detriment of the vital interests of the nation, I think I will have fore-

feited any consideration; any person in Government would in that condition have forfeited any consideration by the House. Therefore, the question is, the whole point is: Is it required in special areas or not?

My hon. friend, Shri Chatterjee, said, 'Yes, the Constitution says that where a situation exists where the security of India or any part thereof'. Therefore, he said, why not restrict it to that part? All right, if it is conceded that it can be separated, it can be considered. It is asked: Why do you for the sake of one small part, subject the 480 million people of this country to those onerous conditions and hateful provision, as he might say? We do not like that. I am open to conviction.

Dr. L. M. Singhvi: Why not appoint a committee?

Shri Nanda: We may do that. If it is possible to separate it into two parts, it can be considered. But the advice which I have got on which I have to rely is different. The words are that the situation may arise in part, that is, the threat might occur in any part of the country, whether it is aggression or whether it is something which has something to do with internal security, internal disturbance etc. The cause may be anywhere in the whole system, but the ailment is for the whole body. That is why the emergency is for the whole nation.

This is a question of interpretation. I do not want to make any kind of...

Dr. L. M. Singhvi: Why does Government not have it examined either by reference to the Supreme Court for advisory opinion or by constituting a committee such as I have suggested?

Shri Nanda: As I said, I am open to that. Let us do that. If it simplifies things that way, I do not stand out against it. We may do it soon, immediately.

It is not a question of modified rationing—the hon. Mover knows that—in the sense that statutorily the Chief Ministers and Governments of the States will have their option, it will be open to them still to exercise their special powers and we will be left to their tender mercies, whether they do it or not. If that were the position, certainly I would say it is an extremely unsatisfactory position—if I have by the proposal that I have made left things in that way. But I believe I have explained the position clearly, as I understand it and in the sense in which we have made this announcement, that it is not going to be a matter of discretion for any Chief Minister or State Government to exercise those powers or not. That is, the emergency applies to the whole country. Its operation is restricted to a few places, and yet it is a matter whether they may on some occasion take up that instrument again and use it. That is not the intention.

Shri Manoharan (Madras South): Who is to stop it?

Shri Nanda: I have stated very clearly that we are going to have legislation in the course of this session where the provision will be that the areas, border areas, where we feel that there is a call, there is a necessity...

Shri Rajaram (Krishnagiri): Because of election year?

Shri Nanda: The hon. Member is thinking only of elections. I am thinking of the nation. I am not thinking of the elections. And it is a very facile way of bringing up something because there is no better argument.

I said there will be an Act here which will prevent any kind of use in any other area except those for which provision is made. Therefore if it is said that for the sake of a few people, all the rest are going to be subjected to the deprivation of their fundamental rights, that is not so.

Then, there were other arguments. Why is it that exception is being taken to whatever is going to be retained? It is said that the emergency has lasted for so many years and people are feeling restive about it. But may I ask: when was this Kutch aggression? About a year or so. When was this full-scale war with Pakistan? How many months ago? When was the Tashkent Agreement? That is, it cannot be said that for all this period nothing was happening, and over the years we just kept it and kept on using it. Even if no emergency had been declared or proclaimed, we would have had to do it after Kutch, and then when there were hostilities with Pakistan. Therefore, it cannot be said that it has gone on for years and years, without serving any purpose.

It is not that the external threat has disappeared. Still we say we are not going to keep in our hands this weapon because of the risks. If God forbid any situation arises, there is not going to be any difficulty at all in extending its use, just as there is going to be no reluctance to part with even this thing, which is going to be retained, if tomorrow or the day after tomorrow it appears that it is not necessary even for the sake of Mizo District or Jammu and Kashmir or whatever area may be requiring it. Whether it does require it or not is now a question of the appreciation of the facts. It is a question of judgment about the situation. It is not a question of any principle involved there. It is a question of assessment, and we can sit together and have that assessment also, because I am sure everyone there will be equally anxious and earnest about nothing being done which will impair the nation's security at any point.

The hon. Mover gave some other reasons also. He said, "I would have been with you in keeping intact—the powers under the emergency—if you had behaved differently, if there had been that sense of emergency and things had been done in this country by all of us in relation to that emer-

[Shri Nanda]

gency to meet that threat whenever it occurs in all respects." I share that feeling with him, we have not done that enough, but when he said, "Have you used these powers against profiteers and hoarders", I say "Yes". I feel very many more persons were detained for these reasons, and far fewer for other reasons, and those other reasons also were connected with national security.

Because I came to this House some time back and said that hereafter the use of these powers will be restricted to matters relating to national security, and there also they will be sparingly used, and that they will be available for no other purpose, I will be asked why then previously this hoarding and profiteering and all these things were considered good enough reasons for the use of these powers. And then there is a distinction where the question of those sweepers, scavengers, arose. I am not justifying every case where it was used, but I am drawing a distinction. Where there is a very active threat, something can happen immediately, quickly, and very soon, and then the situation, internally, is of a very different kind; qualitatively it is of a different kind and urgency and importance. Then, any disturbances inside, even in the matter of communications, prices, availability of things, etc., coupled with the threat which might be drawing near, makes the problem for the country of a different order. So, we have to take action even regarding these things, but when it is not that situation, I certainly thought that the State should not then use those powers even with regard to the other things, because, it is a change in the circumstances which also calls for a change in our attitude towards the use of all these powers.

The hon. Mover has asked, if you had done that, then about profiteers why not now? We do not do that in that way now because we must make use of more normal methods for dealing with those cases in a situation with

which we are now dealing. Now, why is it that we think that we should have these powers regarding the border areas? I believe hon. Members know what the situation is in a certain part of our country, in Assam, and also near that area in some parts, and also Jammu and Kashmir, for example. The question as to whether the powers should be used by the State or whether in the implementation of them they go wrong or not, these are matters of administration and we can look into it. I shall say something about Mizo district also.

Mr. Chairman: He has five minutes to conclude.

Shri Nanda: Well, I have to abide by your orders. I will then hurry up, and I will not, therefore, go into the details.

Dr. M. S. Aney (Nagpur): The reply of the Minister cannot be regulated like that. He must have the time to give a full reply to all the points raised in the House by all the Members.

Dr. L. M. Singhvi: He must be given the time to reply to the questions at least. This is against all canons of parliamentary debate—that even the reply should not be given in respect of the questions that have been raised. What are we here for?

Mr. Chairman: Order, order. I am very sorry that such an hon. Member like Dr. Singhvi is betraying something which I would not have expected of him. This has been announced before the debate started, that this has to conclude before 5 O'clock. Naturally, the debate has to be regulated like that. I am sorry I would not be able to carry on my duty as Chairman if I am told like that. The hon. Minister has to reply certainly, and then the hon. Mover has the right to speak and he wanted 10 minutes.

Shri Surendranath Dwivedy: I will be satisfied with five minutes.

Mr. Chairman: All right.

Shri Nanda: Some persons can only think in terms of extremes; either have it the whole hog or nothing at all. It may be that there are intermediate situations where one can have more flexible powers. The hon. Mover or some other hon. Member said why have we to use the army and why do we bring in the army so often. I personally feel that it should not be done. That is a different question; we should try to see that in the country this situation does not arise where we feel that the police also will not suffice and the army has to be brought in; and much more so in an area like the Mizo district, where there should not be any such situation when we have to do the job with the help of the army only, or some kind of martial law. Is it better that there is a total deprivation of all kinds of rights or is it that for certain purposes we use these powers and enable the administration to be carried on, to ward off the dangers, and see that the extreme use of force which is inevitable in these circumstances is restricted? Do these things help us in dealing with such areas? Is it that we can only kill such persons or should we take them out of the harm's way and detain them? These are things which I am not asserting here; there may be some other special legislation; all right; it may be that we have the special legislation which will mean the bringing in or the enacting of those particular provisions to which they take exception, for example, the Preventive Detention Act. There are cases where recourse under the Preventive Detention Act normally will not suffice. You, Sir, Mr. Chairman, know about the Jammu and Kashmir State. There are people who move about in a style of living, in a way that nobody can suspect that they are not respectable people, and yet they were behind many of these things, the acts of sabotage, and we got hold of them, their link and found that these

were the people, and they had to be detained. There was no other way of doing it. I am just illustrating the need.

About the role of the States, there is rather a misunderstanding. They have a part in the Defence of India legislation itself. There are certain powers in the rules given to the States themselves. They have to carry out that responsibility. When there is a grave emergency, actually what happens is that the States have to bear the burden and carry out their responsibility. If they do not do it, of what avail are these powers going to be to us? It is a question of being in touch with them and with their difficulties. I might say it is not that they have resisted in any way. They have explained their difficulties and their position. It is a varying situation from State to State. In some States, they have no objection. But in some States, they say they have special difficulties. So, by a process of exchange of views, we come to a conclusion which is agreed by all and nobody has stood up against that. They have a difficult job to do, I mean the Chief Ministers also. Some of the States may have committed a few mistakes; I do not justify them.

Reference has been made to misuse. There is a point where the national security view alone has to prevail and the other things become secondary. Sometimes that distinction may be obliterated and I believe in certain cases there has been excessive use of it, which I personally feel could have been avoided. We have been trying to review the position in that sense. I think the experience will stand us in good stead. Considering the many things that had to be done, I can say that the magnitude of such misuse has been small. But it is not a question of how many cases have been there. Even in one case if it has been misused, the suffering of that one man should be considered as a suffering for all of us. We should take every

[Shri Nanda]

precaution to see that while national security is not jeopardised and we discharge our responsibility effectively in that regard, we do not allow such misuse to happen. That is common ground. But that does not mean if there is need in the interest of national security, it should not be used. Because, if we are not going to carry out that responsibility, what are we left with? All the things that we are talking about will evaporate unless we are able to keep up the sovereignty, integrity and independence of this nation. That is of the highest importance. I think no price will be too high for that. Even this question of fundamental rights has a purpose only in relation to that.

The hon. Member had said something about the misuse. About that single case of a woman, whatever she may be, she is a human being whose feelings, whose honour is as important as the honour of any of my relatives or of any one of us. I personally propose to go into it further and deal with it to the extent possible.

There was a note struck by Prof. Ranga. I can tell him, when this Constitution was made, I was not there. This was passed by all the Members. I made use of it in a certain situation, according to my judgment. History will prove whether it was a correct judgment or not. It was not a question of a mad moment. It was a sad moment, not a mad moment.

Dr. L. M. Singhvi: The hon. Home Minister said something which is very reassuring in respect of obtaining the opinion of the the Supreme Court or constituting a Committee of Members of Parliament. Would he indicate by what time he proposes to initiate action...

Shri Nanda: I have to get into touch with the leaders. It will be done in a few days. We have to

decide as to how to proceed with this matter. I will urge on the Mover of the Resolution to accept this suggestion.

Shri Surendranath Dwivedy: Mr. Chairman, I am very glad that there is almost near unanimity, so far as this demand for the revocation of the emergency and the repeal of the Defence of India Act is concerned. Only one or two members have expressed some reservations. In fact, there was a race by the Members of the Congress Party so that they can take credit for this. Strong public opinion has been built in this country which does not want this to continue even for a moment. I am glad that the Home Minister realises that this is unexceptionable and that it should not continue. But he has expressed some difficulties which are not convincing to this House. I am still not convinced that in order to deal with the situation prevailing in certain border areas the normal laws would not be sufficient and that we would have to take recourse to abnormal laws, depriving the fundamental rights of the people of the country.

We are all aware of the threat to the internal security of the country and the external danger. We have given all the support to the Government in facing those threats and dangers. In fact, we have been warning this Government to be prepared always to meet such challenges. But that does not mean that we should persist in functioning in the midst of emergency for all times to come. If there is any threat, we would like this Government to face it boldly.

Therefore, I would request him to reconsider this matter. Before Parliament adjourns, let him come forward and say that he is withdrawing the emergency and repealing the Defence of India Act. If necessary, let him come forward for having some special laws to deal with parti-

cular situations, which this House will have no hesitation in supporting, if they are to meet anti-national activities, secessionist activities, violent activities. If a group of persons, or a party or set of people are working deliberately for subverting the democratic fabric of this country, he can declare them unlawful and he will get the support of the entire House for doing that. That would be a straightforward course. Why not act like that?

I see no reason why these should continue. He should listen to the voice of reason, the almost unanimous opinion of Parliament and accept this Resolution. As my hon. friend, Shri D. C. Sharma, has said, it is a very innocuous one. I am not saying that you should do it immediately. I am saying that you should take steps without delay. That gives you a little time to do this. I hope he will accept this Resolution.

I am saying "without delay" because in this Government even "active consideration" takes one year. I hope he will have no hesitation to accept this Resolution. I think there is no whip. So, I am sure my friends who are sitting there will all support this Resolution. Let us all arm Shri Nanda with powers so that he will have the strength to take steps to remove these abnormal powers and withdraw them as early as possible.

Mr. Chairman: The Home Minister has not said whether he is accepting the Resolution or not.

Shri Nanda: I have said that I shall take action as soon as possible. It is not possible for me to go further than this at this moment. Until we have an opportunity of meeting the various sections of the people and coming to a conclusion, it will be very wrong for me to accept it at the moment.

Dr. L. M. Singhvi: The Prime Minister said "not a day longer". How many months make a day?

Shri Nanda: Before the end of the session.

Dr. L. M. Singhvi: That is most reassuring.

Mr. Chairman: Does the hon. Member press his substitute Resolution?

Shri Shree Narayan Das: I do not press my substitute Resolution.

Mr. Chairman: Has he the leave of the House to withdraw his substitute Resolution?

Substitute Resolution No. 4 was, by leave, withdrawn.

Mr. Chairman: The question is:

That for the original resolution, the following be substituted, namely:

"That this House constitutes a special Committee consisting of the following members to consider the immediate revocation of the emergency:—

Shri Gulzarilal Nanda
 Shri G. S. Pathak
 Dr. Asoke K. Sen
 Shri Harekrushna Mahatab
 Shri Surendranath Dwivedy
 Shri M. R. Masani
 Dr. L. M. Singhvi

with instructions to report to the House within a week." (5).

The motion was negatived.

Mr. Chairman: The question is:

"This House calls upon the Government to take steps to revoke the Proclamation of Emergency and to repeal the Defence of India Act without delay."

The motion was negatived.

Shri Badrudduja (Murshidabad): That is the end of everything.

16.57 hrs.

RESOLUTION RE. INDO-US FOUNDATION

Shri H. N. Mukerjee (Calcutta Central): Mr. Chairman, Sir, I beg to move:

"This House disapproves of the proposed project of an Indo-U.S. Foundation and calls upon the Government of India not to proceed with it."

I am introducing a proposition which I am hoping will receive support from different sections of the House because in regard to this Indo-American Foundation very serious misgivings have already been expressed by all varieties of opinion in our country. I am afraid that this so-called Indo-US Foundation is going to be another of those goldplated grindstones which we are importing from America to wear round our necks.

Shri Kapur Singh (Ludhiana): Only from America?

Shri H. N. Mukerjee: I do not want importation of grindstones from any quarter whatever, whether it is America or any other country.

Shri Kapur Singh: That is well said.

Shri H. N. Mukerjee: ...particularly when I discover that in regard to this project which is under review the conditions are such and the context is such that it is really a perilous undertaking. What I do not like is an impression sought to be produced by Government that it is an irrevocable commitment which this country has already made to the Government of the United States of America. I am sure, if we wanted to and I am positive that we do want it—like the Voice of America deal which was sought sur-

reptitiously to be put over us, this is another instance of a deal which is going to be passed on to us—we could easily revoke it. In my Resolution I wish that steps are taken immediately in order to secure revocation of this projected agreement.

Mr. Chairman: This discussion will continue when this Resolution comes up next time.

17 hrs.

***EXPULSION OF RAJASTHAN M.L.As. FROM VIDHAN SABHA**

Dr. L. M. Singhvi (Jodhpur): Mr. Chairman, Sir, before I launch on some of the points which I wish to make in this Half-an-Hour Discussion, I should like to accord a hearty welcome to Mr. Pathak who, I understand, has just returned from attending the Conference of Commonwealth Law Ministers in London. I am sure he has brought back with him, a refreshing appreciation of the historical context and the forces and factors which contributed so much to make the British democracy a living thing. I am sure he has brought back with him that feeling of appreciation and admiration for that great democracy which has developed parliamentary institutions bit by bit over centuries of history which in many ways is notable.

I was most concerned to hear the reply of the hon. Minister of State for Home Affairs to Starred Question No. 713 in respect of the expulsion of Rajasthan M.L.As. from Vidhan Sabha. While replying to this Question, he said:

"When the Rajasthan Legislative Assembly assembled for the Governor's address on the 26th February, 1966, the Governor was in charge of the proceedings until the address was completed, since, when addressing the State Legis-

lature under Article 176, he functions as an organ of the State Legislature. It was, therefore, open to him to conduct the proceedings in an appropriate manner, consistent with the dignity and status of the House and to take such steps as were necessary for the maintenance of order and decorum."

You would recall, Mr. Chairman, that there ensued, after this main reply, a debate, a discussion, the heat of which was almost unmatched in this House. If I may reflect for a moment, the importance of being Mr. Hathi is that he can answer questions without raising a controversy, he has that rare gift of being able to convey the feeling of being candid and of sharing information with Members, he did convey that feeling, but we felt that the Governor had acted in a manner which was so prejudicial to the very foundations of our constitutional conception that the point must be pressed further. There were angry and indignant questions from my friend Mr. Mukerjee.

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of

Defence (Shri Hathi): He is not angry, generally.

Dr. L. M. Singhvi: Well, it is a matter of opinion. Our anger or indignation is only for the moment and I am sure that is appreciated.

When I pressed Mr. Hathi to say whether this was based on any constitutional or legal advice, he replied in the affirmative and offered to read from the advice he had received—that was the opinion of the Law Ministry, which we pressed him to lay on the Table.

Shri Sheo Narain (Bansi): There is no quorum.

Mr. Chairman: Let me count the number. The bell is being rung. The bell has stopped ringing. The bell may be rung for a second time—Still there is no quorum. The House stands adjourned till 11 A.M. on Monday.

17.08 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, May 9, 1966 (Vaisakha 19, 1888 (Saka)).